

## 2 LAND USE

Land use is a central planning component in the General Plan. This chapter describes existing land use regulations in Novato, including regulations found in the existing General Plan, the Zoning Code and other policy documents. This chapter also describes relevant plans adopted by other agencies, current land uses in Novato as they exist “on the ground” and recent development trends in Novato and neighboring communities.

### *A. Regulatory Framework*

This section summarizes the land use regulations that apply to Novato. Land use in Novato is primarily regulated at the City level, with additional regulations and guidance provided by State and regional agencies and organizations.

#### **1. State Regulations**

##### a. California Government Code

California Government Code requires each city and county to adopt a comprehensive, long-term General Plan (Section 65300). In statute, the General Plan is presented as a collection of seven required elements, of which the Land Use Element is one. The Land Use Element serves as a central framework for the entire General Plan, integrating land use issues into development policies that facilitate the community’s desired vision of the landscape. The Land Use Element describes a general development pattern, including where buildings and public facilities exist currently and may occur in the future.

In accordance with California Government Code Section 65302(a), the Land Use Element should describe the desired pattern of development by addressing three required topics: the location of various land uses, the arrangement of land uses within the community and the density and intensity of buildings. The Land Use Element is required to discuss the general distribution of the following land uses, to the extent that each is relevant: housing, business, industry, open space, mineral resources and recreation facilities. The Land Use Element must also identify the specific locations of the following land uses: educational facilities, public buildings and grounds, future solid and liquid waste facilities, lands subject to flooding and Timberland Preserve Zone lands. Additionally, the Land Use Element must define density and intensity. Density is commonly defined by the number of dwelling units per square acre, and intensity is defined by the ratio of building square footage to the area of land involved.<sup>1</sup>

For many, the general idea of development is most easily understood using the land use diagram (Novato General Plan Land Use Map, LU1), a graphic representation of the policy statements in the Land Use Element. California Government Code requires the Land Use Element to include the land use diagram, which is usually a map, but may be more graphically abstract. The diagram, like the text in the Land Use Element, must be consistent with all other elements of the General Plan, as well as with all other General Plan contents.

##### b. Assembly Bill 32 and Senate Bill 375

Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375) are California laws pertaining to global warming and the reduction of greenhouse gases. Both laws encourage local jurisdictions to employ land use planning as a means to reduce their greenhouse gas (GHG) emissions.

---

<sup>1</sup> California Air Resources Board, Climate Change Scoping Plan, December 2008, page 26.

AB 32, the Global Warming Solutions Act of 2006, was passed by the California legislature and signed into law by Governor Arnold Schwarzenegger. AB 32 is California's first major commitment to addressing global warming, and sets a timeline for reducing California's GHG emissions to 1990 levels by the year 2020. AB 32 identifies the California Air Resources Board (CARB) as the lead agency responsible for implementing the bill, and in 2008, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan). The Scoping Plan describes the approach the state will take to achieve the 2020 reduction target. Citing local governments as an essential partner, the Scoping Plan states that local governments have "...broad influence and, in some cases, exclusive authority over activities that contribute to significant direct and indirect emission sources through their planning and permitting processes, local ordinances, outreach and education efforts and municipal operations."<sup>2</sup>

The Scoping Plan further notes that "cities and counties will need to actively engage in implementing Scoping Plan measures at the local level and undertake other emission reduction actions that make sense for each community"<sup>3</sup>.

SB 375, passed by the State Assembly and Senate in August 2008, is another significant component of California's commitment to GHG reduction. In essence, SB 375 coordinates transportation funding and land use planning on a regional level.

The goal of SB 375 is to reduce emissions from cars and light trucks by promoting compact mixed-use, commercial and residential development. The first step outlined in SB 375 calls for the state's 18 metropolitan planning organizations (MPOs) and the California Air Quality Board to establish a region's GHG reduction target for passenger vehicle and light duty truck emissions. Then, the MPO must develop a sustainable communities strategy (SCS) that demonstrates how the region will meet its GHG reduction target. SB 375 requires the GHG reduction target and the SCS to be incorporated into the Regional Transportation Plan (RTP). The Bay Area's target is a 7 percent per capita reduction by 2020 and a 15 percent reduction by 2035.

Transportation and development projects consistent with the SCS will be given priority for some State and regional funding. Additionally, SB 375 grants certain SCS-consistent residential and mixed-use development projects streamlined environmental review processes. SB 375 also changes Housing Element law, extending the planning period for the Housing Element to eight years, and linking Housing Element timelines to RTP timelines for increased consistency.

In the Bay Area, four regional government agencies – the Association of Bay Area Governments, the Bay Air Quality Management District, the Bay Conservation and Development Commission, and the Metropolitan Transportation Commission, worked together to create Plan Bay Area, the region's sustainable communities strategy. Adopted in July 2013, the plan anticipates that the Bay Area's population will grow from about 7.2 million in 2013 to 9.3 million by 2040 and provides a strategy for meeting 78 percent of the region's future housing needs and 62 percent of new jobs in Priority Development Areas (PDAs).<sup>4</sup> PDAs are areas voluntarily nominated by local governments, which are or will be walkable and bikable and close to public transit, jobs, schools, shopping, parks, recreation and other amenities. With more limited transit access and fewer PDAs, North Bay counties, including Marin, are expected to take on a much smaller share of the regional growth. There are no PDAs located in Novato. Plan Bay Area is projected to reduce regional

---

<sup>2</sup> California Air Resources Board, Climate Change Proposed Scoping Plan, October 2008, pages C-49 through C-54.

<sup>3</sup> California Air Resources Board, Climate Change Scoping Plan, December 2008, page C-49.

<sup>4</sup> Metropolitan Transportation Commission, Draft Plan Bay Area, March 2013, Page 55, and Summary of Major Revisions and Corrections to the Draft Plan Bay Area, July 2013.

greenhouse gas emissions from passenger vehicles and light utility trucks 10.3 percent by 2020 and 16.4 percent by 2035.<sup>5</sup>

Both AB 32 and SB 375 depend on the local governments to implement land use strategies to reduce GHG emissions. Local governments, like the City of Novato, can utilize the General Plan update process to further the discussion of reducing local GHG emissions. Using effective land use planning, local jurisdictions can allow and encourage community transportation choices that promote low emission travel options, such as public transit, bicycling and walking. Local government can use its broad influence to incorporate bicycle paths and sidewalks into new and existing travel routes, which provide opportunities for residence to reduce their vehicle miles traveled (VMT) and therefore reduce their GHG emissions.

Local governments can also engage in land use planning to reduce GHG emissions through community design. Local governments can promote compact development projects and those with mixed-use residential and commercial components, which expand opportunities for residents to live, work and shop without driving between destinations. Additionally, local government can adopt policies that encourage infill development. With increased density, local jurisdictions can accommodate the same amount of growth on less land, setting aside more land for non-development uses such as open space, which incorporate plants that absorb GHG's. Ultimately, the most sustainable urban form is one that integrates alternative modes of community transportation with compact, mixed-use community design.

## **2. City Regulations and Policy Documents**

### **a. City of Novato General Plan**

The current Novato General Plan addresses Novato's future land use. The planning boundaries for the General Plan encompass land inside the City Limits and outside the City Limits within the Novato Sphere of Influence (SOI). The SOI is a boundary that distinguishes land the City may annex in the future, and for which urban services, if available, could be provided. Establishment of the SOI is State-mandated and determined by the Local Agency Formation Commission (LACO) for the purposes of identifying areas where urban development can be best accommodated over 5 to 10 year-periods, in an orderly and efficient manner. In 2002, LAFCO amended the SIO boundary for Novato. City provisions applicable to the SOI are now applied to the current boundary established by LAFCO, as indicated in Figure 2-1.

In addition to the SOI, the General Plan incorporates an Urban Growth Boundary (UGB). Pursuant to General Plan land Use Policy 10A, the UGB is intended to protect the quality of life in Novato. The UGB places further limitations on development outside City Limits with the intent to both protect community separator uses, e.g. agricultural, natural resources and open space, that help define Novato's rural character. Additionally, the UGB influences the concentration of future residential, commercial and industrial growth within City Limits to better serve Novato's citizens and improve the City's ability to provide and maintain municipal services vs. allowing sprawling development. The UGB, a 20 year boundary, is set to expire November 4, 2017.

