



March 24, 2026

Sandbank Construction
Attn.: Matthew Burns
1127 Grant Avenue, Ste. 3
Novato, CA 94947

Delivered via Email: matthew@sandbankinc.com

**RE: 924 GRANT AVENUE MIXED-USE; PRELIMINARY CONSISTENCY REVIEW;
FILE No. DR2025-396; 924 GRANT AVENUE; APN: 153-046-06**

Dear Mr. Burns,

The City of Novato Community Development Department (“Department”) received Sandbank Construction’s (“Sandbank”) Design Review application, including a Density Bonus request for 924 Grant Avenue Mixed-Use Project (“Project”), submitted on October 7, 2025, for the property at **924 Grant Avenue** (“Project Site”), and subsequently revised on February 25, 2026.

The HAA ([Government Code Section 65589.5](#)) was passed in 1982 with the intent of constraining the ability of cities to deny residential development projects. The HAA applies to residential development projects consisting of two or more dwellings and mixed-use projects featuring residential dwellings combined with commercial uses where the residential component occupies at least two-thirds of the total square-footage of the project. The HAA restricts cities to applying objective standards to qualifying projects.

In this instance, the Project involves the construction of a new mixed-use building which contains eight (8) multi-family residential units and 2,000 square feet of ground floor commercial space. The HAA applies to the Project and as such, this letter represents the Department’s preliminary determinations regarding the Project’s conformance with applicable local objective development standards, this is not final and is only provided for informational purposes. Items in the consistency report portion of the letter that are identified as “Inconsistent” may be eligible for concessions, incentives and waiver requests as applicable.

If you have any questions about the items discussed above, please feel free to contact me by phone at 415-899-8939 or via email at vdamodaran@novato.gov.

Sincerely,

Vivek Damodaran
Senior Planner
City of Novato Planning Division

Attachments:

- Exhibit A - Objective Standards Compliance – Preliminary Consistency Determination

EXHIBIT A 924 GRANT AVENUE MIXED-USE OBJECTIVE STANDARDS COMPLIANCE – PRELIMINARY CONSISTENCY DETERMINATION		
NOVATO GENERAL PLAN 2035		
GENERAL PLAN POLICY/PROGRAM	DEVELOPMENT STANDARD	CONSISTENCY REPORT
Land Use Table GP-3 Policy LU 1 & Program LU 1B	Downtown Core - 10.0 to 23.0 dwelling units per gross acre in mixed-use developments. Maximum FAR is 1.2 with the potential for a maximum of 2.0 where housing is incorporated. A mixed-use project must meet both the applicable maximum density and FAR levels.	<p>Consistent (Land Use). The Project is a mixed-use project which is allowed under the Downtown Core (CD) land use designation of General Plan 2035.</p> <p>Inconsistent (State Density Bonus Law). The Project proposes a density of approximately 48 dwelling units per acre, a level exceeding the maximum density of 23 dwelling units per acre allowed on parcels designated CD. <i>(Accessory dwelling unit is excluded from Project's density calculation)</i></p> <p>Sandbank is requesting a density bonus pursuant to Government Code Section 65915(b)(1)(G) to exceed the maximum density of the CD land use designation. If the Project is found to qualify for a density bonus, then the maximum density of the CD land use designation is inapplicable by operation of law.</p> <p>Consistent (FAR). The Project proposes a 1.93 FAR where a maximum 2.0 FAR is allowed.</p>

NOVATO MUNICIPAL CODE (NMC) – CHAPTER 19, ZONING		
MUNICIPAL CODE REFERENCE	DEVELOPMENT STANDARD	CONSISTENCY REPORT
NMC Section 19.12.030 – Table 2-7	Multi-family dwellings are allowed in a mixed-use project where combined with a commercial component.	Consistent. The Site is zoned Downtown Core Retail (CDR). The Project is a “Multi-family dwelling in a mixed-use project” which is allowed in the CDR zoning district. Mixed-use projects normally require a use permit in the CDR zoning district. However, Program 3.D of the City’s 6 th Cycle Housing Element directs staff to eliminate the use permit process for mixed-use developments in commercial zones. Use permits would continue to apply to the commercial component for land uses that may or may not be a conditional use in the specific zone where they are located. The Zoning Ordinance is inconsistent with this program and staff are currently implementing this program while preparing the necessary Zoning Ordinance amendments.
NMC Section 19.12.030 – Table 2-7	Allowed commercial land uses in the CDR zoning district: retail and office. Offices are permitted on upper floors of a building or at the rear of a site.	Consistent. The Project includes a retail space on the ground level of the building at Grant Avenue.
NMC Section 19.12.040 – Table 2-8	Maximum FAR is 1.2, with the potential for an increase to 2.0 when housing is incorporated into a mixed-use project.	Consistent. The Project proposes a 1.93 FAR where a maximum 2.0 FAR is allowed.
NMC Section 19.12.040 – Table 2-8	Front Setback – None Required	Consistent. The Project proposes no front setback.

