



# Notice of Preparation

## Tiburon General Plan 2040 Update

### Draft Program Environmental Impact Report

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**Date:** October 21, 2022

**To:** State Clearinghouse, Agencies, Organizations, and Interested Parties

**From:** Town of Tiburon Community Development Department

**Subject:** Notice of Preparation and Scoping Meeting for the Tiburon General Plan 2040 Update Environmental Impact Report

**Scoping Meeting:** October 27, 2022 4:00 p.m. (via Zoom – see pg.2 for information)

**Comment Period:** October 21, 2022 to November 28, 2022

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The Town of Tiburon (Town) will serve as Lead Agency in the preparation of a programmatic Environmental Impact Report (EIR) for the adoption and implementation of the Tiburon General Plan 2040 Update (General Plan 2040).

The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the State CEQA Guidelines Section 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project, and (3) to notice the public scoping meeting. The proposed project is a long-term General Plan consisting of policies that will guide future development activities and Town actions. Information regarding the project description, project location, and topics to be addressed in the Draft EIR is provided below. Additional project documents and information are available at the Town of Tiburon, Community Development Department located at 1505 Tiburon Boulevard, Tiburon CA 94920 and on-line at:

<https://createtiburon2040.org>.

For questions regarding this notice, please contact Dina Tasini, Director of Community Development, at (415) 435-7393 or [dtasini@townoftiburon.org](mailto:dtasini@townoftiburon.org).

### Notice of Preparation Comment Period

The Town, as Lead Agency, requests that responsible and trustee agencies, and the Office of Planning and Research, respond in a manner consistent with Section 15082(b) of the CEQA Guidelines. Pursuant to Public Resources Code Section 21080.4, responsible agencies, trustee agencies and the Office of Planning and Research must submit any comments in response to this notice no later than 39 days after receipt. The NOP public review period will begin on October 21, 2022 and end on November 28, 2022.

In the event that the Town does not receive a response from any Responsible or Trustee Agency by the end of the review period, the Town may presume that the Responsible Agency or Trustee Agency has no response to make (State CEQA Guidelines Section 15082(b)(2)). All comments in response to this notice must be submitted in writing



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at the address below, or via email, by the close of the 30-day NOP review period, which is 5:00 PM on November 28, 2022:

Dina Tasini, Director of Community Development  
Town of Tiburon  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
[dtasini@townoftiburon.org](mailto:dtasini@townoftiburon.org)

### ***Scoping Meeting***

The Town will hold a scoping meeting to provide an opportunity for agency representatives and the public to assist the Town in determining the scope and content of the EIR.

The scoping meeting will be held on October 27, 2022, at 4:00 p.m. via Zoom.

The Zoom meeting link is provided below.

**Tiburon General Plan 2040 Draft EIR Scoping Meeting**  
October 27, 2022 at 4:00 PM

Join Zoom Meeting

<https://us06web.zoom.us/j/84943082890>

669-444-9171 Meeting # 849 4308 2890

For comments before or after the meeting or additional information, please contact Dina Tasini, Director of Community Development, at (415) 435-7393 or [dtasini@townoftiburon.org](mailto:dtasini@townoftiburon.org).

### **Project Location and Setting**

Tiburon is a town in southern Marin County located on the Tiburon Peninsula and Angel Island and includes portions of the Raccoon Strait and San Francisco Bay. Tiburon is generally bordered by unincorporated Marin County to the west, Richardson Bay and the Town of Belvedere to the west and southwest, unincorporated Marin County to the east, San Francisco Bay to the south and east, and unincorporated Marin County to the north. See Figure 1, Regional Location Map.

The Tiburon Peninsula is accessible by ferry from downtown San Francisco, by road from Highway 101 and Highway 131 (Tiburon Boulevard), and by bicycle through San Francisco Bay Trail. Apart from San Francisco, other nearby cities include Belvedere, Sausalito, Corte Madera, Mill Valley, and San Rafael.

Tiburon's early growth centered around marine, commercial, and industrial development. In the 1940s, growth occurred in association with World War II and the presence of Navy and Army facilities on the Tiburon Peninsula



and Angel Island. Beginning in the 1950s, Tiburon's growth became that of a bedroom community of San Francisco, with the development of residential subdivisions and a transition to commercially-oriented development along Tiburon Boulevard and Main Street. By the beginning of the 2000s, the majority of the developable land in the Tiburon Planning Area had been developed. Growth from the last two decades has been limited to the redevelopment/expansion of existing properties, development of infill properties, and development of planned development properties with site challenges, such as steep slopes, ridgelines, wildlife habitats, and trees and woodlands.