In addition to the SOI and UGB, the General Plan Land Use Element discusses Novato's land use designations, the Land Use Map, the Constraints Analysis, Interjurisdictional Coordination, objectives, policies and programs. These topics within the Land Use Element are discussed in detail in the following sections.

---

<sup>5</sup> Association of Bay Area Governments and Metropolitan Transportation Commission, Draft Plan Bay Area, Draft Environmental Impact Report, April 2013, pages 2.5-50 and 3.1-59.

i. *General Plan Land Use Designations*

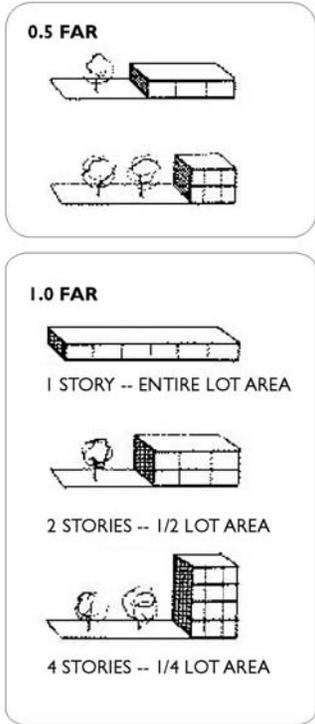
The Land Use Element describes the general distribution of land uses and the density and intensity of development within the City of Novato. The Land Use Element contains 20 unique land use designations discussed in detail below.

The General Plan land use designations and their distribution in the City of Novato and its SOI are illustrated in Figure 2-1. The General Plan land use designations map, Land Use Map, LU1, specifies the intended future use of each parcel within the City. Land use designations represent the intended future use of each parcel of land within the City Limits, the SOI and the UGB. Land use designations are developed to provide a vision of the future organization of uses within the City and a flexible structure to allow for changes in economic conditions, community visions and environmental conditions. In other words, designations generally state what the future use should be, but are not intended to be so rigid as to prohibit changes in the future.

Novato’s land use designations provide for a variety of densities and intensities of residential land uses, with denser residential development directed Downtown. The current General Plan envisions denser uses, such as residential, mixed use and retail development in the Downtown core, with surrounding suburban neighborhoods that provide a buffer to the rural areas beyond. The current General Plan includes objectives, policies and programs that intend to foster this type of development while maintaining Novato’s small town character. This map is also discussed in the following section, *Key Land Use Element Policies*.

For each land use designation, the uses allowed and the standards of density and intensity are specified. Densities and intensities in all cases are based on gross acres. Development density for residential land use is reflected as the average number of dwelling units per acre over the entire site and may include a mix of residential densities to achieve that average. Densities permitted on individual sites will depend on many factors, including, but not limited to, architectural design, the method of addressing parking needs, landscaping, street layout and neighborhood compatibility. For non-residential uses, including commercial, office and industrial uses, intensity is expressed as an average Floor Area Ratio (FAR). FAR is calculated based on total building floor area in proportion to the size of the building’s lot. The land use designations found in the current General Plan are as follows:

- ◆ **Rural Residential.** Permits detached single-family dwellings, limited agricultural uses, processing of agricultural products, outdoor recreation and other similar uses. Maximum density is 0.49 dwelling units per gross acre.
- ◆ **Very Low Density Residential.** Permits detached single-family dwellings, recreation, home occupations, community facilities and other similar uses. Density ranges between 0.5 to 1 dwelling units per gross acre.
- ◆ **Low Density Residential.** Permits detached or attached single-family dwellings, recreation, home occupations, community facilities and other similar uses. Density ranges between 1.1 to 5 dwelling units per gross acre.



*Floor Area Ratio (FAR) is calculated based on the proportion of total building floor area to the size of the building’s lot. Examples 0.5 FAR and 1.0 FAR are illustrated above.*

- ◆ **Medium Density Detached Residential.** Permits detached single-family dwellings, recreation, home occupations, community facilities and other similar uses. Density ranges between 4.1 to 7 dwelling units per gross acre.
- ◆ **Medium Density Residential.** Permits two-family dwellings, detached or attached single-family dwellings, recreation, home occupations, community facilities and other similar uses. Density ranges between 5.1 to 10 dwelling units per gross acre.
- ◆ **Medium Density Multiple-Family Residential.** Permits multiple-family dwellings, two-family dwellings, detached or attached single-family dwellings, recreation, home occupations, community facilities, and other similar uses. Density ranges between 10.1 to 20 dwelling units per gross acre.
- ◆ **High Density Multiple-Family Residential.** Permits multiple-family dwellings, two-family dwellings, limited commercial uses to serve building residents, attached single-family dwellings, recreation, home occupations, community facilities and other similar uses. Density ranges between 20.1 to 30 dwelling units per gross acre.
- ◆ **Mixed Use.** Applies to sites where the surrounding area is currently developed with both commercial and residential land uses. This designation permits office, commercial, retail uses and residential uses. The combination and intensity of land uses must be compatible with the development pattern and character of the surrounding neighborhood and existing adjacent land uses. Commercial only or office only land uses are permitted. Housing development may be permitted only in conjunction with either commercial and/or office uses. Maximum FAR is 0.4, with potential for an increase to 0.8 when housing is incorporated into a project.
- ◆ **Neighborhood Commercial.** Permits established neighborhood shopping areas to meet the retail and service needs of nearby residents. This land use designation allows a variety of retail stores and personal services such as grocery stores, dry cleaners, professional and administrative offices, restaurants, residential care facilities for the elderly and other similar uses. Multi-family housing integrated with commercial uses is permitted. Maximum FAR is 0.4, with an increase to 0.6 if housing is included, provided the difference between FAR of 0.4 and 0.6 is used for housing.
- ◆ **General Commercial.** Permits commercial areas with off-street parking and/or clusters of street front stores; regional and local-serving retail establishments; specialty shops, banks and professional offices; business and personal services; visitor-serving hotel/motels with ancillary commercial and service establishments and other similar uses. This designation is typically assigned to larger parcels located on a major arterial street. Maximum FAR is 0.4.
- ◆ **Downtown Core.** This designation is used for part of the Downtown Specific Plan area, permitting office, commercial and retail uses, mixed commercial/residential use with commercial uses located principally on the ground floor and other similar uses. Maximum FAR is 1.2 with potential for a maximum of 2.0 where housing is incorporated or the project is found to be of historical significance or of exceptional design quality in conformance with the Downtown Specific Plan Design Guidelines.

