



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Planning Commission Meeting
June 27, 2007
Agenda Item: **1**

STAFF REPORT

To: **Members of the Planning Commission**

From: **Community Development Department**

Subject: **Tentative Subdivision Map #60703; Request to Subdivide One Parcel into Two Lots; 100 Rolling Hills Road; Allan and Caroline Littman, Owners/Applicants; Assessor's Parcel No. 058-132-30**

PROJECT DATA

Address: 100 Rolling Hills Road
Assessor's Parcel Number: 058-132-30
File Number: 60703
Lot Size: 1.17 acres/51,119 square feet
Zoning: RO-2 (Single-Family Residential-Open)
General Plan: M (Medium Density Residential)
Current Use: Single-Family Residential
Owner: Allan and Caroline Littman
Applicant: Same

PROPOSAL

The applicant is seeking approval of a Tentative Subdivision Map to subdivide a 51,119 square foot parcel located at 100 Rolling Hills Road into two lots. The property is currently developed with a 3,537 square foot single-family residence and a swimming pool and detached pool house. Lot 1, which would contain the existing dwelling, would have an area of 30,987 square feet, and Lot 2, which would contain the existing swimming pool and pool house, would have an area of 20,132 square feet.

The site consists of a roughly rectangular parcel bordered by Rolling Hills Road to the north and east. The existing home on the proposed Lot 1 would continue to have access from a driveway at the northeast corner of the property, access to the proposed Lot 2 would be provided from a new driveway further down Rolling Hills Road.

Subdivision Improvements

The site contains a large, relatively level area upon which the existing home is sited. Rolling Hills Road slopes downhill as it wraps around the site; as a result, the property slopes up toward the street to the north and down toward the street to the south and east. Lot 1 would be relatively

flat; the proposed Lot 2 would have a northwest to southeast average slope of 7.4% and southwest to northeast slopes of 3.4% to 7.4%. The Tiburon Municipal Code requires a minimum lot area of 20,000 square feet for lots in the RO-2 zone with a slope between 0% and 14.99%. Both proposed lots would comply with this requirement.

The applicant has submitted a geotechnical report (**Exhibit 5**) for the property. The investigation found that the site contains bedrock consisting of Jurassic to Cretaceous aged semi-schist, phyllite and schist of the Franciscan Assemblage. The surface soils on the property consist of gravelly silt and clay colluvial deposits which have washed down from upslope areas, along with fill materials which have been placed on the site in connection with the pads for the pool house and pool area. No geotechnical or geologic hazards were found on the site. The report found the site to be generally suitable for development, and made several other recommendations for improvements to be completed as part of any future construction on the property.

The subject property is covered with a variety of ornamental landscaping and mature trees, consistent with what is normally found with a single-family residence. Although a biological study has not been conducted for this property, the subject site is isolated from open space areas and is surrounded by existing residential development in the Rolling Hills Road area; therefore, the site is very unlikely to support rare or endangered plant or animal species.

The plans submitted for this application (**Exhibit 10**) illustrate the allowable setbacks for the two proposed lots in conformance with the RO-2 zoning of the property. Conceptual building drawings have not been provided to illustrate a house location on proposed Lot 2; the applicant has indicated that any future residence would likely be proposed in the location of the existing pool house. Staff notes that standard setbacks (30 feet front, 15 feet sides and 25 feet rear) provide substantial guidance for the location of a future residence on Lot 2.

ANALYSIS

Issues

The sizes of the other lots along this portion of Rolling Hills Road range from 15,510 to 31,500 square feet; 3 of the 6 other lots are smaller than the 20,000 square foot minimum required under the RO-2 zone. The current size of the subject property is larger than any other lot along this portion of Rolling Hills Road. As proposed, Lot 1 would be the second largest lot in the immediate vicinity, and Lot 2 would be larger than 3 of the 6 other lots.

The owners of the homes at 35, 45 & 55 Rolling Hills Road have raised concerns about the possible construction of a two-story home on Lot 2 and have requested that story poles be erected. These concerns center on potential privacy and visual impacts caused by construction of a future home on Lot 2, along with concerns about increased density in this neighborhood. Most of the homes along this portion of Rolling Hills Road have two stories; therefore a two-story home on Lot 2 would be generally consistent with the character of the surrounding neighborhood. Privacy issues are generally addressed by the Design Review Board once an application for a new house has been submitted. In the absence of plans for a specific house design, an assessment of privacy issues is highly speculative.

The applicant has not erected story poles to indicate a possible house location on that lot. It is his contention that the presence of the existing pool house is adequate to represent the general location of a future house on the lot, and that any other design issues would be addressed through the Design Review process. The applicant has also noted that these neighboring homes are generally oriented toward views to the south and west, away from the subject property, and do not have any substantial views across proposed Lot 2 that would be affected by a future two-story structure on that lot. The applicant has submitted several photographs taken from these nearby properties, which are attached as **Exhibit 3**. The Planning Commission is encouraged to view the site from these neighboring homes to determine if it believes that story poles on Lot 2 would materially and meaningfully contribute to its understanding of and deliberations on the lot split application.

General Plan Consistency and Zoning Ordinance Conformance

The areas of the two proposed lots are consistent with the current RO-2 zoning and Medium Density Residential General Plan designation for this property. Tiburon General Plan Land Use Element Policy LU-17 states that subdivision of existing developed lots should be discouraged unless the following criteria are met:

- a) *Safe, convenient and acceptable access and circulation can be provided, especially in areas where narrow, curving, or otherwise substandard streets predominate.*

The property is bordered by Rolling Hills Road, which provides adequate access to the site. The driveway location for Lot 2 would provide safe sight lines in both directions.

- b) *All newly created lots have a slope of less than 30%*

The slope for each parcel would be 7.4% or less.

