



**CITY OF EUREKA  
COMMUNITY DEVELOPMENT DEPARTMENT**

Brian J. Gerving, Interim Director

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## **NOTICE OF EXCLUDED DEVELOPMENT**

The project described below is located within the City of Eureka Categorical Exclusion area of the Coastal Zone. It has been determined that this project is excluded from the Coastal Development Permit requirements of the Coastal Act and the City of Eureka Local Coastal Program pursuant to City of Eureka Categorical Exclusion Order E-88-2 and Section 10-5.29304.1 (Section 156.098) of the City of Eureka Municipal Code.

**Project Title:** Cell Tower Antenna Replacement & Ground Level Improvements

**Case No:** CX-14-0009

**Project Applicant:** Thomas J. McMurray Jr.

**Project Location:** 1020 W. Del Norte St. (APN 003-082-030)

**Zoning & General Plan:** General Industrial (MG) and General Industrial (GI)

**Category of Excluded Development:** Per Eureka Municipal Code §10-5.29304.1(a), the construction, reconstruction, demolition, or alteration of the size, type or intensity of any development of a principally permitted use or uses in the areas of the Eureka Coastal Zone that are zoned for residential, commercial, or industrial development may be excluded, except for the following:

- (a) Public works facilities or improvements costing more than \$250,000.
- (b) The development involves demolition of a structure of architectural or historic significance.

**Project Description and Exclusion Justification:** The applicant is proposing modifications to an existing cell tower on the property and re-installation of a cabinet that was removed in 2013 under Categorical Exclusion Permit CX-13-0007. All modifications will be above ground, except for the re-installation of the cabinet. All improvement will occur on existing structures and in previously disturbed ground on the subject parcel. This project site has been referred to the Local Native American Tribes twice in 2013; both times the Tribal Historic Preservation Officers requested inadvertent discovery language. Since the proposed cabinet is being re-installed in the same location/hole as the previous cabinet, this project was not sent for re-referral.

The exclusion is justified because the proposed improvements will be made to an existing principally permitted use, will disturb fill rather than native soils, and per the attached map, will be surrounded on all sides by urban development and not occur

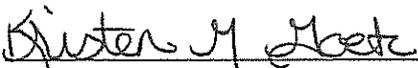
within 250 feet of an ESHA or wetland. Because the local Native American Tribes have requested inadvertent discovery language on the last two Categorical Exclusion permits issued for this site, the language will be included as a Condition of Approval for the project to ensure that impacts to any archaeological resources that are discovered during construction are handled correctly.

**Required Permits:** Although no Coastal Development Permit is required for this project, the project is subject to the following authorizations or permits:

- B14-0489 (Building Permit)

Questions regarding this notice should be directed to the City of Eureka Community Development Department, Third Floor, Eureka City Hall, 531 K Street, Eureka, California, telephone (707) 441-4160.

**Prepared By:** Kristen M. Goetz, Senior Planner

*for*   
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Brian J. Gerving  
Interim Director of Community Development

August 5, 2014  
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Date of Determination