CITY OF NOVATO  
 EXISTING CONDITIONS REPORT  
 LAND USE

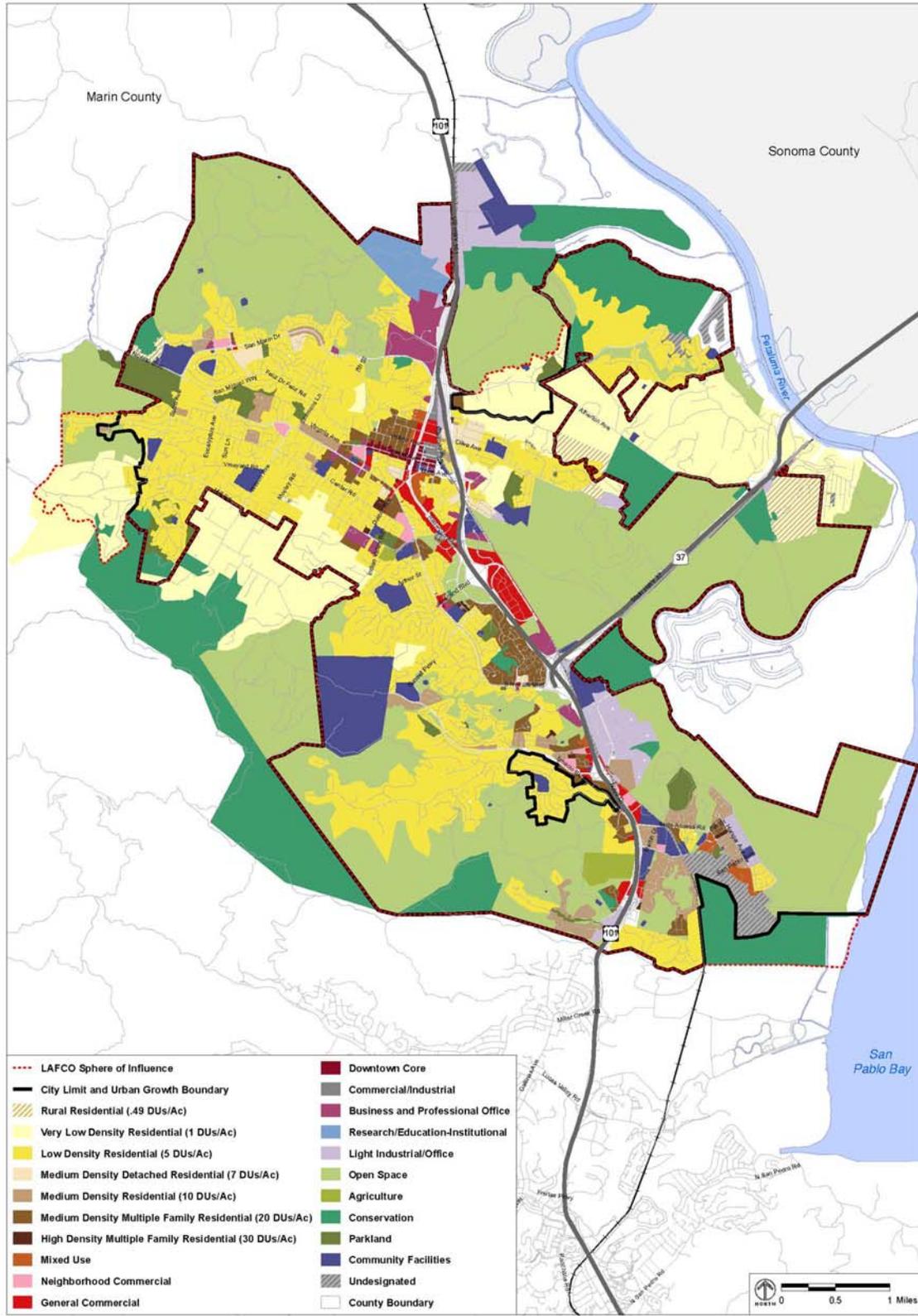


FIGURE 2-1  
 GENERAL PLAN LAND USE

- ◆ **Commercial/Industrial.** Permits a wide range of commercial and industrial uses, including motor vehicle service uses; contractor uses and yards; manufacturing; storage uses; wholesale; incidental employee-serving retail/service uses; specialty retail uses consistent with industrial uses; rock, sand and gravel plants; solid waste management and recycling facilities; trucking yards or terminals and small offices. This designation applies to the area north of Grant Avenue and east of Redwood Boulevard, which now contains a mixture of commercial, construction-related and industrial uses. The intent of the designation is to encourage existing businesses to remain and make improvements. Maximum FAR is 1.0.
- ◆ **Business and Professional Office.** Permits office uses, including office campuses; research and development activities; hospitals; administrative, medical, dental and business offices; visitor-serving hotel or motels with ancillary commercial and service establishments and other similar uses. Maximum FAR is 0.4.
- ◆ **Research/Education Institutional.** Permits a mix of medical research, educational and laboratory uses, with related multi-family residential, recreation, office and commercial uses and other similar uses in a campus or open space setting. Maximum FAR is 0.2 and the maximum residential density is one unit per acre.
- ◆ **Light Industrial/Office.** Permits a wide variety of manufacturing, office, wholesale, service and processing uses that do not generate excessive adverse environmental impacts. Other uses permitted include distribution, warehousing and agricultural products sales and services; auto sales, service and repair; food and drink processing; local serving retail; solid waste transfer facilities, recycling facilities and other similar uses. Maximum FAR is 0.4, except for the Novato Industrial Park and the Hamilton hangar areas, where the maximum FAR is 0.6.
- ◆ **Open Space.** Permits publicly-owned land that is largely unimproved and devoted to the preservation of natural resources, outdoor recreation, floodways and flood control and the maintenance of public health and safety. Development is not allowed in this designation, so there is no applicable density range.
- ◆ **Agriculture.** This designation is intended to protect, preserve and enhance agricultural uses. Permitted uses include agriculture; greenhouses; farm and ranch buildings; single-family dwellings; horse stables; fishing and hunting clubs; flood control facilities; and animal hospitals. Institutional uses, such as educational, scientific, outdoor recreation, or religious uses, are permitted if the institution is related to the primary agricultural use of the property. Single-family dwellings are allowed at a maximum density of one dwelling unit per 60 acres.
- ◆ **Conservation.** Applies to privately-owned land that is mainly unimproved. Permitted uses are agriculture, detached single-family dwellings, preservation of natural resources, outdoor recreation and other similar uses. Examples include bayfront, watercourse and hillside areas. The allowable density of detached single-family dwelling units ranges from one dwelling unit per 10 acres to one dwelling unit per 60 acres.
- ◆ **Parkland.** Permits existing and undeveloped active and passive parks, recreation areas and community playfields. Permitted uses include shelters, rest rooms, storage sheds, other structures needed to accommodate public use or maintenance equipment, and cultural and recreational facilities. No residential or commercial development is allowed, so there is no applicable density range.
- ◆ **Community Facilities, Public Utilities and Civic Uses.** Permits public buildings, schools, recreation and cultural facilities, museums, public libraries, utility facilities, transformer stations, water and sewage treatment plants, solid waste transfer facilities, recycling facilities, City offices, fire and police stations, hospitals, churches and privately-owned uses operating in conjunction with public uses. Maximum allowable FAR is 0.8.

As shown in Table 2-1, residential designations occupy over 8,355 acres, or approximately 37 percent of the total land within the SOI. Of the residential designations in Novato, Low Density Residential occupies the most acreage, with over 4,355 acres or almost 19 percent of Novato's total land use. Very Low Density Residential also occupies a significant amount of acreage: over 2,877 acres, or approximately 13 percent of the total land designated.

Aside from residential designations, a significant amount of land is designated as Open Space and Conservation. Open Space is the largest single designation in Novato's SOI, making up approximately 8,383 acres, or 37 percent of the total land. Conservation designations occupy over 3,171 acres or approximately 14 percent of total land use in Novato.

*ii. Key Land Use Element Policies*

This chapter of the Existing Conditions Report focuses on key policies in the Land Use Element that relate specifically to land use, such as those that address the land use designations map, Land Use Map, LU1, Constraints and Analysis the SOI and the UGB. Policies relating to other topics, such as Public Services and Utilities, are addressed in their respective chapters in this report.

*a) Land Use Designations Map*

The land use designations map, Land Use Map, LU1, assigns specific uses to land within the Novato SOI, according to the 20 land use designations described in Section A.2.a.i., above. The policies pertaining to Land Use Map, LU1 address amendments to the Zoning Ordinance, clustering development and revising the Northwest Quadrant Plan.

*b) Constraints Analysis*

The Constraints Analysis is a tool the City uses to assess development projects for conformance with the City's goals. The goals assessed are to preserve environmental value, to minimize hazards to people and property and to accommodate the development types and densities envisioned by the General Plan. The policies in the Constraints Analysis section encourage development sponsors to apply the Constraints Analysis during the design phase of the project, and to submit the analysis to the City prior to the project application or related environmental documentation.

*c) Sphere of Influence and Urban Growth Boundary*

Policies relating to the SOI and UGB establish the City's urban growth boundary, which limits growth outside the boundary to nonurban uses such as agricultural, conservation, park and open space uses. The respective policies also addresses annexation guidelines, which assess potential annexation areas for costs of infrastructure and services, physical continuity with existing developed areas, potential for negative impacts to the City's fiscal condition and variety of other factors.

*iii. Policies in other Elements*

The Land Use Element is intricately connected to all elements in the General Plan. There are policies outside of the Land Use Element that directly impact land use in the City of Novato. These elements include the Environment, Safety and Noise, Economic Development and Fiscal Vitality Elements. The Environment Element includes policies relating to the preservation of natural resource lands, such as agricultural land or habitat for threatened or endangered species. The Safety and Noise Element includes policies pertaining to flood conditions and other natural hazards, which require lower-intensity and compatible land uses on particularly hazardous land, such as a flood zone. The Economic Development and Fiscal Vitality policies identify land designated for the specific purpose of generating job opportunities for Novato residents. The policies and programs established in each of these elements are consistent with the policies of the Land Use Element and expand upon the issues discussed therein.