NMC Section 19.12.040 – Table 2-8	Side Setback - 6 feet if adjacent to a single-family residential zone; 10 feet if building is over 20 feet in height at the building setback line, and adjacent to a single-family residential zone; none required otherwise.	Consistent. The Site is not adjacent to a single-family zoning district; therefore, no side setbacks are required.
NMC Section 19.12.040 – Table 2-8	Rear Setback - 10 feet if adjacent to a single-family residential zone; 15 feet if building is over 20 feet in height at the building setback line and adjacent to a single-family residential zone; none required otherwise.	Consistent. The Site is not adjacent to a single-family zoning district; therefore, no rear setback is required.
NMC Section 19.12.040 – Table 2-8	Height Limit – 35 feet	Consistent. The Project has a height of 33.5 feet.
NMC Section 19.12.040 – Table 2-8	Building Coverage – 100% of lot area.	Consistent. The Project is not subject to a limitation on building coverage.
NMC Section 19.20.030	Access to Streets. Every structure shall be constructed upon, or moved to, a legally recorded parcel with permanent means of legal access to a public street.	Consistent. Access is available to Grant Avenue and Scown Lane.
NMC Section 19.20.040	Maximum fence height - 8 ft.	Consistent. The Plans for the Project do not indicate the installation of any new fencing.
NMC Section 19.20.070 D.	Sight Visibility Area Required. On properties within or adjacent to residentially zoned districts, property improvements, including structures, landscaping, materials, vehicles or any type of screening shall be designed, placed or maintained to provide a sight visibility area for all types of traffic, including but not limited to vehicles, pedestrians and	Consistent. The Site does not adjoin any residentially zoned properties. As such, no sight visibility area is applicable to the Project or Project Site.

	<p>bicycles. Structures, landscaping, materials, vehicles or any type of screening shall not be located in a manner which adversely affects the required sight visibility area for any public roadway, private roadway, alley, driveway, or pedestrian or vehicular access point. Landscaping in all zoning districts shall also comply with the requirements of Municipal Code Section 17-3.8 (Trees and Shrubs - Obstructing Visibility).</p>	
<p>NMC Section 19.20.090 B.</p>	<p>Roof or ground mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts, and exhaust, etc.), loading docks, refuse storage areas, and utility services (electrical transformers, gas meters, etc.) shall be screened from public view from adjoining public streets and rights-of-way and adjoining area(s) zoned for residential uses.</p>	<p>Conditional Deferral. The Department will recommend conditionally deferring compliance with NMC 19.20.090.B to the building permit phase when construction detail information is prepared for the Project. Construction detail information will allow the City to review mechanical equipment and screening as appropriate.</p>
<p>NMC Section 19.20.100 A</p>	<ol style="list-style-type: none"> 1. All structures shall comply with the setback requirements of the applicable zoning district established by Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), and with any special setbacks established for specific uses by this Zoning Ordinance, except as otherwise provided by this Section. 2. No portion of a structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way. 	<p>Consistent (1). The Project complies with applicable setback requirements.</p> <p>Inconsistent (2). The plans for the Project demonstrate that portions of the 2nd and 3rd story extend beyond the front and rear property lines into the public right-of-way.</p>

	<p>3. Each required setback shall be open and unobstructed from the ground upward, except as provided in this Section.</p>	<p>The Project does not comply with the applicable standard(s).</p> <p>Not Applicable (3). The Project is not required to maintain building setbacks, as such, this requirement does not apply.</p>
NMC Section 19.20.120 B.1.	<p>Individual Unit Storage Requirements. Each dwelling shall be designed to provide an indoor area for the indoor storage of solid waste and recyclable material prior to its placement in a common storage area. A minimum of three cubic feet shall be provided for the storage of solid waste and a minimum of three cubic feet shall be provided for recyclable material.</p>	<p>Consistent. All proposed apartments include three (3) cubic feet of solid waste and three (3) cubic feet of recyclables storage space.</p>
NMC Section 19.20.120 B.2.	<p>Common Storage Requirements. Multi-family residential projects shall provide solid waste and recyclable material storage areas in compliance with Table 3-3.</p>	<p>Consistent. The Project includes 8 multi-family housing units. Accordingly, 48 sf. of common storage space for solid waste and recycling is required. The plans for the Project identify a trash collection room at the ground level of the mixed-use building with a scaled area of approximately 84 square feet.</p>
NMC Section 19.20.120 C.	<p>Required Storage for Non-residential Structures and Uses. Non-residential structures and uses within all zoning districts shall provide solid waste and recyclable material storage areas in compliance with Table 3-4.</p>	<p>Consistent. The Project includes 2,000 square feet of non-residential commercial space. Accordingly, 24 square feet of common storage space for solid waste and recycling is required.</p> <p>As noted above, the plans for the Project identify a trash collection room at the ground level of the mixed-use building with</p>

	Table 3-4 requires 12 sf. of solid waste and 12 sf. of recycling storage space for non-residential uses of 0 – 5,000 sf. in floor area.	a scaled area of approximately 84 square feet. This space can accommodate both residential common storage and non-residential storage for solid waste and recyclable materials (48 + 24 = 72 sf.).
NMC Section 19.20.120 D.2.	<p>Location Requirements. Solid waste and recyclable materials storage areas shall be located as follows:</p> <p>The storage area(s) shall be accessible to residents and employees. Storage areas within multi-family residential projects shall be located within 100 feet of an access doorway to each dwelling unit which they are intended to serve.</p>	<p>Inconsistent (Residential). The plans for the Project indicate that the storage area is located further than 100 feet from the access doorway for each dwelling unit. The Project does not comply with the applicable standard(s).</p> <p>Consistent (Non-Res.). The non-residential areas of the ground floor are within 100 feet of retail trash collection rooms.</p>
NMC Division 19.21 - Art Program	Construction of non-residential development shall require that an art project be installed and maintained as part of the project. The art project shall have a value of not less than one-third of one percent of the construction cost of the completed development project. An in-lieu fee equal to one-half of one percent of the construction cost, or the difference between the cost of the art installed and one-half of one percent of the development's construction cost. The Division does not apply to the affordable housing component of a mixed-use project.	Inconsistent. No information was provided by Sandbank regarding how the Project would comply with the requirements of NMC Division 19.21. As such, it is not possible to determine whether the Project complies with the applicable standards of NMC Division 19.21.
NMC Section 19.22.060	Light or glare from interior or exterior lighting, mechanical or chemical processes, or from reflective materials used or stored on a site,	Inconsistent. No information was provided by Sandbank regarding the type(s) or location(s) of any exterior lighting. As such,

