

PLANNING COMMISSION RESOLUTION

RESOLUTION NO. _____

RESOLUTION OF THE NOVATO PLANNING COMMISSION REPORTING THAT THE CITY OF NOVATO'S PURCHASE OF APPROXIMATELY 90-ACRES OF LAND OWNED BY THE TRUST FOR PUBLIC LAND IS CONSISTENT WITH THE NOVATO GENERAL PLAN WITH RESPECT TO THE PURPOSE, LOCATION, AND EXTENT OF THE PROPOSED LAND ACQUISITION

WHEREAS, the Trust for Public Land ("TPL") owns five-parcels identified as Assessor's Parcel Nos. 155-400-01, -02, -04, -06, and -07 (hereafter "Property"), comprising approximately 90-acres of land; and

WHEREAS, TPL received the Property as a charitable gift with the intent that TPL would sell the Property to support the non-profit organization's charitable activities; and

WHEREAS, TPL has determined the time is appropriate to sell the Property to help fund the organization's charitable programs; and

WHEREAS, TPL desires to sell the Property to a public agency rather than a private entity so that the Property may provide future community benefits, which is in keeping with the organization's charitable mission; and

WHEREAS, TPL has offered to sell the Property to the City of Novato ("City") at a substantially discounted price; and

WHEREAS, the Property abuts the Marin Valley Mobile Country Club Estates ("MVMCC"), a City owned mobile home community; and

WHEREAS, the Property has steep slopes and other natural features that adjoin numerous residences at MVMCC, which makes long-term maintenance of the Property a point of interest for the City and residents of the MVMCC; and

WHEREAS, the Property is assigned the Low Density Residential (R1) land use designation of the Novato General Plan, which assumes future development of the Property with single-family residences; and

WHEREAS, a future residential development proposal involving the Property would likely require access through and the use of infrastructure improvements constructed for and maintained by MVMCC; and

WHEREAS, the City has an interest in acquiring the Property to maximize control of futures uses thereon given the Property's proximity and relationship to MVMCC; and

WHEREAS, the City intends to purchase the Property from TPL for purposes of obtaining control of the Property to assure maintenance of the Property to protect adjacent residences at MVMCC and to maintain maximum authority with respect to any future use of the Property; and

WHEREAS, California Government Code Section 65402(a) requires the Planning Commission to provide a report to the City Council as to whether the purpose, location, and extent of the proposed acquisition of the Property is consistent with the Novato General Plan; and

WHEREAS, the Novato Planning Commission held a public meeting on January 6, 2014, to review and provide a report to the City Council regarding whether the City's purchase of the Property is consistent with the Novato General Plan with respect to the purpose, location, and extent of the acquisition; and

WHEREAS, the Planning Commission's report to the City Council does not constitute a project recommendation or otherwise authorize the implementation of any particular use at the Property. Accordingly, the Planning Commission is not required to provide a recommendation regarding an environmental determination pursuant to the California Environmental Quality Act (CEQA) regarding the City's acquisition of the Property.

NOW, THEREFORE, BE IT RESOLVED that the Novato Planning Commission does hereby report, pursuant to the requirements of California Government Code Section 65402(a), that the City's purchase of the Property is consistent with the Novato General Plan, based on the following finding:

1. TPL's offer to the City is an exceptional opportunity to acquire the Property, representing a significant amount of undeveloped, residentially designated land, at a heavily discounted price. The acquisition of the Property will allow the City to better protect MVMCC from a land maintenance perspective, recognizing the Property has steep slopes and other natural features (e.g., trees) that adjoin numerous residences at MVMCC. As the owner of the MVMCC, the City has an interest in ensuring the maintenance of the Property. Acquisition of the Property will permit the City to maintain maximum authority over future use of the Property. The City has an interest in having direct control of the future use of the Property since it is likely any activities conducted at the Property would require the use of infrastructure developed for and maintained by the City at MVMCC. Finally, City ownership of the Property would offer an opportunity to explore options to use the property for greater public benefit. Accordingly, the proposed acquisition is considered to be consistent with the General Plan's broad aim of improving the quality of life in Novato.

Passed and adopted at a regular meeting of the Planning Commission of the City of Novato held on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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I HEREBY CERTIFY that the foregoing is a full, true and correct copy of the resolution which was adopted by the Planning Commission, City of Novato, County of Marin, State of California, on the ____ day of _____.

Chair