**TABLE 2-1 1996 GENERAL PLAN LAND USE DESIGNATIONS IN THE SOI**

Land Use	Acres	Percent of Total
Rural Residential	245	1.1%
Very Low Density Residential	2,877	12.8%
Low Density Residential	4,355	19.3%
Medium Density Detached Residential	93	0.4%
Medium Density Residential	383	1.7%
Medium Density Multiple-Family Residential	382	1.7%
High Density Multiple-Family Residential	20	0.1%
Mixed Use	65	0.3%
Neighborhood Commercial	58	0.3%
General Commercial	209	0.9%
Downtown Core	29	0.1%
Commercial/Industrial	19	0.1%
Business and Professional Office	240	1.1%
Research/Education-Institutional	180	0.8%
Light Industrial/Office	557	2.5%
Open Space	8,383	37.2%
Agriculture	86	0.4%
Conservation	3,171	14.1%
Parkland	351	1.6%
Community Facilities	838	3.7%
<b>Grand Total</b>	<b>22,541</b>	<b>100.0%</b>

Source: City of Novato GIS, 2008.

b. Zoning Ordinance

The Zoning Ordinance assigns zoning districts to all properties within the City of Novato. The purpose of the zoning districts is to implement the land use Designations established by the Novato General Plan based on an identified range of uses that fall within each, more general, Designation. The zoning districts are illustrated in Figure 2-2.

The Zoning Ordinance specifies the general requirements for development and uses within each zoning district. The following section provides a brief summary of the zoning districts in the City of Novato, including the allowable uses in each zone. For each district there is a maximum allowable density for residential units, or a maximum allowable FAR for non-residential and mixed use districts.

i. Zoning Districts

The City of Novato Zoning Ordinance includes the following zoning districts:

- ◆ **Rural Residential (RR).** The RR zoning district is intended for areas appropriate for rural, low density residential living. The maximum allowable residential density is one dwelling unit per 2 acres.
- ◆ **Very Low Density Residential (VLDR).** The VLDR zoning district is intended for areas appropriate for the development of single-family homes. The maximum allowable residential density ranges from 0.5 to 1 dwelling unit per acre.
- ◆ **Low Density Residential (R1).** The R1 zoning district is intended for areas appropriate for the development of single-family homes. The maximum allowable residential density ranges from 1.1 to 5 dwelling units per acre.
- ◆ **Medium Density Detached Residential (R4).** The R4 zoning district is intended for areas appropriate for the development of single-family homes. The maximum allowable residential density ranges from 4.1 to 7 dwelling units per acre.
- ◆ **Medium Density Residential (R5).** The R5 zoning district is intended for areas appropriate for a mix of housing types on smaller lots. The maximum allowable residential density ranges from 5.1 to 10 dwelling units per acre.
- ◆ **Medium Density Multi-Family Residential (R10).** The R10 zoning district is intended for areas appropriate for a variety of medium density dwelling units, including multi-family, two-family and single-family residences, either attached or detached. The allowable residential density ranges from 10.1 to 20 dwelling units per acre.
- ◆ **High Density Multi-Family Residential (R20).** The R20 zoning district is intended for areas appropriate for high density multi-family dwelling units. The allowable residential density ranges from 20.1 to 30 dwelling units per acre.
- ◆ **Business and Professional Office (BPO).** The BPO zoning district is applied to areas intended for office activities, including medical and professional offices and office campuses. The maximum allowable FAR is 0.40 in this district.
- ◆ **Neighborhood Commercial (CN).** The CN zoning district is applied to neighborhood shopping areas to meet the retail and service needs of nearby residents. The maximum allowable FAR is 0.40 in this district, but may be increased to 0.60 if additional floor area is used for housing or for residential care facilities for the elderly.
- ◆ **General Commercial (CG).** The CG zoning district is applied to areas appropriate for a range of community serving commercial land uses, including regional retail and services. The maximum allowable FAR is 0.40 in this district.

- ◆ **Downtown Core Retail (CDR).** The CDR zoning district is applied to part of Downtown, and is intended to allow for a mix of commercial, office and residential land uses. Additionally, this district is intended to promote pedestrian activity on the street. The maximum allowable FAR is 1.2, but a parcel may be increased to 2.0 on a permitted basis if housing is incorporated in a mixed-use project.
- ◆ **Downtown Core Business (CDB).** The CDB zoning district is applied to part of Downtown and is intended to allow for a broad range of commercial, office and residential land uses. The maximum allowable FAR is 1.2, but a parcel may be increased to 2.0 on a permitted basis if housing is incorporated in a mixed-use project.
- ◆ **Mixed Use (MU).** The MU zoning district is applied to areas permitted for commercial and residential land uses, such as retail, office and multi-family residential uses. The maximum allowable FAR is 0.4, but may be increased to 0.8 where additional floor area is used for housing.
- ◆ **Light Industrial/Office (LIO).** The LIO zoning district is applied to areas suitable for light industrial and manufacturing uses, involving a limited generation of nuisances such as objectionable noise, smoke, odor or objectionable wastes. The maximum allowable FAR is 0.40 in most of this district, but 0.60 in the Novato Industrial Park and the Hamilton Hangar areas.
- ◆ **Commercial/Industrial (CI).** The CI zoning district is applied to areas suitable for intensive commercial land uses, including automobile repair shops and construction-related businesses. The maximum allowable FAR is 1.0 in this district.
- ◆ **Planned (PD).** The PD district is applied to large parcels with the capability to be developed as a comprehensive, integrated community neighborhood. PD districts use site planning and development standards that are sensitive to natural resources within or near the project area.
- ◆ **Community Facilities (CF).** The CF zoning district is applied to areas with public land uses. The maximum allowable FAR is 0.8 in this district.
- ◆ **Research/Education-Institutional (REI).** The REI zoning district is intended for a mix of medical research, educational and laboratory uses, with related multi-family residential, recreation, office and commercial and other similar uses in a campus or open space setting. The maximum FAR is 0.2 and the maximum residential density is one unit per acre. REI is currently only applied to the Buck Center campus.

