

2 Land Use

2.1 Purpose of the Chapter

Known for its scenic bayfront location, extraordinary views, historic downtown, and exceptional quality of life, Tiburon seeks to protect its character through land use planning. This chapter presents a framework for governing future decisions about appropriate land uses and desirable development patterns to maintain and enhance the character of Tiburon. This framework aims to effectively manage growth and provide needed housing and services, while guiding the use of quality design for new development. The chapter partially addresses State requirements for the land use element of the general plan. Areas subject to flooding are discussed in the Safety + Resilience chapter.

The Land Use chapter includes the following sections.

- **2.2 Development Trends.** Discusses how land use in Tiburon has changed over time.
- **2.3 Land Use Categories and Land Use Map.** Describes land use designations within residential, commercial, mixed use, community, and natural resource categories, and identifies specific land uses on the Land Use Map.
- **2.4 Development Projections.** Identifies additional residential and commercial development projections based on the theoretical build out of all vacant and underutilized land in Yountville.
- **2.5 Goals, Policies, and Programs.** Identifies goals, policies, and programs to guide growth, maintain community character, and balance residential and commercial uses.

2.2 Development Trends

Like many other towns, large and small, throughout California, development in Tiburon reflects two distinctly different eras of planning and development. The land of the Tiburon Peninsula was first awarded by the Mexican government to John Thomas Reed in 1834 as the Rancho Corte de Madera del Presidio. Reed cleared the peninsula of timber, built a sawmill, and began a dairy. By the 1880s, the peninsula was also home to codfish canneries and military installations. In 1882, the Reed family made a deal with Peter Donahue for a right-of-way for the San Francisco and North Pacific Railroad (name later changed to Northwestern Pacific). The railroad company built a large railroad yard and ferry terminal, with ferries taking passengers and vehicles to San Francisco and Sausalito. St. Hilary's Mission Church was built in 1888, and the first Tiburon school in 1901.

For many years, most of the land of the peninsula was controlled by descendants of the Reed family and used for cattle ranching. 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. The first apartment complex in Tiburon, Hilarita Housing, was built in 1942 to house military families, and single family housing development began in earnest after World War II on what had been dairy ranches. The first subdivisions were built in the 1950s, and the Boardwalk Shopping Center was constructed in 1955 to service the new Tiburon residents.

In 1964, the Town of Tiburon was incorporated. By 1967, train service ended in Tiburon and a planning process began to redevelop the 38 acres containing the abandoned railyard. A plan adopted in the 1970 General Plan was rejected by residents, and eventually a new plan was approved in 1981 with significantly reduced development, laying the foundation for what is now Point Tiburon and the Shoreline Park.

Many of the existing commercial buildings along Tiburon Boulevard were built in the 1960s and 1970s, and new development has been slow to occur, with the notable exceptions of the Tiburon Fire Station in 1993, and the Belvedere Tiburon Library and Tiburon Town Hall in 1997. In recent years, a few downtown buildings have been redeveloped, including 1696 Tiburon Boulevard and 5 Main Street, home to two new restaurants, the Petite Left Bank and The Bungalow Kitchen.

Most of the Town's single family homes were built between 1950 and 1980. The first subdivisions were developed in the flatter areas of Town, including the Bel Aire Gardens, Belveron Gardens, Hawthorne, Del Mar, and Reed subdivisions. Development continued into the hills in the 1960s, and then extended further into the hills from 1970 through 1999 as lots with steeper topography were developed. Several multifamily developments were also developed at this time. By the beginning of the 2000s, most of the residential land had been developed.

There is now little vacant land left in Tiburon that is not otherwise protected as open space. A handful of vacant residential parcels are scattered throughout the peninsula; these are primarily located in the hills and are challenging to develop due to steep slopes, limited access, ridgelines, trees, woodlands, and wildlife habitat. While there are no vacant commercial parcels in Town, several downtown properties have promising redevelopment potential for mixed uses, providing both needed housing and opportunities to revitalize the Downtown. This potential is explored in greater detail in the Downtown and Housing chapters.

2.3 Land Use Categories and Land Use Map

Land in Tiburon is classified according to three broad land use categories: residential areas, commercial areas, and community and natural resource areas.

Residential land use designations are applied to areas appropriate for single-family, two-family, multifamily, manufactured home, and accessory dwelling housing options. The Town’s residential neighborhoods support a range of lifestyles and household income levels.

Mixed Use and Commercial land use designations are applied to areas appropriate for retail and commercial services to serve residents and visitors and multifamily residential uses mixed in with commercial uses.

