



**CITY OF EUREKA**  
**DEVELOPMENT SERVICES DEPARTMENT**  
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**CITY OF EUREKA**  
**NOTICE OF AVAILABILITY OF DRAFT**  
**TEXT AND LOCAL COASTAL PROGRAM AMENDMENTS**  
**and**  
**Notice of Planning Commission Public Hearing**

**NOTICE IS HEREBY GIVEN** that the City is providing “Notice of Availability of draft Text and Local Coastal Program amendments.” The draft Text and Local Coastal Program (LCP) Amendments are available for review on the City’s website at [www.ci.eureka.ca.gov/depts/development\\_services/public\\_hearing\\_notices.asp](http://www.ci.eureka.ca.gov/depts/development_services/public_hearing_notices.asp) and will amend the text of the Eureka Municipal Code and the Implementation Plan, which is the pertinent portion of the coastal zoning regulations.

**Project Title: Cannabis Text and Local Coastal Program Amendments**

**Project Applicant:** City of Eureka

**Case Nos.:** TA-16-0006 (mod)/LCP-16-0005 (mod)

**Project Description:** The City is proposing to amend Chapter 158 of the Eureka Municipal Code, which currently regulates Medical Cannabis in Eureka. The proposed amendment is drafted based on the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and the Adult Use Marijuana Act (AUMA). The proposed amendment addresses both medical cannabis as well as non-medical adult use cannabis. Since the proposed amendments are included in the Implementation Plan of the Local Coastal Program, in addition to an amendment to the text of the Municipal Code, an amendment to the LCP is also required.

FURTHER, NOTICE IS HEREBY GIVEN the Eureka City Planning Commission will hold a public hearing on Monday, September 11, 2017, at 5:30 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 Text and LCP amendments.

Notice of the City Council public hearing for this project will be published at a later time.

The City of Eureka is the applicant for the Text and 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 amendments 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 Amendments will take effect 30 days after Council adoption, and the LCP amendments will take effect upon Coastal Commission approval.

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 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 uses that are being added as principally permitted uses are similar to uses that currently exist within the zone (e.g., manufacturing, offices, laboratories) and the uses that are being added as conditionally permitted uses will receive CEQA review during the use or minor use permit process; and because no changes are being made to development standards (including setbacks, parking, height, FAR, etc.) it is certain that the Text Amendment will not result in a significant effect 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 amendments to medical cannabis.

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 amendments may be submitted at the hearing or prior to the hearing by mailing or delivering them to the Community Development Division of the Development Services Department, 531 “K” Street, Eureka, CA 95501; or by emailing them to [sasbury@ci.eureka.ca.gov](mailto:sasbury@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 Development Services Department Community Development Division, Third Floor, City Hall. If you have questions regarding the draft amendments to the Eureka Municipal Code or this notice, please contact Swan Asbury, Assistant Planner, phone: (707) 268-1830; fax: (707) 441-4202; e-mail: [sasbury@ci.eureka.ca.gov](mailto:sasbury@ci.eureka.ca.gov)