

***BioMarin Proposal  
Amendments to the City of Novato's General  
Plan and Zoning Ordinance for the Bel Marin  
Keys Industrial Parks***

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## Introduction and Summary

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BioMarin, a global biotechnology company focused on finding solutions for rare diseases, was founded in Novato in 1997. BioMarin is invested in Novato's economic growth and development and is specifically interested in partnering with Novato to ensure the City remains attractive to new, high value life science and biotech businesses. BioMarin's center of excellence for process sciences and manufacturing is located in Novato, and the majority of BioMarin's operations and employees are based in Novato. BioMarin's Novato campus includes not only the Galli manufacturing site, but also an extensive collection of office space, laboratories, and warehouse facilities located in the Bel Marin Keys Industrial Parks as well as a Wood Hollow facility.

The existing BioMarin main Novato campus is located within the Bel Marin Keys Industrial Parks, where BioMarin is the largest employer, with approximately 1,000 employees occupying over 400,000 square feet. In conjunction with the City's update to the Novato General Plan, BioMarin is interested in supporting the adoption of measures and land use changes to the Bel Marin Keys overlay district that would make the Bel Marin Keys Industrial Parks more attractive to biotech and life science development. BioMarin believes such action would be consistent with the 2014 General Plan Policy White Paper for Bel Marin Keys Industrial Parks which states that "the Bel Marin Keys Industrial Parks best serve the broader economic development interests of the City by functioning as incubator space for research and manufacturing businesses which provide higher-paying jobs."<sup>1</sup>

BioMarin supports the City's vision for the area, and the policy options in the White Paper recommended by the Planning Commission and the Economic Development Advisory Commission, which seek to focus development on industrial and research facilities. Expansion of research and development (R&D) laboratories, and other similar uses in Bel Marin Keys, will also be an important extension of the North Bay Life Science Alliance, the new initiative funded by the City to advance the region's life sciences capabilities that was established by leaders across the North Bay in economic development, life sciences, and education.

The existing Bel Marin Keys Industrial Parks development regulations addressing density (floor area ratio, building height, etc) were designed for one- or two-story commercial and warehousing business. Today, these are outdated and not reflective of current land use needs for more sophisticated developments. The existing regulations support the low-intensity surface parked warehousing and industrial uses that previously dominated the area, but change is necessary for Novato to attract new businesses and retain existing R&D business. In fact, the current regulations do not allow for the kind of uses and development that are crucial to biotech. Biotech campuses need efficient and innovative research and development laboratory spaces, manufacturing buildings that accommodate infrastructure requirements, and associated office spaces in close proximity. While manufacturing and science-based laboratory buildings typically have lower occupancies (fewer employees per square foot), and thus generate less traffic than equally-sized general commercial development, they require proper height and building adjacencies. Additionally, it is important that the General Plan's land use designation of Light Industrial/Office

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<sup>1</sup> City of Novato, General Plan 2035 Policy White Paper: Bel Marin Keys Industrial Parks, March 2014.

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specifically allow for the R&D and science laboratory uses that the City seeks for the Bel Marin Keys Industrial Parks.

Moreover, as the comparisons provided below illustrate, the current Bel Marin Keys Industrial Parks regulations are far more restrictive than comparable land use rules in other Bay Area and California communities that have updated their land use rules to attract and accommodate growth of life sciences enterprises. Thus, not only have the current Bel Marin Keys rules become a barrier to growth for BioMarin, but they also put Novato at a competitive disadvantage in attracting new life sciences companies.

This is a particularly opportune time for Novato to modernize the Bel Marin Keys Industrial Parks land use regulations to support Novato's own policies to encourage life sciences growth. The City is engaged in its major update of its General Plan, and soon will be initiating the CEQA review for that update. Thus, Novato will have the information that is necessary for the analysis and consideration to bring the General Plan into line with the City's policies and hopes, by modernizing the General Plan and associated zoning and other planning actions.

In that spirit, BioMarin has considered the needs of life sciences companies, and the comparable regulations in other cities, like South San Francisco, Foster City and San Diego, that are "hubs" for life sciences, and which have adopted special land use rules to address the specific and different needs of such companies.

Based on that careful review, we have developed concepts for modernizing the General Plan and zoning affecting Bel Marin Keys Industrial Parks to allow Novato to become a center for excellence in biotech. This report outlines the need for changes, the comparable rules in competitive cities which encourage biotech, and specific changes to achieve the mutual goals of the City and the biotech sector. We stress that these changes are not limited to BioMarin; rather, they would be available to all biotech companies equally.

### **SUMMARY OF PROPOSED AMENDMENTS**

We offer for the City's consideration as part of its General Plan process the following amendments to the General Plan and Zoning Ordinance, which would foster development of R&D campuses accommodating laboratories and manufacturing uses that the City seeks, and would enable companies like BioMarin to grow and expand in Novato and create cohesive campuses in an effective manner. Red-lined pages of the City of Novato General Plan as well as the City of Novato Zoning Ordinance containing specific text amendments proposed are attached as Appendix A.

The following amendments to the General Plan and Zoning Ordinance are necessary for the development of cohesive and integrated R&D and science laboratory campuses in a manner that satisfies industry standards and aligns with the City's goals:

- Broaden the Light Industrial/Office land use designation to include specific references to R&D / laboratory uses.
- Apply a maximum FAR of 1.2 for Light Industrial/Office (LIO) to the Bel Marin Keys Industrial Parks for manufacturing, R&D, and science laboratory uses and associated office space. A review of benchmarks from comparable cities with a presence of R&D companies,

discussed in following sections, shows this proposed FAR to be well within standard practice. This should be applied across a whole campus, and not just on particular parcels.