Community and Natural Resource land use designations apply to open space, parks, and submerged and partially submerged lands. Natural areas, such as the woodlands, grasslands, and waterways, offer opportunities for preservation and conservation. Public facilities provide opportunities for social and community interaction and the provision of public utilities and services.

Table LU-1 identifies acreages for each land use designation in the Land Use Map. The greatest amount of land within the Tiburon town limits, excluding submerged and partially submerged land, is designated for residential use, encompassing nearly 51% of Tiburon’s land area. The second largest amount of land is designated for community and natural resource use, including 743 acres for Angel island (designated Public/Quaid Public) and 473 acres for additional open space and parks. Commercial and mixed-use areas comprise only 1 percent of Tiburon’s land area. Figure LU-1 shows the Town’s Land Use Map.

Table LU-1 General Plan Land Use Acreage

Land Use Designation	Town	SOI	Planning Area	Total
Residential Designations				
Low Density Residential	3.8	15.1	--	18.9
Planned Development - Residential	139.5	303.8	--	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
Subtotal Residential	1,348.2	555.10	-	1,903.2
Mixed Use and Commercial Designations				
Mixed Use	13.0	--	--	12.6
Main Street	0.1	--	--	0.1
Neighborhood Commercial	9.7	--	--	10.1
Neighborhood Commercial/Affordable Housing Overlay	1.0	--	--	1.0
Village Commercial	5.4	--	--	5.4
Shopping Commercial	--	3.3	--	3.3

Land Use Designation	Town	SOI	Planning Area	Total
<i>Subtotal Mixed Use and Commercial</i>	29.1	3.3	-	
Community and Natural Resource Designations				
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
Parks and Recreation	64.7	12.1	--	76.9
Not zoned/Right-of-way	0.2	--	--	0.2
<i>Subtotal Other</i>	8,064.7	288.5	308.6	8,661.9
Grand Total	9,442.1	846.9	308.6	10,597.5

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

Figure LU-1 Land Use Map

[to come]

Within each of the land use categories, specific land use designations identify uses and the density and intensity of development allowed in each designation. Density is defined by the number of dwelling units per gross acre, and intensity is defined by the ratio of building square footage to the land area.

Table LU-2 details the Town’s land use designations and describes the general land uses intended for the category and applicable building density and/or intensity. For residential uses, residential density is shown in dwelling units per gross acre. Maximum residential density is calculated based on the gross acreage and then rounded down to the nearest whole number.

In addition to building density, State law requires the General Plan to include a statement of population density for the various land use categories. Population density is determined by multiplying the average household size, as reported by the latest California Department of Finance Population and Housing Estimates for Cities, by the number of dwelling units in a land use category. For example, the average household size in Tiburon was 2.4 persons in 2022. The population density in the Medium Density Residential category is therefore up to 7.2 persons per acre.

For non-residential designations, building intensity is defined by Floor Area Ratio (FAR), which is the ratio between the amount of gross floor area and the gross site area. For example, an FAR of 0.5 would allow a one-story building over half of a site, or a two-story building over one quarter of a site. The Zoning Ordinance contains detailed descriptions of land uses permitted in each designation, as well as development standards that implement the General Plan.

Table LU-2 Land Use Categories

LAND USE DESIGNATION		ASSOCIATED ZONING DISTRICT(S)		RESIDENTIAL DENSITY AND BUILDING INTENSITY	DESCRIPTION
RESIDENTIAL DESIGNATIONS					
L	Low Density Residential	RPD	Residential Planned Development	Up to 0.5 dwelling units per acre	The Low Density Residential land use designation is applied to areas suitable for detached single-family homes and related residential uses in low density settings. Other compatible uses may be permitted.

LAND USE DESIGNATION		ASSOCIATED ZONING DISTRICT(S)		RESIDENTIAL DENSITY AND BUILDING INTENSITY	DESCRIPTION
PD-R	Planned Development – Residential	RPD	Residential Planned Development	Up to 1.0 dwelling units per acre – see Table LU-3 for site-specific density limits	The Planned Development – Residential land use designation is applied to areas that are generally undeveloped or underdeveloped and have natural constraints to development such as steep slopes and environmental resources that warrant site-specific limitations on development intensity.
ML	Medium Low Density Residential	RO-1	Residential Open	Up to 1.1 dwelling units per acre	The Medium Low Density Residential land use designation is applied to areas suitable for detached single-family homes and related residential uses in low density settings. Other compatible uses may be permitted.
M	Medium Density Residential	RO-2	Residential Open	Up to 3.0 dwelling units per acre	The Medium Density Residential land use designation is applied to areas suitable for detached single-family homes and related residential uses in low density settings. Other compatible uses may be permitted.
MH	Medium High Density Residential	R-1	Single Family Residential	Up to 4.4 dwelling units per acre	The Medium High Density Residential land use designation is applied to areas suitable for detached single-family homes and related residential uses in low density settings. Other compatible uses may be permitted.
H	High Density Residential	R-2	Two-Family Residential	Up to 11.6 dwelling units per acre	The High Density Residential land use designation is applied to areas suitable for single-family and two-family homes and related residential uses. Other compatible uses may be permitted.
VH		R-3	Multi-Family Residential	Up to 12.4 dwelling units per acre	The Very High Density Residential land use designation is applied to areas