	<p>shall be shielded or modified to prevent emission of light or glare beyond the property line. The placement of exterior lights shall eliminate spillover illumination or glare onto adjoining properties to the maximum extent feasible, and not interfere with the normal operation or enjoyment of adjoining properties. All non-essential internal and exterior lighting including lighted signs shall be turned off after 11:00 p.m. (except for uses with extended hours).</p>	<p>it is not possible to determine whether the Project complies with the applicable light and glare standards provided by NMC Section 19.22.060.</p>
<p>NMC Section 19.22.070</p>	<p>NMC 19.22.070 - Uses, activities, and processes shall not generate or emit any noise or sound in excess of the levels provided in Table 3-5 beyond the property line of the parcel on which they are located, except as provided in Subsection B.</p> <p>The “Commercial” noise thresholds of Table 3-5 apply in mixed-use districts. Accordingly, the Project is subject to the following noise thresholds:</p> <p>10 PM to 6 AM – 60 dBA 6AM to 10 PM – 70 dBA</p>	<p>Conditionally Deferred. The plans for the Project identify roof mounted equipment on the exterior of the building.</p> <p>The Project will be conditioned to require the submittal of construction detail information regarding mechanical equipment to ensure compliance with the objective noise levels of NMC Section 19.22.070.</p>
<p>NMC Division 19.24</p>	<p>NMC Division 19.24 specifies the requirements for inclusionary affordable housing. In summary, Sandbank is required to reserve 10% of the dwellings in the Project for rent to households with very-low and low incomes. The required affordable housing units shall be divided equally into the very-low (50% AMI) and low (60% AMI) income</p>	<p>Consistent. The Project proposes one (1) dwelling to be reserved for rent by households with very low income (up to 50% of Area Median Income, or “AMI”) and one (1) dwelling to be reserved for rent by households with moderate income (up to 120% of AMI).</p>

	<p>categories. An affordable housing agreement is required.</p> <p>When the application of the percentages specified above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.70 or more. If the result includes a fraction below 0.70, the developer shall have the option of rounding up to the next whole number and providing the affordable unit on-site, or paying an in lieu fee instead of providing an additional affordable unit. The in lieu fee shall be calculated in accordance with Section 19.24.040.</p>	
NMC Division 19.25 – Density Bonus	Refer to NMC Division 19.25.	Please refer to the Department's completeness response to Sandbank's density bonus application, dated March 24, 2026 .
NMC Section 19.27.030 B.	Multifamily residential developments shall be designed in the Contemporary, Craftsman, Mediterranean, Tudor and/or Victorian architectural styles subject to the requirements of NMC Division 19.27.	Consistent. The Contemporary architectural style is proposed for the Project.
NMC Section 19.27.030 D.3.	Multi-family dwelling residential developments shall be designed in one (1) of the allowed architectural styles listed in Subsection 19.27.030 B.	Consistent. The Project is designed in a single architectural style (Contemporary).
NMC Section 19.27.030 H.	Architectural Detail – Multi-Family Dwellings & Residential Mixed-Use Developments. The architectural elements required for a selected architectural style shall be applied to all sides of a multi-family or residential mixed-use	Inconsistent. See responses to NMC Section 19.27.050 below.

	building, including front, street side, interior side, and rear facades.	
NMC Section 19.27.050	<p>Contemporary Standards - Multifamily</p> <p>(1) Wall Inset & Projections</p> <p>a. A horizontal wall inset(s) and/or projection(s) from the primary facade is required for buildings greater than 50' in width. An inset or projection shall be provided within every 50 linear feet of building façade. Roof projections may encroach into wall inset.</p> <p>b. Minimum Width: 6 feet</p> <p>c. Minimum Depth: 18-inches</p>	<p>Inconsistent. The Project does not provide the required inset or projection of a minimum width of 6 feet and minimum depth of 18 inches for every 50 linear feet of building façade. NMC Section 19.27.030.H requires architectural elements for a selected style be applied to all sides of a multi-family building, including front, streetside, interior side and rear facades. The Project does not comply with the applicable standard(s).</p>
NMC Section 19.27.050	<p>Contemporary Standards – Multifamily</p> <p>5. Building Roof – Full-Story Heights</p> <p>a. Type: Flat, Flat with parapet</p> <p>b. Pitch: N/A</p> <p>c. Rake: N/A</p> <p>d. Eave: N/A</p> <p>e. Parapet: Applicable</p>	<p>Consistent. The Project plans indicate all full-story height walls terminate in a flat roof with a surrounding parapet wall.</p>
NMC Section 19.27.050	<p>Contemporary Standards – Multifamily</p> <p>8. Parapet</p> <p>a. Maximum Projecting Height: 6-inches</p> <p>b. Maximum Horizontal Projection: 3-inches</p>	<p>Inconsistent. The plans for the Project show a parapet along the north and south elevations that exceed the maximum projecting height allowed for a parapet. The plans for the Project do not show a parapet for the east or west elevations. The Project does not comply with the applicable standard(s) provided under NMC Section</p>

