



THE CITY OF
NOVATO
CALIFORNIA

Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

October 15, 2018

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Novato, CA 94945
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www.novato.org

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

City Manager
Regan M. Candelario

MINUTES

Present: Justin Derby, Vice Chair
Dan Dawson
David Gabriel
Peter Tiernan
Thomas Weldon
Reva Rao

Absent: Susan Wernick

Staff Present: Bob Brown, Community Development Director
Steve Marshall, Planning Manager
Jeff Walter, City Attorney

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVAL OF FINAL AGENDA:

Motion/Second: Tiernan/Dawson to approve final agenda. Motion passed 6-0-1 (Ayes: Dawson, Gabriel, Derby, Rao, Weldon, and Tiernan; Nays: None; Absent: Wernick)

PUBLIC COMMENT: None

CONSENT CALENDAR: None

CONTINUED ITEMS:

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING ADOPTION OF A GENERAL PLAN AMENDMENT TO INCORPORATE THE LANDS OF GRANUCCI URBAN GROWTH BOUNDARY AND FINDING THAT INSTALLATION OF LEACH FIELDS IN THE STONE TREE GOLF COURSE PROPERTY IS CONSISTENT WITH THE BLACK POINT MASTER PLAN AND PRECISE DEVELOPMENT PLAN AND FINDING THAT THE PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO CEQA GUIDELINES

SECTIONS 15303(A) AND 15304(F).

Recommend to the City Council adoption of a General Plan Amendment to incorporate the Lands of Granucci (290 Grandview Avenue; APN 157-103-50) within the City's Urban Growth Boundary and finding that installation of leach fields in the Stone Tree Golf Course property is consistent with the Black Point Master Plan and Precise Development Plan and finding that the project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15303(a) and 15304(f).

Newly appointed Planning Commissioner Rao recused herself, indicating that she had not had an opportunity to review the extensive September 24 meeting materials given her recent appointment to the Planning Commission on October 9, 2018.

Community Development Director Brown repeated his presentation from the September 24, 2018 Planning Commission hearing, noting that the staff report contained staff responses to 23 questions raised at the previous hearing.

Commissioner Weldon inquired about whether surrounding parcels are on sewer or septic systems.

Community Development Director Brown state he believes they are on septic systems.

Vice Chair Derby asked if the Commission gave a "no" recommendation would it violate the settlement.

Community Development Director Brown said a "no" decision by the City Council would lead to the lawsuit proceeding.

Commissioner Tiernan inquired whether there are other circumstances allowing exceptions.

Community Development Director Brown noted the UGB offers various exceptions. He was unaware of any situations where a permit had been improperly issued by the City.

Les Hausrath, representing Victoria Granucci, addressed the Commission, providing rationale for the proposed UGB amendment and consistency with the Black Point Golf Links Master Plan and Precise Development Plan.

Richard Sousa, civil engineer for Victoria Granucci, reviewed his findings regarding the unsuitability of the subject property for a septic system of any type permissible by the County Environmental Health Division, and discussed the construction techniques for the septic leach field which are intended to minimize impacts on the adjacent oak woodland.

Property owner and applicant Victoria Granucci documented her purchase of the subject property with an accompanying easement onto the Stone Tree Golf Course property for construction of a leach field and previously issued plumbing permit from the City of Novato Building Division.

The public comment period was opened.

Teri Shore, representing Greenbelt Alliance encouraged Commissioners to vote against the UGB amendment and to explore other solutions such as use of a composting toilet, transfer of development rights or putting the UGB and golf course septic leach field construction issues before a public vote. She expressed concern the granting of the amendment could be a precedent for more luxury homes, and encouraged limiting the approval, if granted, to construction of a home for the current owner only.

Susan Mahoney, president of the Black Point Owner's Association, expressed her opposition, and concerns that construction of a septic leach field on the golf course could set a precedent.

Black Point residents Tim Rice, Bill Peterson, Penny Teacher and TJ Knapp all expressed opposition to amending the UGB.

Susan Stompe indicated concerns about the impact of the septic leach field on the health of existing oak trees, and suggested conditions be added to assess the condition of the trees over time.

The Planning Commissioners asked follow-up questions and made the followings statements in summary - most agreed that the unique aspects of the proposal (involving the building of a single family residence in the County having to connect to a septic system in the City rather than the typical request to connect one or more homes to an extended sanitary sewer and the reliance of the property owner on the improper issuance of a plumbing permit by the former building official for said septic system) should not constitute a precedent for future amendment requests and that the construction of one single family dwelling in a developed neighborhood does not constitute the type of urban sprawl that the citizen-adopted UGB sought to preclude.

Commissioners noted that the County was at issue regarding approving the home design over objections of County residents and subdividing the parcel which could not accommodate an on-site septic system, that the City and County permit actions created a hardship on the property owner through no fault of her own and that the citizens of Novato should not be put at financial liability should the application be denied.

M/s: Dawson/Tiernan to adopt the resolution recommending approval of the proposed UGB amendment and finding consistency with the Black Point Golf Links Master Plan and Precise Development Plan. Motion passed 5-0-0-1-1 (Ayes: Dawson, Tiernan, Derby, Gabriel, and Weldon; Nays: None; Recused: Rao; Absent: Wernick)

GENERAL BUSINESS:

ELECTION OF CHAIR AND VICE CHAIR

This item was continued at the request of staff to the next hearing pending attendance by the full membership of the Commission to nominate and elect a new chair and vice chair.

UPCOMING AGENDAS AND QUORUMS: Community Development Director Brown and Planning Manager Marshall made brief comments about possible upcoming agenda items for November 5, 2018.

ADJOURNMENT: Meeting adjourned at 8:38 PM.