LAND USE DESIGNATION		ASSOCIATED ZONING DISTRICT(S)		RESIDENTIAL DENSITY AND BUILDING INTENSITY	DESCRIPTION
	Very High Density Residential	RMP	Residential Multiple Planned		suitable for residential uses including multifamily dwellings. Other compatible uses may be permitted.
VH-25	Very High Density-25 Residential	R-4	Multi-Family Residential High	Up to 25 dwelling units per acre	The Very High Density-25 Residential land use designation is applied to areas suitable for residential uses including multifamily dwellings at higher densities. Other compatible uses may be permitted.
MIXED-USE AND COMMERCIAL DESIGNATIONS					
MU	Mixed Use	MU	Mixed Use	Minimum – 30 units per acre Maximum – 35 units per acre Maximum FAR is 1.75	The Mixed-Use land use designation is applied to commercial areas and intended to encourage development of multifamily dwellings in a pedestrian-oriented setting. Other compatible uses may be allowed.
NC	Neighborhood Commercial	NC	Neighborhood Commercial	Up to 10 dwelling units per acre Maximum FAR is 0.37	The Neighborhood Commercial land use designation is applied to neighborhood shopping areas providing for a mix of resident-serving commercial and office uses. Mixed commercial and residential uses may be allowed.
		NC (AHO)	Neighborhood Commercial (Affordable Housing Overlay)	Maximum FAR is 0.31 for commercial uses only Up to 20.7 dwelling units per acre	
VC	Village Commercial	VC	Village Commercial	Maximum FAR is 0.28 Up to 15 dwelling units per acre	The Village Commercial land use designation is applied to the Ark Row portion of the downtown area providing for a wide range of resident and tourist-serving commercial uses. Mixed commercial and residential uses may be allowed.
MS	Main Street	MS	Main Street	Maximum FAR is 1.5	The Main Street land use designation is applied to the downtown area

LAND USE DESIGNATION		ASSOCIATED ZONING DISTRICT(S)		RESIDENTIAL DENSITY AND BUILDING INTENSITY	DESCRIPTION
				Minimum – up to 20 units per acre Maximum – 25 units per acre	providing for a wide range of resident and tourist-serving commercial uses. Mixed commercial and residential uses may be allowed.
SC	Shopping Commercial	None	None	Maximum FAR is 0.5	The Shopping Commercial is applied to areas suitable for general retail and service uses, automobile-related sales and service uses, and office uses.
COMMUNITY AND NATURAL RESOURCE DESIGNATIONS					
P	Public/Quasi-Public	P	Public/Quasi-Public	Maximum FAR is 1.0	The Public/Quasi-Public land use designation is applied to areas suitable for public land uses including educational facilities, governmental and quasi-public buildings and facilities, and utility facilities
Park	Parks and Recreation	P	Public/Quasi-Public	Maximum FAR is 0.1	The Parks and Recreation land use designation is applied to areas suitable for parks, playgrounds, and other recreational uses, as well as areas preserved for natural conservation.
OS	Open Space	OS	Open Space	Maximum FAR is 0.1	The Open Space land use designation is applied to undeveloped areas for the conservation of natural and scenic resources and for limited passive recreation.
Marine	Marine	M	Marine	Maximum FAR is 0.0	The Marine land use designation is applied to all submerged and partially submerged land areas up to the mean high tide line and for water-related recreational activities and facilities including docks and yacht clubs.

¹ For detailed descriptions of permitted and conditional land uses allowed in each zoning district, refer to Chapter 16 of the Tiburon Municipal Code.

Note: In addition to the land use districts identified in the table, the following overlay districts may be applied to any General Plan land use designation: Flood Hazard Overlay (F) and Historic Protection Overlay (HPO).

