



TOWN OF TIBURON  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Planning Commission Meeting  
November 9, 2016  
Agenda Item: **AI-1**

## STAFF REPORT

To: **Members of the Planning Commission**

From: **Community Development Department**

Subject: **27 Main Street; File No. CUP2015002  
Review of a Conditional Use Permit to Install a Canopy on a Portion of  
an Exterior Deck for an Existing Restaurant; 27 Main Street, LLC,  
Owner; Sam's Anchor Café, Applicant; Assessor's Parcel Number:  
059-151-35**

## BACKGROUND

On December 14, 2015, the Planning Commission conditionally approved a conditional use permit application (CUP2015002) for the installation of a permanent canopy on a portion of an exterior deck for an existing restaurant (Sam's Anchor Café) on property located at 27 Main Street. On February 3, 2016, the Town Council denied an appeal of this approval, but modified certain conditions of approval imposed by the Planning Commission regarding the outdoor dining services and the qualified prohibition of amplified sound and/or live music on the deck.

Condition of approval No. 11 of Town Council Resolution No. 09-2016 provides for a review of the conditional use permit and reads as follows:

*"This Conditional Use Permit shall be reviewed by the Planning Commission at the first Planning Commission meeting in November 2016. Said review shall entail, without limitation, conformance with conditions, noise, or any other operational aspect of the use within the regulatory land use purview of the Town. Permittee agrees to bear all reasonable costs, including outside consultants if necessary, associated with said reviews."*

As of this date, the project has not moved forward, but has not been abandoned. The applicant is aware that a time extension must be requested and approved by the Planning Commission prior to one year from the date of the Town Council decision on the appeal (February 3, 2017) or the permit would become null and void. The applicant has indicated his intent to submit the request for a time extension in the near future.

## RECOMMENDATION

Staff recommends that the Planning Commission

Reschedule the review of the conditional use permit for November 2017.