- c) *Development would avoid ridgelines, knolls, or other prominently visible areas.*

There are no ridgelines on the subject property. The proposed Lot 2 is visible to residents of Rolling Hills Road passing by the site, but is not visually prominent.

- d) *Consistency with General Plan, Zoning, Subdivision, and all other Town regulations is demonstrated.*

As stated above, the proposed subdivision would be consistent with the general plan and with zoning requirements. Compliance with the subdivision ordinance is addressed below.

- e) *Proposed lot sizes and density are compatible with the surrounding pattern of development.*

As noted above, the proposed lot sizes and density are compatible with the surrounding lots along this portion of Rolling Hills Road. One new single-family residence on proposed Lot 2 would not materially alter the density of the area. The existing property larger than all of the other lots along this portion of Rolling Hills Road, and the proposed lot sizes of 30,987 square feet and 20,132 square feet would be comparable with those of surrounding properties.

f) Sensitive treatment of trees and other significant natural features can be achieved.

There are no significant natural features on the property which would be affected by the proposed minor subdivision. Only two Eucalyptus trees on the proposed Lot 2 are large enough to be protected under the Tiburon Tree Ordinance, and these trees are not proposed to be removed at this time.

g) All required infrastructure can be provided to the site.

All basic services, including sewer lines, are available to serve the site.

h) No driveway shall serve more than three units. A public or private roadway, meeting Fire District and Town standards, must be provided if more than three units are to be served.

Both the existing home and a future home on Lot 2 would be served by separate driveways connecting to Rolling Hills Road.

i) Sufficient on-site parking is provided.

A two-car carport provides adequate on-site parking for the existing house on Lot 1. A future house on Lot 2 would be required to provide at least two on-site parking spaces through the Design Review process.

Subdivision Ordinance Compliance

Chapter 14 of the Tiburon Municipal Code (Subdivision Ordinance) requires that the Planning Commission make the following findings in approving a Tentative Map for a Minor Subdivision:

- a. Plan Consistency. As stated above, the proposed map is consistent with the goals and objectives of the Tiburon General Plan and would, on balance, further the goals and objectives of the General Plan.
- b. Design or Improvement. The design of the proposed subdivision is consistent with Town policies and regulations regarding subdivision of property.
- c. Type of Development. The proposed subdivision would result in a single-family home which is a permitted and common type of development along this portion of Rolling Hills Road and in the RO-2 zone.
- d. Density of Development. The proposed density is consistent with surrounding development.
- e. Fish or Wildlife. The subject property is situated within an area that is generally built-out and where numerous residences have already been constructed. There will be no impacts on fish or wildlife from the subdivision application approval.

- f. Public Health. The proposed subdivision has no characteristics that would cause significant public health problems.
- g. Access. The access to the proposed lots would utilize Rolling Hills Road and would not overburden this street.
- h. Dedications. There are no lands or improvements proposed to be dedicated to the Town as part of this project.
- i. Discharge of Waste. The future house on proposed Lot 2 would be required to connect to the public sewer system, in conformance with the requirements of the Town of Tiburon and Sanitary District No. 5.
- j. Regional Housing Needs. The project is consistent with the Town's Housing Element goals and policies.

Public Comments

As of the writing of this report, Staff has received four letters related to this project and has spoken to several other property owners in the vicinity. The owners of 45 Rolling Hills Road have raised issues regarding potential privacy and visual impacts that could be caused by a future home on Lot 2, along with concerns about increased density in this neighborhood. A letter from the owners of 35 Rolling Hills Road raises these same issues, along with concerns that several bird species inhabit trees on the site. The owners of 55 Rolling Hills Road have raised concerns regarding similar issues, along with concerns about increased traffic and historic drainage issues. A letter has been received from the owner of 75 Spring Lane regarding traffic and future density concerns. The letters are attached as **Exhibits 6 through 9**.

Environmental Status

An initial study/draft mitigated negative declaration was prepared for this project and released for public comment on June 1, 2007. The initial study/draft mitigated negative declaration is attached as **Exhibit 4**. The public review period ended on June 21, 2007.

The initial study identified the potential for significant environmental impacts in the following categories:

- Aesthetics
- Air Quality
- Cultural resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Noise
- Transportation/Traffic

Mitigation measures have been developed that would reduce the potential for adverse environmental impacts to less-than-significant levels. The majority of potential impacts can be mitigated through normal compliance with Town Design Review and building procedures, and with Tiburon Fire Protection District requirements.

As of the writing of this report, no comments on the draft Mitigated Negative Declaration have been received, and no substantial evidence in support of a fair argument that a significant adverse impact would result from the project has been put forth.

RECOMMENDATION

Staff recommends that the Planning Commission take testimony on this item, close the public hearing, and deliberate upon the project. Staff has prepared a draft resolution (**Exhibit 1**) conditionally approving the tentative subdivision map application for consideration by the Commission.

EXHIBITS

1. Draft Resolution
2. Application form and additional submittal information
3. Photos submitted by applicant
4. Draft Initial Study/Mitigated Negative Declaration
5. Geological investigation prepared by Herzog Geotechnical Consulting Engineers, dated April 2, 2007
6. Letter from Scott and Karin Peters, dated June 14, 2007
7. Letter from Rita Burgess and David Readerman, dated June 18, 2007
8. Letter from Mark Miravalle and Mary Higgins, dated June 19, 2007
9. Letter from Kenneth Kahn, dated June 20, 2007
10. Submitted plans

Prepared by: **Daniel M. Watrous, Planning Manager**

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Initial Study

For the

Tentative Subdivision Map
100 Rolling Hills Road, Tiburon
(Town File No. 60703)

May 2007

PREPARED BY

Laurie Tyler
Associate Planner, Town of Tiburon

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APPENDICES:

