



**CITY OF NOVATO**  
CALIFORNIA

**PLANNING COMMISSION**  
**MEETING AGENDA**

**901 SHERMAN AVENUE**  
**NOVATO, CA 94945**

**Monday, February 26, 2024 – 7:00pm**

**Chair**  
**Lia Heath**

**Vice Chair**  
**Curtis Havel**

**Members**  
**Bill Crockett**  
**Dan Dawson**  
**Justin Derby**  
**Tom Engdahl**  
**Peter Tiernan**

**Staff Liaison**  
**Steve Marshall – Deputy Director of Community Development**

The Planning Commission is regularly scheduled to meet each month every 2<sup>nd</sup> and 4<sup>th</sup> Monday at 7:00 PM. Your interest is encouraged and appreciated.

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](mailto: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.

- **In-person public comments** may be made at the meeting, which are held in Novato City Hall located at 901 Sherman Avenue.
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**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 ITEMS**

**NONE**

*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.*

**E. UNFINISHED AND OTHER BUSINESS**

**NONE**

*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. PUBLIC HEARINGS**

- F.1. HOLD A PUBLIC HEARING AND POSSIBLY ADOPT A RESOLUTION RECOMMENDING THE CITY COUNCIL AMEND NOVATO MUNICIPAL CODE CHAPTER XIX (ZONING) TO ALLOW CHECK CASHING SERVICES AS AN ACCEPTABLE ACCESSORY USE TO TRAVEL AGENCIES AND GROCERY STORES AND CLARIFYING THE TREATMENT OF PROHIBITED LAND USES AND ACCESSORY LAND USES AND FIND THE AMENDMENTS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)**

[F.1. Staff Report - Check Cashing Service & Accessory Use Zoning Amendments.pdf](#)

[F.1. Attachment 1 - Draft Resolution.pdf](#)

**F.2. 7-ELEVEN REZONE & ALCOHOL SALES  
REZONE; P2023-072  
USE PERMIT; P2023-020  
CEQA EXEMPT; CEQA GUIDELINES SECTIONS 15183 & 15301**

**PUBLIC HEARING AND POSSIBLE ACTION TO ADOPT RESOLUTIONS RECOMMENDING THE CITY COUNCIL: (1) MAKE A CEQA DETERMINATION AND FINDINGS PURSUANT TO CEQA GUIDELINES SECTION 15183 AND APPROVE A ZONING MAP AMENDMENT REQUEST; AND (2) MAKE A CEQA DETERMINATION AND FINDINGS PURSUANT TO CEQA GUIDELINES SECTION 15301 AND APPROVE A USE PERMIT TO ALLOW FOR A CONVENIENCE STORE, EXTENDED HOURS BUSINESS, AND SALE OF ALCOHOL FOR OFF-SITE CONSUMPTION AT 800 DIABLO AVENUE, APN 140-131-21**

[F.2. Staff Report - 800 Diablo \(P2023-020\).pdf](#)  
[F.2. Attachment 1 - Draft Rezoning Resolution.pdf](#)  
[F.2. Attachment 2 - Draft Use Permit Resolution.pdf](#)  
[F.2. Attachment 3 - Site and Floor Plans 800 Diablo.pdf](#)  
[F.2. Attachment 4 - Project Description.pdf](#)  
[F.2. Attachment 5 - Public Comment.pdf](#)

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## **G. GENERAL BUSINESS**

**NONE**

*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.*

## **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.

**AFFIDAVIT OF POSTING**

I, Steve Marshall, certify that on February 21, 2024, before the Planning Commission meeting of Monday, February 26, 2024, the agenda was posted on the City's website at [novato.org](http://novato.org) and on the City Community Service Board at 922 Machin Avenue and in Novato, California.

/Steve Marshall/

Steve Marshall, Deputy Director of Community Development