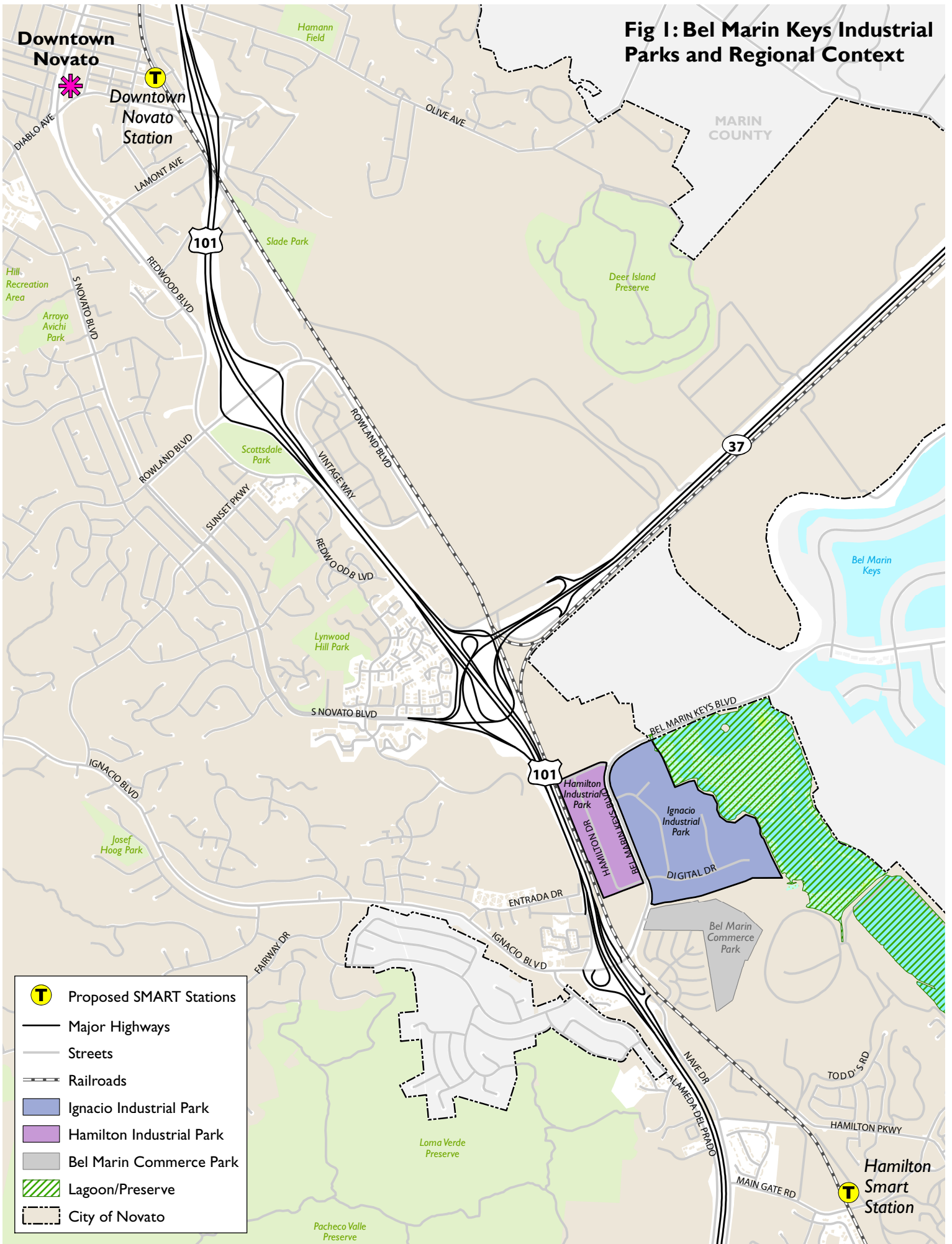
- Apply an allowable height of 68 feet for Light Industrial/Office (LIO) to the Bel Marin Keys Industrial Parks, subject to design review approval. The maximum allowable height (with bonuses) of 42 feet for Light Industrial/Office is significantly below what is necessary for manufacturing and process laboratory buildings. BioMarin's existing 58-foot tall manufacturing building at 46 Galli Drive, while significantly over the 42 feet height limit, remains challenging for effective manufacturing requirements. The proposed height increase not only enhances land use efficiencies in the area, but also allows the City to take advantage of a significant opportunity to provide valuable lab space as well as manufacturing facilities in an industrial area.
- Optimize parking utilization across campuses by amending parking ratios and allowing consideration of parking campus wide, and not just building by building. Availability of parking for employees is vital to the operations of BioMarin and other employers in the Bel Marin Keys Industrial Parks. In order to build efficient campuses, large employers such as BioMarin will strive to balance parking availability for their employees with the goal to promote use of alternative transportation modes by employees. Additionally providing parking on a campus wide basis (and not per parcel) allows for better parking utilization and traffic management. Proposed parking ratios, discussed in upcoming pages, are functionally-based and supported by successful Transportation Demand Management (TDM) programs. Parking standards for manufacturing and warehousing uses will remain the same.










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**Fig 1: Bel Marin Keys Industrial Parks and Regional Context**



-  Proposed SMART Stations
-  Major Highways
-  Streets
-  Railroads
-  Ignacio Industrial Park
-  Hamilton Industrial Park
-  Bel Marin Commerce Park
-  Lagoon/Preserve
-  City of Novato

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## Existing and Proposed Standards; Benchmarks

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### LAND USES

The Bel Marin Keys Industrial Parks, comprised of the Hamilton Industrial Park and the Ignacio Industrial Park,<sup>2</sup> are located just to the east of U.S. Highway 101. As shown in Figure 1, the area is also situated within a five-minute drive of two future Sonoma-Marín Area Rail Transit (SMART) stations; the Downtown Novato station to the north and the Hamilton SMART station to the south.

### Existing Standards

The Light Industrial/Office land use designation, which applies to the entirety of the Bel Marin Keys Industrial Parks, is described “as appropriate for light industrial and manufacturing uses, including warehousing, office, retail, service, education, recreation residential and utility uses that will not create objectionable noise, smoke, odor, dust and other nuisances.”<sup>3</sup>

### Proposed Standards

The current description makes no mention of R&D companies, even though the Bel Marin Keys White Paper specifically mentions that the City’s economic development interests for creating high-paying jobs are best served by having R&D companies in the Bel Marin Keys Industrial Parks. BioMarin proposes that the City amend the Light Industrial/Office land use to include specifically R&D and laboratories. This amendment will best reflect the City’s economic development priorities for the Bel Marin Keys Industrial Parks.

### Benchmarks

Communities that have been successful in growing clusters of biotech and other innovative R&D companies make these companies a priority in their land use planning, recognizing the importance of creating specific zones where R&D uses are central, not ancillary, and where campus development is encouraged to allow R& companies to operate efficiently.