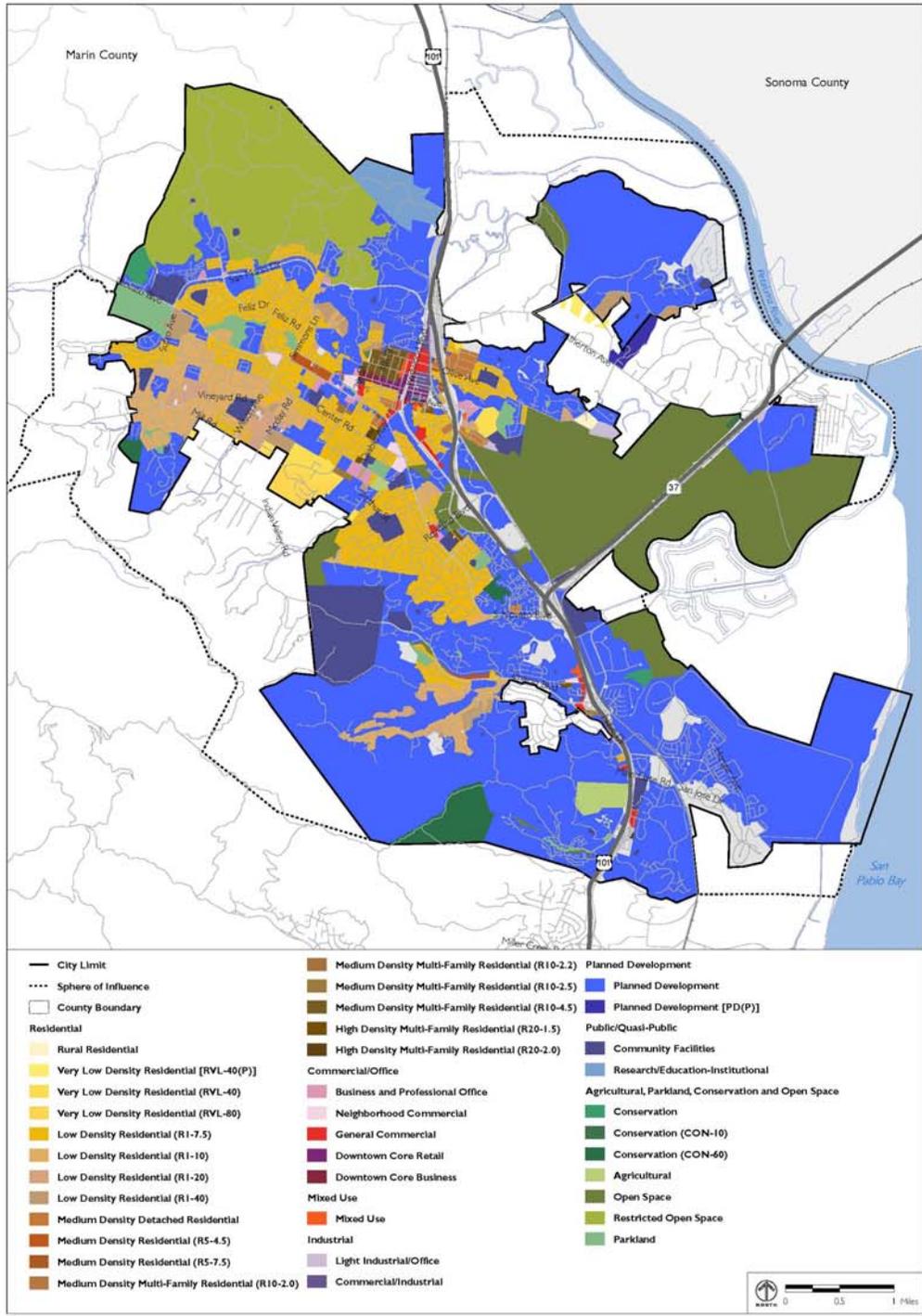


FIGURE 2-2  
 EXISTING ZONING

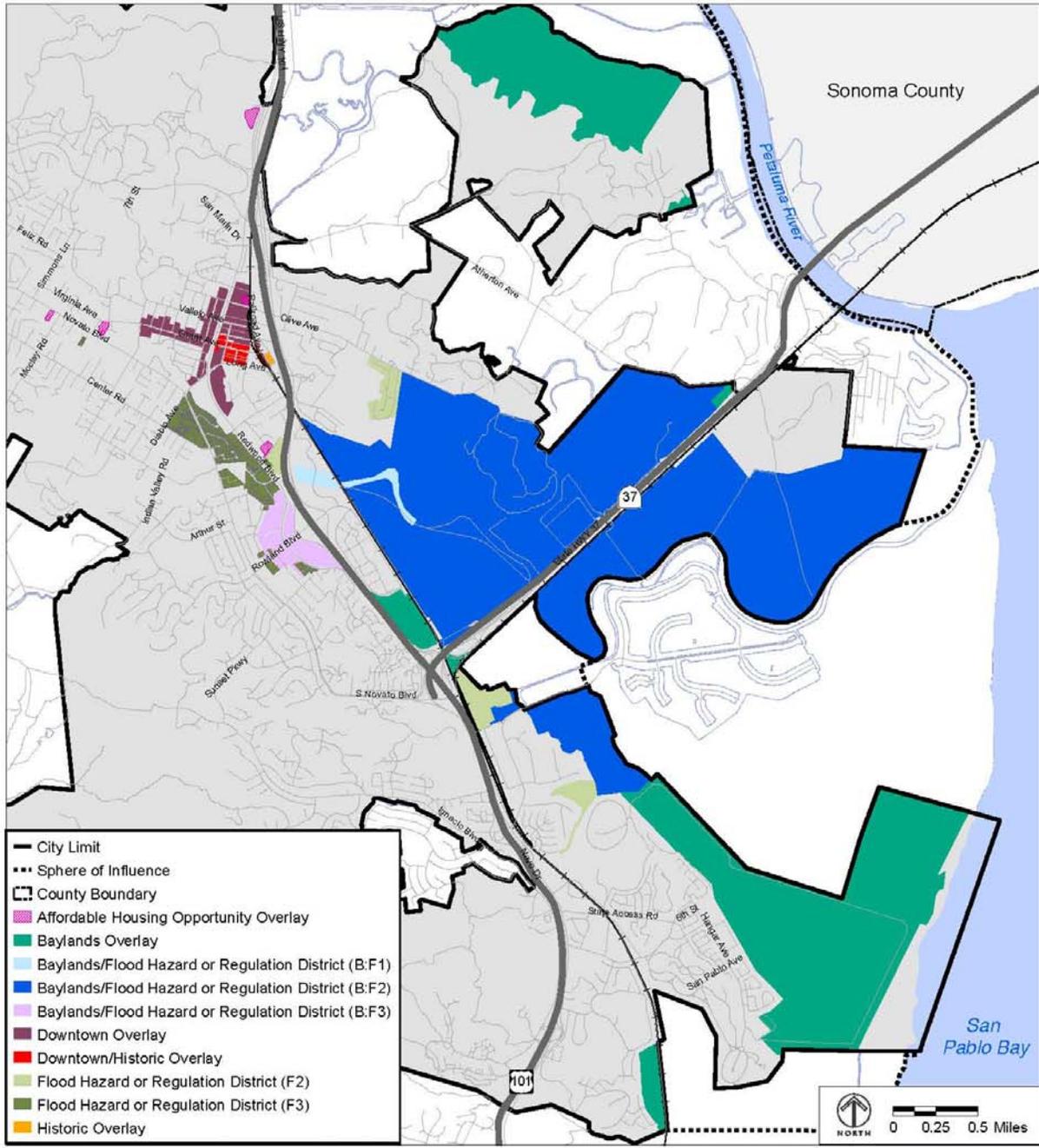
- ◆ **Conservation (C).** The C zoning district is intended for privately-owned, unimproved land for natural resource conservation. The maximum allowable residential density is one dwelling unit per 10 acres.
- ◆ **Agricultural (A).** The A zoning district is intended to protect and maintain lands for agricultural uses and related non-agricultural uses that support primary agricultural uses. The maximum allowable residential density is one dwelling unit per 60 acres.
- ◆ **Open Space (OS).** The OS zoning district is intended to preserve natural resources, provide for flood control and protect public health and safety on public land. There is no residential development allowed in this district.
- ◆ **Restricted Open Space (ROS).** The ROS zoning district is intended for lands that have been acquired or dedicated for Open Space purposes, with restricted uses. There is no residential development allowed in this district.
- ◆ **Parkland (PL).** The PL district is applied to areas for outdoor recreation uses, such as public parks.

*ii. Overlay Districts*

An overlay district is an added zoning requirement that is placed on a geographic area but does not change the underlying zoning. Overlay districts impose more specific development regulations to the primary zoning districts, where important site, environmental, safety, compatibility, or design issues require particular attention in project planning. Novato's four overlay districts are shown in Figure 2-3 and briefly described below:

- ◆ **Affordable Housing Opportunity (AHO).** The AHO overlay zoning district is applied to housing opportunity sites to provide a means of achieving the residential housing objectives of the Housing Element, Chapter 3 of the General Plan.
- ◆ **Baylands (B).** The B overlay zoning district is intended to preserve and enhance the diversity of wildlife and aquatic habitats found on historic Baylands; provide opportunities for public access to and enjoyment of former Baylands; preserve view corridors of the bay; ensure that potential hazards associated with development on Baylands do not endanger public health and safety; and maintain opportunities for further restoration of former tidal marshlands.
- ◆ **Downtown Novato Specific Plan (D).** The D overlay zoning district is applied to areas covered by the Downtown Novato Specific Plan, to provide standards for development and new land uses that recognize, protect and enhance the desired character of Downtown.
- ◆ **Flood Hazard (F).** The F overlay zoning district is applied to areas within the city prone to flood hazard risks. The purpose of the district is to protect people and property from flood hazard risks by appropriately regulating development and land uses.
- ◆ **Historic (H).** The H overlay zoning district is intended to protect areas and structures identified by the community as historically significant elements that contribute to Novato's cultural, social, economic, political, aesthetic, architectural heritage, identity and character.

