



*Planning Division
Community Development Department
Phone (415) 435-7390 FAX (415) 435-2438
www.townoftiburon.org*

SUPPLEMENTAL APPLICATION FORM FOR TIDELANDS PERMIT

TIDELANDS PERMIT

In accordance with Title IV, Chapter 16, Section 16-52.080 of the Tiburon Municipal Code, a Tidelands Permit is required for all grading and/or construction on land and/or water areas within the Town's jurisdiction that are located in the M zone, and includes all submerged land, and partially submerged land up to the mean high tide line on the property, utilizing North American Vertical Datum (1988) for elevation data, unless designated in a different zone on the zoning map. The purpose of the Tidelands Permit is to preserve, promote and enhance tidelands, waterways, shorelines, salt marshes, and beaches as vital natural resources that provide open space, wildlife habitat, scenic views, and recreational and water-oriented resources in the Town of Tiburon.

A Tidelands Permit is required for construction of the following items:

1. Piers, docks boat lifts and similar facilities;
2. Berthing, mooring and landing facilities for boats, except that facilities for yacht and boat clubs, yacht and boat sales, maintenance, haul-outs and similar facilities shall not be allowed.
3. Decks, balconies and similar features extending off buildings.

A Tidelands Permit is not required for emergency work to prevent impending damage to land or improvements from floodwaters; maintenance work to buildings or structures that were approved by Tidelands Permit; or for any structure, fill, or excavation which Staff finds to be minor or incidental; any structure, fill or excavation which has been approved as part of any application, action or permit except as approved by a Building Permit.

PROCEDURE

Once an application is submitted, it will be reviewed for completeness by the Staff. If possible, a preliminary completeness check will be conducted at the counter to look for any obvious deficiencies in the application (no site plan, no filing fee, etc.). A more thorough review of the application will be performed in the days following submittal. If additional information is required to make the application complete, the applicant will be notified as soon as possible.

Once an application is deemed complete, a courtesy notice describing the application will be mailed to all property owners within 100 feet of the subject property and to other potentially affected property owners as determined by Staff. The notice will provide a 10-day comment period on the application. After the comment period has concluded, Staff shall act on the application if it includes only repair to a structure, or work is found to be minor and incidental and without significant environmental impact. Otherwise, the application shall be referred to the Planning Commission for

consideration with a Conditional Use Permit application. The Tidelands Permit application may be approved, approved subject to conditions or modifications, or denied. Staff may, in its sole discretion, refer any application for Tidelands Permit to the Planning Commission.

Appeals of a Staff decision on applications for a Tidelands Permit must be filed within five (5) working days of the decision. There is a \$500 filing fee deposit for applicants appealing a decision, and a \$300 filing fee for non-applicant appeals. The appeal will be heard by the Planning Commission, whose decision is final.

SUBMITTAL REQUIREMENTS

Below is a list of items typically required in order to properly review and reach a decision on an application for a Tidelands Permit. Depending on the nature and complexity of the site or the project, additional information may be required by the Town before an application can be found complete or a decision reached. In some instances, not all the items listed below will be required. Applicants are encouraged to consult with Planning Division Staff prior to filing an application.

1. Completed Land Development Application Form.
2. Filing Fee.
3. Three (3) full sized sets of plans (usually 24" x 36") and two (2) reduced sets of plans (11"x 17"). The plans are to contain the following information if deemed appropriate for the type and scope of proposed project:
 - a. Site plan to scale showing: property lines, mean high tide line, setbacks, and all easements or other encumbrances; all proposed and existing structures; parking and driveway areas; dimensions of the lot; contours of the land; and significant natural or man-made features such as drainageways, rock outcroppings, walls, and retaining walls. The scale and north arrow shall be shown.
 - b. Elevations of existing and proposed structures and exterior finish (colors and materials).
 - c. Details and capacities for all boat lifts.
 - d. Existing and proposed exterior lighting locations, and details of proposed lighting fixtures.
4. Title Report when deemed necessary.
5. Property line or boundary survey when deemed necessary.

Optional Items

While no longer required by the Town of Tiburon, neighbor signatures on one set of the submitted full-size plans are encouraged. The Town of Tiburon strongly encourages that applicants consult potentially affected neighbors as early in the process as possible, and certainly in advance of filing the application.

BCDC Approval

All work done within 100 feet of the mean high tide line requires approval by the Bay Conservation and Development Commission (BCDC). BCDC approval is not required prior to the approval of a Tidelands Permit, but is required before a building permit can be issued for the project. However, the Town of Tiburon strongly encourages that applicants consult with BCDC regarding prior to submitting a Tidelands Permit application.