South San Francisco has a Business and Technology Park district, which is home to Genentech, that was specifically designated to “accommodate campus-like environments for corporate headquarters, research and development facilities, and offices.”<sup>4</sup> The emphasis on campus-like environments demonstrates the City’s understanding of the land use needs of R&D companies. Furthermore, the Economic Development Element of South San Francisco’s General Plan recognizes that “the ability of the City to attract uses that generate economic benefits will depend on maintaining a positive business climate and availability of land, particularly sites suited to the

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<sup>2</sup> BioMarin’s proposals for the Bel Marin Keys Industrial Parks do not include the Bel Marin Commerce Park, as this is not a center for R&D activity.

<sup>3</sup> City of Novato General Plan 2035, Table GP-3 Land Use Categories.

<sup>4</sup> City of South San Francisco General Plan, pg. 2-24.

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needs of large office or research and development campuses, or regional-scaled commercial centers.”<sup>5</sup>

Foster City, home to pharmaceutical company Gilead Sciences, contains a Research/Office Park designation, specifically for “office, research and development, and manufacturing establishments whose operations are clean and quiet,”<sup>6</sup> which recognizes that R&D companies and their land uses needs are distinct from other industrial uses. Foster City also contains the Chess/Hatch Office Research designation, which highlights biotechnology among its uses.

San Diego highlights R&D uses in its Business Park designation, as well as its International Business and Trade designation.<sup>7</sup>

### **FLOOR AREA RATIO (FAR)**

#### **Existing Standards**

A maximum FAR of 0.4 is currently allowed for Light Industrial/Office, except for the Bel Marin Keys Industrial Parks, where the maximum FAR is 0.6.<sup>8</sup>

#### **Proposed Standards**

BioMarin proposes that the standard FAR remain at 0.6 within the Bel Marin Keys Industrial Parks. However, in order for the City to encourage the specific uses that a) serve its economic development interests in the Bel Marin Keys Industrial Parks and b) do not have high trip generation rates, BioMarin proposes an amendment allowing for an FAR of 1.2 in the City's own Bel Marin Keys Industrial Parks only for manufacturing, R&D, and science laboratory uses. The Bel Marin Keys White Paper acknowledges that R&D uses not only best serve the City's economic development interests for the Bel Marin Keys Industrial Parks, but also that they possess relatively low trip generation rates. By targeting the additional FAR allowance to this limited group of uses, the City will help secure that its goals for the area are met. Furthermore, the additional FAR allowance will enable cohesive campus developments for larger employers that bring high-paying jobs to the area, which contain employee amenities that will reduce the need for daytime trips even further.

#### **Benchmarks**

Compared to the FAR of 0.6 for Light Industrial/Office in the Bel Marin Keys Industrial Parks, the City of Emeryville has a range of FAR for light industrial and/or R&D uses that goes up to 2.0 base/3.0 with Bonus. For the same land use designations, the FAR in San Rafael varies up to 2.0.

South San Francisco has a base FAR of 1.0 and allows up to a 2.5 FAR based on the particular characteristics of the project, including TDM strategies, design standards, off-site improvements, and green building measures. In Emeryville, the FARs for some locations range up to 3.0 base/4.0

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<sup>5</sup> City of South San Francisco General Plan, pg. 6-1.

<sup>6</sup> Foster City General Plan, pg. 3-18.

<sup>7</sup> City of San Diego General Plan, Table LU-4.

<sup>8</sup> City of Novato General Plan 2035, Table GP-3 Land Use Categories.

with Bonus. In other words, in some places, Emeryville allows for a base FAR five times greater than the Bel Marin Keys Industrial Parks, and a performance-based FAR granted by Conditional Use Permit (CUP) that is almost seven times greater.

Foster City's Chess/Hatch Office Research designation allows up to a 1.55 FAR, and allows for a campus-wide FAR average for the Gilead campus.

The City of San Diego's Industrial Park zones allow for an FAR of 2.0, which contain development standards that "are intended to create a campus-like environment,"<sup>9</sup> which as elsewhere discussed, have significant benefits for reduction of daytime trips.

## **BUILDING HEIGHTS**

### **Existing Standards**

Novato's base height for Light Industrial/Office within the Bel Marin Keys Industrial Parks is 35 feet, with a bonus that allows for heights up to 42 feet.<sup>10</sup>

### **Proposed Standards**

While area benchmarks such as the Genentech Master Plan point to building heights of up to 150 feet as appropriate limits for a biotech campus, as discussed below, the proposed height exception of up to 68 feet for the Bel Marin Keys Industrial Parks, subject to design review, merely seeks to bring building heights for future development in Bel Marin Keys in line with minimum height requirements for efficient manufacturing and process science laboratory buildings. This will allow BioMarin and other employers to optimize development on their properties.

Building heights for laboratory uses are a particular concern. Laboratory uses need a minimum height of 17 feet from floor-to-floor for specialized infrastructure. Efficient laboratory buildings are at least four or five stories tall (68-85 feet excluding parapet). It is not economical to construct buildings that are lower in height and limits potential development opportunities

Limits on the supply of space, especially specialized lab space in the Bay Area and beyond, force companies to travel far and wide in search of appropriate facilities. This is a significant opportunity to provide valuable, in-demand manufacturing and lab space to an area within close proximity to highways and future transit stations.

Extending a height limit of 68 feet across all of the Bel Marin Keys Industrial Parks makes the provision of individual laboratory and manufacturing spaces more feasible and further would allow for buildout of cohesive, fully-realized campuses.

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<sup>9</sup> City of San Diego Municipal Code 131.0602

<sup>10</sup> The height limits from Section 19.12.040 may be increased by a maximum of 20 percent (42 feet max.) through Design Review approval in accordance with Section 19.42.030.

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### **Benchmarks**

Compared to Novato's current base height of 35 feet for the Bel Marin Keys Industrial Parks, South San Francisco has a 65-foot height limit in the Mixed Industrial district, an 72-foot height limit in the Business and Professional Office district, and a 150-foot height limit in the Genentech Master Plan district. The last benchmark serves as a particularly stark contrast given that the Genentech Master Plan was developed specifically to meet the needs of a modern biotech company.