		19.27.050.8 (Contemporary Multi-Family – Parapet Cross Section)..
NMC Section 19.27.050	<p>Contemporary Standards – Multifamily</p> <p>9. Windows</p> <p>a. Windows shall maintain a proportionate height to width as follows:</p> <p>Custom Windows Ground floor: 2.2 min. Upper floor: 2.0 min;</p> <p>Or</p> <p>Typical Size, Width x Height</p> <p>Ground Floor, Typical: 3’0” x 6’0” Ground Floor, Ganged: 3’0” x 6’0” Ground Floor, Picture: 2’4” x 3’6” Upper Floor, Typical: 3’0” x 5’6” Upper Floor, Ganged: 3’0” x 5’6” Upper Floor, Pictured: 2’4” x 3’6” Privacy: 2’0” x 4’6”</p> <p>b. Shape – Square Punched</p> <p>c. Operation</p> <p>Double-Hung Single-Hung Awning Casement</p>	<p>Inconsistent (9a). The plans for the Project show windows that do not maintain a proportionate height to width for both the proposed ground floor and upper floor windows. The Project does not comply with the applicable standard(s).</p> <p>Inconsistent (9b). The plans for the Project provide conceptual architectural elevations that do not sufficiently detail the design of the windows proposed for the mixed-use building. As such, it is not possible to determine whether the windows selected for the Project are of a punched design (set into the building façade with exterior wall extending past the window surface).</p> <p>Inconsistent (9c). The plans for the Project provide conceptual architectural elevations that do not sufficiently detail the design of the windows proposed for the mixed-use building. As such, it is not possible to determine whether the windows selected for the Project comply with one or more of the operation requirements.</p> <p>Consistent (9d). The plans for the Project provide conceptual architectural elevations that indicate windows without glazing divisions will be used. Glazing divisions are not permitted for the Contemporary style.</p>

	<p>d. Glazing divisions. None allowed.</p> <p>e. Windows shall maintain the following minimums:</p> <ul style="list-style-type: none"> - Sash Rail Width: 2-inches ($\pm \frac{1}{4}$" - Sash Stile Width: 2-inches ($\pm \frac{1}{4}$" - Trim Head Width: 3-inches - Trim Jamb Width: 3-inches - Trim Apron Width: 3-inches - Sill Depth: 3-inches <p>f. Pediment. None allowed.</p> <p>g. Windows surrounded by concrete, stone, or stucco cladding shall be inset a minimum of 2" from the exterior face of the cladding to the exterior side of the window glazing.</p>	<p>Inconsistent (9e). The plans for the Project provide conceptual architectural elevations that do not sufficiently detail the design of the windows proposed for the mixed-use building. As such, it is not possible to determine whether the windows selected for the Project comply with the applicable sash, trim and sill requirements.</p> <p>Consistent (9f). The plans for the Project provide conceptual architectural elevations that do not indicate window pediments.</p> <p>Inconsistent (9g). The plans for the Project indicate the mixed-use building will be finished in stucco, brick veneer over concrete and wood. As such, the windows surrounded by concrete or stucco must be inset according to the applicable standard. The plans for the Project provide conceptual architectural elevations that do not sufficiently detail the design of the windows proposed for the mixed-use building. As such, it is not possible to determine whether the proposed windows comply with the required inset.</p>
<p>NMC Section 19.27.050</p>	<p>Contemporary Standards – Multifamily</p> <p>16. Materials</p> <p>a. Wall Cladding - Lap and horizontal/vertical tongue and groove siding: composite wood, wood, or fiber</p>	<p>Consistent (16a). The plans for the Project indicate the mixed-use building will be finished in stucco, wood and brick veneer over concrete.</p> <p>Consistent (16b). The plans for the project indicate the mixed-use building will use aluminum entry doors.</p>

	<p>cement; stucco, brick, concrete, stone, and metal panel.</p> <p>b. Entry Doors - Wood, aluminum, fiberglass, composite wood.</p> <p>c. Window Frames - Wood, aluminum clad wood, aluminum, fiberglass.</p> <p>d. Awnings – Aluminum</p> <p>e. Glazing - Clear glass; shall not be tinted, mirrored, or colored</p> <p>f. Storefront – Lap and horizontal/vertical tongue and groove siding: composite wood, wood, or fiber cement; stucco, brick, concrete, stone, and metal panel</p> <p>g. Storefront Base – Brick, concrete, stone, stucco, composite wood, wood fiber cement</p>	<p>Consistent (16c). The plans for the Project indicate that aluminum windows are proposed for the mixed-use building.</p> <p>Inconsistent (16d). The plans for the Project indicate that stainless steel awnings are proposed for the mixed-use building. The City can accept the alternate metal material in this instance.</p> <p>Inconsistent (16e). The plans for the Project do not indicate whether clear glass is proposed. There is no other information in Sandbank’s application materials that can be used to determine whether the Project is consistent with the noted standard.</p> <p>Consistent (16f & g). The plans for the Project indicate that the storefront and storefront base will be clad in a brick veneer over concrete.</p>
<p>NMC Section 19.28.040 A.1.</p>	<p>Minimum Dimensions. Landscaped areas shall have a minimum interior width of three feet. Landscaped areas containing trees shall have a minimum interior width of four feet.</p>	<p>Inconsistent. The Project includes landscape areas with an interior width of less than 3 feet and landscaped areas towards the rear of the building contain trees with interior widths of less than four feet. The Project does not comply with the applicable standard(s).</p>
<p>NMC Section 19.28.040 A.3.</p>	<p>Protective Curbing. Required landscaping on sites within the R10, R20, and non-residential</p>	<p>Inconsistent. The plans for the Project do not contain any information indicating</p>

