



CITY OF NOVATO
CALIFORNIA

PLANNING COMMISSION MEETING
Monday, September 13, 2021 – 7:00pm

AGENDA TELECONFERENCE ONLY

Chair
Rachel Farac

Vice Chair
Peter Tiernan

Members
Dan Dawson
Justin Derby
Ronald Gerber
Curtis Havel
Lia Heath

Staff Liaison
Steve Marshall - Planning Manager

The Planning Commission is regularly scheduled each month every 2nd and 4th Monday at 7:00pm. Your interest is encouraged and appreciated.

Pursuant to the provisions of the California Governor's Executive Order N-08-21, this meeting will be held by teleconference only.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Staff Liaison at (415) 899-8942. Notification at least 48 hours prior to the meeting will enable the City to make reasonable accommodation to help ensure accessibility to this meeting.

Public Participation/Comment Instructions

Members of the public may participate and provide comments to the Planning Commission as follows:

- Written public comments may be submitted by email to planning@novato.org or mailed to the Community Development Department at 922 Machin Avenue, Novato, CA 94945. Mailed correspondence must be received prior to the hearing to be considered. Written public comments will not be read during the meeting.
- Written public comments received more than 3 hours prior to the start of the meeting will be distributed to the Planning Commission prior to the meeting. Written public comment received after the three-hour cut-off, including during and after the meeting, will be collected and placed in the public record.

- Spoken public comments will be accepted through the Zoom meeting platform and via telephone. To address the Planning Commission orally, please read the following instructions carefully.

1. Join the meeting at: <https://us06web.zoom.us/j/82048263371?pwd=MEY4OXBsSEhmYyt0Q3h1YjA0bUZKQT09>

or [Zoom.com](https://zoom.us)

Meeting ID: 820 4826 3371

Password: 1960

-or-

2. Join the meeting via telephone by calling (669) 900-6833.

Meeting ID: 820 4826 3371

Password: 1960

- a. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you when it is your turn to speak.
- b. When the Chair calls for public comment on the item on which you wish to speak, please use the “Raise Hand” feature by clicking on the hand icon at the bottom of your screen if joining via Zoom, or press *9 if joining via telephone to notify the Host that you would like to speak.
- c. The Host will unmute speakers in turn. Speakers will be notified when it is their turn to speak.
- d. When called upon, please limit your remarks to the time limit allotted by the Chair or as specified on the agenda. Speakers will be muted when their time is up.

Should the links above not work, please go to www.novato.org/agendas for updated information.

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF FINAL AGENDA

C. PUBLIC COMMENT

There is a three-minute time limit to speak although the Chair may shorten the time based on the number of speakers or other factors. A speaker may not yield his or her time to another speaker.

For issues raised during Public Comment that are not on the published agenda, except as otherwise provided under the Ralph M. Brown Act, no action can legally be taken. The Commission may direct that the item be referred to the Staff Liaison for action or may schedule the item on a subsequent agenda.

D. CONSENT ITEM

All matters listed on the Consent Calendar are considered to be routine and will be adopted by a single vote of the Commission. There will be no separate discussion unless specific items are removed from the Consent Calendar for separate discussion and action. Any Commissioner may remove an item from the Consent Calendar and place it under General Business for discussion.

D.1. [Approval of Special Meeting Minutes of July 20, 2021 \(DD, JD, RF, RG, CH, LH, PT\)](#)

E. UNFINISHED AND OTHER BUSINESS

NONE

F. PUBLIC HEARING

Public hearings are announced and advertised in advance to allow interested persons to make comments for, against, or otherwise, regarding a proposed project or decision. Anyone who challenges any hearing matter in court may be limited to only those issues raised at the public hearing described therein, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Public comments are taken when the Chair opens the public comment. When the Chair closes the public comment period, then no other public comments are accepted and placed in the record. The Chair may open the public comments again.

F.1. CONSIDERATION OF AMENDMENTS TO CHAPTER XIX OF THE NOVATO MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO COMPLY WITH CALIFORNIA GOVERNMENT CODE SECTIONS 65852.2 AND 65852.22 AND FINDING THE AMENDMENTS ARE EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15282(h)

Conduct a public hearing and consider adopting a resolution recommending the City Council approve amendments to Chapter XIX (Zoning) of the Novato Municipal Code involving the repeal and replacement of Sections 19.34.030 (Accessory Dwelling Units) and 19.34.031 (Junior Accessory Dwelling Units) and modifying the sections listed below as required to comply with California Government Code Sections 65852.2 and 65852.22 and finding the amendments to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15282(h). Other Zoning Ordinance sections referenced to accessory dwelling units and junior accessory dwelling units recommended to be amended:

- 19.08.030 (Agricultural and Resource Zoning District Land Uses and Permit Requirements)
- 19.12.030 (Commercial Industrial District Land Uses and Permit Requirements)
- 19.14.040 (Special Purpose District General Development Standards)
- 19.16.070 (Affordable Housing Opportunity (AHO) Overlay District)
- 19.20.100 (Setback Requirements and Exceptions)
- 19.24.020 (Affordable Units or Fee Required)
- 19.26.050 (Hillside Project Development Standards)
- 19.30.040 (Number of Parking Spaces Required)
- 19.60.020 (Definitions of Specialized Terms and Phrases)

[Staff Report – Amendments to Chapter XIX of the Novato Municipal Code](#)

[Attachment 1 – Draft Resolution](#)

G. GENERAL BUSINESS

These items include significant and administrative actions of special interest and will usually include a presentation and discussion by the Commission. They will be enacted upon by a separate vote.

NONE

H. COMMITTEE AND LIAISON REPORTS

This section is used for Commissioners and the Staff Liaison to orally report on topics that can be considered for discussion at a future meeting.

I. ADJOURNMENT

If urgent matters arise after the publication of the regular agenda, there will be an addendum. It will be posted at the referenced locations mentioned in the Affidavit of Posting by Thursday at 5:00pm, the week before the meeting.

To appeal a final decision of the Planning Commission, a written letter of appeal and the required appeal fee must be filed with the Community Development Department within 10 calendar days of the decision. The appeal letter must specifically state the basis for the appeal. Additional information on the appeal process can be found in Division 19.54 of the Novato Municipal Code.

Materials, that are submitted to members of the Planning Commission after the distribution of the meeting's agenda packet will be available for public inspection on the Planning Division's website titled Supplemental Materials for Planning Commission Meetings.

AFFIDAVIT OF POSTING

I, Shelley Woods, certify that on Wednesday before the Planning Commission meeting of September 13, 2021, the agenda was posted on the City Community Service Board at 922 Machin Avenue and on the City's website at novato.org in Novato, California.

/Shelley Woods/

Shelley Woods, Senior Office Assistant



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