Emeryville sets a base height limit of up to 50 feet (depending on location) as well as a bonus height limit of up to 100 feet (depending on location).

San Diego does not set height limits for structures in its industrial zones except as limited by any applicable overlay zones.<sup>11</sup>

### **PARKING**

Availability of parking for employees and visitors is vital to BioMarin and other employers within the Bel Marin Keys Industrial Parks. However, BioMarin agrees with the City that the aim should be to balance parking availability of parking for its employees with a continuing goal to promote use of alternative transportation modes by employees. Additionally, a campus development approach allows for consolidation of parking and campus wide parking availability for the employees which provides ease of access, optimizes utilization and improves traffic management.

### **Existing Standards**

Novato's current citywide parking requirements, which all apply to Bel Marin Keys Industrial Parks, are as follows:<sup>12</sup>

- Manufacturing: 1.0 space per 1,000 gross square feet (gsf)
- R&D Labs: 3.3 spaces per 1,000 gsf
- Warehousing: 0.7 spaces per 1,000 gsf
- Office: 3.6 spaces per 1,000 gsf

### **Proposed Standards**

BioMarin proposes parking ratios that are specific to each building type and function that is contemplated for R&D and biotech campuses as they grow. These proposed ratios are functionally-based, meant to assure continuing success of BioMarin's and other TDM programs, and support the General Plan's goal of expanding alternatives to the single occupant automobile for local and regional mobility. For example, with the proposed changes, companies like BioMarin can accommodate parking on a campus-wide basis across properties in the Bel Marin Keys Industrial Parks. The proposed ratios are as follows:

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<sup>11</sup> City of San Diego Municipal Code 131.0644

<sup>12</sup> City of Novato Municipal Code 19.30.040.

- Manufacturing: 1.0 space per 1,000 gsf
- R&D Labs: 1.3 spaces per 1,000 gsf
- Warehousing: 0.7 spaces per 1,000 gsf
- Office: 3.0 spaces per 1,000 gsf
- Amenities: 1.0 space per 1,000 gsf

These ratios are based on both benchmarks (discussed below) and how a R&D company like BioMarin uses these spaces. BioMarin is not proposing changes to the parking ratios for manufacturing or warehousing.

BioMarin's laboratory buildings are mostly used for lab space, while scientists' seats are located in supporting offices buildings. On average, approximately 60 to 70 percent of lab buildings' square footage is dedicated to laboratories and supporting functions and the remaining approximately 30 to 40 percent is dedicated to seats for scientists. Therefore, BioMarin proposes a ratio of 1.3 parking spaces for each 1,000 gsf of lab buildings, which is approximately 40 percent of the proposed office parking ratio.

Campus amenities, including large meeting and training rooms, as well as dining and exercise spaces, are mainly used by employees who already have offices on campus. Therefore, these spaces would not need additional parking. However, to accommodate visitor parking needs, a ratio of 1.0 spaces per 1,000 gsf of amenities would provide for visitor parking.

BioMarin recognizes that part of the success of these ratios hinges on a successful TDM program. This can include the provision of amenities near work environments, such as food and fitness that reduce the need for daytime driving. BioMarin currently provides TDM programs, and as discussed more below, will continue to expand and strengthen these programs. In addition, the future location of two SMART train stations provides a new opportunity to decrease the number of employees who commute by single occupancy vehicle.

Aligning Novato's parking ratios for Bel Marin Keys Industrial Parks with current best practices discussed earlier is critical to development of cohesive and efficient R&D or biotech campuses, managing parking and traffic in an effective manner. Emeryville and South San Francisco are other competing destinations for biotech companies in the Bay Area and, as discussed below, exemplify best practice in setting requirements for parking.

### **Benchmarks**

Best practice for parking is exemplified by the City of Emeryville, a San Francisco Bay Area city with a robust biotechnology sector that sets parking regulations based on estimated parking demand. There, the minimum number of parking spaces required is 33 percent less than the

## BioMarin Proposal for Amendments to the City of Novato's General Plan and Zoning Ordinance

estimated parking demand, and the maximum number of parking spaces required is 10 percent above the demand.<sup>13</sup>

Emeryville also excludes the first 1,500 gsf of non-residential uses from parking requirements, and allows modified requirements for shared parking based on the peak hourly demand for each use. Even without accounting for Emeryville's exclusion of the first 1,500 of non-residential gsf for calculating parking requirements, the maximum number of parking spaces required by Emeryville is less than the minimum number of parking spaces required by Novato for office, commercial, and R&D land uses. Similarly, as detailed below, Genentech's R&D District provides lower parking requirements, supported by the TDM program.

### ***Light Industrial***

In Novato, 1.0 space is required per 1,000 gsf for manufacturing uses. In comparison, Emeryville requires at least 0.7 and no more than 1.1 spaces. South San Francisco requires 0.7, and 0.9 is required in the Genentech Master Plan District.

### ***R&D Uses***

In Novato, 3.3 spaces per 1,000 gsf are required for R&D uses. Emeryville requires at least 1.0 spaces and no more than 1.6, while South San Francisco requires 1.4 in the Genentech Master Plan District.

### ***Office Uses***

Novato requires 3.6 spaces per 1,000 gsf of office space. In comparison, for office uses, Emeryville requires at least 1.6 spaces and no more than 2.6 per 1,000 gsf. Genentech's master plan district requires 2.75 spaces per 1,000 gsf of office space.

### ***ITE Generation Rates***

The Institute of Transportation Engineers (ITE) Parking Generation report is a conventional reference document that includes voluntarily submitted data on trip generation from across the country for 106 land uses. The Novato parking requirements and the average parking generation rates for corresponding uses according to the ITE are compared in Table 1. According to the ITE, Novato requires between 26 and 70 percent more parking than is needed.

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<sup>13</sup> See Emeryville Planning Regulations §9-4.404.