Elevations on the Tiburon Peninsula range from sea level to about 650 feet, and it is drained by multiple small watersheds on the north and south sides. Vegetation occurring within the Planning Area primarily consists of agricultural, ruderal, riparian, and landscaping vegetation.

Existing conditions in the Town and Planning Area are further described in the Existing Conditions Reports addressing Climate Change, Community Services and Facilities, Conservation, Hazards and Safety, Land Use and Growth, Noise, and Transportation.

### ***Planning Area***

In addition to the lands within the Town boundaries, state law requires that a municipality adopt a General Plan that addresses "any land outside its boundaries which in the planning agency's judgment bears relation to its planning (California Government Code §65300)." The Town's Planning Area is defined as all lands within the Town limits and Tiburon SOI, as well as the Highway 101 Tiburon Boulevard/East Blithedale Avenue interchange west of the northwestern SOI boundary and the open space land to the north of the northern SOI boundary on Ring Mountain, as shown on Figure 2.

## **Project Description**

State law requires the Town to adopt a comprehensive, long-term general plan for the physical development of its planning area. The Plan must include land use, circulation, housing, conservation, open space, noise, and safety elements, and address environmental justice and climate adaptation, as specified in Government Code Section 65302, to the extent that the issues identified by State law exist in the Town's planning area. Additional elements that relate to the physical development of the city may also be addressed in the Plan. The degree of specificity and level of detail of the discussion of each element need only reflect local conditions and circumstances.

Upon adoption, the General Plan 2040 will replace the Town's existing General Plan, which was last comprehensively updated in 2006 with an update to the Housing Element adopted in 2016.

The Town is also updating the Housing Element, which will address the 2023-2031 planning period and the Town's Regional Housing Needs Allocation of 639 units. It is anticipated that the Housing Element Update will be adopted separately from the General Plan Update.



The Town will implement the General Plan by requiring development, infrastructure improvements, and other projects to be consistent with its policies and by implementing the actions included in the Plan, including subsequent project-level environmental review, as required under CEQA.

Other project information and related General Plan documentation is available at the Town's General Plan Update website: <https://createtiburon2040.org>.

## *Project Objectives*

The Tiburon General Plan Update is shaped by guiding principles identified through the visioning and community outreach efforts, including but not limited to:

### **Livability**

#### *Sense of Place*

- Preserve and enhance Tiburon's intimate small-town feel and bayside village charm.
- Preserve and enhance access to the Town's scenic public open spaces and bay front.
- Preserve and protect important historic, cultural and artistic resources that serve as significant, visible reminders of the Town's social and architectural history.

#### *Economic Vitality*

- Support a local economy that is vibrant and provides a wide range of services.
- Encourage Downtown vitality and redevelopment with a more diverse array of uses and amenities to serve the local population, while retaining and building upon its unique historic character and attractiveness.
- Gracefully accommodate tourism, balancing it with local needs and retaining the community's character.

#### *Balanced Growth*

- Focus new development in Downtown and in areas adjacent to Tiburon Boulevard while preserving existing neighborhoods and open space.

#### *Mobility*

- Provide a balanced transportation system, including public transit, that accommodates the needs of automobiles, pedestrians, bicycles and new transportation technology.
- Reduce dependence on the automobile by providing a complete network of sidewalks, pathways and transit services that are safe and convenient for all residents.

#### *Healthy Lifestyles*

- Promote physical health and wellness by improving outdoor recreational facilities, trail connections and signage, and providing quality recreation programs to residents of all ages, abilities and economic means.

### **Community**

#### *Community Connections*

- Strengthen community connections by providing activities and outdoor public gathering places.



### *Equity*

- Promote social equity and inclusiveness in creation of public policies.
- Ensure the just and equitable provision of public facilities and services.

### *Housing*

- Protect and enhance the quality of life within residential neighborhoods. Support the development of more diverse and affordable housing opportunities.

### *Safety*

- Provide a safe community through public safety services, resilient infrastructure, and public preparedness.

## **Sustainability**

### *Environmental Resources*

- Protect and enhance open spaces and natural resources that contribute to Tiburon's unique identity and scenic beauty.

### *Climate Change and Resilience*

- Reduce greenhouse gas emissions and increase community resilience by preparing for the effects of climate change, including increased wildfires and sea level rise.

## ***Tiburon General Plan 2040 Contents***

The Tiburon General Plan 2040 will include a comprehensive set of goals, policies, and implementation measures, as well as a revised Land Use Map (Figure 2 – Adopted General Plan Land Use Map and Figure 3 – Proposed Land Use Map).