	zoning districts shall be protected with a minimum six-inch high concrete curb, except adjacent to bicycle paths or where deemed unnecessary the Director.	whether curbing is being applied to any landscape areas. There is insufficient evidence to determine whether the Project is consistent with this standard.
NMC Section 19.28.040 A.4.	Irrigation System Required. All landscaped areas (except areas to be maintained with intentionally unirrigated native plants) shall be provided with an automatic irrigation system.	Consistent. The plans for the Project contain information indicating that landscape areas shall be irrigated.
NMC Section 19.28.040 A.5.a. through c.	Safety Requirements. Landscape materials shall be located so that at maturity they do not: a. Interfere with safe sight distances for vehicular, bicycle, or pedestrian traffic; b. Conflict with overhead utility lines, overhead lights, or walkway lights; or c. Block pedestrian or bicycle ways.	Inconsistent (a). The landscape plan for the Project shows plants over 3 feet in height at the garage parking entryway areas which could interfere with safe sight distances for bicyclists and pedestrians. Consistent (b). The selected landscaping does not present any conflicts to existing overhead utility lines, overhead lighting or walkway lights. As such, the landscape plan does not present any conflicts. Consistent (c). The landscape plan does not show any plants with a spread and height at maturity that would block pedestrian or bicycle ways.
NMC Section 19.28.040 C.1.b.	Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a 15-gallon container for trees, five-gallon container for specimen shrubs and a one-gallon for mass planting, unless otherwise approved by the Review Authority on the basis that the alternate size will achieve the desired immediate effect equally well.	Consistent. The plans for the Project indicate that five-gallon container shrub plant species have been selected for landscaped areas.

<p>NMC Section 19.28.040 C.2.b.</p>	<p>Trees in landscape planters less than 10 feet in width or located closer than five feet from a permanent structure shall be provided with root barriers.</p>	<p>Inconsistent. Trees shown in the Project's plans (At garage entrance on Sheets M2.1 & P2.1), are located in planters that are less than 10 feet in width. The Project does not comply with the applicable standard(s).</p>
<p>NMC Section 19.28.040 C.2.d.(3) and (4)</p>	<p>Number of trees: (3) Balance of site: one per 600 square feet of landscaped area; and (4) Street trees: one per 40-foot length of right-of-way.</p>	<p>Consistent (3). The Project plans show a cumulative landscaped area of less than 600 square feet.</p> <p>Inconsistent (4). The Site has approximately 45.5 feet of frontage at Grant Avenue. Accordingly, one (1) street tree is required. The Project plans do not indicate that any street trees will be provided along Grant Avenue. The Project does not comply with the applicable standard(s).</p>
<p>NMC Division 19.30 - Parking</p>	<p>Minimum required on-site parking and associated parking facility standards.</p>	<p>Not Applicable. Government Code 65863.2 prohibits public agencies from requiring parking for any residential, commercial, or other development project located within one-half mile of a major transit stop. The Site is located within one-half mile of the Downtown Novato SMART station, a major transit stop. Parking, including motorcycle stalls, is not required.</p>
<p>NMC Section 19.30.070. B. 1. & 2.</p>	<ol style="list-style-type: none"> 1. Parking lots shall be designed to prevent vehicle access at any point other than at designated access drives. 2. Parking areas shall provide suitable maneuvering room so that vehicles enter 	<p>Consistent (1 & 2). Although the Project is not required to provide on-site parking, when parking is provided for a project that parking is subject to complying with objective design standards.</p>

	<p>the street in a forward direction, except for single-family homes and duplexes. Non-residential parking lots shall also provide queuing area between the street and the first point where vehicles may maneuver within the parking lot. The queuing area shall have a minimum depth of 20 feet.</p>	<p>The Project includes a first-floor parking garage with a single vehicle entry/exit point which allows vehicles to exit the building in a forward direction facing Scown Lane. The parking garage includes a queuing area with a depth of 20 feet and width of 12 feet.</p>
<p>NMC Section 19.30.070 D.</p>	<p>Minimum parking space dimensions shall be as follows:</p> <ul style="list-style-type: none"> a. Residential parking spaces within carports and garages shall have minimum dimensions of 20 feet in length by 10 feet in width. b. Standard parking spaces shall be 9 feet by 19 feet. c. Compact parking spaces within a non-residential project, up to a maximum of 20 percent of total number of required spaces, may be 8½ feet by 17 feet. d. Parallel parking spaces shall be 8 feet by 24 feet. e. The width of a parking space shall be increased by one foot if either side of the space is adjacent to a wall, fence, support column or other structure. 	<p>Inconsistent (a). The Project plans identify six (6) parking garage spaces that have substandard dimensions of 18 feet in length by 9 feet in width; an additional two (2) parking spaces are shown in separate, independent parking garage spaces that have standard residential parking dimensions (10 feet by 20 feet).</p> <p>Not applicable (b). The Project does not include any standard parking spaces (i.e., surface parking).</p> <p>Inconsistent (c). The Project plans identify eight (8) covered parking stalls, of which six (6) are identified as compact parking. Based on the proposed number of parking stalls, up to two (2) may be compact. The Project does not comply with the applicable standard.</p> <p>Not applicable (d). The Project does not include parallel parking stalls.</p> <p>Inconsistent (e). The Project plans identify residential parking garage spaces that are less than 11 feet in width and located</p>

