



THE CITY OF  
NOVATO  
CALIFORNIA

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Josh Fryday  
Eric Lucan

Interim City Manager  
Cathy Capriola

# Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

August 29, 2016

**Present:** Peter Tiernan, Chair  
Susan Wernick, Vice Chair  
Dan Dawson  
Justin Derby  
Curtis Havel  
Robert Jordan  
Jay Strauss

**Absent:**

**Staff Present:** Robert Brown, Community Development Director  
Steve Marshall, Planning Manager

## CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVAL OF FINAL AGENDA: M/s: Strauss/Dawson; Passed 7-0-0

PUBLIC COMMENT: None.

CONSENT CALENDAR: None.

CONTINUED ITEMS: None.

## NEW ITEMS:

1. **HAMILTON COTTAGES (BK)**  
**P2015-071; DESIGN REVIEW**  
**P2016-024; MASTER PLAN AMENDMENT**  
**P2016-025; PRECISE DEVELOPMENT PLAN**  
**P2016-026; VESTING TENTATIVE MAP**  
**MITIGATED NEGATIVE DECLARATION**  
**APN 157-860-03 & -04; SENIOR HOUSING TRIANGLE, HAMILTON PARKWAY**

Conduct a public hearing to consider a formal recommendation to the City Council for adoption of a Mitigated Negative Declaration, and approval of a Master Plan Amendment, Precise Development Plan, Design Review, and Vesting Tentative Subdivision Map, for the development of 16 single family (62+) senior housing units on a 1.5 acre parcel known as the Senior Housing Triangle of the Hamilton Field Master Plan area; Assessor's Parcel Number 157-860-03. The project includes an access drive, 16 public/guest parking stalls, and bio-

**retention facilities to be constructed in an easement on an adjacent City-owned parcel, APN 157-860-04.**

M/s: Havel/Jordan: Recommend the City Council adopt a Mitigated Negative Declaration for Hamilton Cottages.

Passed: 7-0-0

M/s: Dawson/Derby: Recommend the City Council adopt the proposed Master Plan amendments for Hamilton Cottages.

Passed: 7-0-0

M/s: Derby/Havel: Recommend the City Council adopt the proposed Precise Development Plan and Design Review for Hamilton Cottages.

Passed: 7-0-0

Amended M/s: Tiernan/Strauss: Recommend the Precise Development Plan for Hamilton Cottages be modified to prohibit boat and recreational and oversize vehicle parking.

Passed: 7-0-0

Amended M/s: Havel/Dawson: Recommend the applicant identify design features supporting senior and disabled accessibility.

Passed: 6-1-0; Strauss abstained.

Amended M/s: Wernick/Jordan: Recommend additional parking be fitted into the parking, access, and utility easement on city-owned property.

Passed: 7-0-0

M/s: Jordan/Wernick: Recommend the City Council adopt the proposed Vesting Tentative Map for Hamilton Cottages.

Passed: 7-0-0

## **2. MESSAGE ORDINANCE (BB)**

**Consider amendments to the Novato Municipal Code relating to regulation of massage establishments and massage technicians, including adding subsection 19.34.190 (Massage Establishments) and amending Tables 2-4, 2-7, 2-9 and 3-7 (Allowable Uses and Parking Tables), paragraphs 19.60.020 M and P (Definitions), and modifying section 19.34.080 (Home Occupations) and finding that the adoption thereof is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3).**

Three massage practitioners addressed the Commission raising concerns about the cost and time of Use Permit applications and about the prohibition of massage as a home occupation, noting that massage businesses are commonly single proprietors and a relatively low-income profession.

The Planning Commission concluded that there was not sufficient justification for requiring a Use Permit and that massage as a home occupation has not proven to be problematic in Novato to warrant a prohibition of in-home massage services.

M/s: Havel/Derby: Recommend the City Council adopt the zoning code amendments addressing massage establishments.

Failed: 0-0-7

**GENERAL BUSINESS:** None.

**UPCOMING AGENDAS AND QUORUMS:** None.

**ADJOURNMENT:** Adjourned by the Chair at 9:55 PM.

DRAFT