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**RE: [External] APN 14135021**

1 message

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**Planning** <planning@novato.org>  
To: Tammy Tengs <tammy@land22.com>

Tue, Nov 26, 2024 at 5:39 PM

Good Afternoon:

The property in question (**APN 141-350-21**) has a zoning classification of Planned District (PD) and a General Plan land use designation of R1. Typically a PD zoning classification is assigned to a parcel(s) to allow for flexibility in site design and land use as prescribed by an adopted Master and Precise Development Plan (MP/PDP) consistent with the overarching General Plan land use designation (R1).

In this instance there are no such MP/PDP documents for this parcel. As such, a new MP/PDP document would need to be adopted to allow for development of this site. Alternatively, one can utilize the development standards of the R1 zoning district instead of applying for a MP/PDP.

Additionally, Planning staff is unable to determine the manner that this lot was originally created based on the information available in our office. Prior to approval of any entitlements (or possibly issuance of any permits for development), staff needs to determine whether the lot was legally created, compliant with the Subdivision Map Act and Municipal Code regulations at that time.

At a minimum, staff would like to review the legal description for the lot. Based on the legal description, staff may also request a chain of title and/or title report for this parcel. You may be able to obtain a title report from the property owner. A title company, or other qualified person, can produce a chain of title based on a review of recorded documents at the Marin County Recorder's office.

These requested documents will help staff determine whether an application for a (Conditional) Certificate of Compliance may also be necessary, to determine whether the property complies with the provisions of the Subdivision Map Act and Municipal Code. If it is determined that the subject lot was not created in compliance with the Subdivision Map Act, there may be additional requirements that would need to be met in order to develop a single family home on this lot.

When looking at this parcel, there are some site characteristics to take into consideration. Below I have bullet pointed some characteristics and associated Zoning Ordinances which may apply to this site. I should note that more information on this site may change this response.

- **Parcel Average Slope Exceeds 10 Percent:** Novato Municipal Code (NMC) [Division 19.26](#) (Hillside and Ridgeline Protection) applies to all parcels throughout the city with an average slope of 10 percent or more. The parcel in question has an average slope of about 36 percent. As such, development of this site is subject to some level of design review (scope of work will determine this). Furthermore, due to the sloped nature of this parcel, a slope constraints analysis may be necessary in determining the developable areas of the parcel.

- **Tree Cover & Existing Vegetation:** NMC [Division 19.36](#) (Woodland and Tree Preservation) is intended to promote the conservation of native trees, woodlands on private and public lands during development. Considering the site is currently heavily vegetated, provisions of this ordinance may apply to any future development project or site design.
- **Waterway and Riparian Protection:** NMC [Division 19.35](#) (Waterway and Riparian Protection) is intended to protect, maintain, enhance and restore streams and waterways. The site currently seems to have drainage features on-site, as such, provisions of this ordinance may apply to any future development project or site design.

In short, development of this site for a single family residence is possible. However, there are steps and entitlement documents that would need to be applied for and approved by the appropriate review authority prior to review/issuance of building permits through our [Building Division](#). Below I have listed the main entitlements that would be necessary. I have attached handouts to this email that briefly outline the review process associated with these.

These entitlements may be applied for and reviewed concurrently.

- **Master Plan + Precise Development Plan**

This are entitlements that would require City Council's approval after a hearing with the Design Review Commission and Planning Commission. Per information above, one can utilize the R1 zoning district development standards to eliminate the need for a MP/PDP.

- **Design Review**

A design review application would be necessary due to the hillside nature of this parcel. This review process would evaluate the project for consistency with any applicable municipal code sections, such as the ones previously mentioned (i.e. Hillside and Ridgeline/Woodland and Tree Preservation/Waterway and Riparian Protection ordinances). Considering the sloped nature of the parcel, a slope constraints analysis may be a necessary component to determine buildable areas on this parcel.

You may also want to contact the North Marin Water District and the Novato Sanitary District to determine whether or not there are sewer/water connections available on-site. These are separate agencies so we do not have that information readily available in-house here. Below is the contact information for these agencies. Our review processes do coordinate with these agencies, however, you may want to reach out to them to informationally determine costs for your project proposal.

North Marin Water District  
[999 Rush Creek Place](#)

**Phone:** 415-897-4133

**Email:** [info@nmwd.com](mailto:info@nmwd.com)

Novato Sanitary District

500 Davidson Street

Phone: 415-892-1694

Email: [info@novatosan.com](mailto:info@novatosan.com)

Regarding site access, I suggest that you contact the Novato Public Works Department ([pw@novato.org](mailto:pw@novato.org)), since they approve driveway locations and issue encroachment permits for new driveways, Public Works is the best department to answer this question.

Sincerely,

Brett Walker, AICP

Senior Planner

[bwalker@novato.org](mailto:bwalker@novato.org) Main: 415-899-8989 Direct: 415-493-4711 [www.novato.org/communitydevelopment](http://www.novato.org/communitydevelopment)

City Administrative Offices

922 Machin Avenue Novato, CA 94945



**CITY OF NOVATO**  
COMMUNITY DEVELOPMENT

City offices are closed every other Friday. Please see our City Calendar for office closure dates.

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**From:** Tammy Tengs <[tammy@land22.com](mailto:tammy@land22.com)>  
**Sent:** Tuesday, November 26, 2024 8:45 AM  
**To:** Planning <[planning@novato.org](mailto:planning@novato.org)>  
**Subject:** [External] APN 14135021

Good morning,

Can you please tell me the zoning of APN 14135021? What can be done with that zoning? Also, I see that it is on busy San Marin Dr. Will getting a driveway off of San Marin Dr be difficult?

Thanks for your help.

Tammy Tengs

Land22 Real Estate

[www.land22.com](http://www.land22.com)

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