		adjacent to a wall and/or support column. The Project does not comply with the applicable standard(s).
NMC Section 19.30.070. E.	<p>E. 1. Continuous concrete curbing at least six inches high and six inches wide shall be provided along the edges of parking spaces adjacent to fences, walls, sidewalks, other structures, and landscaping.</p> <p>E. 2. Use of individual wheel stop blocks is prohibited except in work areas, parking areas not open to the public, and in other locations when deemed necessary by the Director.</p>	Inconsistent. The plans for the Project do not contain any information indicating whether continuous curbing at least six inches high and six inches wide shall be provided along the edges of parking spaces adjacent to fences, walls, sidewalks, other structures and landscaping. There is insufficient evidence to determine whether the Project is consistent with this standard. Wheel stop blocks are not shown on the plans.
NMC Section 19.30.070. F.	Parking spaces, aisles, approach lanes and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.	Inconsistent. The plans for the Project do not contain any information about parking striping for arrows and lines at parking spaces, and aisles. There is insufficient evidence to determine whether the Project is consistent with this standard.
NMC Section 19.30.070. G.	Parking areas shall not exceed a grade of 10 percent measured in any direction.	Consistent. The Project's surface and garage parking areas do not have a grade exceeding 10 percent.
NMC 19.30.070. K.	Striping and Identification. Parking spaces shall be clearly outlined with four-inch wide lines painted on the surface of the parking facility. Circulation aisles, approach lanes, and turning areas shall be clearly marked with	Inconsistent. The plans for the Project do not contain any information about parking striping for arrows and lines at parking spaces, and aisles. There is insufficient evidence to determine whether the Project is consistent with this standard.

	directional arrows and lines to ensure safe traffic movement.	
NMC 19.30.070. L.	Surfacing. Parking spaces, driveways, and maneuvering areas shall be paved and permanently maintained in compliance with the standards in Subsection 5-17.008e of the Development Standards.	Inconsistent. The plans for the Project do not contain any information about surfacing for parking spaces, driveways and maneuvering areas. There is insufficient evidence to determine whether the Project is consistent with this standard.
NMC 19.30.080 B. & D.	<p>B. Multi-Family and Nonresidential Uses. Drive aisles within multi-family residential and nonresidential parking areas shall be designed and constructed in compliance with the following standards:</p> <p>81 or more degrees 24-foot (minimum width).</p> <p>D. Clearance from Obstruction. The nearest edge of a driveway apron or curb return shall be at least five feet from the nearest property line, centerline of a fire hydrant, utility pole, traffic signal, light standard, or other similar facility.</p>	Inconsistent. The parking garage serving the Project has a 12-foot-wide queueing area and 19-foot-wide drive aisle. The parking garage's entryway is located directly on the rear property line and there are two landscape planter areas located at this entry point. The Project does not comply with the applicable standard(s).
NMC Section 19.30.090 B.1.	Each bicycle parking space shall include a stationary parking device to adequately secure the bicycle.	Inconsistent. The plans for the Project indicate eight bicycle parking stalls are proposed, however, the plans do not contain any information about stationary parking devices to adequately secure bicycles. There is insufficient evidence to determine whether the Project is consistent with this standard.
NMC Section 19.30.090 B.2.	Aisles providing access to bicycle parking spaces shall be at least five feet in width.	Inconsistent. A 4-foot-wide aisle is provided to access the bicycle racks

	<p>Each bicycle space shall be a minimum of two feet in width and six feet in length, and have a minimum of seven feet of overhead clearance.</p> <p>Land uses required to provide bicycle parking spaces shall provide bicycle and pedestrian paths to and from the required parking and locker facilities; access across the site frontage; and provide connections through the interior of the site to any adjacent public open space, rights-of-way, park or community facilities.</p>	<p>located at the ground floor of the building. The Project does not comply with the applicable standard(s).</p> <p>Inconsistent. The plans for the Project indicate vertical bicycle racks that measure 2 feet in width and 3 feet in depth per bicycle stall. The Project does not comply with the applicable standard(s).</p> <p>Consistent. The plans for the Project indicate pathways are provided to the bicycle parking area.</p>
<p>NMC Section 19.30.100 A. and B.</p>	<p>Number of Spaces Required.</p> <p>A. A minimum of one motorcycle parking space shall be provided for each 50 automobile spaces or fraction thereof.</p> <p>B. Space Dimensions. Motorcycle spaces shall have minimum dimensions of four feet by seven feet.</p>	<p>Not Applicable. Government Code 65863.2 prohibits public agencies from requiring parking for any residential, commercial, or other development project located within one-half mile of major transit stop. The Site is located within one-half mile of the Downtown Novato SMART station, a major transit stop. Motorcycle parking is not required.</p>
<p>NMC Section 19.30.110 B.</p>	<p>Number of Loading Spaces Required. Nonresidential uses with less than 10,000 square feet of gross floor area shall provide one loading space, which may be combined with parking spaces.</p>	<p>Consistent. Although the Project is not required to provide on-site parking, when parking is provided for a project that parking is subject to complying with objective design standards.</p> <p>The plans for the Project identify a commercial space that is under 10,000 square feet and as such is required to provide one (1) loading space. The plans</p>