APPENDIX A: Consent Agreement for Mitigation Measures

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APPENDIX C: Bay Area Air Pollution Summary – 2005; Bay Area Air Quality Management District

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MITIGATED NEGATIVE DECLARATION

TO: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

_____ County Clerk, Marin County

FROM: Town of Tiburon Community Development Department
1505 Tiburon Blvd.
Tiburon, CA 94920

Project Title: Tentative Subdivision Map – 100 Rolling Hills Road

Proponent: Oberkamper & Associates Civil Engineers Inc. for Allan & Caroline Littman

Project Location: 100 Rolling Hills Road, Tiburon, CA

Project Description: The project proposes a Tentative Subdivision Map (File #60703) to subdivide a 1.17 acre parcel into two lots. Lot 1 would have an area of 30,987 square feet, and Lot 2 would have an area of 20,132 square feet. An existing single-story single-family residence owned and occupied by the applicants is located on the proposed Lot 1, while the proposed Lot 2 is currently improved with a large single-story pool house and swimming pool. The property is located within the Rolling Hills subdivision, which is developed with detached single-family dwellings.

The site slopes north to south and slightly to the west, as Rolling Hills Road curves downward and around the parcel. Access to proposed Lot 1 would continue to be provided through the existing driveway. Access would be provided for proposed Lot 2 through a new driveway in the downward curve of Rolling Hills Road, above the existing pool house. Vegetation on the site consists mostly of ornamental landscaping, usually found surrounding single-family residences. Several mature pine, oak and eucalyptus trees border the site.

The proposed lots would be subject to the regulations of the RO-2 zone, which establishes setbacks and lot coverage limitations for these lots. Conceptual plans for a possible future dwelling unit on Lot 2 have not been submitted as part of this application.

Finding: Based on the attached Initial Study, it has been determined that the proposed project would not result in a significant, adverse environmental effect provided that certain mitigation measures are implemented. See mitigation measures within the Initial Study and in the attached Consent Agreement for Mitigation Measures (Appendix A).

CHAPTER 1 PROJECT DESCRIPTION



1. **Project Title:** Tentative Subdivision – 100 Rolling Hills Road
2. **Lead Agency Name and Address:**
Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
3. **Contact Person and Phone Number:**
Ms. Laurie Tyler, Associate Planner (415) 435-7397
4. **Project Location:** 100 Rolling Hills Road, Tiburon, CA (see Figure 1).
5. **Project Sponsor's Name and Address:**
Allan and Caroline Littman
100 Rolling Hills Road
Tiburon, CA 94920
Contact: Allan Littman
Phone: 415.435.0886
Fax: 415.435.1052

Oberkamper & Associates Civil Engineers Inc.
10 Paul Drive
San Rafael, CA 94903
Contact: Lee Oberkamper
Phone: 415.479.1807
Fax: 415.479.1807
6. **Person Preparing the Submission/Initial Study Checklist**
Laurie Tyler
Associate Planner – Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
Phone: 415.435.7397
Fax: 415.435.2438
Email: ltyler@ci.tiburon.ca.us
7. **Project Number:** 60703
8. **Assessor Parcel No.** 58-132-30. (see Figure 2).
9. **Type of Approval Sought:** Minor Subdivision

10. Size of Subject Property: Approximately 1.17 acres

11. Present and Previous Use of Site or Structures:

The site is currently improved with a single-family dwelling, pool house and swimming pool.

12. General Plan Designation and Applicable Master and/or Precise Plans that apply to site:

The project site is designated as “Medium Density Residential, up to 3.0 dwelling units per acre” in the Tiburon General Plan (land use map). The existing residential use of this site is consistent with this land use designation.

13. Zoning: The project site is located within the RO-2 (Single-Family Residential - Open) District, which is intended to promote and encourage the maintenance of a suitable environment for low density single-family development, on parcels larger than those found in the R-1 zone, which are located in predominantly developed portions of the town. The minimum parcel size in the RO-2 zone is 20,000 square feet.

14. Description of Project:

The applicant is seeking approval of a Tentative Subdivision Map (File #60703) to subdivide a 1.17 acre parcel into two lots. Lot 1 would have an area of 30,987 square feet, and Lot 2 would have an area of 20,132 square feet. An existing single-story single-family residence owned and occupied by the applicants is located on the proposed Lot 1, while the proposed Lot 2 is currently improved with a large single-story pool house and swimming pool. The property is located within the Rolling Hills subdivision, which is developed with detached single-family dwellings.

The site slopes north to south and slightly to the west, as Rolling Hills Road curves downward and around the parcel. Access to proposed Lot 1 would continue to be provided through the existing driveway. Access would be provided for proposed Lot 2 through a new driveway in the downward curve of Rolling Hills Road, above the existing pool house. Vegetation on the site consists mostly of ornamental landscaping, usually found surrounding single-family residences. Several mature pine, oak and eucalyptus trees border the site.

The proposed lots would be subject to the regulations of the RO-2 zone, which establishes setbacks and lot coverage limitations for these lots. Conceptual plans for a possible future dwelling unit on Lot 2 have not been submitted as part of this application.

Figure 1: Project Location and Vicinity Map

8 ½ X 11

15. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:

The project site is surrounded by Single-Family Residential –Open (RO-2) to the south, east and west, and Residential Planned Development to the north (Owlswood West Subdivision).

16. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Marin Municipal Water District (MMWD)
Sanitary District #5 of Marin County
Tiburon Fire Protection District

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- Aesthetics
- " Biological Resources
- Hazards & Hazardous Materials
- " Mineral Resources
- " Public Services
- " Utilities/Service Systems
- " Agricultural Resources
- Cultural Resources
- Hydrology/Water Quality
- Noise
- " Recreation
- " Mandatory Findings of Significance
- Air Quality
- Geology/Soils
- " Land Use/Planning
- " Population/Housing
- Transportation/Traffic

Determination.

