

## **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 County  
**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 General Plan Housing Element 2023-2031 and Safety and Resilience Element Update

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

**Project Description:**

Pursuant to State law the housing element is required to be updated every eight years to ensure an adequate amount and type of housing is planned and the safety element is required to be updated as needed to ensure hazards are appropriately considered. The approved project consists of the San Rafael General Plan Housing Element 2023-2031, which includes changes that respond to new state laws related to affirmatively furthering fair housing, as well as deletion of completed programs, consolidation of similar or related programs, new programs responding to emerging issues, and amendments to other programs and/or revised timelines and demonstrates that the City has capacity to meet its "fair share" of the region's housing needs over the 2023-2031 planning period. The approved project also includes the San Rafael General Plan Safety and Resilience Element Update, which is limited to the identification of evacuation routes and mapping of areas with only one means of ingress and egress, as required by Senate Bill 99.

This is to advise that the City of San Rafael as the Lead Agency for the above-described project has made the following determinations regarding the above-described project:

1. No further environmental review is required for the amendment to the San Rafael General Plan.
2. The proposed modifications to the original project described and certified in the EIR in August 2021, as analyzed in the Addendum adopted on May 15, 2023, and approved by the City, will result in no new significant adverse effects or substantially increase the severity of significant effects previously identified in the EIR. Thus, the current proposed project meets all the conditions for an Addendum.
3. The mitigation measures that were adopted and incorporated into the project analyzed in the EIR will remain in effect. No new or modified mitigation measures were identified in the Addendum.
4. A Statement of Findings and a Statement of Overriding Considerations were made at the time of approval of the project analyzed in the EIR. No changes to these Statements are required as a result of the proposed project evaluated in the Addendum.

This is to certify that the 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:** May 16, 2023

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

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