CITY OF NOVATO  
 EXISTING CONDITIONS REPORT  
 LAND USE



Source: City of Novato

FIGURE 2-3  
 ZONING OVERLAYS

c. Downtown Novato Specific Plan

The Downtown Novato Specific Plan provides greater specificity regarding permitted and desired uses Downtown. Downtown is considered to be primarily located along the Redwood Boulevard Corridor, approximately between El Novato Circle and Lamont Avenue, and along Grant Avenue, approximately between Seventh Street and the railroad tracks, on the east and west sides of Redwood Boulevard.

The Specific Plan aims to preserve the small town character of the Downtown, while strengthening the current pattern of land uses. The Specific Plan identifies the following seven goals related to land use Downtown:

- ◆ Maintain City Hall Downtown.
- ◆ Establish a Downtown branch post office.
- ◆ Locate appropriate recreational and park facilities Downtown.
- ◆ Locate a museum in Downtown.
- ◆ Locate a small hotel in Downtown.
- ◆ Maintain a diversity of businesses, services and multi-ethnic restaurants in Downtown.
- ◆ Improve and maintain retail at street level, with potential offices and/or residences above the street.

In support of these goals, the Specific Plan identifies the following land uses as “having the highest importance for Downtown:”

- ◆ Restaurants
- ◆ More retail stores (especially upscale men's apparel, children's clothing, kitchen supplies, bed and bath store)
- ◆ Performing arts center
- ◆ More night-life activities
- ◆ Small hotel, bed and breakfast
- ◆ Museum
- ◆ Branch post office
- ◆ Micro brewery/restaurant

The land use related policies in the Specific Plan provide incentives for lot consolidation and encourage ground floor retail uses for all appropriate Specific Plan designations. Additionally, the Specific Plan provides recommendations for improvement and development Downtown. The Plan identifies 17 opportunity sites that are intended to make connections between separate portions of the Downtown area. It describes the desired type of development for these sites, with the ultimate goal of increasing economic and cultural activity in the Downtown.

d. Novato 2028 – A Vision for the Future Community Strategic Plan

The Strategic Plan, adopted in 2003, was developed with significant input from a 25-member Citizens Advisory Committee. Novato 2028 consists of over 150 vision statements, many pertaining to the City's future land use. It supports a limited amount of mixed-use development Downtown, residential development at all affordability levels and pedestrian friendly development that reduces dependence on the automobile. Other important future goals include the development and expansion of commercial recreation opportunities, protecting the greenbelt and other urban growth boundaries and maintaining open space uses within Novato's boundaries.

e. Hamilton Army Airfield Reuse Plan

The Hamilton Army Airfield Reuse Plan provides a vision for reuse of the former Hamilton Army Airfield, which encompasses approximately 1,670 acres located in southeast Novato. The Reuse Plan calls for residential and non-residential uses, with a majority of the planning area in Open Space. Residential designations in the Planning Area include Low- and Medium-Density Residential and Medium-Density Multi-Family Residential. Other designations in the Reuse Plan include Community Facilities and Civic Uses, Neighborhood Commercial, Visitor-Serving Commercial, Parkland and Open Space. An additional 140 acres is designated for Federal Government Housing, which is considered to be set aside for future use.

f. Novato Industrial Park Precise Development and Master Plan

The Novato Industrial Park Precise Development Plan, amended most recently in 1983, sets forth development objectives for properties within the Ignacio Industrial Park, the Bel Marin Industrial Park and portions of the Hamilton Industrial Park area. These parcels were initially planned and subsequently developed partially in the County and partially within the City of Novato. The Master Plan designates the planning area for industrial park uses, including manufacturing and business services uses, laboratories, repair workshops, warehousing and professional or administrative offices. Other conditional uses, such as automotive-related uses, may be considered by the City on a permit basis.

### 3. Policy Documents Adopted by Other Agencies

a. Marin Countywide Plan

The Marin Countywide Plan is a long-range guide for land use in the unincorporated areas in the County, including land adjacent to the City of Novato and the surrounding areas. The Countywide Plan, adopted in November 2007, establishes Novato's general vicinity as an area where growth is expected in the County. The Countywide Plan identifies land uses and densities for areas within the city's SOI: North Novato, West Novato, South West Novato, Bel Marin Keys and Loma Verde.

The Countywide Plan designates land in North Novato as Open Space, except for land under the jurisdiction of the Gness Field Airport, and requires commercial uses surrounding the airport be limited to those that are airport related or compatible with the airport. The Plan also includes the following regulations pertaining to North Novato: a FAR between 0.04 and 0.35 for Industrial land north of Novato, with master plans required for development; a density of one unit per 10 acres for Planned Residential land; a FAR of 0.01 to 0.03 for Recreational-Commercial land; and a residential density of one unit per 10 to 60 acres for Agriculture and Conservation land.

The Countywide Plan designates land use for West Novato to include the following: Single-Family Residential, ranging from 4 units per acre to one unit per 5 acres; Planned Residential, ranging from one unit per acre to one unit per 10 acres; Agriculture one unit per 1 acre to one unit per 60 acres and Open Space.

The Southwest Novato area is designated for Agriculture at one unit per 31 to 60 acres and for publicly-owned Open Space.

Bel Marin Keys is designated for Agriculture and Conservation land uses at 2 to 10 acres per housing unit. In the developed portion of Bel Marin Keys, Multi-Family Residential is designated at 11 to 30 units per acre and Single-Family density at 1 to 7 units per acre. Land in Bel Marin Keys that is owned by the Coastal Conservancy and undergoing wetland habitat restoration, and other publicly owned lands, are designated as Open Space.

Loma Verde is designated for Single-Family Residential, ranging from seven units per acre to one unit per 5 acres. The Loma Verde School is designated as a public facility and Single-Family Residential at 4 to 7 units per acre.

***B. Existing Land Use***

This section contains qualitative and quantitative descriptions of existing land uses in the City of Novato. “Existing land uses” refers to the existing built environment, which may be different from the land use or zoning designations applied to the City for planning purposes. This initial assessment is based on data from the Marin County Office of the Assessor. The following existing land uses are illustrated in Figure 2-4, and a summary of their acreages is provided in Table 2-2.

- ◆ **Residential.** Residential uses in Novato include single-family houses and multi-family developments.
  - Single-family residential, with one family per lot, is the dominant land use type in the City. Single-family residential land use is located throughout the City, with the exception of the open space areas along the City boundaries.
  - Multi-family residential refers to parcels that contain more than one housing unit, including duplexes, triplexes, fourplexes, condominiums and apartment buildings. Multi-family uses are largely clustered along South Novato Boulevard, Atherton Avenue, Canyon Road, and along Vallejo Avenue near downtown.
- ◆ **Mixed Use.** Mixed use parcels combine more than one type of land use, usually in the same building. Novato has a limited amount of mixed uses within the incorporated city, primarily with Downtown. A major mixed use project at the east end of Grant Avenue in downtown Novato, which is currently under construction through spring 2010, will feature a Whole Foods grocery store and 124 multi-family dwelling units.
- ◆ **General Commercial.** General Commercial uses are service establishments such as medical facilities, banks and parking facilities. The significant areas of General Commercial in Novato are primarily located along Atherton Avenue and Olive Avenue, along Redwood Boulevard Downtown and Ignacio Boulevard near Highway 101.
- ◆ **Retail.** Retail uses include stores, restaurants and personal services. The retail uses in Novato are concentrated Downtown and along the Highway 101 corridor, particularly south of Rowland Boulevard where the Rowland and Vintage Oaks shopping centers are located.
- ◆ **Office.** Office uses are located throughout the city. However, there is a concentration of offices in the northern portion of the city, where the Buck Center for Aging and the Fireman’s Fund Insurance Company headquarters are located, Downtown and along the Highway 101 corridor.
- ◆ **Industrial.** Industrial uses are manufacturing and productive uses, as well as warehouses. Industrial uses in Novato are primarily concentrated along Redwood Boulevard where the Birkenstock manufacturing plant is located, along the Highway 101 corridor and in the Bel Marin Keys area in southern Novato. Industrial uses are also concentrated along Vallejo Avenue east of Redwood Boulevard.
- ◆ **Public/Quasi-Public.** Public/Quasi-Public uses include city parks, public schools, civic services, such as the library and wastewater treatment facilities, and other uses such as an electrical sub-station. In Novato, the electric facility at the southeast corner of Highway 101 and Highway 37 is one of the largest Public/Quasi-Public uses in Novato, as