		for the Project identify an off-street loading space at the garage entrance.
NMC Section 19.30.110 C.	Minimum loading space dimensions shall be 12 feet in width, 45 feet in length, and with 14 feet of vertical clearance. Loading spaces for office facilities and nonresidential land uses of less than 10,000 square feet may be 10 feet in width by 30 feet in length, and may be combined with parking spaces.	Inconsistent. The plans for the Project identify a loading space at the entrance of the garage parking area. The loading space is 12 feet in width and approximately 20 feet in depth with a 12.5-foot ceiling height. The Project does not comply with the applicable standard(s).
NMC Section 19.34.030 N.1.a (Attached Accessory Dwelling Unit)	<p>(1) Unit Size: The maximum gross floor area shall be 50 percent of the living area of the existing or proposed primary dwelling unit up to a maximum floor area of 850 square feet for a studio or one bedroom unit or 1,000 square feet for a unit of two or more bedrooms. A minimum of two bedrooms are required for any unit over 850 square feet in floor area.</p> <p>(2) Maximum Floor Area Ratio. As specified in article 2 based on applicable zoning district.</p> <p>(3) Maximum Building Coverage. As specified in Article 2 based on applicable zoning district.</p> <p>(4) Setbacks:</p> <ul style="list-style-type: none"> i. Minimum side and rear setbacks of 4 feet. ii. Minimum front setback as required by the zoning district applicable to the primary dwelling as specified in Article 2 of this title. <p>(5) Fire Protection Building Separation Requirement. An attached accessory dwelling unit shall maintain a minimum</p>	<p>Inconsistent (1). The plans for the Project show an accessory dwelling unit that is larger than 1,000 square feet. The Project does not comply with the applicable standard(s).</p> <p>Consistent (2). The Project proposes a 1.93 FAR where a maximum 2.0 FAR is allowed.</p> <p>Consistent (3). The Project proposes 100 percent lot coverage where 100 percent lot coverage is allowed.</p> <p>Inconsistent (4). The Project plans do not contain any information about the location of the accessory dwelling unit relative to the proposed multi-family dwelling units. There is insufficient evidence to determine whether the Project is consistent with this standard.</p>

	<p>building separation distance of 3 feet from any other building(s) on the lot.</p> <p>(6) Height Limit. Maximum height of 25 feet or the height limitation in the underlying zone, whichever is lower. The height of an accessory dwelling unit shall be measured in accordance with subsection 19.20.070.B (height measurement). Architectural, decorative, and other roof elements (i.e., mechanical equipment, roof vents, chimney etc.) attached to the accessory dwelling unit shall not exceed this height limit. An attached ADU shall not exceed two stories.</p> <p>(7) Separate Entry. A separate exterior entryway shall be required independent of the primary dwelling unit's entry.</p> <p>(8) Interior Connection. An attached accessory dwelling unit shall not have any interior passageway (e.g., doorway, pass-through, etc.) connecting to the interior space of the primary dwelling unit.</p>	<p>Consistent (5). The Project plans do not identify any additional structures on the Project Site.</p> <p>Inconsistent (6). The Project plans do not contain any information about the location of the accessory dwelling unit relative to the proposed multi-family dwelling units. There is insufficient evidence to determine whether the Project is consistent with this standard.</p> <p>Consistent (7). The Project plans demonstrates that each of the proposed units will have separate exterior entryway access.</p> <p>Consistent (7). The Project plans demonstrate that each of the proposed units will not have interior passageways connecting to the interior spaces of adjacent units.</p>
<p>NMC Section 19.34.100 C.</p>	<p>The FAR allowed by the applicable zoning district may be increased within the Downtown Core Retail, Downtown Core Business and Neighborhood Commercial districts pursuant to Section 19.12.040, Table 2-8, and for projects in the Mixed Use district pursuant to Section 19.14.040, Table 2-10, where the difference between the base FAR and up to the maximum FAR allowed by the applicable zoning district is entirely used for residential purposes.</p>	<p>Consistent. The Project proposes a 1.93 FAR where a maximum 2.0 FAR is allowed.</p>

