

JAN 25 2024

MELISSA !}J)•J°unt. Clerk
By _____ Deputy

NOTICE OF EXEMPTION.

California Environmental Quality Act (CEQA)

DATE: January 18, 2024

TO: Alameda County Clerk
1106 Madison Street
Oakland, CA 94607

Office of Planning and Research
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

FROM: City of Oakland
Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Contact: Laura Kaminski, Strategic Planning Manager, (510) 238-6809

SUBJECT: Filing of Notice of Exemption in compliance with Section 21108 or 21152 of the Public Resources Code

PROJECT TITLE: Keeping Kids Close To Home Act And Clean-Up Planning Code Amendments

STATE CLEARINGHOUSE NUMBER (If submitted to State Clearinghouse): The Ordinance relies on the certified Oakland 2045 GPU Phase 1 Environmental Impact Report (EIR), State Clearinghouse No. 2022030800, and is categorically exempt from CEQA pursuant to Sections 15061 (b)(3) (general rule, no significant effect on the environment) and 15183 (projects consistent with General Plan and Zoning) of the CEQA Guidelines. The proposed Ordinance would not result in any significant effect that has not already been analyzed in the 2045 GPU Phase 1 EIR, and there will be no significant environmental effects caused by the change that have not already been analyzed in this EIR. As a result, none of the circumstances necessitating preparation of additional environmental review, as specified in CEQA and the CEQA Guidelines, including, without limitation, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 or 15163 are present in that: (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no new information of substantial importance," as defined in CEQA Guidelines Section 15162(a)(3).

PROJECT APPLICANT: City of Oakland, Bureau of Planning

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: Ordinance (1) Amending Chapter 17.10 Of The Oakland Planning Code, As Recommended By The Planning Commission, To Revise The Definitions For Permanent Residential And Semi-Transient Residential Activity Types; (2) Amending The Planning Code, As Recommended By The Planning Commission, To Incorporate Various Clean-Up Items Related To The General Plan Update Phase I Planning Code Amendment Package; (3) Amending The Existing Exemption From Business Taxes For Family Daycares Under Section 5.04.263 Of The Oakland Municipal Code To Conform With The Keeping Kids Close To Home Act (Senate Bill 234); And (4) Making Related California Environmental Quality Act Findings.

This Notice of Exemption (NOE) advises that the City of Oakland as the Lead Agency for the above described Project has approved the Project and has made the following determinations on January 18, 2024. The City has determined that the City's action is exempt from CEQA pursuant to CEQA Guideline Section 15183: Approvals consistent with a Community Plan, General Plan or Zoning and Section 15303 (new construction or conversion of small structures).

NOTE: Separately and independently from the above CEQA exemptions, the Project also complies with CEQA for the following reasons. Please see/reference an accompanying and complementary filed Notice of Determination:

Reliance on the Oakland 2045 GPU Phase 1 Environmental Impact Report (EIR), Resolution No. 89907 C.M.S., passed on September 26, 2023, No further environmental review is required under CEQA Guidelines Sections 15162 and 15163.

Jan. 29, 2024
Date

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Deputy Director, Department of Planning and Building
Environmental Review Officer

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

City of Oakland - Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Contact: Laura Kaminski,
Strategic Planning Manager

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

JAN 25 2024

MELISSA MILK, County Clerk
By _____ Deputy

FILE NO: 21-017

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT: (PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION/ STATEMENT OF EXEMPTION

A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,916.75 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 4,051.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

*****A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2024

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK