

# Town of Tiburon STAFF REPORT

AGENDA ITEM \_\_\_\_\_



.....

TO: **PLANNING COMMISSION**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **PRE-ZONING OF TWO UNINCORPORATED PROPERTIES WITHIN THE TIBURON PLANNING AREA; FILE NO. R2006-01 (CONTINUED FROM JANUARY 25, 2006)**

MEETING DATE: **MARCH 8, 2006** \_\_\_\_\_

.....

## BACKGROUND

The Town's recently-adopted General Plan, *Tiburon 2020*, includes a number of implementation programs which describe actions to be taken by the Town to implement the goals and policies of the General Plan. In addition to changes to the Zoning Ordinance, Zoning Map and Planned Development Map, two unincorporated properties within the Tiburon Planning Area are required to be pre-zoned to implement Housing Element programs. This pre-zoning is intended to implement Program H-19A of the Housing Element, which the State Department of Housing and Community Development (HCD) has required to be implemented by April of this year in order to find the Tiburon Housing Element to be in unconditional compliance with state law. The pre-zoning would also implement Program H-19E.

The Planning Commission held a public hearing on the pre-zoning on January 25, 2006. At that time, the owners of one of the properties (the Oloumi property) raised concerns about the pre-zoning and requested a continuance to allow time to more thoroughly review the proposed actions. The Planning Commission continued the pre-zoning to the March 8, 2006 meeting.

## ANALYSIS

Program H-19A included in the Housing Element of *Tiburon 2020* states that the Town shall initiate the appropriate actions to eliminate obvious governmental constraints to the construction of affordable housing sites identified in Tiburon's Housing Plan 1999-2006. The two sites identified as key housing opportunity sites that are within the Tiburon Planning Area but outside the Town limits are the Oloumi and Pan Pacific properties, vacant parcels located in the western end of the Tiburon Peninsula above Bay Vista Drive and Knoll Road. Pre-zoning of these two parcels would establish the zoning designation for these properties if these sites are ever annexed into the Town of Tiburon, thus eliminating one governmental hurdle needed prior to their development. As previously noted, HCD has required the Town to complete Program H-19A by April 2006.

The Land Use Element describes the two sites as follows:

**“Pan Pacific:** This 17-acre parcel is steeply sloping and is west-facing, consisting mostly of grassland. It is recommended that approximately one acre of the property be designated with an Affordable Housing Overlay (AHO). An application for a 3-lot



# Town of Tiburon

## STAFF REPORT

---

subdivision has been filed with the County of Marin. Maximum allowable density (non-AHO): 0.2 d.u./acre; approximate maximum units (non-AHO): 3.”

“Oloumi: This property is approximately 6.1 acres and consists mostly of grasslands. The average slope of the property is approximately 33%. It is recommended that approximately  $\frac{3}{4}$  of an acre of the property be designated with an Affordable Housing Overlay (AHO). Maximum allowable density (non-AHO): 0.4 d.u./acre; approximate maximum units (non-AHO): 2.”

Each of these two sites would be pre-zoned RPD (Residential Planned Development), with an RMP (Residential Multiple Planned) zoning and an Affordable Housing Overlay placed on a small portion of the southwest corner of each parcel, matching the Land Use Diagram designation. Due to serious obstacles to annexation raised by Marin LAFCo in recent months, the Town is not contemplating initiating annexation of either property at this time.

As noted above, representatives of the Oloumi property raised several concerns about the proposed pre-zoning. More information was requested on the details of the AHO zone, which had not yet been formulated at the time of the January 25 Planning Commission meeting. The AHO zoning regulations have now been drafted and will be reviewed by the Commission and have been placed on this evening’s agenda.

The Oloumi representatives also expressed an interest in possibly increasing the maximum potential density that would be allowed for their property under the proposed pre-zoning. As noted above, this density has already been established in *Tiburon 2020*; the proposed pre-zoning would simply be consistent with the density allowed under the General Plan. Changes to this density would require approval of a general plan amendment and would be more appropriate when more site-specific information is available, preferably as part of an application to develop the property. Staff has indicated that the Town is receptive to discussing such changes at that time, but feels that changing the proposed density at this time is premature without additional site-specific information.

### ENVIRONMENTAL REVIEW

An EIR for the *Tiburon 2020* General Plan update was certified by the Town Council on September 7, 2005. The proposed pre-zoning is entirely within the scope of the previously certified EIR, wherein no additional review is required.

### FUTURE ACTIONS REQUIRED

The Planning Commission will make a recommendation to the Town Council regarding the proposed pre-zoning. A subsequent public hearing will be scheduled for the Town Council to consider the proposed pre-zoning.

# Town of Tiburon

## STAFF REPORT

---



### RECOMMENDATION

It is recommended that the Planning Commission:

1. Hold a public hearing and discuss the proposed pre-zoning; and
2. Adopt the attached resolution recommending approval of the pre-zoning to the Town Council.

### EXHIBITS

1. Draft resolution
2. Letter from State Department of Housing and Community Development, dated December 5, 2005
3. Minutes of the January 25, 2006 Planning Commission meeting
4. Letter from Scott Hochstrasser, dated January 19, 2006
5. Letter from Barry Kahn, dated January 20, 2006