

Notice of Exemption 21-2025-005

Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044  
  
County Clerk  
County of: Marin  
3501 Civic Center Drive, #234  
San Rafael, CA 94903

From: (Public Agency): Town of Fairfax  
Planning & Building Services Department  
142 Bolinas Road, Fairfax, CA 94930  
  
(Address)

Project Title: Adopt ordinance adding Chapter 9.30 (Camping on Public Property) to Title 9 (Public Peace, Morals and Welfare) to the Town Code

Project Applicant: Town of Fairfax

Project Location - Specific:  
Applies within the town limits of Fairfax

Project Location - City: Fairfax, CA Project Location - County: Marin

Description of Nature, Purpose and Beneficiaries of Project:

Ordinance amendment adds an enforceable prohibition on camping on public property and aligns with case law by targeting the act of camping and storing of personal property rather than the status of individuals. Provisions mandate that enforcement officers provide notice and opportunities for individuals to remove belongings before enforcement action and requires storage of personal property with the opportunity for retrieval prior to disposal. The presence of encampments in specific areas within the Town poses a threat to the public health, safety and welfare of those residing in the encampments and the community at large because of the damage to public property, risk of fire, unsanitary conditions, environmental degradation and restricted access for other lawful users of the property as well as for maintenance, operations, or emergency services purposes.

**FILED**  
**JAN 14 2025**  
**SHELLY SCOTT**  
**MARIN COUNTY CLERK**  
BY: [Signature], Deputy

Name of Public Agency Approving Project: Town of Fairfax

Name of Person or Agency Carrying Out Project: Heather Abrams, Town Manager

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15061(b)(3) "general rule"; 15307, 15308
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

It can be determined with certainty that there is no possibility that the activity in question (ordinance adoption) may have a significant effect on the environment. Alternatively the ordinance adoption will protect the environment and natural resources.

Lead Agency  
Contact Person: Jeffrey Beiswenger Area Code/Telephone/Extension: (415) 458-2346

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 1-14-2025 Title: Planning & Building Services Director

Signed by Lead Agency     Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

POSTED 1/14/2025 TO 2/13/2025