

Notice of Determination (NOD)

To:

Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk
County of: MARIN
Address: 3501 Civic Center Dr. #234
San Rafael, CA 94903

From:

Public Agency: City of San Rafael
Address: 1400 Fifth Street
San Rafael, CA 94901

Contact: Barry Miller, Consulting Project
Manager

Phone: 415-485-3423
Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of NOD in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: 2019039167

Project Title: San Rafael Zoning Ordinance Revisions and Downtown Code

Project Location (include county): City of San Rafael, Marin County

Project Description:

The City prepared a Downtown Precise Plan (Precise Plan) concurrently with its General Plan 2040. The Downtown Precise Plan will be implemented by a Form Based Zoning Code known as the Downtown Code, adopted concurrently with the Precise Plan. The Downtown Code amends the San Rafael Municipal Code Title 14, Zoning. It replaces existing zoning regulations for properties in the Downtown Precise Plan Area with the exception of the Latham Street area, which retains its Multifamily Residential District ([Medium Density] 2,500 square feet per dwelling unit [MR2.5]) zoning designation, and the existing open space and public facility zoning designations. The Downtown Code consists of new form-based zoning regulations organized into a coordinated set of articles and incorporated into the Zoning Ordinance by reference.

The Downtown Code describes the types of uses that are allowed in each zone, which includes categories such as automotive, commercial, entertainment, food, lodging, medical offices, offices, public assembly, public and quasi-public, residential, temporary uses, transportation, and services. Uses that are not listed are not allowed unless the Community Development Director determines that the proposed use is similar to a listed use. Otherwise, these uses are either allowed by-right, through Administrative Use Permits, Conditional Use Permits, or through a Zoning Administrator. The proposed Downtown Code is intended to reduce regulatory barriers to development and facilitate development by removing abstract and uncoordinated regulations of the existing use-based Zoning Code.

This is to advise that the City of San Rafael acting as the Lead Agency approved the above-described project on August 16, 2021 and has made the following determinations regarding the above described project.

1. The project will 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 the approval of the project.
4. A Mitigation Reporting or Monitoring Plan was adopted for this project.
5. A Statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at: 1400 Fifth Ave, San Rafael, CA 94901

Signature (Public Agency): *Barry Miller* **Title:** Consulting Project Manager
Date: August 17, 2021

Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.