

## CEQA NOTICE OF EXEMPTION

**TO:** County Clerk  
County of Humboldt  
825 5<sup>th</sup> Street  
Eureka, CA 95501

Office of Planning Research  
State Clearinghouse

**FROM:** City of Eureka, Lead Agency  
Development Services - Planning  
Cristin Kenyon, Development Services Director  
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**PROJECT TITLE:** September 2023 Inland Zoning Code Update

**PROJECT APPLICANT:** City of Eureka Development Services - Planning

**PROJECT LOCATION:** Inland portion of the City of Eureka

**PROJECT DESCRIPTION:** On October 17, 2023, the Eureka City Council adopted Bill No. 1032-C.S., "An Ordinance of the City of Eureka amending portions of Eureka Municipal Code Chapter 155 for the September 2023 Zoning Code Update" (originally effective June 20, 2019) which generally consists of corrections to errors and inconsistencies, minor additions to improve code readability and address omissions, clarifications addressing questions of interpretation, and changes necessary for compliance with State laws. There are also changes proposed to help the City earn a "Prohousing Designation" from the California Department of Housing and Community Development (HCD), including reducing the deadline for City action on accessory dwelling unit applications from 60 to 45 days, as well as adding language to ensure the City's density bonus provisions (155.344) will be applied consistent with State Density Bonus Law (CA Govt. Code 65915 et seq.). The changes are intended to better implement the vision, goals and policies of the 2040 General Plan, and have been reviewed to ensure the Zoning Code remains internally consistent.

**EXEMPTION FINDINGS:** The City of Eureka as Lead Agency has determined that the above described activity is subject to the California Environmental Quality Act (CEQA). In 2018, the City of Eureka prepared the City of Eureka 2040 General Plan Update Program EIR (State Clearinghouse #2016102025) in its capacity as lead agency and in compliance with CEQA. The EIR consisted of the Notice of Preparation, the Draft EIR including technical appendices, the

Responses to Comments, Final Corrections and Additions, and the Project Findings and Statement of Overriding Considerations. The City of Eureka 2040 General Plan EIR was certified by the City Council on October 15, 2018, at the same time the General Plan was adopted. In order to adopt the 2019 Zoning Code Update and pursuant to Public Resources Code §21166 and §15162 of the CEQA Guidelines, an Environmental Impact Report Addendum was prepared and accepted by Council in May 2019.

The Lead Agency has determined that the project is exempt from CEQA pursuant to the CEQA Guidelines, §15061, where the activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the Text Amendment does not modify the intent, purpose or general applicability of Chapter 155, and because proposed changes are aligned with and implement the vision, goals and policies of the 2040 General Plan, adoption of the amendment will have no significant effect on the environment. Staff has reviewed the zoning code revisions currently proposed, and has determined the amendment does not meet any of the conditions required by CEQA to prepare a subsequent EIR or even another addendum.

The material supporting the above finding is on file with the City of Eureka's Development Services - Planning. Copies of the documents related to the evaluation of this project are available for review upon request at the City of Eureka, 531 K Street, Eureka, CA 95501.

  
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Cristin Kenyon  
Development Services Director, City of Eureka

October 19, 2023  
Date