Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Humboldt
825 5th Street 5th Floor
Eureka CA, 95501

From: (Public Agency): City of Fortuna
621 11th Street
Fortuna CA, 95540
(Address)

Project Title: Approval of a Conditional Use Permit for an Accessory Structure with a Proposed Height of 26 feet, Which Exceeds the Zoning Code Standards of 15-foot Maximum Height.

Project Applicant: Donald Cleek

Project Location - Specific:

969 Elizabeth Barcus Way, Fortuna CA, 95540

Project Location - City: Fortuna Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

The applicant is proposing to construct a 1,728 square foot detached accessory structure with a proposed height of 26 feet which exceeds the 15-foot accessory building height limit allowed in the Residential Estates zone. Fortuna Municipal Code § 17.03.010 (E) establishes procedures for exceptions to the maximum accessory structure height of 15 feet through the granting of a use permit. The structure will include an internal 1,164 square foot, 2-bedroom 2-bath accessory dwelling unit on the second story. The inclusion of the accessory dwelling unit allows for the utilization of a reduced setback to four (4) feet at the side property line in lieu of the required six (6) foot setback for Zone RE 20 (B4 overlay).

Name of Public Agency Approving Project: City of Fortuna

Name of Person or Agency Carrying Out Project: Donald Cleek

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: Section 15303 Class 3 exemption, Section 15332 Class 32
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 New Construction or Conversion of Small Structures. Class 3 exemption may be used for small, limited-scale new construction or conversions of structures. The project qualifies for a Class 32 exemption under the California Environmental Quality Act (CEQA) as a categorical exemption for infill development projects, defined in CEQA Guidelines Section 15332. The project must be located within city limits on a site of no more than five acres, be consistent with applicable general plan and zoning designations, not have significant impacts on traffic, noise, air, or water quality, and not involve sensitive habitats.

Lead Agency Contact Person: Katey Schmidt Area Code/Telephone/Extension: 707-725-1408

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: Katey Schmidt Date: 10/23/25 Title: Senior Planner

▪ 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: 10/23/2025

Revised 2011

☐