On the basis of this initial evaluation:

- " I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- " I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- " I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- " I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Laurie Tyler, Associate Planner
Town of Tiburon Department of Community Development.

CHAPTER II ENVIRONMENTAL CHECKLIST



Note: For each topic listed below, a reference source was used to complete the Environmental Checklist. The reference sources are listed by number in Chapter IV of this document.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	"	"	●	"
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	"	"	●	"
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	"	●	"	"
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	"	●	"	"

Environmental Setting

The project site encompasses approximately 1.17 acres of moderately level land that is currently developed with a single-family dwelling, pool house and swimming pool.

The project site is not located on a ridgeline or within a significant visual corridor. Further, the site is not identified as a scenic resource in the Tiburon General Plan. The site is primarily visible to motorists, pedestrians and cyclists using Rolling Hills Road.

Site vegetation includes primarily shrubs (native and non-native), and mature trees such as pine, oak and eucalyptus which border the site.

Environmental Impacts and Mitigation Measures

a) *Have a substantial adverse effect on a scenic vista?*

As noted above, the project site is not designated as a “scenic resource” in the Tiburon General Plan, nor does the site serve as or provide a scenic vista. Therefore, the project would not adversely affect a scenic resource. No further study is necessary.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project site is not visible from a state scenic highway and would not damage rock outcroppings or historic buildings. The project site contains several pine, oak and eucalyptus trees; however, some of these trees would be removed during construction if a new single-family dwelling is developed on Lot 2.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The proposed project would involve subdivision of a parcel currently developed with a single-family residence and the potential for construction of a new single-family home on the proposed Lot 2. Although this home would be visible from other surrounding residential sites, the construction of a home on this lot is not likely to have, in and of itself, a negative effect on the visual character or quality of the site or its surroundings. Currently Lot 2 contains a large one-story pool house, which if replaced with a single-family dwelling, would be located in the same general location. The specific placement, size and appearance of the proposed house, and associated improvements, would be thoroughly analyzed before final approval is given for the construction of this home.

Mitigation Measure Aesthetics -1: Prior to the issuance of grading or building permits for the single-family home on the proposed Lot 2, the building design and landscaping of the house shall receive Site Plan and Architectural Review approval pursuant to Section 16-4.2.2 of the Tiburon Municipal Code. The building and landscaping shall be designed so as to minimize and effectively mitigate any visual impacts on the surrounding neighborhood.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The construction of a new home on the proposed Lot 2 could result in light and glare to surrounding residents above the property.

Mitigation Measure Aesthetics – 2: A detailed lighting plan shall be submitted and reviewed during the building plan check process to ensure conformance with the Town’s exterior lighting policies.

Sources of Information: 1 and 6

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?	"	"	"	●
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	"	"	"	●
c) Involve other changes in the existing environment which, due	"	"	"	●

to their location or nature, could result in conversion of Farmland to non-agricultural use?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Environmental Setting

No agricultural uses occur at the project site and the site does not include Prime Farmland or other land of significant agricultural value.

Environmental Impacts and Mitigation Measures

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?*

The project site does not include any significant farmland. No further study is necessary.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The site is not zoned for agricultural use and no Williamson Act contracts apply to the site. No further study is necessary.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

No farmland would be converted to non-agricultural use. No further study is necessary.

Sources of Information: 1

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | " | " | " | ● |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | " | ● | " | " |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | " | " | ● | " |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	"	"	●	"
e) Create objectionable odors affecting a substantial number of people?	"	"	●	"

Environmental Setting

The site is currently not exposed to any significant odors from nearby industries or land uses such as wastewater treatment plants. Air quality for Tiburon is generally good, with the nearest monitoring station of the Bay Area Air Quality Management District (BAAQMD) located in San Rafael. Due to the prevailing winds from the San Francisco Bay, pollutant levels are generally low and federal and state air quality standards are not violated. The latest annual data for the San Rafael monitoring station is for 2005. In that year, there were no violations of the state or federal standards for ozone, carbon monoxide, nitrogen oxide, sulfur dioxide, or suspended particulate matter (BAAQMD, 2005).

Environmental Impacts and Mitigation Measures

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The project would not be in conflict with or obstruct implementation of the *Bay Area Clean Air Plan* (BAAQMD, 2000). The project proposes subdivision of a parcel into two lots, of which Lot 2 would potentially be improved with a new single-family dwelling.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

The potential for development of a new single-family dwelling on the proposed Lot 2 could violate air quality standards during construction with the use of earth-moving equipment and other construction activities, which would be short-term fugitive dust impacts.

Mitigation Measure Air Quality – 1: The site shall be watered during construction on the subject site, and would reduce the impacts to less than significant levels.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

The construction of a new home on the proposed Lot 2 would not result in a cumulatively considerable net increase of any criteria pollutant for which the project area is non-attainment under an applicable federal or state ambient air quality standard.

d) *Expose sensitive receptors to substantial pollutant concentrations?*

Sensitive receptors are defined as “facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses”

The BAAQMD identifies sensitive receptors to be schools, hospitals and residential areas. The project site is bordered by residential uses to the north, south, east and west.

During construction, particulate emissions could be generated in associated with earth-moving activity. While the project is limited to construction area that is small and localized, there is always the potential for dust emissions, which could impact adjacent residents.

e) *Create objectionable odors affecting a substantial number of people?*

The paving of the proposed driveway or other paved surfaces to support the house could generate short-term impacts from asphalt odors, but Staff considers this temporary impact to be less than significant.

Sources of Information: 8

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	"	"	●	"
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	"	"	"	●
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?	"	"	"	●
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	"	"	"	●
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	"	"	●	"
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?	"	"	"	●

Environmental Impacts and Mitigation Measures

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The subject property is covered with a variety of ornamental landscaping, consistent with what is normally found with a single-family residence. Although the site contains various species of mature trees, the site does not contain any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Wildlife Service.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

There is no riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Wildlife Service present on the subject property.

