



CITY OF NOVATO
COMMUNITY DEVELOPMENT

PLANNING COMMISSION

Meeting Minutes

VIA WEBEX TELECONFERENCE

Monday, April 13, 2020 - 7:00 PM

A. CALL TO ORDER AND ROLL CALL

The Planning Commission meeting began at 7:00 PM.

Commission Present: Chair David Gabriel, Vice Chair Reva Rao, Commissioner Dan Dawson, Commissioner Rachel Farac, Commissioner Curtis Havel, Commissioner Justin Derby, Commissioner Peter Tiernan

Staff Present: Planning Manager Steve Marshall, Senior Assistant City Attorney Veronica Nebb

B. APPROVAL OF FINAL AGENDA

COMMISSION ACTION: Upon motion by Commissioner Tiernan and seconded by Commissioner Dawson, the Planning Commission voted 7-0 via roll call to approve the final agenda.

AYES: Tiernan, Dawson, Derby, Farac, Gabriel, Havel, and Rao

NOES: None

Motion carried.

C. PUBLIC COMMENT

There were no members of the public that commented during this time.

D. CONSENT ITEM

NONE

PUBLIC HEARING

E. CONTINUED ITEMS

There were no agenda items.

F. NEW ITEMS

F.1. HEARING TO RECEIVE COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR NOVATO GENERAL PLAN 2035 AND ITS IMPLEMENTING ZONING ACTIONS AND DIRECT PREPARATION OF A FINAL ENVIRONMENTAL IMPACT REPORT

Conduct a public hearing to provide and receive comments on the draft environmental impact report (“DEIR”) prepared for Novato General Plan 2035 and its implementing zoning actions and possibly adopt a resolution accepting the DEIR and directing staff to prepare a final EIR.

Planning & Environmental Services Manager Steve Marshall introduced the teleconference meeting process and the public hearing item. He noted that Rincon Consultants prepared the DEIR. The first step of the DEIR is to receive agency and public comments, the second step is to accept the DEIR, and the third component is to direct staff to prepare the Final Environmental Impact Report (FEIR). The General Plan 2035 is a comprehensive update of the 1996 Novato General Plan. The DEIR is prepared to disclose the potential environmental impacts of implementing General Plan 2035.

The broad purpose and goal of the California Environmental Quality Act (CEQA): Identify and disclose potential environmental effects of a project, identify ways to avoid or reduce impacts through mitigation measures or changes, provide informed decision making, and, a good faith effort to disclose impacts. An environmental impact report is the highest level of CEQA review and has a 45-day public review period. It starts with the DEIR, ends with a FEIR, and concludes with a City Council action to certify the EIR.

Feasible mitigation measures were established to reduce impacts to: Air Quality, Biological Resources, Cultural/Tribal Resources, Geological Impacts, Hydrology Impacts, Noise, and Transportation. The DEIR identified significant impacts to traffic intersections under the jurisdiction of Caltrans and therefore these impacts are identified as unavoidable significant impacts.

Four different alternatives established:

1. No project – Continue implementing the 1996 Novato General Plan
2. A project that does not include the Biotech campus development
3. Modified version of GP 2035 with lesser amount of Biotech development (300,000 sq ft)
4. GP 2035 with the 500,000 sq ft Biotech campus option and leaving the north Redwood corridor and north north Redwood corridor subject to the land use designations under the current 1996 General Plan.

The environmentally superior alternative is Alternative No. 2.

Written correspondence was received from the Marin Conservation League, California Dept. of Fish & Wildlife, Sonoma-Marín Area Rail Transit District, Caltrans, ROIC, Mark Birnbaum, and Marin Audubon Society. The comments were delivered to the Planning Commission via email and are available for public review on the Planning Division’s webpage on the City’s website.

Staff recommended the Planning Commission receive public comment on the DEIR, adopt the resolution accepting the DEIR, and directing the Community Development Department to draft the FEIR.

Staff from Rincon Consultants, the team who prepared the DEIR, and WTrans, the transportation team who prepared the traffic analysis, are available to answer Commission questions.