- A goal is a description of the general desired result that the Town seeks to create through the implementation of the General Plan.
- A policy is a specific statement that guides decision-making as the Town works to achieve its goals. Once adopted, policies represent statements of Town regulations. The General Plan's policies set out the standards that will be used by Town staff, the Planning Commission, and the Town Council in their review of land development projects, resource protection activities, infrastructure improvements, and other Town actions. Policies are on-going and don't necessarily require specific action on behalf of the Town.
- An implementation measure is an action, procedure, technique, or specific program to be undertaken by the Town to help achieve a specified goal or implement an adopted policy. The Town must take additional steps to implement each action in the General Plan. An action is something that can and will be completed.

A General Plan covers a wide range of social, economic, infrastructure, and natural resource issues. The Tiburon General Plan 2040 will include goals, policies, and implementation programs to address the state-mandated topics and will continue to have components that address optional topics, including growth management, urban design, downtown, education, economic development, youth and recreation, and public facilities.



Land Use Element

The Land Use Element establishes the framework for the goals, policies, and implementation Programs that will shape the physical form of Tiburon. The Land Use Element addresses the intensity and distribution of land uses and identifies areas of the Town where change will be encouraged and those areas where the existing land use patterns will be maintained and enhanced.

The Land Use Element establishes the land use designations, including the allowed uses, intensities, and densities of development, established by the Land Use Map, shown in Figure 3. Table 1 shows the total acreages for each land use designation shown on the proposed Land Use Map.

**Table 1: Tiburon General Plan 2040 Land Use Designations by Acreage**

Land Use Designation	Town	SOI	Planning Area	Total
<b>Residential Designations</b>				
Low Density Residential	3.8	15.1	--	18.9
Planned Development - Residential	130.2	313.1	--	443.3
Medium Low Density Residential	264.5	75.6	--	340.1
Medium Density Residential	545.7	36.7	--	582.3
Medium High Density Residential	247.0	106.4	--	353.4
High Density Residential	51.8	7.9	--	59.7
Very High Density Residential	93.2	9.6	--	102.9
Very High Density-25 Residential	2.7	--	--	2.7
<b><i>Subtotal Residential</i></b>	<b><i>1,338.8</i></b>	<b><i>564.4</i></b>	<b><i>-</i></b>	<b><i>1,903.2</i></b>
<b>Mixed Use, Commercial, and Office Designations</b>				
Mixed Use	12.6	--	--	12.6
Main Street	0.1	--	--	0.1
Neighborhood Commercial	10.1	--	--	10.1
Neighborhood Commercial/Affordable Housing Overlay	1.0	--	--	1.0
Village Commercial	5.4	--	--	5.4
Shopping Commercial	--	3.3	--	3.3
Office	-	-	-	-
<b><i>Subtotal Mixed Use, Commercial, &amp; Office</i></b>	<b><i>29.1</i></b>	<b><i>3.3</i></b>	<b><i>-</i></b>	
<b>Other Designations</b>				
Marine	6,781.0	150.3	--	6,931.3
Public/Quasi-Public	810.7	41.4	--	852.0
Open Space	408.1	84.7	308.6	801.5
Park	64.7	12.1	--	76.9
ROW	0.2	--	--	0.2
<b><i>Subtotal Other</i></b>	<b><i>8,093.9</i></b>	<b><i>291.8</i></b>	<b><i>308.6</i></b>	<b><i>8,661.9</i></b>
<b>Grand Total</b>	<b>9,432.7</b>	<b>856.2</b>	<b>308.6</b>	<b>10,597.5</b>

Source: Marin County GIS/Assessor Data, Town of Tiburon, De Novo Planning Group, 2022



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Table 2 lists each land use designation and overlay and provides the density and FAR requirements for each designation, including any modifications associated with each land use alternative.

