

MARIN COUNTY AIRPORT LAND USE COMMISSION

RESOLUTION NO. _PC23-021

VALLEY OAKS, NOVATO

ASSESSOR'S PARCEL: 125-580-34 and 125-580-37

The Marin County Airport Land Use Commission hereby resolves as follows:

SECTION I: FINDINGS

1. **WHEREAS**, the Airport Land Use Commission held a public hearing on November 13, 2023, to consider whether the City of Novato's Valley Oak's project is consistent with the policies of Marin County's Airport Land Use Plan. The project's environmental review and merits were not the subject of this review. The Valley Oaks project consists of a General Plan Amendment, Master Plan Amendment, Precise Development Plan, Vesting Tentative Map, and Design Review to develop a combination of 61 attached and detached single-family residences with 45 attached junior accessory dwelling units (JADUs) and 20 townhome-style condominium units, totaling 126 residential units on a 38.1-acre undeveloped lot. Approximately 20 of the 38.1-acre site would be designated as open space. Building heights would range from 30 to 45 feet. The project site is located on the west side of Redwood Boulevard, Novato, which is located west of U.S. Highway 101 and is further identified as Assessor's Parcel Numbers 125-580-34 and 125-580-37; and,
2. **WHEREAS**, the Airport Land Use Commission is required to review the Valley Oaks project because the project site is located within the Referral Area Boundary (Aviation Safety Zone 4) of the Airport Land Use Plan as shown on the Gness Field Safety Zones Map (Figure 3.1, Marin County Airport Land Use Plan); and
3. **WHEREAS**, the Airport Land Use Commission finds the proposed development site of the Valley Oaks project is located within the Overflight Zone as shown on the Gness Field Safety Zones Map (Figure 3.1, Marin County Airport Land Use Plan) in which land use and zoning restrictions are established to protect public safety on the ground and to minimize risk by limiting exposure to humans; and
4. **WHEREAS**, the Airport Land Use Commission finds the proposed project can be allowed in the Overflight Zone per Marin County Airport Land Use Plan Policy 4.3.1 - Airspace/Height Restriction Policies, which allows structures within the zone that do not penetrate the Federal Aviation Regulations (FAR) Part 77 Conical surfaces as shown on the Gness Field Airport Layout Plan Approach and Clear Zone Plan (Sheet 6 of 6) and Marin County Airport Land Use Plan (Appendix B); and
5. **WHEREAS**, the Airport Land Use Commission finds that the proposed development site of the Valley Oaks project is located within the Approach and Clear Zone, as

shown on the Gness Field Airport Layout Plan Approach and Clear Zone Plan (Sheet 6 of 6) and Marin County Airport Land Use Plan, Appendix B; and

6. **WHEREAS**, the Airport Land Use Commission finds the proposed project can be allowed in the FAR Part 77 Conical Surface, per the Marin County Airport Land Use Plan Policy 4.3.1 - Airspace/Height Restriction Policies, which allows structures within the zone that do not penetrate the FAR Part 77 surfaces. The proposed maximum height of the Valley Oaks South multi-family townhomes range in elevation from 68.2 NGVD to 79.5 NGVD (maximum above grade height of 45 feet). The proposed maximum height of the Valley Oaks North single-family detached residences ranges in elevation from 52.4 NAVD to 78.8 NGVD (maximum above grade height of 45 feet). Structures in both areas are below the penetration elevation using an approach slope of 20:1, which is below the penetration elevation as shown on the Gness Field Approach and Clear Zone Plan (Sheet 6 of 6, Marin County Airport Land Use Plan); and
7. **WHEREAS**, the Airport Land Use Commission finds that the density of the Valley Oaks project is consistent with the Marin County Airport Land Use Plan Policy SZ-5.1, which states that residential density in the Overflight Zone should be limited to a maximum of four dwelling units per gross acre. Based on the four dwelling units per gross acre maximum, the 38.1-acre site could accommodate a maximum density of 152 units. The project consists of 126 total units across Valley Oaks North and South; and
8. **WHEREAS**, the Airport Land Use Commission finds that the Valley Oaks project site is consistent with the Airport Land Use Plan Policy SZ-6.1 (Easements in the Clear Zone and Approach Zone) because the Airport Master Plan's staged development program for Gness Field does not require the acquisition of avigation easements on the project site; and
9. **WHEREAS**, the Airport Land Use Commission finds that the Valley Oaks project site is consistent with the Airport Land Use Plan Policy SZ-6.2 (Easements-Traffic Pattern Zone and Overflight Zone) because the Airport Master Plan's staged development program for Gness Field does not require the acquisition of avigation easements on the project site; and
10. **WHEREAS**, the Airport Land Use Commission finds that the Valley Oaks project site is consistent with the Airport Land Use Plan noise compatibility policies because the project is located outside the 60 dB CNEL noise contour based on the Airport Land Use Plan Figure 3.2 Flight Tracks \ Noise Contours map.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the Airport Land Use Commission finds that the Valley Oaks project is consistent with the applicable Marin County Airport Land Use Plan.

SECTION VI: VOTE

PASSED AND ADOPTED at a regular meeting of the Airport Land Use Commission of the County of Marin held on this 13th day of November 2023 by the following vote:

AYES: PEGGY CURRAN, DON DICKENSON, REBECCA LIND, CLAUDIA MURALLES, JON PITTMAN, GREGORY STEPANICICH

NOES: NONE

ABSENT: MARGOT BIEHLE, CHRISTINA DESSER, RICHARD NAVE

Rebecca Lind

REBECCA LIND, VICE CHAIR
MARIN COUNTY AIRPORT LAND USE COMMISSION

Attest:



Sindy Palencia
Planning Commission Recording Secretary