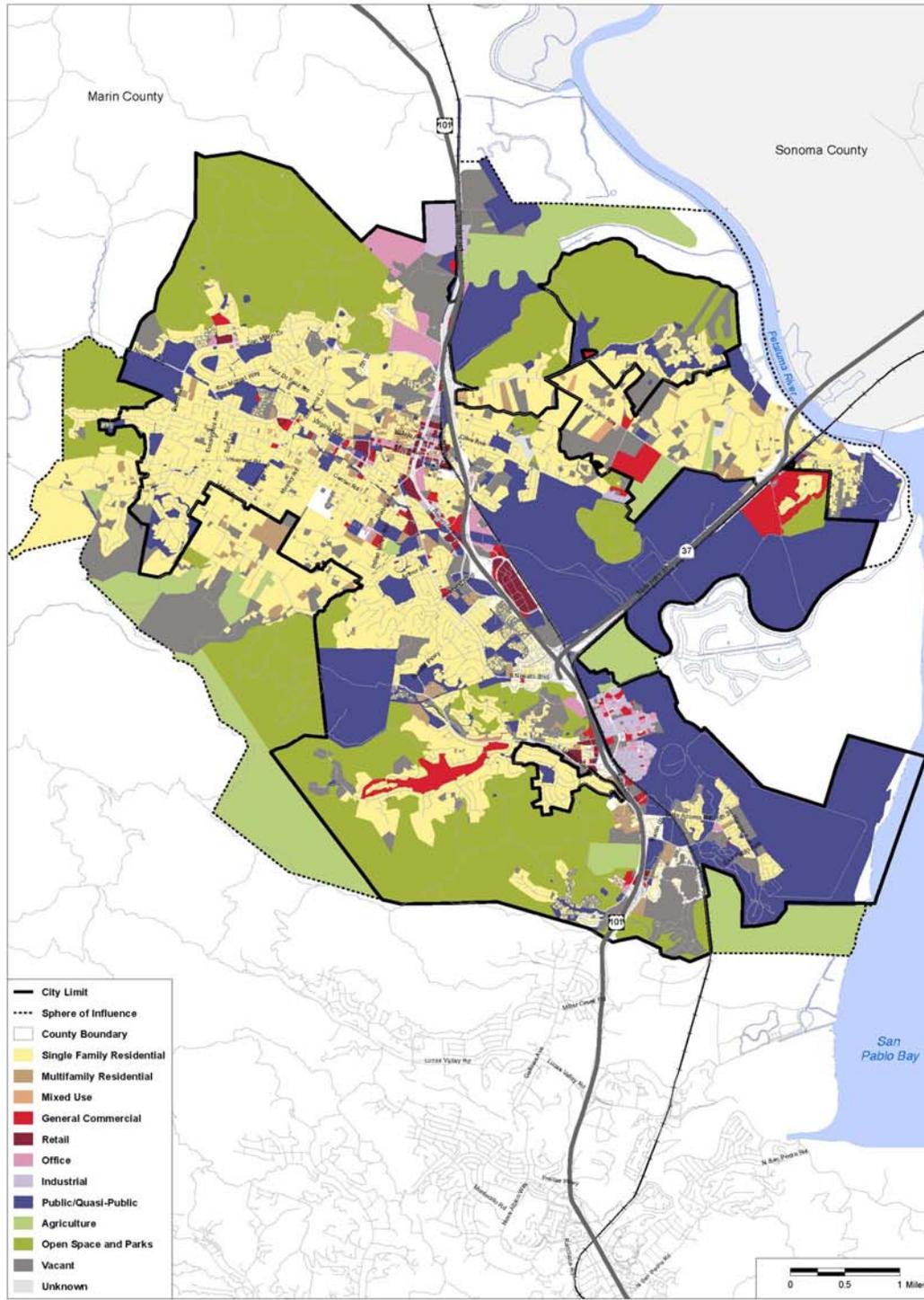


FIGURE 2-4  
 EXISTING LAND USE

well as the Valley Memorial Park cemetery in the northeast portion of the city. Other major parcels of Public/Quasi-Public land are located in the southwest along Ignacio Boulevard, where the College of Marin Indian Valley Campus is located.

- ◆ **Agricultural.** Agricultural land is used for either crop production or grazing. Novato is surrounded by agricultural land to the north, south and west, but there is little agricultural land within the City limits.
- ◆ **Open Space and Parks.** This category includes open space that is protected from development and smaller City parks. Novato has large amounts of open space within its City limits. The majority of this land is owned and operated by the Marin County Open Space District. The major open space land is located in the northern part of the city, surrounding Mount Burdell and the area north of Atherton Avenue, as well as the Loma Verde Open Space Preserve located west of Highway 101 in southern Novato. City parks are located throughout the City and discussed in Chapter 7 of this report.
- ◆ **Vacant.** Vacant land is currently unused. About 10 percent of the land in Novato is vacant, according to the County Assessor. Large pieces of vacant land are concentrated in the area between the unincorporated Bel Marin Keys area and San Pablo Bay, between Highway 101 and the Northwestern Pacific Railroad line in the southern portion of the city, along Indian Valley Road in the southwest portion of the city, and to the west of Highway 101 in the northern part of the city.

TABLE 2-2 EXISTING LAND USE DESIGNATIONS

Land Use	Acres	Percent of Total
Single-Family Residential	5,693	24.9%
Multi-Family Residential	394	1.7%
Mixed Use	30	0.1%
General Commercial	436	1.9%
Retail	155	0.7%
Office	284	1.2%
Industrial	252	1.1%
Agriculture	2,162	9.5%
Open Space and Parks	5,694	25%
Vacant	2,282	10%
Public/Quasi-Public	5,418	23.7%
Unknown	22	0.1%
<b>Grand Total</b>	<b>22,823</b>	<b>100.0%</b>

Note: The total acreage for Existing Land Use and General Plan Land Use are slightly different because they are from different data sources. Source: City of Novato GIS, 2008.

### ***C. Development Trends***

Development in Novato is active in both the residential and commercial markets. Active development projects in Novato are categorized in stages: under construction/completed, approved and proposed, as shown in Figure 2-6 and Table 2-3. Within the last year, Novato has generally had a higher number of projects approved, under construction or under review than other Marin County jurisdictions.<sup>6</sup> The following sections summarize the major development projects in these categories.

#### **1. Projects Completed Within Past 12 Months<sup>7</sup>**

As of January 2014, projects constructed within the past year in Novato include a 20,000-square-foot commercial building at 999 Grant Ave., 8,400 sf retail building at 7320 Redwood Blvd., and 61 affordable senior residential units at 806 Diablo Ave.

#### **2. Projects Under Construction<sup>8</sup>**

As indicated in Table 2-3, Novato has a total of 49 residential units under construction; 25 within the Canyon Green development and 24 within Rudnick Estates. No new commercial development is currently under construction.

#### **3. Approved Projects**

As indicated in Table 2-3, several commercial and residential projects have been approved in Novato as of January 2014. A total 313,800 square feet of commercial and 86 housing units are approved for construction.

Approved commercial projects include:<sup>9</sup>

- ◆ McPhail's office building, 62,000 square feet;
- ◆ Oak View Office building, 24,000 square feet;
- ◆ 700 Hangar Ave. Infill, 56,000 square feet;
- ◆ Hanna Ranch, 68,000 square feet/116 room hotel;
- ◆ Redwood Commons, 9,300 square feet;
- ◆ 200 San Marin Dr., 65,000 square feet; and
- ◆ Novato Creek Landing, 29,500 square feet.