**Table 1: Novato's Parking Requirements and ITE Parking Generation Rates**

<i>Novato land use / ITE land use</i>	<i>Current Novato Parking Requirement<sup>1</sup></i>	<i>Average Parking Generation Rate<sup>1</sup></i>
Office, administrative, corporate / Suburban office	3.6	2.8
General manufacturing, industrial, and processing/ General light industrial	1.0	0.8

Notes:

1. Parking spaces per 1,000 gsf.

Source: *Institute of Transportation Engineers, Parking Generation, 4th Edition, 2010.*

### **Campus Parking Strategies**

The TDM programs provided by the large employers within the Bel Marin Keys Industrial Parks will substantially reduce parking demand while encouraging comprehensive campus developments. For example, BioMarin's TDM program includes: flexible work hours, supporting employees for carpool and vanpool through the internal website and easy access to external resources, and options to support employees' use of public transportation. Additionally, with further R&D campus development in the Bel Marin Keys Industrial Parks, companies like BioMarin will likely offer campus amenities such as food and fitness, that can minimize the need for daytime driving and limit individual cars on campus.

Working in combination with an effective campus parking strategy and programs that encourage employees to use alternative modes of transit can reduce overall demand for new parking spaces. The SMART train provides a significant opportunity to further encourage use of alternative modes of transportation, particularly for those workers commuting from Sonoma County.

### **CONCLUSION**

BioMarin shares the vision of the City to promote and support the further growth of Novato, and particularly the Bel Marin Keys Industrial Parks, as centers for excellence and opportunity in life sciences.

The proposals described above would greatly enhance the ability of life sciences companies to grow in Novato, including BioMarin, and would provide substantial incentives for others to locate in Novato.

Now is a particularly efficient time for the City to consider bringing the land use rules into consistency with current City economic policies, and real-world needs of biotech companies.

We ask that the City incorporate these possible changes into the General Plan review and update, and the Environmental Impact Report that soon will be scoped for that review. As both move forward, BioMarin would continue to work with the City, the community and with biotech companies and interests in the North Bay to develop further the policies, zoning and entitlements to encourage biotech, consistent with our mutual goals of preserving and enhancing the quality of life for all residents of Novato.

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**Appendix A: Proposed Amendments to the  
City of Novato General Plan and  
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**City of Novato General Plan 2035, Table GP-3  
Land Use Categories**

Table GP-3 details the 20 land use designations and describes the general land uses intended for the category, applicable building density and/or intensity, and compatible zoning district(s). 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 determined by the latest decennial U.S. Census, by the number of dwelling units in a land use category. For example, the average household size in Novato was 2.53 persons in 2010. The population density in the Low Density Residential category is therefore 2.8 to 12.7 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 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 GP-3 LAND USE CATEGORIES**

Land Use Category	Building Density and Intensity	Description <sup>1</sup>	Compatible Zoning Districts <sup>2</sup>
<b>Rural Residential (RR)</b>	Up to 0.49 dwelling unit per gross acre. Maximum FAR for non-residential uses is 0.2.	The Rural Residential land use designation applies to areas appropriate for the development of single family homes and related accessory residential uses in rural, low density settings. Additionally, certain agriculture, recreation, education, resource, assembly, lodging, day care and utility uses may be allowed.	Rural Residential (RR)
<b>Very Low Density Residential (RVL)</b>	0.5 to 1.0 dwelling unit per gross acre. Maximum FAR for non-residential uses is 0.2.	The Very Low Residential designation applies to areas appropriate for the development of single family homes and related accessory residential uses on larger lots. Additionally, certain agriculture, recreation, education, assembly, lodging, day care and utility uses may be allowed.	Very Low Density Residential (RVL)
<b>Low Density Residential (R1)</b>	1.1 to 5.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4.	The Low Density Residential land use designation applies to areas appropriate for the development of single family homes and related accessory residential uses. Additionally, certain agriculture, recreation, education, assembly, lodging, day care and utility uses may be allowed.	Low Density Residential (R1)
<b>Medium Density Detached Residential (R4)</b>	4.1 to 7.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4.	The Medium Density Detached Residential land use designation is applied to areas appropriate for single family homes and related accessory residential uses. Additionally, certain agriculture, recreation, education, assembly, lodging, day care and utility uses may be allowed.	Medium Density Detached Residential (R4)

# CHAPTER 2 GREAT PLACES

Land Use Category	Building Density and Intensity	Description <sup>1</sup>	Compatible Zoning Districts <sup>2</sup>
<b>Medium Density Residential (R5)</b>	5.1 to 10.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4.	The Medium Density Residential land use designation applies to areas appropriate for a mix of housing types on smaller lots. Typical residential land uses include single and two-family homes, either detached or attached, and related accessory residential uses. Additionally, certain agriculture, recreation, education, assembly, lodging, day care and utility uses may be allowed.	Medium Density Residential (R5)
<b>Medium Density Multiple-Family Residential (R10)</b>	10.1 to 20.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4, and up to 0.6 for residential care facilities for the elderly.	The Medium Density Multiple-Family Residential land use designation applies to areas appropriate for single family, two-family and multi-family homes and related accessory residential uses. Additionally, certain education, assembly, lodging, day care and utility uses may be allowed.	Medium Density Multi-Family Residential (R10)
<b>High Density Multiple-Family Residential (R20)</b>	20.1 to 30.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4, and up to 0.6 for residential care facilities for the elderly.	The High Density Multiple-Family Residential land use designation applies to areas appropriate for multi-family housing and related accessory residential uses. Additionally, certain education, assembly, lodging, day care and utility uses may be allowed.	High Density Multi-Family Residential (R20)
<b>Mixed Use (MU)</b>	Maximum FAR is 0.4, with the potential for an increase to 0.8 when housing is incorporated into a project.	The Mixed Use land use designation is appropriate for sites where the surrounding area is currently developed with a mix of commercial and residential land uses. Certain retail, office, research and development, service, recreation, assembly, education, residential and utility facilities may be allowed.  Housing development may be permitted only in conjunction with either commercial and/or office uses.	Mixed Use (MU)
<b>Neighborhood Commercial (CN)</b>	Maximum FAR is 0.4, with an additional 0.2 only for housing. The maximum FAR for residential care facilities for the elderly is 0.6.	The Neighborhood Commercial land use designation is applied to neighborhood shopping areas including a mix of retail, service, recreation, assembly, education, office, residential and utility uses.	Neighborhood Commercial (CN)
<b>General Commercial (CG)</b>	Maximum FAR 0.4	The General Commercial land use designation is applied to areas appropriate for a broad range of retail, service, manufacturing, warehousing, research and development, office, recreation, assembly, education, residential and utility uses may be allowed.	General Commercial (CG)
<b>Downtown Core (CD)</b>	Maximum FAR is 1.2 with the potential for a maximum of 2.0 where housing is incorporated.	The Downtown Core land use designation is applied to the downtown area suitable for a mix of retail, service, office, recreation, assembly, education, residential and utility uses may be allowed.	Downtown Core Retail (CDR) Downtown Core Business (CDB)
<b>Commercial/Industrial (CI)</b>	Maximum FAR 1.0	The Commercial/Industrial land use designation is applied to areas suitable for intensive commercial land uses, including certain manufacturing, processing, warehousing, retail, service, office, research and development, recreation, education, and utility uses.	Commercial/Industrial (CI)
<b>Business and Professional Office (BPO)</b>	Maximum FAR 0.4	The Business and Professional Office land use designation is applied to areas appropriate for a variety of office, research and education activities. Additionally, certain retail, service, residential and utility uses may be allowed.	Business and Professional Office (BPO)

