

21-2023-107

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

From: City of Novato
922 Machin Avenue
Novato, CA 94945

Marin County Clerk
3501 Civic Center Drive, Suite 234
San Rafael, CA 94903

FILED

MAY 23 2023

SHELLY SCOTT
MARIN COUNTY CLERK

By *O. Lobato* Deputy

Project Title: Gas Station Ordinance – Zoning Text Amendments

Project Location: Citywide - City of Novato, County of Marin

Assessor Parcel No.: N/A

Description of Project: Amend Novato Municipal Code Chapter XIX (Zoning), Article 3, Subsection 19.52.022.H to allow the restoration or reconstruction of a non-conforming gas station as it existed immediately prior to it being damaged or destroyed subject to the broader limitations of the noted subsection.

Public Agency Taking Approving the Project: City of Novato

Person or Agency Carrying Out Project: City of Novato

Exempt Status:

Categorical Exemption: CEQA Guidelines Sections 15302 and 15305

Reasons Why Project is Exempt: CEQA Guidelines Section 15302 applies to projects involving the replacement or reconstruction of existing structures and facilities where the replacement or reconstructed structure is located on the same site of and has substantially the same purpose and capacity as the structure being replaced. The amendments allow an existing gas station damaged or destroyed by any means to be restored or reconstructed at the site on which it is located with the same purpose and capacity (e.g., gallons of fuel storage, number of fuel dispensers, etc.) as previously found and subject to compliance with the broader provisions of Municipal Code Section 19.52.022.

CEQA Guidelines Section 15305 exempts projects involving minor alterations to land use limitations, such as zoning text amendments, as applied to sites with a slope of less than 20% and which do not result in any change in land use or density. The amendments apply to twelve (12) existing gas stations and prospectively to two (2) pending applications for new gas stations. These gas stations are sited/proposed on land with less than a 20% slope. The amendments allow a gas station damaged or destroyed by any means to be restored or reconstructed as found immediately before being damaged or destroyed, including placement in the same location and with the same purpose and capacity (e.g., gallons of fuel storage, etc.) as previously found. The amendments do not result in any changes in land use or development intensity applicable to existing gas stations.

Lead Agency Contact Person: Steve Marshall **Title:** Planning Manager **Phone:** (415)899-8942

Signature: *Steve Marshall* **Date:** 5/23/23
Steve Marshall, Planning Manager

Signed by Lead Agency **Signed by Applicant** Date received for filing at OPR: _____

POSTED 5/23/23 TO 6/22/23