---

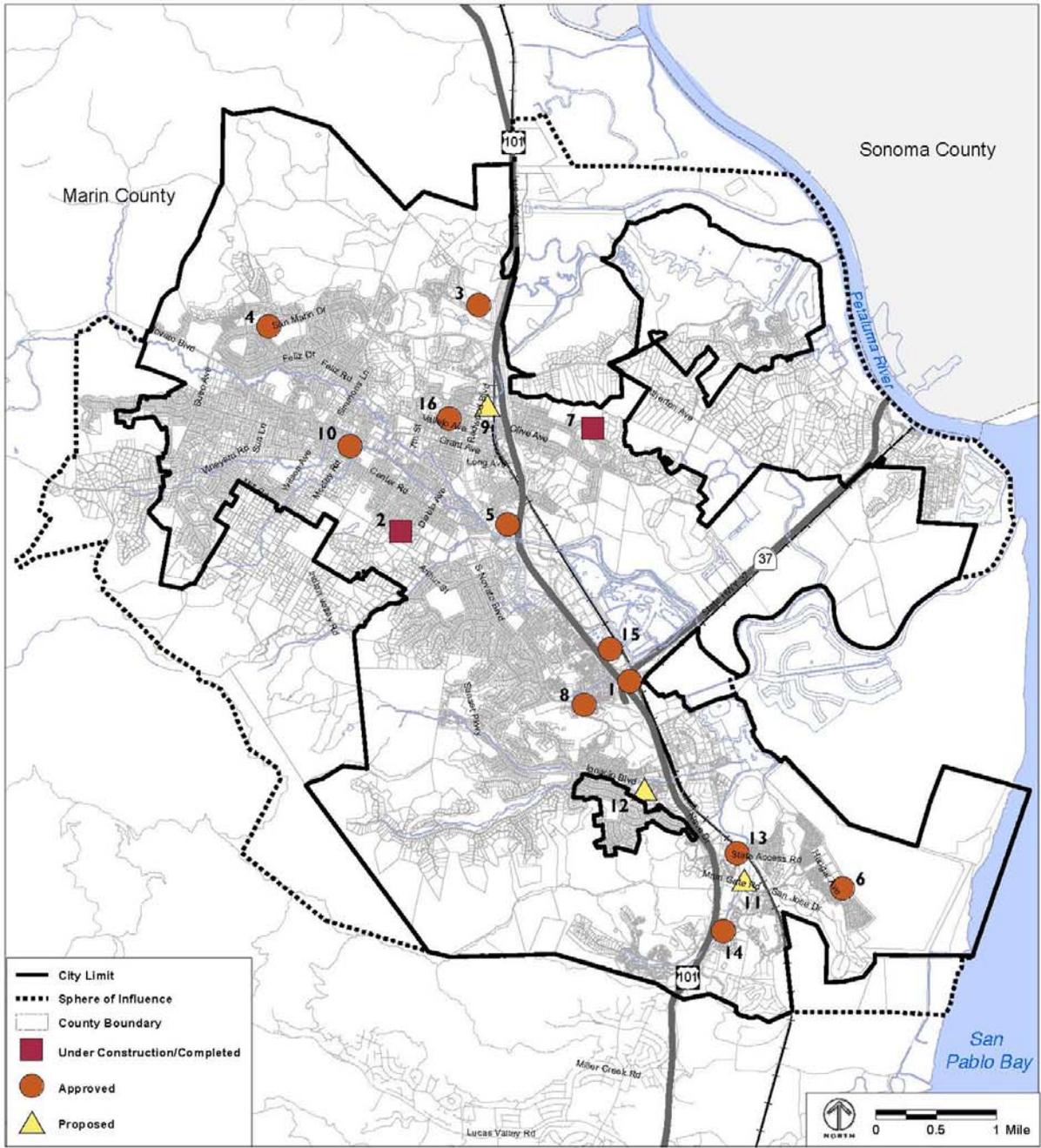
<sup>6</sup> Marin County Community Development Agency, November 2013.

<sup>7</sup> Does not include remodel of existing commercial nor residential projects of four or fewer units.

<sup>8</sup> Does not include remodel of existing commercial nor residential projects of four or fewer units.

<sup>9</sup> Does not include remodel of existing commercial.

CITY OF NOVATO  
 EXISTING CONDITIONS REPORT  
 LAND USE



Source: City of Novato, 2014

FIGURE 2-5  
 PIPELINE PROJECTS

**TABLE 2-3 DEVELOPMENT PROJECTS IN THE CITY OF NOVATO**

Number Corresponding with Figure 2-5	Name/Address	Status	Description
1	McPhail's site/junction of Highway 37 & 101	Approved	62,000 sf Office
2	Canyon Green/1625 Hill Road	Under Construction	25 Single-Family dwelling units
3	Oak View Office/ Meadow Crest Road	Approved	24,000 sf Office
4	200 San Marin Drive	Approved	65,000 sf Office
5	Novato Creek Landing/ Landing Court	Approved	29,500 sf Office
6	700 Hangar Avenue Infill	Approved	56,000 sf Office
7	Rudnick Estates/Olive Avenue	Under Construction	24 Single-Family dwelling units
8	Redwood Commons/ 999 South Novato Blvd.	Approved	9,300 sf Office/Commercial
9	Atherton Place/ North Redwood Boulevard at Pinheiro Drive	Proposed	Mixed Use: 5,600 sf Retail/Office, 54 Multi-Family dwelling units
10	Walnut Meadows/840 McClay Road	Approved	13 Single-Family Detached dwelling units
11	Hamilton Square/970 C St	Proposed	31 Single-Family Condos
12	Pacheco Plaza/404 Ignacio Blvd	Proposed	8,000 sf Office/Commercial
13	State Access Senior Apts./801 State Access	Approved	49 Senior Apts.
14	Homeward Bound/5394 Nave Dr.	Approved	14 Affordable Apts.
15	Hanna Ranch/So end Rowland Blvd	Approved	68,000 Commercial/116 Room Hotel
16	1112 Fourth St	Approved	10 Single-Family homes

Source: City of Novato, January 2014.

Approved Residential Projects include:<sup>10</sup>

- Walnut Meadows, 13 single-family homes;
- 1112 Fourth St., 10 single-family homes;
- State Access Senior Apts., 49 apartments; and
- Homeward Bound, 14 apartments.

#### 4. Proposed Projects

As indicated in Table 2-3, several developers have approached the City with proposals for development projects, including a total of 85 residential units, and 13,600 square feet of commercial space.

#### 5. Development Projections

As shown in Table 2-4, the Association of Bay Area Governments (ABAG) projects Novato’s population will increase by about 3,800 people between 2010 and 2035, creating a need for approximately 860 new housing units over the 25-year period. The number of jobs in Novato is projected to increase 14 percent between over this same time period. As detailed in Chapter 4 on Economics, despite projected employment growth, existing office and industrial space vacancies are available to absorb the increase in demand for these spaces. As a result, the analysis concludes that there is no additional supportable demand for new office or industrial space in Novato through 2035. The retail analysis in Chapter 4 shows a potential for between 126,000 and 204,000 square feet of new retail space through 2035.

**TABLE 2-4 POPULATION, HOUSEHOLDS AND JOBS PROJECTIONS**

	2010	2015	2020	2025	2030	2035	Increase 2010-2035	Percent Increase 2010-2035
Population	51,904	52,500	53,200	53,900	54,700	55,700	3,796	7%
Households	20,279	20,470	20,680	20,880	21,070	21,250	971	5%
Housing Units	21,158	21,205	21,415	21,625	21,825	22,015	857	4%
Jobs	20,890	21,770	22,710	23,040	23,410	23,870	2,980	14%

Source: Association of Bay Area Governments Plan Bay Area Projections 2013

<sup>10</sup> Does not include residential projects of four or fewer units.

## **6. Development Trends in Neighboring Communities**

The cities of San Rafael and Petaluma are neighboring communities comparable in size to Novato. Development trends in these communities have the greatest potential to affect development in Novato.

As of January 2014, several residential projects and a small commercial project were under construction in neighboring San Rafael, including The Village at Loch, a mixed use development with 22,500 square feet of retail and 98 residential units, and two auto dealerships. A major commercial project completed within the past 18 months is a 137,000-square-foot Target store at the Shoreline Center in San Rafael.<sup>11</sup>

In Petaluma, a total of approximately 620,000 square feet of retail space was completed in 2013 or is currently under construction. These projects include East Washington Place, a 362,000-square-foot retail center that includes a Target store, which was completed in mid-2013, and Deer Creek Village, a 254,076-square-foot retail center, under construction, that includes a Friedman's home improvement center.

---

<sup>11</sup> Marin County Community Development Agency, November 2013.