**Table 2: Tiburon General Plan Land Use Designations**

General Plan Land Use Designation or Overlay	Proposed Tiburon General Plan 2040 Density / FAR
<b>Residential Designations</b>	
<i>Low Density Residential</i>	Up to 0.5 units per acre
<i>Planned Development - Residential</i>	Up to 1.0 units per acre
<i>Medium Low Density Residential</i>	Up to 1.1 units per acre
<i>Medium Density Residential</i>	Up to 3.0 units per acre
<i>Medium High Density Residential</i>	Up to 4.4 units per acre
<i>High Density Residential</i>	Up to 11.6 units per acre
<i>Very High Density Residential</i>	Up to 12.4 units per acre
<i>Very High Density-25 Residential</i>	Up to 25 units per acre
<b>Mixed Use, Commercial, and Office Designations</b>	
<i>Mixed Use</i>	Minimum – 30 units per acre Maximum – 35 units per acre FAR: 1.5
<i>Main Street</i>	Minimum – 20 units per acre Maximum - 25 units per acre FAR: 1.5
<i>Neighborhood Commercial</i>	Up to 10 units per acre FAR: 0.37
<i>Village Commercial</i>	Density: Up to 15 units per acre FAR: 0.28
<i>Office</i>	Density: None allowed FAR: 1.0
<b>Public, Quasi-Public, Recreation, and Other Designations</b>	
<i>Public/Quasi-Public</i>	Density: None allowed FAR: 1.0
<i>Park</i>	Density: None allowed FAR: 0.1
<i>Marine</i>	Density: None allowed FAR: 0.1
<i>Right-of-Way</i>	Density: None allowed FAR: None allowed

Note: <sup>1</sup> Density and/or FAR based on implementing zoning district(s)  
Source: O'Rourke & Associates, 2022; Town of Tiburon, 2022



#### Safety & Resilience Element

The Safety and Resilience Element will: address disaster and emergency planning, climate adaptation and sea level rise, flood hazards, geologic and seismic risks, wildfire hazards, man-made risks stemming from use and transport of hazardous materials, and public safety.

#### Sustainability & Resource Conservation Element

The Sustainability and Resource Conservation Element will address conservation of natural resources, resource- and energy-conscious growth, biological resources and habitat conservation, drainage and erosion, water quality, air quality, greenhouse gas emissions and climate change, and historical and cultural resources.

#### Downtown Element

The Downtown Element will describe the development strategy, including increased opportunities for multifamily housing, circulation and streetscape design, waterfront access, green infrastructure, and programming of public spaces for the Downtown.

#### Open Space, Parks & Recreation Element

The Open Space, Parks & Recreation Element will provide the policy approach to the conservation, maintenance, and development of parks, , trails, open space, and scenic resources, in addition to supporting recreational programs and facilities.

#### Mobility Element

The Mobility Element will continue to address the Town's long-term transportation system, primarily through policies and standards to encourage active transportation, complete streets, adequate capacity, and linkages to further an integrated multi-modal transportation system, including walking, cycling, transit, and ferry access.

#### Noise Element

The Noise Element will address exposure of existing and future residents to noise sources, including transportation-related noise, source-point noise, and intermittent noise.

#### Housing Element

The Housing Element will continue to provide and develop local housing programs to meet the fair share of existing and future housing needs for all income groups and affirmatively further fair housing.

#### Equity, Diversity, and Inclusion Element

The Equity, Diversity and Inclusion Element will provide the policy approach to creating a diverse, equitable and welcoming community that provides opportunities for all, including disadvantaged and historically marginalized people.

### ***Growth and Development***

The General Plan will accommodate future growth in Tiburon, including new businesses, expansion of existing businesses, and new residential uses consistent with the Land Use Designations (Table 1) and Draft Land Use Map (Figure 3). Table 3 summarizes development potential under the proposed Tiburon General Plan 2040.





The actual amount of development that will occur throughout the planning horizon of the General Plan is based on many factors outside of the Town’s control. Actual future development would depend on future real estate and labor market conditions, property owner preferences and decisions, site-specific constraints, and other factors. New development and growth are largely dictated by existing development conditions, market conditions, and land turnover rates. Very few communities in California actually develop to the full potential allowed in their respective General Plans during the planning horizon.

As shown in Table 3, approximately 762 new residential units and a reduction of approximately 129,682 square feet of non-residential uses would be accommodated under General Plan buildout conditions. The new residential new growth would result in a population increase of approximately 1,829 persons, assuming 2.40 persons per household based on California Department of Finance 2022 estimates.

**Table 3: Tiburon General Plan New Development Potential**

Residential Units or Nonresidential Square Footage	Dwelling Units	Population	Non-residential Square Feet
<b>Residential Units</b>			
Single Family Residential	174	418	-
Multifamily and Mixed Use Residential	516	1,238	-
Accessory Dwelling Units	72	173	-
<b>TOTAL</b>	<b>762</b>	<b>1,829</b>	-
<b>Nonresidential Square Footage</b>			
Commercial Sq. Ft.	-	-	-129,682
<b>TOTAL</b>	<b>762</b>	<b>1,829</b>	<b>-129,682</b>

*Source: Marin County GIS/Assessor Data, Town of Tiburon, De Novo Planning Group, 2022  
1 2.40 persons per household, California Department of Finance, 2022*

### Program EIR Analysis

The Town, as the Lead Agency under the California Environmental Quality Act (CEQA), will prepare a Program EIR for the Tiburon General Plan 2040 Update. The EIR will be prepared in accordance with CEQA, the CEQA Guidelines (Guidelines), relevant case law, and Town procedures. No Initial Study will be prepared pursuant to Section 15063(a) of the CEQA Guidelines.

