

NOTICE OF DETERMINATION

21-2020-215

To: Marin County Clerk
3501 Civic Center Drive, Room #234
San Rafael, CA 94903

Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

From Public/Lead Agency: City of Novato
Community Development Department
922 Machin Avenue
Novato, CA 94945

FILED

NOV 13 2020

SHELLY SCOTT
MARIN COUNTY CLERK
BY: GILARDI , Deputy

Lead Agency Contact: Brett Walker, Senior Planner
415-493-4711

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

State Clearinghouse Number: 2013032070

Project Title: Certified EIR for the 2007-2014 Housing Element; CEQA Guidelines Section 15183 Findings for the Landing Court Homes project

Project Applicant: Pacific Planning Group Inc., for KDB Properties, LLC

Project Location: Landing Court, City of Novato, County of Marin.

- Project Description:** The City of Novato Certified the EIR for the Novato General Plan 2007-2014 Housing Element (Certified EIR) on November 19, 2013. Subsequently, on November 18, 2014, the City Council determined that, pursuant to CEQA Guidelines Sections 15168 and 15162, that the Novato General Plan 2015-2023 Housing Element was consistent with the 2007-2014 Housing Element, and no additional environmental review was necessary. The Certified EIR included a project level review of potential development at the 2-acre (1.5 net acres) project site located on Landing Court, identified as Affordable Housing Opportunity (AHO) Overlay Site No. 2. The project applicant, Pacific Planning Group, has submitted a development project for 32 residential units at the 1.5 net acres AHO site, consistent with one of three density scenarios (20-23 units/acre) analyzed in the Certified EIR. The project includes entitlements for a vesting tentative subdivision map, design review, and density bonus request. A determination has been made that the project is consistent with the development density established by existing zoning and general plan policies for which an EIR was certified, and that no additional environmental review is required, pursuant to CEQA Guidelines Section 15183. The analyses conducted and the conclusions reached in the Certified EIR remain valid, and the project would not cause new significant impacts not identified in the Certified EIR. The Planning Commission determined that 1) The proposed Project is consistent with the development density established by existing zoning and general plan policies; 2) An EIR was certified for the Novato General Plan 2007-2014 Housing Element EIR (State Clearinghouse No. 2013032070), which established the densities for the Project site, identified as AHO Site No. 2; 3) No project-specific significant effects peculiar to the Project or its site were identified; 4) The proposed Project does not require additional environmental studies; and 5) Mitigation measures included in the Certified EIR are feasible and will be undertaken at the Project site.

POSTED 11/13/20 TO 12/13/20

This is to advise that the City of Novato has approved the Project described above on November 9, 2020, and has made the following determinations regarding the project:

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures **were** made a condition of approval of the project.
4. A mitigation reporting and monitoring plan **was** adopted for this project.
5. A statement of Overriding Considerations **was not** adopted for this project.
6. Findings **were** made pursuant to the provisions of CEQA.

This is to certify that the CEQA Guidelines Section 15183 Analysis, final EIR with comments and responses, and record of project approval is available to the general public at: City of Novato, Community Development Department, 922 Machin Avenue, Novato, CA 94945.

Signature: Brett Walker Title: Senior Planner

Date: November 10, 2020

Date Received for Filing (OPR): _____

Pursuant California Code of Regulation 14, §753.5(e)(3), this Notice of Determination filing is not subject to the California Department of Fish and Wildlife (CDFW) environmental document fee. 14 CCR §753.5(e)(3) stipulates that only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife. This Notice of Determination for the project approval described herein does not required the CDFW fee because the approval relies upon the 2007-2014 Housing Element EIR (State Clearinghouse No. 2013032070). The NOD for the 2007-2014 Housing Element EIR was filed on November 21, 2013, and the CDFW environmental document fees were paid at that time. See attached stamped Notice of Determination and the receipt of fees paid.