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?*

There are no federally protected wetlands on or near the project site.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

There do not appear to be any significant wildlife corridors on the site, although deer and other wildlife have been observed to use many properties in the vicinity as a corridor.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Removal of any of the trees on the site would require approval of a Tree Permit under the Tiburon Tree Ordinance or during the Site Plan and Architectural Review process.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?*

The proposed project would not conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted local, regional or state Habitat Conservation Plan, as none exists that include the project area.

Sources of Information: 1, 3, 5

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	"	"	"	●
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	"	"	"	●
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	"	"	"	●
d) Disturb any human remains, including those interred outside of formal cemeteries?	"	●	"	"

Environmental Setting

Native American archaeological sites in this portion of Marin County are often located along ridgetops, midslope terraces, alluvial flats, bay marsh margins and near sources of water such as springs. The project site is not immediately adjacent to an area considered as archaeologically sensitive.

Environmental Impacts and Mitigation Measures

a) *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

The site is located in an area of low potential for archeological resources. There are no known historical resources on the subject site. The site has been developed since the 1950's.

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

While the project would result in limited site grading and earth disturbance, unknown archaeological resources could be uncovered during this phase of project construction. While the chances are remote, it is recommended that precautions be taken during construction. The following measure is recommended to reduce this potentially significant impact to a less-than-significant level:

Mitigation Measure Cultural -1: If, during construction activities, any archaeological artifacts or human remains are encountered, the following measures shall be implemented:

- a. ***Construction shall cease and a qualified archaeologist shall visit the site to address the find. The Marin County Medical Examiner's office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site, make further recommendations, and be involved in mitigation planning.***
- b. ***Any artifacts or samples collected as part of the initial discovery or monitoring must be properly conserved, catalogued, analyzed, evaluated, and curated in a manner consistent with current professional archaeological standards.***
- c. ***The project sponsor is responsible for notifying the contractor in writing of the possibility of such findings and shall provide proof of this communication to the Town Planning staff prior to the onset of construction.***

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No known unique paleontological or geologic features have been identified on the site.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

Please refer to (b) above.

Sources of Information: 1 and 3

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	"	"	"	●
ii) Strong seismic ground shaking?	"	●	"	"
iii) Seismic-related ground failure, including liquefaction?	"	"	"	●
iv) Landslides?	"	"	●	●
b) Result in substantial soil erosion or the loss of topsoil?	"	●	●	"
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	"	"	"	●
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	"	●	"	"
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	"	"	"	●

Environmental Setting

The project site is located on the western side of the Tiburon Peninsula, facing Richardson Bay. Lot 1 is situated within the western portion of the site, and supports the existing residence. The proposed Lot 2 is situated east of the driveway. The northern portion of the proposed Lot 2 is an unimproved, south-facing hillside which gently slopes down towards the southeast. The southern portion consists of a pool house and swimming pool.

The site is located within the Coast Range Geomorphic Province, which includes San Francisco Bay and the northwest-trending mountains that parallel the coast of California. These features were formed by tectonic forces resulting in extensive folding and faulting of the area. Bedrock has been mapped previously within the site as consisting of Jurassic to Cretaceous aged semi-schist, phyllite and schist of the Franciscan Assemblage.

Environmental Impacts and Mitigation Measures

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; iv) Landslides?*

A geotechnical investigation was completed by Herzog Geotechnical Consulting Engineers, and was submitted to the Town as part of the applicant for the proposed project. This investigation, henceforth referred to as the geological study, indicated that there are no known faults on the site. The site lies 9 miles to the southwest of the San Andreas Fault. The geological study states that the site, along with the entire San Francisco Bay area, is subject to strong ground shaking during severe earthquakes. The geological study indicated that the site lies within a zone with a low probability of liquefaction during an earthquake. The geological study indicated that there is no evidence of land sliding in the project area, however, fill banks downslope of the pool area have experienced lateral yielding. The Safety Element of the Tiburon General Plan does indicate that the area to the north of the subject property is susceptible to wildfire as well as the potential to act as a debris-flow source area.

Mitigation Measure Geology – 1: All improvements, including structures, fills, utilities and roads should be designed to resist earthquake groundshaking. The latest seismic safety building and engineering techniques should be employed in the design of the house.

Mitigation Measure Geology – 2: Structures should be designed to accommodate settlement. When this is not acceptable, it will be necessary to support improvements (structures, utilities, roads, etc.) on piers extending into firm materials below fill.

- b) *Result in substantial soil erosion or the loss of topsoil?*

The proposed project would not substantially alter the topography of the site. Grading is proposed to be minor in nature in the construction of the potential driveway and dwelling unit on Lot 2. Drainage would also be transported by proposed storm drain lines to Rolling Hills Road for the new house on Lot 2. The project would have to comply with all best management practices (BMP's) required by the Town of Tiburon for new construction projects to prevent soil erosion from the site.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

The geological study indicated that there is no evidence of land sliding in the project area, however, fill banks downslope of the pool area have experienced lateral yielding.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

The geological study indicated that portions of the site are blanketed by relatively weak fill and native soil deposits which are subject to settlement, gradual downslope creep, and possible expansive soil movement.

Mitigation Measure Geology – 3: Refer to Mitigation Measure Geology -2.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The subject site is currently tied into the existing sewer lateral on Rolling Hills Road and the proposed dwelling would also tie into this lateral.