Questions from the Commission included:

- Regarding Transportation analysis of Southbound at Hwy 101, are new roadways imposed;
- Explain the analysis in Table 2-4 where it depicts the buildout of the North North Redwood with zero residential units;
- Clarify the drop-off in Commercial in Table 2-3 and assumed by Office;
- What is staff's opinion as it relates to projects going forward with the updated GP 2035 and as Novato grows, will a full EIR be required;
- Will a project specific environmental analysis be required for each project if consistent with the GP;
- Comment letters received appeared to be more about the GP rather than the DEIR and asked if they will be discussed at some point;
- Are the specific mitigations in the DEIR related to a specific project; Would a Biological Assessment be required for every vacant property that is to be developed;
- Could we get more background of what the traffic study consists of; Will a public improvement to the San Marin and Sutro intersection will come back to the Commission for review;
- Discuss the Industrial Park development of 500,000 vs 300,000sf and the significance;
- What areas outside of Urban Growth Boundaries are still zoned by the County and what is the balance around our sphere of influence;
- Should we have another meeting to go through the DEIR; There are some outdated Tables from 2016 and has the Local Drainage Master Plan been completed.

Staff responded:

- In the Transportation analysis, mitigation is for modification to loop the off-ramp, lengthening is proposed, no physical new roadways are proposed;
- The GP EIR is a snapshot in time and does not include the 7711 Redwood Blvd housing project which came in after the General Plan already started and is included in the Housing Element being transitioned into GP 2035;
- The changes made to Table-3 derives from changes in the North North Redwood Blvd area with a reduction in Light Industrial/Office square footage shifting to Business and Professional Office and an increase in Light Industrial/Office reflecting the Biotech project;
- There are four General Plan amendments allowed per year and environmental review could require a Mitigated Negative Declaration (MND) dependent on the project; A GP spans several years and circumstances can change or a unique circumstance of the project being proposed could affect the environmental review;

- The comments relevant to the GP will be taken up when we come back for formal adoption of the GP;
- The mitigation measures in the DEIR are high level and detailed specifics so that future projects may tier off of the GP and some are related to standard practice and embedded for projects and resources to City planners, applicants, and the development community;
- Biological Resource Mitigation Measures are detailed in the DEIR for parameters that would require a biological assessment for those projects, if need be;
- The transportation analysis focuses on the effects of the anticipated growth on the residential, retail, commercial, industrial uses anticipated by the GP. A transportation professional assigns trip generation rates to those particular land use designations and traffic modeling done at City intersections which includes existing plus project-related traffic for a larger cumulative traffic analysis; It looks at what impacts to traffic happen with buildout of the City;
- An improvement to the San Marin/Sutro intersection will go through the Public Works Department and come back to the Commission and Council for review. It could be that mitigations may not need to be implemented if City buildout is not obtained;
- Looking at the biotech development cap, staff looked at what the limits of existing infrastructure with moderate modifications and costs that could be borne by Biotech mitigations;
- The areas identified outside the Sphere of Influence are the Green Point area, Black Point, Indian Valley, and Gness Field; There has been a 45-day review of the DEIR and should be an adequate review of this process;
- The GP EIR will not track every change with development/infrastructure and is basically a snapshot in time;
- An update to DEIR could be made in a Response to Comments document.

The public comment period was opened.

Bertie Freeberg asked that when reference was made to the Industrial Park area reduction, is it specific to biotech, life sciences, or any other industrial project.

Planning Manager Marshall responded that the Industrial development square footage referenced is specific to biotech and life science uses and only related to the Novato Industrial Park and two distinct sections of the Industrial Park, the Ignacio and Hamilton Industrial Park areas.

The public comment period was closed.

COMMISSION ACTION: Upon motion by Commissioner Tiernan and seconded by Commissioner Rao, the Planning Commission voted 7-0 via roll call to adopt a resolution accepting the DEIR and directing preparation of a final Environmental Impact Report (FEIR).

AYES: Tiernan, Gabriel, Dawson, Derby, Farac, Havel, and Rao

NOES: None

Motion carried.

G. GENERAL BUSINESS

NONE

H. COMMITTEE AND LIAISON REPORTS

Planning Manager Marshall discussed future meeting schedules.

I. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:05 PM.

I HEREBY CERTIFY that the foregoing minutes were duly adopted at the Planning Commission meeting of June 8, 2020.

/Shelley Woods/

Shelley Woods, Senior Office Assistant