



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Bill No. 1027-C.S. Section 150.029 Board of Appeals

DEPARTMENT: Development Services

PREPARED BY: Brendan Reilly, Chief Building Official

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION:

Waive full reading, read by title only and adopt Bill No.1027-C.S. "An ordinance of the City of Eureka repealing and replacing Eureka Municipal Code Title 15, Chapter 150, Section 150.029 pertaining to the Board of Appeals."

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

- Financially Sound City Providing Effective Services
- Municipal Code Update

DISCUSSION

At its May 16, 2023 meeting, City Council introduced Bill No. 1027-C.S. to repeal and replace Eureka Municipal Title 15, Chapter 150, Section 150.029 pertaining to the Board of Appeals. The Board of Appeals was created by the City Council of the City of Eureka to provide a means for the public to appeal an action by the Building Official, Fire Chief, or the Code Enforcement Official, or to gain approval for an alternative method of construction not otherwise permitted under the Municipal Code. To address issues with filling vacancies on the board, the proposed amendment will reduce the membership of the Board of Appeals from seven to five members, three of whom shall be qualified by experience and training in matters pertaining to building construction. The amendment will also add Section 150.029(B) to provide language clarifying the appeals process, including required timelines for applications, hearings, and final determinations.

ENVIRONMENTAL

Amending the text of the Eureka Municipal Code is a “project” for the purposes of the California Environmental Quality Act (CEQA). However, pursuant to the CEQA Guidelines, Section 15061, there is a general rule CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the Text Amendment only makes procedural changes to the Board of Appeals and does not affect Building Code standards, the Text Amendment will not result in a significant effect on the environment.

ATTACHMENTS:

- Bill No.1027-C.S. – Board of Appeals

REVIEWED AND APPROVED BY:

City Attorney

City Clerk/Information Technology

Community Services

Development Services

Finance

Fire

Human Resources

Police

Public Works