Sources of Information: 1 and 4

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. HAZARDS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	"	"	"	●
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	"	"	"	●
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	"	"	"	●
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	"	"	"	●
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	"	"	"	●
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	"	"	"	●
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	"	"	"	●
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	"	●	"	"

Environmental Setting

Proximity to Fire Hazard Areas

The project site is located adjacent to an area susceptible to wildland fire hazards. The steep slopes and hillside area bordering the project site to the north comprise of open grassland and vegetation.

Presence of Hazardous Materials

The project site does not contain any uses or improvements that hold or store hazardous materials as the site is within a residential area.

Location of Nearby Sensitive Receptors

The project site is bordered by residential use, which is considered to be a sensitive receptor. No industrial activities occur in this part of Tiburon.

Environmental Impacts and Mitigation Measures

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

No hazardous materials use would be associated with project operations. During construction, a minor amount of hazardous materials (e.g., paints, solvents, etc.) could be used but all contractors are expected to abide by state and federal regulations regarding the transport, use, and disposal of such materials.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Please refer to (a) above.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The school that is closest to the project site is Reed Elementary School, which is located at 1199 Tiburon Blvd., about one quarter mile northwest of the site. No hazardous emissions would be associated with the project and thus no impacts would occur for the school.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The project site is not included on the State's Hazardous Waste and Substances Site List (DTSC, 2007).

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

The project would not be located within two miles of a public airport. The nearest public airport is Gness Field which is approximately 12 miles north of the site.

- f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project would not be located within the vicinity of a private airstrip. No airstrips are located in the Town of Tiburon. The nearest private airstrip is located at Smith Ranch, which is approximately eight (8) miles north from the project site.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The project site would not interfere with or impair implementation of an adopted emergency response plan or emergency evacuation plan.

h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The project site is adjacent to an area susceptible to wildland fires. Based on existing vegetation types, the probability of fire, and wildland-urban interface settings, the California Department of Forestry and Fire Protection has identified Tiburon as one of the highest ranking communities in terms of threat categories.

Mitigation Measure Hazards – 1: All vegetation, existing and new, shall comply with the recommendations of Fire Safe Marin and the requirements of UFC 1103.

Sources of Information: 1, 5 and 9

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	"	"	"	●
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	"	"	"	●
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	"	"	●	"
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	"	"	●	"
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	"	"	●	"

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	"	●	"	"
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	"	"	"	●
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	"	"	"	●
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	"	"	"	●
j) Inundation by seiche, tsunami, or mudflow?	"	"	"	●

Environmental Impacts and Mitigation Measures

a) *Violate any water quality standards or waste discharge requirements?*

The construction of a new home on the proposed Lot 2 would not violate any water quality standards or waste discharge requirements.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

The construction of a new home on the proposed Lot 2 would not degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

The proposed project would marginally affect absorption rates, drainage patterns and the rate and amount of surface runoff for the paved area of the future building site and driveway. Drainage on the site currently sheet flows to the south along Rolling Hills Road, where water is collected in existing catch basins and transported toward the bay. Runoff to the existing catch basins caused by the proposed project would not be a significant environmental impact since the existing structure on the proposed Lot 2 currently does not significantly impact runoff for Rolling Hills Road.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The proposed project would marginally affect absorption rates, drainage patterns and the rate and amount of surface runoff for the paved area of the future building site and driveway. Drainage on the site currently sheet flows to the south to Rolling Hills Road, where water is collected in existing catch basins and transported

toward the bay. The minor increase in runoff to the existing catch basins caused by the proposed project would not be a significant environmental impact.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

The runoff created by the construction of a new home on the proposed Lot 2 would not exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

- f) *Otherwise substantially degrade water quality?*

Increased runoff from the site does have the potential for carrying pollutants into the drainage basins below the site and ultimately into the bay.

Mitigation Measure Hydrology and Water Quality – 1: Project design and construction activities will utilize Best Management Practices as described in the California Storm Water Best Management Practice Handbook for Construction Activity, January 2003.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

The subject site is not within any 100- year floodplain.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

The subject site is not within any 100-year floodplain.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?*

The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding.

- j) *Inundation by seiche, tsunami, or mudflow?*

The project site is not located within an area that is exposed to a potential seiche or tsunami, or located an in area susceptible to mudflow.

Sources of Information: 1 and 10

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	"	"	"	●
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	"	"	"	●
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	"	"	"	●

Environmental Impacts and Mitigation Measures

a) *Physically divide an established community?*

The project would not divide an established community as it is limited to a subdivision of one parcel into two separate lots that is surrounded by urban development.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed project has been reviewed for consistency with the pertinent policies of the Tiburon General Plan. The project would be consistent with the pertinent policies.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No habitat conservation plan or natural community conservation plan applies to the project site.

Sources of Information: 1 and 5

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	"	"	"	●
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	"	"	"	●

Environmental Setting

No known mineral resources have been mapped at the project site. The main site with mineral deposits within the Town of Tiburon is the Ring Mountain Nature Preserve and this site has been preserved as permanent open space.

Environmental Impacts and Mitigation Measures

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No known mineral resources would be impacted by the proposed project.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Please refer to (a) above.

Sources of Information: 1 and 4

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	"	●	"	"
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	"	"	"	●
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	"	"	●	"
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	"	●	"	"
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	"	"	"	●
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	"	"	"	●

Environmental Impacts and Mitigation Measures

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The proposed project will result in a short-term increase in noise from grading and earth-moving equipment and other normal residential construction activities. The project proposes minor grading and the construction of a single-family home using standard construction techniques. The proposed project would not result in a substantial permanent increase in ambient noise or expose people to or generate noise levels in excess of standards established in the Town's General Plan and other applicable standards.

Mitigation Measure Noise – 1: All construction activity shall comply with the Town's limitations on construction hours as set forth in Chapter 13 of the Tiburon Municipal Code.