# CHAPTER 2 GREAT PLACES

Land Use Category	Building Density and Intensity	Description <sup>1</sup>	Compatible Zoning Districts <sup>2</sup>
<b>Research/Education Institutional (REI)</b>	Maximum FAR 0.2 ; up to 1.0 dwelling unit per acre	The Research/Education-Institutional land use designation is applied to areas suitable for a mix of medical research, educational and laboratory uses, with related multi-family residential, recreation, office and commercial uses in a campus setting.	Research/Education-Institutional (REI)
<b>Light Industrial/Office (LIO)</b>	Maximum FAR is 0.4, except for the Novato Industrial Park and the Hamilton hangar areas, where the maximum FAR is 0.6. <sup>3</sup>	The Light Industrial/Office land use designation is applied to areas appropriate for light industrial and manufacturing uses, including warehousing, office, retail, service, education, recreation residential and utility uses that will not create objectionable noise, smoke, odor, dust and other nuisances.	Light Industrial/Office (LIO)  research and development, science laboratories,
<b>Open Space (OS)</b>	Development is not allowed in this designation, so there is no applicable density range.	The Open Space land use designation applies to publicly-owned land that is largely unimproved and devoted to the preservation of natural resources, agriculture, and outdoor recreation. Additionally, caretaker quarters and utility uses may be allowed.	Open Space (OS) Restricted Open Space (ROS)
<b>Conservation (CON)</b>	The allowable density of detached single-family dwelling units ranges from one dwelling unit per 10 acres to one dwelling unit per 60 acres.	The Conservation land use designation is intended to conserve natural resources and is applied to privately-owned land that is mainly unimproved. Additionally, certain agriculture, recreation, residential, service and utility uses may be allowed.	Conservation (C)
<b>Agriculture (AG)</b>	Single-family dwellings are allowed at a maximum density of one dwelling unit per 60 acres.	The Agriculture land use designation is applied to lands that are intended to largely be maintained in agricultural use. Additionally, certain recreation, service, assembly, residential, and utility uses may be allowed.	Agricultural (A)
<b>Parkland (P)</b>	Maximum allowable FAR is 0.4.	The Parkland land use designation is applied to areas suitable for parks, playgrounds and other recreational uses. Additionally, certain agriculture, open space, assembly and utility uses may be allowed.	Parkland (PL)
<b>Community Facilities, Public Utilities and Civic Uses (CF)</b>	Maximum FAR 0.8.	The Community Facilities, Public Utilities and Civic Uses land use designation is applied to areas suitable for public land uses including certain open space, recreation, education, assembly, medical, research and development, office, service, residential and utility uses may be allowed.	Community Facilities (CF)

<sup>1</sup>For detailed descriptions of permitted and conditional land uses allowed in each designation please refer to Chapter 19 of the Novato Municipal Code.

<sup>2</sup>In addition to the zoning districts identified in the chart, the Planned District (PD) may apply to any of the General Plan land use designations. Also, the following overlay districts may be applied to any General Plan land use designation: Baylands (B), Downtown(D), Flood Hazard (F), Historic (H), and Affordable Housing Overlay (AHO).

<sup>3</sup>Maximum allowable FAR for the Hamilton Industrial Park and Ignacio Industrial Park is 1.2 for manufacturing, research and development, and science laboratories.

## 2.5 GROWTH MANAGEMENT AND DEVELOPMENT PROJECTIONS

Novato aims to contain development and preserve natural lands and agricultural uses adjacent to the City through the Urban Growth Boundary. Enacted by the voters of Novato in 1997, the Urban Growth Boundary is intended to constrain the expansion of development that requires sewer and water utilities into the rural areas surrounding the incorporated City limits to reduce urban sprawl. The City Council may amend the Urban Growth Boundary and annex new territory into Novato under certain circumstances described in Policy LU-6. While the Urban Growth Boundary is set to expire in 2017, Program LU 5a calls for the amendment and extension of the effective date of the Urban Growth Boundary for another 20 years. The Urban Growth Boundary generally follows the City limit line, as shown in Figure GP-5. The full text of the current voter approved Urban Growth Boundary, effective until November 4, 2017, is contained within Appendix D.

**City of Novato Zoning Ordinance 19.12.040 –  
Commercial/Industrial District General  
Development Standards**



## 19.12.040 - Commercial/Industrial District General Development Standards.

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Table 2-8, in addition to the applicable development standards (e.g., landscaping, parking and loading, etc.) in Article 3, (Site Planning and General Development Standards).

TABLE 2-8

## COMMERCIAL/INDUSTRIAL DISTRICT GENERAL DEVELOPMENT STANDARDS

Development Feature	Requirement by Zoning District		
	BPO Business and Professional Office	CN Neighborhood Commercial	CG General Commercial
Minimum lot size	<i>Minimum area, width and depth required for new parcels.</i>		
Area	10,000 sf	None	
Width and depth	Determined through subdivision process.		
Setbacks	<i>Minimum and maximum setbacks required. See <u>Division 19.20</u> for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>		
Front	25 ft	None required	
Sides (each)	6 ft if adjacent to a single-family residential zone; 10 ft if building is over 20 ft in height at the building setback line and adjacent to a single-family residential zone; none required otherwise.		
Rear	10 ft if adjacent to a single-family residential zone; 15 ft if building is over 20 ft in height at the building setback line and adjacent to a single-family residential zone; none required otherwise.		
Building coverage (1)	40%		

Floor Area Ratio (FAR)	0.40	0.40 to 0.60 (2)	0.40
Height limit (3)	35 ft		
Landscaping	As required by <u>Division 19.28</u> (Landscaping)		
Parking	As required by <u>Division 19.30</u> (Parking and Loading)		

## Notes:

- (1) Maximum percentage of site area that may be covered by structures.
- (2) CN zoning district - FAR may be increased to 0.60 if additional floor area is used for housing, or for residential care facilities for the elderly (RCFE).
- (3) Maximum allowed height of structures. See also Section 19.20.070 (Height Limits and Exceptions).