Table LU-3 Residential Planned Development Maximum Allowed Densities

ADDRESS	ASSESSOR'S PARCEL NUMBER	PARCEL SIZE (acres)	ZONING	RESIDENTIAL DENSITY (du/acre)
3825 Paradise Drive (Rabin)	039-021-13	31.0	RPD	0.4
Paradise Drive (Tiburon Glen)	039-241-01	26.0	RPD	0.3
3875 Paradise Drive (Soda)	039-301-01	21.0	RPD	0.4
Stony Hill Road (Ling)	055-261-34	5.3	RPD	1.0
8 Parente Vista Lane	038-111-36	8.1	RPD	0.5

2.4 Development Projections

Development projections for the General Plan are determined by analyzing vacant and underutilized parcels within the Town and the development potential that is allowed under the applicable land use designation. Development projections for residential units and commercial square footage are shown in Table LU-4. These projections are theoretical in nature, as it is unlikely that every parcel in Tiburon will be developed to its maximum potential during the life of the General Plan. Actual future development would depend on market conditions, property owner preferences, site-specific constraints, and other factors.

Table LU-4 Development Projections

Land Use	Existing Built 2022	Additional Development Potential	Development at Build-Out
Residential	4,051 units ¹	762 units	4,813 units
Commercial and Other Non-Residential	841,725 sq. ft. ²	-129,682 sq. ft.	712,043 sq. ft.

¹Department of Finance, Report E-5, Population and Housing Estimates for Cities, Counties, and the State, January 2021-2022, with 2020 Benchmark.

²Marin County Assessor, 2021.

2.5 Goals, Policies, and Programs

Goal LU-A

Manage growth and land use changes to preserve the health, safety, welfare, and natural beauty of the community.

Goal LU-B

Ensure that new development is sensitive to on-site and surrounding environmental resources and hazards and can be adequately served by public infrastructure.

Goal LU-C

Address regional issues, such as transportation, infrastructure, housing, and adaptation to climate change, in coordination with neighboring cities, the county, and other governmental entities.

Policy LU-1 Diversity of Land Uses

Allow for a diversity of land uses that provide convenient services to residents and maintain a vital local economy.

Program LU-a **Implementation of Land Use Map**

Implement the Land Use Map (Figure LU-1) and associated Land Use Designations (Table LU-2) by approving new development and conservation projects consistent with the adopted land use definitions, densities, and intensities. Ensure consistency between the General Plan, Zoning Ordinance, and other land use regulations.

Program LU-b **Allowable Land Uses**

Use the Zoning Ordinance to specify uses allowed in each zoning district, consistent with Table LU-2.

Program LU-c **Density and Intensity of Development**

Allow development at any density or intensity within the range shown by the Land Use Map (Figure LU-1) and Land Use Designations (Table LU-2) provided applicable objectives, policies, and programs of all chapters of the General Plan are met.

Program LU-d **Municipal Code Consistency**

Revise the Zoning Map and the Municipal Code to reflect the goals, policies, densities, intensities, and land use designations of the General Plan.

Policy LU-2 **Infrastructure for New Development**

Assure that sewer, water, and other essential infrastructure improvements must be available to the developer to serve new development by the time of completion of construction and that anticipated traffic levels are consistent with adopted Vehicle Miles Traveled (VMT) standards. New development shall pay its fair share of essential expanded infrastructure to the maximum extent allowed by law.

Program LU-e Infrastructure Capacity

Analyze project impacts on infrastructure capacity and services as part of CEQA review and require mitigation measures as needed in consultation with provider agencies.

Program LU-f Development Impact Fees

Periodically review and update public facilities impact fees to assure that new development pays its fair share of public infrastructure and service costs.

Program LU-g Public Infrastructure Planning

Coordinate growth projections and infrastructure planning with urban service providers such as Marin Municipal Water District and the sanitary districts to ensure sufficient capacity to serve existing and future development.

Policy LU-3 Undergrounding of Utilities

Require the undergrounding of all utilities in new developments. Assist existing property owners who wish to establish local undergrounding districts.

Program LU-h Use of Utility Undergrounding Funds

Identify priority locations for the use of Rule 20A undergrounding funds.

Policy LU-4 Sanitary Sewer

Encourage the connection of new development to the sanitary sewer system. Where a septic or on-site sewage system is proposed, a soils investigation shall determine that on-site soil conditions are suitable for drainage and will not cause slope instability. All new or improved septic systems shall be designed by a registered civil engineer that specializes in septic design.

Policy LU-5 Wireless Communication Facilities

Accommodate wireless communications facilities to provide high speed data and communication services to residents and businesses but encourage the location of new facilities in areas other than protected open space and residential neighborhoods and minimize adverse visual impacts of antennas and appurtenant facilities through architectural and landscape screening and colocation on utility poles.