- b) *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*

No major ground borne vibration or ground borne noise levels are expected to result from project construction. No blasting or major drilling is anticipated for project design.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

As summarized in a) above, the proposed construction of a single-family dwelling is not expected to generate a substantial, permanent increase in ambient noise levels. No further study is necessary.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

The proposed project could result in a short-term increase in noise from grading and earth-moving equipment and other normal residential construction activities. Construction which occurs during most daylight hours is not likely to increase ambient noise to significant levels for surrounding residences, although the location of the site above other homes in the surrounding neighborhood could result in increased noise transmission to homes below the site.

Mitigation Measure Noise – 2: All construction activity shall comply with the Town's limitations on construction hours as set forth in Chapter 13 of the Tiburon Municipal Code.

Mitigation Measure Noise – 3: Equipment engine doors on motorized equipment shall be closed during equipment operation.

Mitigation Measure Noise – 4: The quietest of alternative feasible equipment shall be used during demolition and construction.

Mitigation Measure Noise – 5: When not in use, motorized construction equipment shall not be left idling.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project site is not located within an area that is covered by an airport land use plan.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The project site is not in the vicinity of a private airstrip.

Sources of Information: 1 and 7

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	"	"	"	●
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	"	"	"	●
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	"	"	"	●

Environmental Impacts and Mitigation Measures

- a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

No major infrastructure expansion or substantial population growth would be generated by the proposed project. The project would split the parcel into two lots, with the potential to construct a new single-family dwelling on the proposed Lot 2.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

No housing would be removed or impacted to allow construction of the project.

- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Please refer to (b) above.

Sources of Information: 1

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	"	"	●	"
Police protection?	"	"	"	●
Schools?	"	"	●	"
Parks?	"	"	●	"
Other public facilities?	"	"	"	●

Environmental Impacts and Mitigation Measures

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?*

No new governmental or service-related facilities would need to be constructed to serve the project. Fire and police department services are adequate to provide continued service to the project site and the proposed new single-family dwelling.

Sources of Information: 1 and 2

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	"	"	●	"
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	"	"	"	●

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Environmental Impacts and Mitigation Measures

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project would result in the construction of a new home on the proposed Lot 2. This increased level of development would not increase the use of existing neighborhood or regional parks or other off-site recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project would result in the construction of a new home on the proposed Lot 2 and does not include recreational facilities. This increased level of development would not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Sources of Information: 1, 2 and 5

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	"	"	●	"
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?	"	"	●	"
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	"	"	"	●
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	"	"	●	"
e) Result in inadequate emergency access?	"	"	●	"
f) Result in inadequate parking capacity?	"	●	"	"

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	"	"	"	●

Environmental Impacts and Mitigation Measures

- a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

The traffic generated by the one proposed home can be easily handled by the existing street system serving this project.

- b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?*

The traffic generated by the one proposed home would not be substantial enough to cause any street or roadway to exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project does not involve, nor would it impact air traffic conditions.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The driveway serving the proposed Lot 2 from Rolling Hills Road would be located in the downward curve of Rolling Hills Road, above the existing pool house, and would not pose an unusual safety hazards.

- e) *Result in inadequate emergency access?*

Primary access for emergency vehicles to this site would be provided via Rolling Hills Road, and this design would not pose any unusual safety hazards.

- f) *Result in inadequate parking capacity?*

It is not known how many off-street parking spaces would be provided on the proposed Lot 2, but it will be ensured during the design review submittal. The garage and driveway will be adequate to serve the needs of the residents of this home and their guests. Parking of construction vehicles during construction of the project could result in a temporary shortage of on-street parking along Rolling Hills Road.

Mitigation Measure Transportation/Traffic – 1: A staging, parking and materials storage plan shall be filed and approved by the Town of Tiburon prior to construction of subdivision improvements and for each building permit.

- g) Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The proposed project would not conflict with adopted policies, plans or programs supporting alternative transportation. There are no such requirements that would directly apply to the project itself, though the Town of Tiburon encourages and supports alternative forms of transportation.

Sources of Information: 1, 2, 6

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	"	"	"	●
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	"	"	"	●
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	"	"	"	●
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	"	"	"	●
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	"	"	"	●
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	"	"	"	●
g) Comply with federal, state, and local statutes and regulations related to solid waste?	"	"	"	●

Environmental Setting

Local Water Service

Local water service is provided by the Marin Municipal Water District (MMWD). Water to the project site is provided by the "Tiburon Lower" tank, which is located off Spring Lane. The water line currently serving the project site is located in the Rolling Hills Road right-of-way.

Local Wastewater Service

The Sanitary District No. 5 currently provides wastewater service to the project site. If developed, the proposed single-family dwelling would require connection to the service lateral.

Local Solid Waste Disposal Service

The Mill Valley Refuse Company provides solid waste service to the existing neighborhood. Refuse is taken to the Redwood Landfill in Petaluma, which has adequate capacity to serve the proposed new dwelling.

Environmental Impacts and Mitigation Measures

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

The project is not expected to result in significant increase in wastewater demands and would not create any exceedance of wastewater treatment requirements of the RWQCB.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Due to the relatively small size of the proposed project, no new water or wastewater treatment facilities would be required, nor would any expansions of existing facilities will be needed.

c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

A connection to the existing storm drainage system would be required for the proposed new dwelling, but no significant environmental effects are anticipated because the system would be adequate to handle runoff from the site, and currently does.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Sufficient water supplies would be available to serve the project.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Adequate wastewater capacity would be available to serve the project.

f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Refuse (including recyclable materials) from the proposed project would be collected by the Mill Valley Refuse Company and transferred to the Redwood Landfill located in Novato, which has a remaining capacity of approximately 10 million cubic yards. This capacity is expected to be sufficient, under current projections, for another 17 years. Thus, the proposed project's solid waste disposal needs would be accommodated.

g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

There are no unusual project circumstances or conditions that result in an expectation that the project would not comply with federal, state, and local statutes and regulations related to solid waste.

