

**ATTACHMENT 6**

**CEQA ADDENDUM TO THE  
PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT**

**The General Plan Update Program Environmental Impact Report (EIR)  
(State Clearinghouse # 2007012089), October 23, 2017**

**APN 522-272-006, 39621 State Highway 299, Willow Creek, Humboldt County**

**Prepared By**  
**Humboldt County Planning and Building Department**  
**3015 H Street, Eureka, CA 95501**

**August 2018**

## **Background**

**Modified Project Description and Project History** - The project involves a Zone Reclassification (ZR) to change the zoning of APN 522-272-006 from Agriculture General (AG) to Community Commercial (C-2) and Flood Plain (FP) in order to implement the General Plan land use designation of Commercial Services (CS) and Conservation Floodway (CF). The CS land use designation is intended for heavy commercial uses and compatible light industrial uses not serving day to day needs. The CF land use designation applies to the channels of river and streams, including the areas which carry normal flood waters or the area between existing or planned levees, dikes or other such flood control features, and in which agricultural and limited recreational uses may be desirable or permissible.

Within the General Plan EIR it is noted that:

“Foreseeable future development actions that may tier off of this EIR include amendment of the zoning ordinance, applications for approval of subdivisions, coastal development permits, conditional use permits, and special permit requests that are consistent with the updated General Plan and within the scope of this RDEIR.”

Furthermore, CEQA statute (§21083.3(b)) allows that if a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report.

The modified project description involves a zone reclassification from Agriculture General (AG) to Community Commercial (C-2) and Flood Plain (FP) to be consistent with General Plan designations of CS and CF, respectively. The Zoning Consistency Matrix contained in Table 4-H of the adopted EIR shows that the proposed zoning is consistent with the compatible zones within the Commercial Services and Conservation Floodway land use designations. Conversely, the existing zoning of AG is not listed as a compatible zoning district for either land use designation.

The parcel is currently vacant, however, the applicant has proposed a drive-through coffee shop on a portion of the parcel. The parcel is within the water service area of the Willow Creek Community Services District.

The land use patterns in the area transition from commercial to agricultural parcels as you leave the town of Willow Creek. The parcel immediately north and west are both planned and zoned for commercial uses.

The General Plan Environmental Impact Report (EIR) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the General Plan update which included adoption of land use designations.

The uses proposed at the parcel are consistent with the General Plan designation and the proposed zoning. Additionally, the parcel was created by a subdivision that was approved by the

Humboldt County Planning Commission on March 22, 1966.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration (MND) have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR or MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous EIR or MND; B) significant effect previously examined will be substantially more severe than shown in the previous EIR or MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

#### Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original EIR recommended mitigations. Further, the proposal to construct a small drive-through coffee shop results in no significantly adverse environmental effects beyond those identified in the PEIR.

#### Other CEQA Considerations

Staff suggests no changes for the revised project.

#### EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

See Purpose statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

## FINDINGS

1. The proposed project will change the zoning at the site from AG to C-2 and FP which is consistent and compatible with the land use designations of CS and CF. The land use designations of CS and CF for this site were evaluated within the adopted EIR. The requested zone reclassification implements the General Plan land use designations and does not constitute a substantial change, is minor in nature, and does not require additional mitigation measures not included in the original EIR.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

## CONCLUSION

Based on these findings it is concluded that an Addendum to the certified EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.