<p>NMC Section 19.34.100 E.</p>	<p>Setbacks. Structures with heights greater than 20 feet shall set back the upper portions of the structure a minimum of 10 feet from the side property lines for each additional story above two.</p>	<p>Inconsistent. The plans for the Project do not indicate an upper story setback of 10 feet at the 2nd through 3rd floors. The Project does not comply with the applicable standard(s).</p>
<p>NMC Section 19.34.100 K. NMC Section 19.34.124 B.2.</p>	<p>K. A minimum outdoor open space area of 150 square feet shall be required for each dwelling unit in accordance with the standards in Section 19.34.124 B.</p> <p>2. Standards for Required Open Space.</p> <p>a. The minimum open space area required by this Section shall have no other primary use.</p> <p>b. At least one-half of the required open space shall be immediately available to and private for the occupants of each dwelling unit, while the remainder may be combined in common areas available to other residents of the project.</p> <p>c. The open space area may include a deck or balcony having no dimension less than six feet.</p> <p>d. Front yard setbacks may be used only as common open space areas, except for allowable deck projections.</p>	<p>Inconsistent. The Project is required to provide 1,050 square feet of open space, of which 525 square feet must be allocated for private use (e.g., patio or balcony) at 150 square feet of area for each individual multi-family housing unit and 525 square feet of common open space. <i>(Accessory dwelling unit is excluded from Project's required open space calculation)</i></p> <p>The plans for the Project do not indicate the provision of any common open space. The plans identify approximately 59 square feet of private open space for each individual housing unit.</p> <p>The Project does not comply with the applicable standard(s).</p>

Novato Municipal Code (NMC) – Chapter 5, Development Standards		
MUNICIPAL CODE REFERENCE	DEVELOPMENT STANDARD	CONSISTENCY REPORT
NMC Section 5-15.008	NMC 5-15.008 a. to h. provides standards detailing the calculations and minimum design requirements for on-site drainage improvements and connections to the public stormwater drainage system. These standards are lengthy; refer to NMC 5-15.008.	Inconsistent. No information was provided by Sandbank regarding on-site drainage improvements and connections to the public stormwater drainage system. As such, it is not possible to determine whether the Project complies with the applicable standards.
NMC Section 5-27.008	NMC 5-27.008 requires construction detail improvement plans addressing drainage, grading, construction of pavement sections, gutters and sidewalks, profiles drawn to scale showing ground and grade elevations on centerline elevations of all streets, highways, walkways, alleys, sanitary and storm sewers, and drainage ways.	Inconsistent. Sandbank did not submit construction detail improvement plans addressing many of the applicable standards of NMC Chapter 5 as detailed separately herein.
NMC Section 5-28.008	NMC 5-28.008 provides standards addressing landscaping, screening, and hydroseeding. These standards are generally duplicative of those contained in NMC Division 19.28.	Refer to the determinations regarding the Project's compliance with NMC Division 19.28 above.
NMC Section 5-34.008. b.1.(b)	(b) Walkways shall also be provided to connect the primary points of origination and destination within the project such as parking with unit, common recreation area with units which it serves, etc.	Not Applicable. The Project fronts directly onto Grant Avenue with no setback. A walkway connection to the primary points of origination and destination within the Project is not required.
NMC Section 5-34.008. b. 2. (a), (c), (d), and (e)	(a) Width. Walkways shall be at least four feet in width. Additional width may be required based on numbers and/or size of units which a common walkway serves.	Consistent (a, c, d & e). The plans for the Project do not contain any walkways.

	<p>(c) Paving. Same as for sidewalks [Portland cement concrete; 4" minimum thickness].</p> <p>(d) Obstructions. Same as for sidewalks.</p> <p>(e) Walkways shall be in conformance with the latest regulations for handicapped access adopted by the Office of the State Architect.</p>	
<p>NMC Section 5-37.008</p>	<p>All developments and use proposals shall include provisions for connection to the public sewage facilities of the Novato sanitary district or other publicly-owned sewage facilities.</p>	<p>Conditional Deferral. The Department will recommend conditionally deferring compliance with NMC Section 5-37.008 to the building permit phase when construction detail information is prepared for the Project. Construction detail information will allow the Novato Sanitary District to review detailed sewer connection and plumbing designs and issue a will serve letter as appropriate.</p>
<p>NMC Section 5-41.008 b.</p>	<ol style="list-style-type: none"> 1. In all developments, solid waste collection points shall be provided within 75 feet of a through or cul-de-sac street. 2. Where provision 1, above, results in a common collection point accommodating three or more units, a screened platform or paved area, of sufficient size to accommodate a 35-gallon size container for each unit, shall be provided. 3. Where a bin-type container is to be used to store solid waste for collection, the location of that bin and the access thereto shall allow adequate maneuvering room for a truck eight feet in width, 26½ feet in length, 	<p>Consistent. The Project includes a solid waste storage area in the northwestern portion of the ground floor of the mixed-use building that is located within 75 feet of Scown Lane.</p> <p>Inconsistent (Nos. 2, 3, and 4). The plans and documents submitted for the Project do not describe the type and size of proposed trash and recycling containers. Therefore, it is not possible to determine consistency with the noted requirements.</p>

	<p>an inside turning radius of 25 feet and an outside turning radius of 36 feet.</p> <p>4. Where bin-type containers are to be used to store solid waste for residential developments such bins shall be provided on the basis of one 3-yard bin for each eight dwelling units.</p>	
NMC Section 5-53.008 b.1.	All utility transmission lines shall be installed underground.	Consistent. The plans for the Project do not identify any above-ground utility lines.
NMC Section 5-55.008	Each use or development proposal which involves or requires water service (domestic, commercial, industrial, agricultural) either for sanitary use, consumption, production, irrigation or visual amenity, shall provide for such water by agreement with the North Marin County Water District.	Conditional Deferral. The Department will recommend conditionally deferring compliance with NMC Section 5-55.008 to the building permit phase when construction detail information is prepared for the Project. Construction detail information will allow the North Marin Water District to review detailed water connection and plumbing designs and issue a will serve letter as appropriate.