Sources of Information: 11

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	"	"	"	●
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	"	"	"	●
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	"	"	"	●

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

As summarized in this Initial Study, the project could not have the potential to degrade the quality of the environment, or substantially reduce the habitat of wildlife species, as noted in the previous sections of this environmental evaluation.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

No other cumulative projects are proposed in the vicinity of the project site.

d) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The project would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Sources of Information: 1 through 11

CHAPTER III REFERENCES



The following reference sources have been used in the preparation of this Initial Study. As noted at the beginning of Section III, each of the topics addressed in the Environmental Checklist includes a list of references by number. The numbers for the reference sources correspond with the sources that are listed below by number.

1. Site visit; May 18, 2007
2. Project plans and application materials submitted by the project sponsor including:
 - a. Tentative subdivision map of project site prepared by Oberkamper & Associates Inc.; May 10, 2007
 - b. Preliminary Title Report, First American Title Company; May 4, 2007
3. Environmental Data Submission submitted by project applicant; May 3, 2007
4. Geotechnical Report – prepared by Herzog Geotechnical Consulting Engineers; April 2, 2007
5. Town of Tiburon General Plan, 2005
6. Town of Tiburon Zoning Ordinance, Chapter 16 of the Tiburon Municipal Code; 2003
7. Town of Tiburon Ordinance (Tiburon Municipal Code) addressing noise regulation
8. Bay Area Air Quality Management District Annual Report; 2005
9. Hazardous waste list website http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm.
10. Federal Emergency Management Agency, Flood Hazard Map, 2003.
11. Conversation with Redwood Landfill, Petaluma, CA, May 23, 2007

APPENDIX A

CONSENT AGREEMENT FOR MITIGATION MEASURES

Project Title: Tentative Subdivision Map – 100 Rolling Hills Road

Lead Agency Name and Address: Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920

Contact Person and Phone Number: Ms. Laurie Tyler, Associate Planner
(415-435-7397)

Project Location: 100 Rolling Hills Road, Tiburon, CA

Project Sponsor's Name and Address: Allan and Caroline Littman
100 Rolling Hills Road
Tiburon, CA 94920
415-435-0886

Oberkamper & Associates
10 Paul Drive
San Rafael, CA 94903
415-479-8662

Allan and Caroline Littman, the applicants, hereby agrees to implement the mitigation measures described herein which are recommended for the proposed project based on the assessment of potential environmental impacts in the Initial Study and are incorporated into the preparation of the Mitigated Negative Declaration (pursuant to Section 21157.5 of the Public Resources Code and Article 6 of the State CEQA Guidelines) for the proposed project.

The mitigation measures required to reduce the potentially-significant impacts of the project to a less-than-significant level are as follows:

Mitigation Measure Aesthetics -1: Prior to the issuance of grading or building permits for the single-family home on the proposed Lot 2, the building design and landscaping of the house shall received Site Plan and Architectural Review approval pursuant to Section 16-4.2.2 of the Tiburon Municipal Code. The building and landscaping shall be designed so as to minimize and effectively mitigate any visual impacts on the surrounding neighborhood.

Mitigation Measure Aesthetics – 2: A detailed lighting plan shall be submitted and reviewed during the building plan check process to ensure conformance with the Town’s exterior lighting policies.

Mitigation Measure Air Quality – 1: The site shall be watered during construction on the subject site, and would reduce the impacts to less than significant levels.

Mitigation Measure Cultural -1: If, during construction activities, any archaeological artifacts or human remains are encountered, the following measures shall be implemented:

- a. Construction shall cease and a qualified archaeologist shall visit the site to address the find. The Marin County Medical Examiner's office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site, make further recommendations, and be involved in mitigation planning.
- b. Any artifacts or samples collected as part of the initial discovery or monitoring must be properly conserved, catalogued, analyzed, evaluated, and curated in a manner consistent with current professional archaeological standards.
- c. The project sponsor is responsible for notifying the contractor in writing of the possibility of such findings and shall provide proof of this communication to the Town Planning staff prior to the onset of construction.

Mitigation Measure Geology – 1: All improvements, including structures, fills, utilities and roads should be designed to resist earthquake ground shaking. The latest seismic safety building and engineering techniques should be employed in the design of the house.

Mitigation Measure Geology – 2: Structures should be designed to accommodate settlement. When this is not acceptable, it will be necessary to support improvements (structures, utilities, roads, etc.) on piers extending into firm materials below fill.

Mitigation Measure Geology – 3: Refer to Mitigation Measure Geology -2.

Mitigation Measure Hazards – 1: All vegetation, existing and new, shall comply with the recommendations of Fire Safe Marin and the requirements of UFC 1103.

Mitigation Measure Hydrology and Water Quality – 1: Project design and construction activities will utilize Best Management Practices as described in the California Storm Water Best Management Practice Handbook for Construction Activity, January 2003.

Mitigation Measure Noise – 1: All construction activity shall comply with the Town's limitations on construction hours as set forth in Chapter 13 of the Tiburon Municipal Code.

Mitigation Measure Noise – 2: All construction activity shall comply with the Town's limitations on construction hours as set forth in Chapter 13 of the Tiburon Municipal Code.

Mitigation Measure Noise – 3: Equipment engine doors on motorized equipment shall be closed during equipment operation.

Mitigation Measure Noise – 4: The quietest of alternative feasible equipment shall be used during demolition and construction.

Mitigation Measure Noise – 5: When not in use, motorized construction equipment shall not be left idling.

Mitigation Measure Transportation/Traffic – 1: A staging, parking and materials storage plan shall be filed and approved by the Town of Tiburon prior to construction of subdivision improvements and for each building permit.

Applicant's Signature:

Allan Littman

Date:

Caroline Littman

Date:
