



CITY OF EUREKA City Attorney

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CITY OF EUREKA

**NOTICE OF AVAILABILITY OF DRAFT
TEXT AND LOCAL COASTAL PROGRAM AMENDMENTS
and
Notice of City Council Public Hearing**

NOTICE IS HEREBY GIVEN that the City is providing “Notice of Availability of draft Eureka Municipal Code (“EMC”) Text and Local Coastal Program amendments.” The draft Text and Local Coastal Program (LCP) Amendments are available for review and will amend the text of the Eureka Municipal Code, and the Implementation Plan and Land Use Plan, which are the pertinent portions of the coastal zoning regulations.

Project Title: Text and Local Coastal Program Amendments pertaining to Emergency Shelters

Project Applicant: City of Eureka

Case Nos.: TA-17-0002/LCP-17-0001

Project Description: The City of Eureka is proposing Text and Local Coastal Program amendments pertaining to Emergency Shelters. The City of Eureka is proposing to modify Sections 155.006 and 155.040, of Title XV Chapter 155 of the Eureka Municipal Code and to add Section 10-5.250 et. seq. to Title 10 Chapter 5 of the Eureka Municipal Code as well as modifying Articles 1, 9, 10 and 29 to provide for the location of Emergency Shelters within the City as principally permitted land uses within the Service Commercial Zone District (CS), the Light Industrial Zone District (ML), and the General Industrial Zone District (MG) with the issuance of a shelter permit. Emergency Shelters located within the coastal zone shall comply with Chapter 156 and Article 29 of the EMC.

In addition to the text amendments, an amendment to the City’s Land Use Plan is required to add the Emergency Shelter use to General Service Commercial (GSC), General Industrial (GI) and Limited Industrial (LI) land use designations.

A public hearing was held to discuss the project before the City of Eureka Planning Commission on April 10, 2017 at 5:30 p.m. in the Council Chamber, Eureka City Hall, 531 K Street, Eureka, California.

FURTHER, NOTICE IS HEREBY GIVEN the Eureka City Council will hold a public hearing on Tuesday, May 2, 2017, at 6:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider and make recommendation to the City Council on the draft LCP amendments.

The City of Eureka is the applicant for the LCP Amendments and will carry out the amendments in accordance with the Coastal Act. Pursuant to the Coastal Act, final action by the City Council on the LCP amendment will not occur prior to six weeks after publication and mailing of this “Notice of Availability of draft Text and Local Coastal Program Amendments”. The inland text amendment will take effect 30 days after Council adoption, and the LCP amendment will take effect automatically upon Coastal Commission approval.

Environmental: Amending the text of the EMC is a “project” for the purposes of CEQA. However, pursuant to CEQA Guidelines Section 15304(e), the project is exempt because it involves only minor temporary use of land and will have negligible or no permanent effects on the environment.

Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission’s review and development process for LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by the California Environmental Quality Act (CEQA). Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments. Therefore, based on the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the amendment to modify Section 155.040 of the EMC and add Section 10-5.250 to the Eureka Municipal Code.

All interested persons are invited to comment on the draft amendments either in person at the scheduled public hearing, or in writing. Written comments on the draft amendment may be submitted at the hearing or prior to the hearing by mailing or delivering them to the City Attorney, 531 “K” Street, Eureka, CA 95501; or by emailing them to cityattorney@ci.eureka.ca.gov.

Americans with Disabilities Act: Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting.

Notes: If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The draft amendments are available for review at the City Attorney’s Office, Second Floor, City Hall. If you have questions regarding the draft amendment to the Eureka Municipal Code or this notice, please contact Cyndy Day-Wilson, City Attorney, phone: (707) 441-4147; fax: (707) 441-4148; e-mail: cityattorney@ci.eureka.ca.gov