TABLE 2-8

## COMMERCIAL DISTRICT GENERAL DEVELOPMENT STANDARDS (Continued)

Development Feature	Requirement by Zoning District		
	CDR & CDB Downtown Core Retail & Business	CI Commercial/ Industrial	LIO Light Industrial/ Office
Minimum lot size	Minimum size for new parcels will be determined through the subdivision process, consistent with the General Plan.		
Setbacks	<i>Minimum and maximum setbacks required. See <u>Division 19.20</u> for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>		
Front	None required		

Sides (each)	6 ft if adjacent to a single-family residential zone; 10 ft if building is over 20 ft in height at the building setback line, and adjacent to a single-family residential zone; none required otherwise.		
Rear	10 ft if adjacent to a single-family residential zone; 15 ft if building is over 20 ft in height at the building setback line and adjacent to a single-family residential zone; none required otherwise.		
Building coverage (1)	100%	40%	60%
Floor Area Ratio (FAR)	1.2 or 2.0 (2)	1.0	0.40 (4)
Height limit (3)	35 ft (5)	35 ft (6)	
Landscaping	As required by <u>Division 19.28</u> (Landscaping)		
Parking	As required by <u>Division 19.30</u> (Parking and Loading)		

## Notes:

- (1) Maximum percentage of site area that may be covered by structures.
- (2) Higher value FAR applies if housing is incorporated in a mixed-use project.
- (3) Maximum allowed height of structures. See also Section 19.20.070 (Height Limits and Exceptions).
- (4) Except for the Novato Industrial Park and Hamilton Hangar area, the maximum FAR shall be .6.  
Maximum FAR shall be 1.2 for manufacturing, research and development, and science laboratories.
- (5) Within the Downtown Overlay zone, the height limit may be increased by 30 percent up to a maximum of 45 feet for the habitable floor area (excluding roof) with Design Review approval in accordance with Section 19.20.070.
- (6) Within the Hamilton Industrial Park and Ignacio Industrial Park, the height limit may be increased up to a maximum of 68 feet for the habitable floor area (excluding roof) with Design approval in accordance with Section 19.20.070.

**City of Novato Zoning Ordinance 19.30.040 –  
Number of Parking Spaces Required**

### 19.30.040 - Number of Parking Spaces Required.

Each use shall provide at least the minimum number of off-street automobile parking spaces required by this Section, except where parking requirements are adjusted in compliance with Section 19.30.050 (Adjustments to Parking Requirements). See Section 19.30.090 for Bicycle parking requirements, and Section 19.30.100 for motorcycle parking requirements.

- A. *Parking Requirements by Land Use.* Each land use shall be provided the number of parking spaces required by Table 3-7, except where a greater number of spaces is required through conditions of approval. Sites located within the D (Downtown Novato Specific Plan) overlay district shall provide the number of parking spaces required by Table 3-7 within the Downtown (D) overlay, where applicable.
- B. *Basis for Calculations.* In any case where Table 3-7 establishes a parking requirement based on the floor area of a use in a specified number of square feet (for example: 1 space per 1,000 sf), the floor area shall be construed to mean gross floor area.
- C. *Expansion of Structure, Change in Use.* When an existing nonresidential structure is enlarged or increased in capacity, or when a change or expansion in use requires more parking than is presently provided, parking spaces shall be provided for the entire structure in compliance with this Chapter.
- D. *Multi-Tenant Sites.* A site with multiple tenants shall provide the aggregate number of parking spaces required for each separate use, except where:
  1. The site was developed comprehensively as a shopping center, the parking ratio shall be that required for the shopping center as a whole regardless of individual uses listed in Table 3-7; or
  2. The site qualifies for shared parking in compliance with Section 19.30.050 (Adjustments to Parking Requirements).
- E. *Uses Not Listed.* Land uses not specifically listed in Table 3-7, shall provide parking as required by the Director. The Director shall use the requirements of Table 3-7 as a guide in determining the minimum number of parking spaces to be provided and may require the applicant fund a parking study. The Director may approve the temporary reduction of parking spaces in conjunction with a seasonal or intermittent use.
- F. *Excessive Parking.* The parking standards established in this Division are both minimum and maximum standards. Parking spaces in excess of these standards may be approved in conjunction with Design Review, a Use Permit, or Master Plan/Precise Development Plan for the project, and when commensurate landscaping and pedestrian improvements are also provided.
- G. *Bench or Bleacher Seating.* Where fixed seating is provided (e.g., benches or bleachers), a seat shall be construed to be 18 inches of bench space for the purpose of calculating the number of required parking spaces.

F. *Parking Plan with Trip and Travel Demand Reduction Program.* The Director shall determine the minimum number of parking spaces to be provided under an approved trip and travel demand reduction program

#### Table 3-7

#### Parking Requirements by Land Use

BioMarin Proposal for Amendments to the City of Novato's  
General Plan and Zoning Ordinance

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## **Appendix B: Key Land Use Provisions among Major Biotech Hubs**

BioMarin Proposal for Amendments to the City of Novato's  
General Plan and Zoning Ordinance

