



THE CITY OF
NOVATO
CALIFORNIA

SPECIAL Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

January 22, 2018

922 Machin
Novato, CA 94945
415/899-8900
FAX 415/899-8213
www.novato.org

Mayor
Josh Fryday
Mayor Pro Tem
Pam Drew
Councilmembers
Denise Athas
Pat Eklund
Eric Lucan

City Manager
Regan M. Candelario

Present: Curtis Havel, Chair
Justin Derby, Vice Chair
Dan Dawson
David Gabriel
Peter Tiernan

Absent: Susan Wernick
Jay Strauss

Staff Present: Bob Brown, Community Development Director
Steve Marshall, Planning Manager
Veronica Nebb, Senior Assistant City Attorney

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVAL OF FINAL AGENDA: M/s: Tiernan/Derby to approve final agenda. Motion passed 4-0-3 (Ayes: Havel, Derby, Dawson, and Tiernan; Nays: none; Absent: Gabriel, Strauss, and Wernick).

PUBLIC COMMENT: None

CONSENT CALENDAR:

1. APPROVAL OF PC MINUTES OF AUGUST 7, 2017 (CH, DD, JD, PT, SW)

M/s: Tiernan/Derby to approve minutes of August 7, 2017, with modifications as requested by Chair Havel. Motion passed 4-0-2-1 (Ayes: Havel, Derby, Dawson, and Tiernan; Nays: none; Absent: Strauss and Wernick; Abstain: Gabriel).

2. APPROVAL OF PC MINUTES OF DECEMBER 18, 2017 (CH, JD, DG, JS, PT, SW)

M/s: Tiernan/Derby to approve minutes of December 18, 2017, with correction to hearing location. Motion passed 3-0-2-2 (Ayes: Havel, Derby, and Tiernan; Nays: none; Absent: Strauss and Wernick; Abstain: Gabriel and Dawson).

CONTINUED ITEMS: None

NEW ITEMS: None

GENERAL BUSINESS:

3. PROVIDE DIRECTION TO THE CITY COUNCIL REGARDING THE DRAFTING OF ORDINANCES AMENDING THE MUNICIPAL CODE TO REGULATE:

1. Solar energy facilities (appropriate zoning districts, development regulations, definitions and review processes)

Community Development Director Brown reviewed the zoning concepts for solar energy facilities.

Chair Havel acknowledged the Planning Commission received copies of an email from Tracey Ruiz regarding solar carports.

The Commission asked clarifying questions of staff, including the ability to locate solar facilities on approved conservation easements.

Public Comment: None

The Commissioners provided feedback to staff and the City Council regarding potential regulations for solar energy facilities, including:

- Roof-mounted panels should not be allowed to extend up to 5 feet above the roofline of flat-roofed single-family homes, such as Eichler designs due to incompatible aesthetics, in which case design review should be required
- Small ground-mounted solar facilities should not be allowed in the front yards of zoning districts to allow for screening from the street
- Concern that installation of solar carports might result in removal of all parking lot landscaping. Design review may be necessary to incorporate perimeter landscaping.
- Setbacks and height restrictions for solar carports may modified through design review.
- Request that staff identify locations of lands zoned Open Space when the final ordinance returns for consideration so the Planning Commission and City Council can evaluate the appropriateness of allowing ground-mounted installations in OS Districts.
- Questioned whether larger ground-mounted facilities should be allowed in residential districts.

2. Lighting for new and/or existing development to reduce nighttime light pollution

Community Development Director Brown reviewed the zoning concepts to regulate residential and commercial lighting.

Chair Havel acknowledged the Planning Commission received copies of an email from Tracey Ruiz regarding lighting.

The Commission asked clarifying questions of staff.

Public Comment: None

The Commissioners provided feedback to staff and the City Council regarding potential regulations for exterior lighting, including:

- Regulations on outdoor lighting should be applied to new development only, not existing. If a lighting curfew is warranted, it should be required as a condition of approval for new development.
- Dark Sky certified light fixtures should be required through design review of new development.
- It was noted that the Downtown street lights are not Dark Sky fixtures.

3. Parking lot landscape requirements for new or renovated facilities

Community Development Director Brown reviewed zoning concepts to regulate landscaping for commercial parking lots.

The Commission asked clarifying questions of staff.

Public Comment: None

The Commissioners provided feedback to staff and the City Council regarding potential revised regulations for parking lot landscaping, including:

- Support for establishing a list of acceptable parking lot tree species with typical canopies of 20'+ diameter and requiring certification of interior tree installation by a project landscape architect as a condition of approval for new parking lot development to assure proper soil compaction and soil preparation.
- Lack of support for increasing the minimum tree well size due to impact on the number of parking spaces achievable, which translates into allowable building size and use types.

4. Beekeeping on residential or non-residential properties; and

Community Development Director Brown reviewed zoning concepts to regulate beekeeping.

The Commission asked clarifying questions of staff.

Chair Havel acknowledge the Planning Commission had received an email from Nickie Irvine supporting beekeeping.

Public Comment:

Michael Sullivan – supports beekeeping

Glenn Matsui – supports beekeeping – adopt fair regulations

Gary Huehnerfuss – supports beekeeping – take positive approach to regulation

Jim Crumpler – supports beekeeping; recommended promoting beekeeping, allowing in all zoning districts, minimum number of hives allowed should be 3 to 4 (perhaps up to 5 or 6 hives), don't require setbacks.

Thilo Koehler – supports beekeeping – regulate minimally and don't require a permit

Jean James – supports beekeeping

The Commissioners provided feedback to staff and the City Council regarding potential regulations for beekeeping, including:

- Agreed that beekeeping should be a permitted use in most zoning districts, but questioned the appropriateness/practicality in multi-family situations. Commission Gabriel supported requiring a Use Permit for beekeeping and suggested it be allowed in rural residential areas only.
- General support for adoption of performance standards similar to Los Angeles that would provide criteria for the number of hives allowed, setbacks, water source, hive maintenance, etc.

5. Urban Agriculture.

Community Development Director Brown reviewed zoning concepts to regulate urban agriculture.

The Commission asked clarifying questions of staff.

Public Comment:

Lauren Klein, Marin Food Policy Council, supports allowing urban agriculture and community gardens – allow retail sales for market gardens.

The Commissioners provided feedback to staff and the City Council regarding potential revised regulations for urban agriculture, including:

- Allowing community gardens in all zoning districts.
- Including allowances for “market gardens” in most districts, possibly requiring a Use Permit.
- Allowances for some level of retail sales for community and market gardens, with limitations. Commissioner Tiernan did not support retail sales.

UPCOMING AGENDAS AND QUORUMS: Planning Manager Marshall noted the next Planning Commission hearing is scheduled for February 12, 2018; the regular February 5 hearing is cancelled.

ADJOURNMENT: Meeting adjourned at 9:40 PM