The EIR will analyze potentially significant impacts associated with adoption and implementation of the General Plan. In particular, the EIR will focus on areas that have development potential. The EIR will evaluate the full range of environmental issues contemplated under CEQA and the CEQA Guidelines as set forth in CEQA Guidelines Appendix G, except for specific topics identified below as having no impact. Where potentially significant or significant impacts are identified, the EIR will discuss mitigation measures to address the impact. At this time, the Town anticipates that EIR sections will be organized in the following topical areas:



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- **Aesthetic Resources** - The Program EIR will describe the aesthetic implications of the General Plan 2040 implementation, including visual relationships to the surrounding vicinity and potential impacts on scenic vistas and resources, and potential to conflict with regulations governing scenic quality, and light or glare impacts.
- **Agriculture Resources** - The Program EIR will describe the potential of the General Plan 2040 implementation on agricultural resources.
- **Air Quality** - The Program EIR will describe the potential short- and long-term impacts of General Plan 2040 implementation on local and regional air quality and air quality plans based on methodologies issued by the Bay Area Air Quality Management District (BAAQMD).
- **Biological Resources** - The Program EIR will identify any potential impacts of General Plan 2040 implementation on biological resources, including special-status plant and animal species, riparian habitats, wetlands, other sensitive natural communities, migratory movement, and protected trees.
- **Historic, Cultural and Tribal Cultural Resources** - The Program EIR will describe any potential General Plan 2040 implementation impacts and mitigation associated with historic, archaeological, and tribal cultural resources.
- **Geology, Soils, and Paleontological Resources** - The Program EIR will describe the potential geotechnical implications of General Plan 2040 implementation, including adverse effects associated with seismic activity, substantial soil erosion or loss of topsoil, stable, potentially unstable geologic units, and destruction of unique paleontologic resources or unique geological features.
- **Greenhouse Gases, Climate Change, and Energy** - The Program EIR will include a greenhouse gas emissions analysis using the BAAQMD's methodology and thresholds for evaluating a project's greenhouse gas emissions and will address the potential for the General Plan 2040 to conflict with an adopted plan or other regulations adopted for the purpose of reducing greenhouse gases. This section will also address anticipated energy consumption associated with buildout of the General Plan 2040, as well as proposed and or potential energy conservation measures.
- **Hazards and Hazardous Materials** - The Program EIR will describe any existing and anticipated hazardous material activities and releases and any associated impacts of General Plan 2040 implementation. Potential hazards impacts resulting from future construction will also be described.
- **Hydrology and Water Quality** - The Program EIR will describe the effects of General Plan 2040 implementation on storm drainage, water quality, groundwater resources, and the potential for flooding.
- **Land Use and Planning** - The Program EIR will describe the potential impacts of General Plan 2040 implementation related to land use and planning, including impacts due to conflict with land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect.



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- Noise - The Program EIR will describe noise impacts and related mitigation needs associated with short-term construction and long-term operation (i.e., traffic, mechanical systems, etc.) associated with buildout of the General Plan 2040.
- Population and Housing - The Program EIR will describe the anticipated effects of General Plan 2040 implementation inducing unplanned population growth or displacing existing people or housing.
- Public Services and Recreation - The Program EIR will describe the potential for General Plan 2040 implementation to result in substantial adverse physical impacts on public services, including police, fire, and emergency medical services, schools, parks and recreation facilities, and other public facilities.
- Transportation - The Program EIR will describe the transportation and circulation implications of General Plan 2040 implementation, including impacts on the circulation system including transit, roadways, pedestrian and bicycle facilities, potential effects related to vehicle miles travelled, design or incompatible use hazards, and adequate emergency access.
- Utilities/Service Systems - The Program EIR will describe the General Plan 2040 implementation effects related to new or expanded water supply, sewer and wastewater treatment, storm drainage, solid waste and recycling, electric, natural gas, and telecommunication infrastructure.
- Wildfire – The Program EIR will describe the General Plan 2040 impacts related to emergency response/emergency evacuation plans, potential to exacerbate wildfire risks, and exposure to significant wildfire-related risks.
- In addition to the potential environmental impacts noted above, the Program EIR will evaluate potential cumulative impacts and potential growth-inducing effects associated with General Plan 2040 implementation. The Program EIR will also compare the impacts of the proposed General Plan 2040 to a range of reasonable alternatives, including a No Project alternative, and will identify an environmentally superior alternative. The Program EIR will analyze the Land Use Map, Circulation Diagrams, goals, policies, and implementation programs for the proposed General Plan 2040 and alternatives to the proposed General Plan 2040.

