



THE CITY OF  
NOVATO  
CALIFORNIA

# SPECIAL Planning Commission Meeting

Location: Novato City Hall, 901 Sherman Avenue

June 26, 2017

922 Machin  
Novato, CA 94945  
415/899-8900  
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[www.novato.org](http://www.novato.org)

Mayor  
Denise Athas  
Mayor Pro Tem  
Josh Fryday  
Councilmembers  
Pam Drew  
Pat Eklund  
Eric Lucan

City Manager  
Regan M. Candelario

**Present:** Susan Wernick, Chair  
Dan Dawson  
Jay Strauss  
Peter Tiernan

**Absent:** Justin Derby  
Curtis Havel, Vice Chair

**Staff Present:** Veronica Nebb, Senior Assistant City Attorney  
Steve Marshall, Planning Manager  
Michelle Johnson, Planner II

## **CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL**

**APPROVAL OF FINAL AGENDA:** M/s: Tiernan/Dawson. Motion passed 4-0-2 (Ayes: Wernick, Dawson, Strauss, and Tiernan; Nays: None; Absent: Derby and Havel)

**PUBLIC COMMENT:** None.

**CONSENT CALENDAR:** None.

**CONTINUED ITEMS:** None

## **NEW ITEMS:**

- 1. ACCESSORY DWELLING UNIT & JUNIOR ACCESSORY DWELLING UNIT AMENDMENTS (MJ/SM)**

**Consider recommending to the City Council 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).**

Planner II Johnson presented the staff report.

The Planning Commission made the following comments:

Commissioner Strauss:

- Need to make decision if we want or don't want these units. If so, don't require parking for accessory dwelling units
- Staff needs to describe when recommendation is more restrictive than state law and note where there is discretion regarding the regulations

Commissioner Dawson:

- Section 19.58.020 – strike reference to “accessory dwelling unit”
- Change “second dwelling unit” to “accessory dwelling unit” – Section 19.34.030A1., A3
- Change “dwellings” to “dwelling” – Section 19.34.030B
- Change “may” to “is” – Section 19.34.030B1
- Consider including 30-day rental restriction on primary residence with accessory dwelling unit or junior accessory dwelling unit.
- Is it really necessary to require parking? Requiring parking could lead to paved front yards
- One parking stall per bedroom seems excessive; one per unit is satisfactory
- Need to notice neighbors across street

Commissioner Tiernan:

- Need clearer language regarding “public transit” and “car share vehicle and facility” in ordinance
- Has an amnesty period been considered for accessory dwelling units?

Chair Wernick:

- Accessory dwelling units will create more demand for on-street parking and could be particularly bad when coupled with trash collection day
- Supported noticing neighbors across the street from a proposed accessory dwelling unit

M/s: Tiernan/Wernick to adopt the resolution recommending the City Council approve the proposed zoning text amendments with revisions including:

- Clarify the definitions of “public transit” and “car share vehicle and facility”
- Impose a 30-day rental requirement for a primary residence with an accessory dwelling unit or junior accessory dwelling unit
- Amend ordinance to require noticing neighbors across the street from a proposed accessory dwelling unit
- Make corrections as identified by Commissioner Dawson

The Commission had continued debate about parking for accessory dwelling units. Commissioners’ Strauss and Dawson expressed a desire to eliminate the on-site parking requirement for accessory dwelling units and noted if parking is required then one space per accessory dwelling unit is sufficient. Chair Wernick and Commissioner Tiernan were concerned that an increasing number of accessory dwelling units would result in neighborhood parking issues and on-site parking should be required except where state law waives such parking.

The Planning Commission did not resolve the difference of opinion regarding parking. However, the Commission agreed it was important for the City Council to know it has the discretion to relax parking for accessory dwelling units, including requiring no on-site parking or retaining the City’s current parking standard of one on-site parking stall per accessory dwelling unit.

The motion passed: 4-0-2 (Ayes: Wernick, Dawson, Tiernan, and Strauss; Nays: None; Absent: Derby and Havel)

**GENERAL BUSINESS:** None.

**UPCOMING AGENDAS AND QUORUMS:**

Planning Manager Marshall advised the Planning Commission the meeting of July 3, 2017, was cancelled due to the July 4 holiday.

**ADJOURNMENT:** Meeting adjourned at 8:40 PM