Program LU-i Telecommunication Facilities

Adopt zoning regulations and administrative procedures to address wireless telecommunication facilities consistent with federal law which prioritize locations outside of protected open space and residential neighborhoods and encourage colocation of facilities on poles and towers or architecturally screened on existing buildings.

Policy LU-6 Residential Neighborhoods

Maintain and enhance the residential character of neighborhoods. Require that new development, remodels, and additions be of a scale, intensity and design that integrates with the immediate neighborhood and natural surroundings.

Program LU-j **Residential Hillside Design Guidelines**

Update the Design Guidelines for Hillside Dwellings to create more objective standards that meet the requirements of State law but achieve the desired scale and design character that is compatible with existing neighborhoods.

Policy LU-7 View Preservation

Minimize the reduction of views, privacy, and solar access for neighboring properties. Locate and limit the height of new development and associated landscaping to interfere minimally with existing primary views.

Policy LU-8 Outdoor Lighting

Allow outdoor lighting for safety purposes but limit excessive light spillover and glare.

Program LU-k **Outdoor Lighting**

Review all development proposals and infrastructure projects in accordance with the Town's Lighting Ordinance to minimize off-site and night sky impacts of outdoor lighting.

Policy LU-9 Retail and Service Uses

Encourage the addition of under-represented and local-serving retail and service businesses to enhance shopping and service opportunities.

Policy LU-10 Tourist Facilities

Encourage and support tourist facilities while regulating activities to preserve convenient access to commercial services, harbors, shorelines, local transportation, and parking.

Policy LU-11 Mixed Use Development

Encourage mixed-use development (combining housing and commercial uses) in Downtown and along Tiburon Boulevard to create opportunities for pedestrian-oriented lifestyles.

Policy LU-12 Annexation

Consider annexation and rezoning proposals which materially enhance the community, further the goals and policies of the General Plan, are supported by residents, and where the costs of providing public services and infrastructure are fiscally responsible for the Town and do not adversely affect levels of service for existing Town residents.

Program LU-l Annexation Applications

Work collaboratively with the Marin Local Agency Formation Commission (LAFCO) to concurrently process annexation requests with development applications by the Town.

Program LU-m Rezoning

Consider use of overlay zones or other zoning techniques to ensure that rezoning and annexation of existing established neighborhoods do not result in excessive creation of non-conforming structures, nor unreasonably disrupt the existing pattern of development of such a neighborhood.

Policy LU-13 Coordinated Planning

Coordinate the Town's land use and zoning plans with the County of Marin, Strawberry Community, the City of Belvedere, Town of Corte Madera, LAFCO, and other agencies and jurisdictions to provide for more effective comprehensive planning.

Program LU-n LAFCO Planning Area

Encourage LAFCO to update and adopt Urban Service Area and annexation policies for the Tiburon Planning Area that are consistent with General Plan policies.

Program LU-o Development in the Sphere of Influence

Work with the County of Marin to approve projects within the Tiburon Sphere of Influence that are consistent with the Town's policies and compatible with nearby land uses in Tiburon.

Policy LU-14 Angel Island. Encourage and support the State in the management of Angel Island State Park to protect the natural character and preserve the historic resources of the island.

Policy LU-15 Arts and Culture. Recognize the importance of arts and cultural activities that express the value of diversity, inclusion, and equality in all activities, exhibits, and performances. Increase opportunities, accessibility for, collaboration with, and participation of all people.

Program LU-p Public Art in New Development

Promote inclusion of public art projects in new development projects. Consider adoption of an ordinance requiring incorporation of public art in new projects with provision of an in-lieu fee.

Program LU-q **Vibrant Arts Environment**

Initiate plans for activities and public art projects that enhance the beauty of the Town. Identify, designate, and utilize available spaces in public parks, commercial areas, and/or private spaces for art. Art projects may be temporary or permanent installations using traditional techniques and/or new technologies in the arts to provide various engaging artistic and cultural experiences.

Program LU-r **Art Education**

Support art education in schools and educational programs for lifelong learning. Involve and cooperate with other learning institutions and organizations.

Program LU-s **Funding for Arts**

Consider funding mechanisms to support art and cultural programs such as an in-lieu art fee for new developments, inclusion in the Town's budget and partnerships with businesses, artists and art organizations and philanthropic sectors.

Policy LU-16 General Plan Maintenance

Update the General Plan as needed to ensure compliance with state law and continued relevance of its goals, policies, and programs. Monitor progress of the implementation of General Plan programs and overall effectiveness of the plan.