### Environmental Topics Scoped from Further Analysis

There is no designated forest or timber land in the Town and Planning Area. Therefore, the General Plan 2040 would have no impact related to forestry resources, as identified by CEQA Guidelines Appendix G, Section II, paragraphs c) and d) and this issue will not be analyzed further in the EIR.

There are no known mineral resources of value and there are no known locally important mineral resource recovery sites in the Town and Planning Area. Therefore, the General Plan 2040 would have no impact related to mineral resources, as identified by CEQA Guidelines Appendix G, Section XII, paragraphs a) and b) and this issue will not be analyzed further in the EIR.



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The Town and Planning Area are not located within an airport land use plan nor within two miles of a public airport or public use airport. Therefore, the General Plan 2040 would have no impact related to airport-associated hazards or exposure to excessive noise levels related to airport use, as identified by CEQA Guidelines Appendix G, Section IX, paragraph e) and Section XIII, paragraph c), respectively.

Figure 1. Regional Location Map

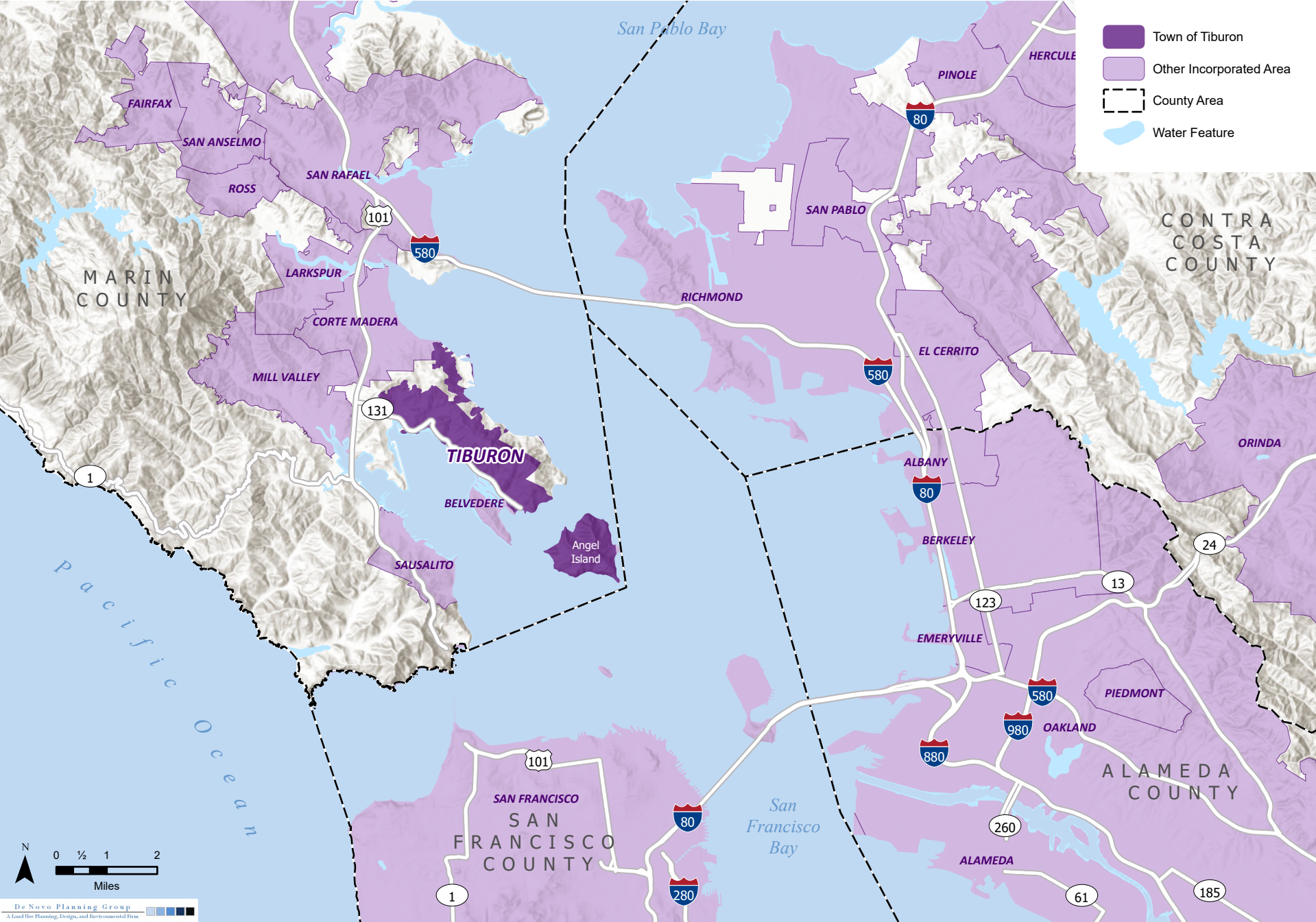
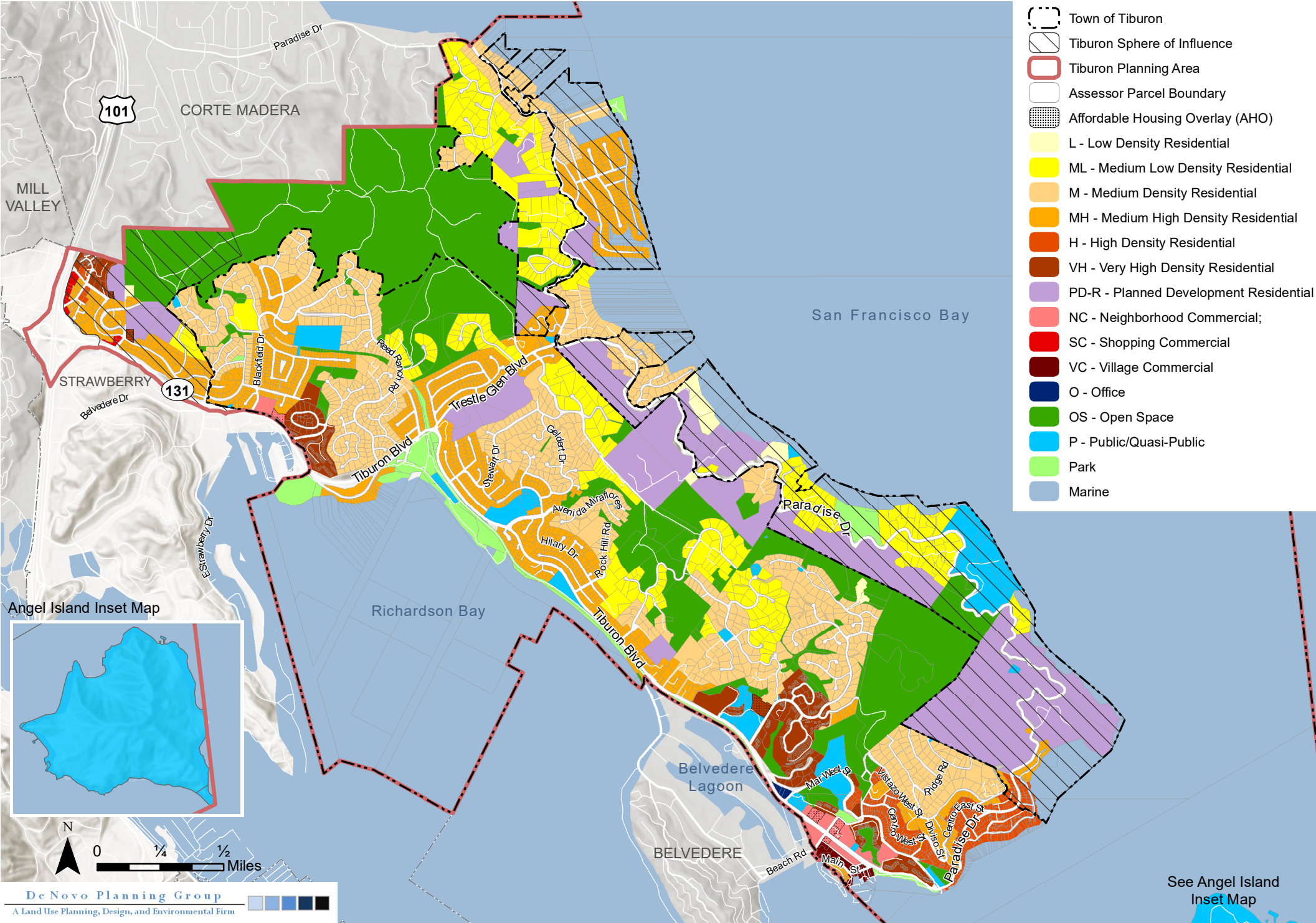