**Appendix B: Comparison of Key Land Use Provisions among Major Biotech Hubs**

<i>Land Use</i> <sup>1</sup>	<i>Floor Area Ratio</i> <sup>2</sup>	<i>Height</i> <sup>3</sup>	<i>Parking Ratio</i> <sup>3</sup>			
			<i>Office</i>	<i>Light Industrial</i>	<i>Research &amp; Development</i>	
Novato						
1996 General Plan and Zoning Code	Light Industrial/Office land use designation allows for light industrial and manufacturing uses, including warehousing, office, retail, service, education, recreation residential and utility uses that will not create objectionable noise, smoke, odor, dust and other nuisances	0.4-0.6 (Light Industrial/Office land use designation is 0.4 in most areas, and 0.6 in Novato Industrial Park and Hamilton hangar areas)	35 feet (Light Industrial/Office district)  Height limits may be increased by a maximum of 20% through Design Review	3.6 spaces per 1,000 gsf (Office, administrative, corporate uses)	1.0 space per 1,000 gsf, which may include incidental office space comprising less than 5% of the total gross floor area. The parking requirements for additional office space shall be calculated separately. (General manufacturing industrial, and processing uses)	3.3 spaces per 1,000 gsf, plus 1 space per company vehicle. (Research and development uses)



Emeryville						
2009 General Plan and Zoning Code	Industrial allows for a range of industrial and high technology uses, including light manufacturing, repair, testing, printing, service commercial, and biotechnology uses	0.5 Base/with no Base 2.0 Base/3.0 with Bonus (Range based on location of Industrial land use designation)  Bonus FAR is discretionary and awarded after projects demonstrate community goals defined in Zoning Code incl. public open space, zero net energy, utility undergrounding and more	30 feet Base/No Bonus (Range based on location of Industrial district)	Min: 1.6 Max: 2.6  Minimum number of spaces is 33% less than estimated demand of 2.4 spaces per 1,000 gsf; Maximum number of spaces is 10% more than estimated demand (Office uses)	Min: 0.7 Max: 1.1  Minimum number of spaces is 33% less than estimated demand of 1 space per 1,000 gsf; Maximum number of spaces is 10% more than estimated demand (for Pharmaceutical manufacturing uses)	Min: 1.0 Max: 1.6  Minimum number of spaces is 33% less than estimated demand of 1.5 spaces per 1,000 gsf; Maximum number of spaces is 10% more than estimated demand (Research and development uses)
	Office/Technology district allows for administrative, financial, business, professional, medical and public offices, research and development, biotechnology, and media production facilities	FAR based on location ranging up to 3.0 Base/4.0 with Bonus (Office/Technology)	up to 50 feet Base/100 with Bonus (Range based on location of Office/Technology land use designation)  Bonus height is discretionary and awarded after projects demonstrate they meet community goals defined in Zoning Code incl. public open space, zero net energy, utility undergrounding and more	First 1,500 gsf in non-residential uses excluded from parking requirement, modified parking requirement allowed for shared parking based on peak hourly demand for each use; Alternative parking plan allowed if required # of spaces is physically impossible to provide	First 1,500 gsf in non-residential uses excluded from parking requirement, modified parking requirement allowed for shared parking based on peak hourly demand for each use; Alternative parking plan allowed if required # of spaces is physically impossible to provide	First 1,500 gsf in non-residential uses excluded from parking requirement, modified parking requirement allowed for shared parking based on peak hourly demand for each use; Alternative parking plan allowed if required # of spaces is physically impossible to provide

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<b>South San Francisco</b>						
1999 General Plan and Zoning Code	Mixed Industrial designation protects industrial lands for a range of manufacturing, industrial processing, general service, warehousing, storage and distribution, and service commercial uses	0.4 Base, 0.6 Total Max (Mixed Industrial)  Increase in FAR is discretionary based on inclusion of TDM, design, and green building measures	65 feet (Mixed Industrial)	3.3 spaces per 1,000 gsf up to 100,000 gsf; 2.9 per 1,000 gsf over 100,000 gsf (Business and professional office uses)	0.7 spaces per 1,000 gsf of use area plus 3.3 per 1,000 gsf of office area plus 1 truck parking space for each delivery vehicle on-site during the peak time (General industry uses)	2.9 spaces per 1,000 gsf (Research and development uses)
	Business and Technology Park designation accommodates campus-like environments for corporate headquarters, research and development facilities, and offices	0.5 Base, 1.0 Total Max (Business and Technology Park)  Increase in FAR is discretionary based on inclusion of R&D uses, TDM, off-site improvement, or specific design standards	N/A (Business and Technology Park)			
2007 Genentech Master Plan and Zoning Code	see above definition for Business Technology Park in South San Francisco	1.0 FAR	150 feet (Genentech Master Plan District)	2.8 spaces per 1,000 gsf (Genentech Master Plan District)	0.9 spaces per 1,000 gsf (Genentech Master Plan District)	1.4 spaces per 1,000 gsf (Genentech Master Plan District)

<b>Foster City</b>						
2016 General Plan and Zoning Code	Chess/Hatch Office Research designation specifies biotechnology among its uses, and allows for vertically and horizontally mixed-use developments	up to 1.55 FAR (Chess/Hatch Office Research land use designation)	up to 120 feet (based on proposed Master Plan in Chess/Hatch that includes 12-story buildings)	4.0 spaces per 1,000 gsf (General Office uses)	2.0 spaces per 1,000 gsf (Light Manufacturing, Warehouse, Wholesale and Assembly Plants uses)	3.3 spaces per 1,000 gsf (Research and development uses)
	Research/Office Park designated for office, research and development, and manufacturing establishments whose operations are clean and quiet	up to 1.0 FAR (Research/Office Park land use designation)  Campus-wide average of .79 FAR for Gilead Campus within Vintage Park	N/A			
<b>San Diego</b>						
2008 General Plan and Zoning Code	Industrial--Park zones provide for high quality science and business park development, intended to create a campus-like environment. IP-3-1 allows for research and development, office, and residential uses	up to 2.0 FAR (Industrial--Park zone)	No height limits for structures in the industrial zones except as limited by any applicable overlay zones	2.9 spaces per 1,000 gsf (Business and Professional Office uses) within transit areas, or 3.3 spaces per 1,000 gsf outside transit areas	2.1 spaces per 1,000 gsf (Light Manufacturing uses) within transit areas, or 2.5 spaces per 1,000 gsf outside transit areas	2.1 spaces per 1,000 gsf (R&D uses) within transit areas, or 2.5 spaces per 1,000 gsf outside transit areas
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. Based on General Plan</li> <li>2. Based on General Plan or Zoning Code</li> <li>3. Based on Zoning Code</li> </ol>						

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