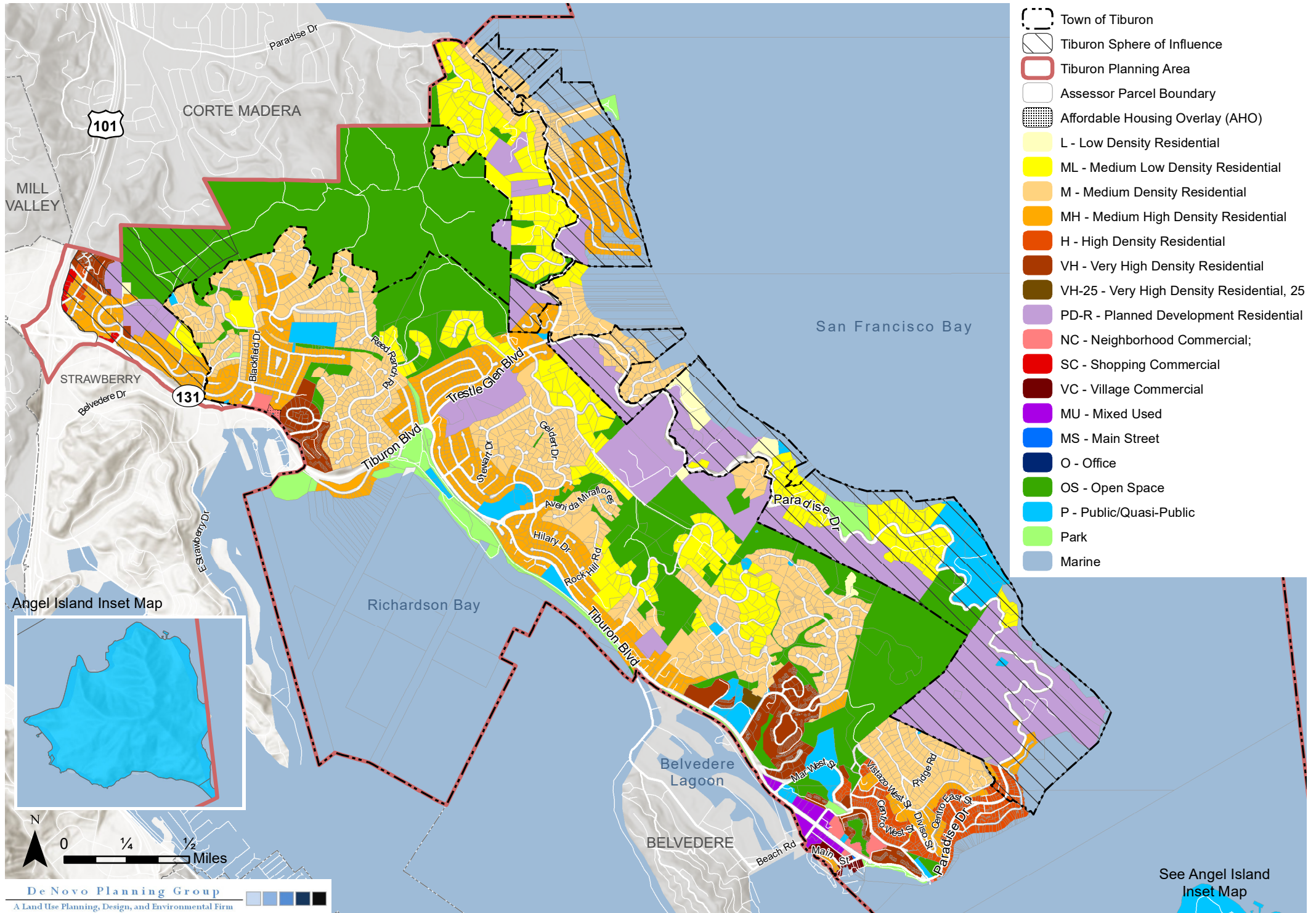
Figure 2. Existing General Plan Land Use Map



Sources: ArcGIS Online World Hillshade Map Service; Marin County GIS; Marin County Assessor's Office. Map date: January 14, 2021. Revised: February 2, 2021. Reprinted: September 29, 2022.

See Angel Island Inset Map

Figure 3. Proposed General Plan Land Use Map



See Angel Island Inset Map