



NOTICE OF CITY COUNCIL PUBLIC HEARING

CITY OF EUREKA ZONING CODE UPDATE

NOTICE IS HEREBY GIVEN THAT THE EUREKA CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, MAY 13, 2019, AT 5:00 P.M. IN THE COUNCIL CHAMBER, SECOND FLOOR, EUREKA CITY HALL, 531 "K" STREET, EUREKA, CALIFORNIA, TO CONSIDER THE REPEAL AND REPLACEMENT OF CHAPTER 155 OF THE CITY OF EUREKA ZONING CODE.

In order to implement the Eureka 2040 General Plan adopted on October 15, 2018, establish new, modern development, and land use regulations throughout the City of Eureka, the City is proposing a comprehensive update to Chapter 155 (Zoning Regulations) of the Eureka Municipal Code. The proposed update consists of the repeal of the entire existing contents of Chapter 155 and the subsequent adoption of a new set of regulations that will constitute Chapter 155 (Zoning Regulations). The proposed regulations are intended to implement the Eureka 2040 General Plan.

The City of Eureka, as Lead Agency, prepared the City of Eureka 2040 General Plan Update Program EIR (State Clearinghouse #2016102025) in compliance with CEQA. The EIR consists of the Notice of Preparation, the Draft EIR including technical appendices, the Responses to Comments, Final Corrections and Additions, and the Project Findings and Statement of Overriding Considerations. The City of Eureka 2040 General Plan EIR was adopted by the City Council on October 15, 2018, at the same time the 2040 General Plan was adopted.

Pursuant to Section 21166 of CEQA and Section 15162 of the CEQA Guidelines, a subsequent EIR is required only when certain conditions are met. The Zoning Code Update does not meet any of these conditions. Therefore, an Addendum to the General Plan Program EIR has been prepared. The Environmental Impact Report Addendum analyzes the potential direct, indirect, and/or cumulative environmental impacts. It verifies that the updated regulations will not result in additional impacts or increase the severity of impacts beyond those identified in the General Plan EIR. The Addendum, along with the adopted EIR will be considered by the City Council at this meeting.

The draft Zoning Code and associated documents are available for review in the Development Services Department, City Hall third floor, 531 K Street, Eureka, or on the City's website at:

https://www.ci.eureka.ca.gov/depts/development_services/public_hearing_notices.asp

All interested persons are invited to comment on the draft Zoning Code Update either in person at the scheduled public hearing, or in writing. Written comments on the draft Zoning Code Update 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 bheaton@ci.eureka.ca.gov



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: City of Eureka Zoning Code Update

DEPARTMENT: Development Services

PREPARED BY: Brian Heaton, Senior Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

1. Hold a public hearing; and
2. Accept the Zoning Code Addendum to the General Plan Environmental Impact Report; and
3. Waive reading, read by title only, and introduce Bill No. 967 – CS, repealing and replacing Title 15 Chapter 155 of the Eureka Municipal Code; and
4. Repeal and replace the Zoning Map outside of the Coastal Zone; and
5. Amend Title 9 Chapter 92, Title 15 Chapters 150, 154, 157, And 158 to Update the Zoning Ordinance and to correct references.

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

- Adequate supply of market rate and affordable housing
 - More affordable housing
 - New affordable housing units
 - Reduction in homelessness
 - City/County partnership in transitional/permanent housing
 - More upper floor urban housing
- General Plan and Zoning Code Updates
- Streamlining of Accessory Dwelling Units

DISCUSSION

BACKGROUND – GENERAL PLAN: In 2012, the City of Eureka began the process of updating the City's General Plan. On October 15, 2018, that process was completed when the City adopted the Eureka 2040 General Plan. California Government Code Section 65300 et seq. directs that all

cities and counties in the state adopt a comprehensive planning document, called the general plan. The general plan provides guidance to local government decision-makers regarding the conservation of resources and the future physical form and character of development for the jurisdiction. The General Plan is the official local government statement regarding the extent and types of development of land and infrastructure that will achieve the community's physical, economic, social, and environmental goals. A general plan expresses a city or county's goals and articulates its intentions with respect to the rights and expectations of the public, property owners, community interest groups, prospective investors, and business interests. Although the general plan consists of individual sections, or "elements," that address specific areas of concern, it also embodies a comprehensive and integrated planning approach for the jurisdiction.

BACKGROUND – ZONING CODE: While the General Plan contains the broad goals and policies that guide the development of a community, the Zoning Code serves as the primary implementation tool to achieve those development-related goals and policies. It does this by containing the specific land use regulations that provide for both the regulation of land uses (e.g. zoning) and the physical development of the city (e.g. setbacks). State law requires that all zoning codes be consistent with the goals and policies contained in the General Plan. Because the General Plan was recently updated, now too must the Zoning Code.

The City of Eureka adopted its first zoning code on May 26, 1953. It consisted of a 20-page booklet that provided a basic framework for land use regulation in the City. Over the following years, most notably in 1963 and 1966, the Zoning Code was expanded to provide additional regulations. The regulations contained in the Zoning Code were designed to create a low-density suburban style community with short buildings and plentiful parking. It represented a post-war vision of America that was common in many quickly growing communities across the county. Unfortunately, the Eureka zoning code of that era did not honor or account for the traditional development pattern that was already well established in the City. As a result, most development took place in the only place that was able to accommodate suburban style development—the Broadway corridor and the northern entrance to the City. Minimal development occurred in the city center, which often consisted of little more than replacing buildings with surface parking lots.

Prior to the City's initial zoning codes, the historic development pattern of Eureka was based on the early establishment of an uninterrupted urban grid with 300-foot blocks and alleys that pass through the center of nearly every block. From the 1860s through the 1950s, the commercial downtown was densely developed with three to five-story buildings, and the residential areas were developed with a rich diversity of construction types, sizes, setbacks, and heights. The City was forward thinking in the establishment of wide sidewalks that accompany nearly every street in the grid, creating a city that is very walkable and rich in mixed uses relative to many other similarly sized cities. While Caltrans's conversion of Fourth and Fifth Streets into Highway 101 severely diminished pedestrian connectivity between Downtown and the residential portion of the City, and while the industrial waterfront has experienced dramatic changes since its earliest days, the City's core grid and historic development patterns primarily remain intact. Unfortunately, the City's adoption of a strict proscriptive zoning code in the 1950s and 1960s proved to be the most substantial obstacle to the construction of new high-quality development

that was complementary to the City's legacy and has been the primary source of deviations from the City's historic mixed-use development patterns.

The City's currently adopted zoning code has not been comprehensively overhauled since the late 1960s. Upon its adoption, the 1960s code was already out of alignment with the development in Eureka that already existed at the time and led to new development that was detrimentally inconsistent with the City's previously existing development pattern. It appears that the zoning code adopted in the 1960s was based on standards that were intended for suburban subdivisions, while Eureka was largely built-out at the time and needed a custom code specific to the City's unique existing conditions. For instance, over 65% of Eureka's housing units were constructed prior to 1959 and the vast majority of the City's street network had been constructed by that time, which means that Eureka needed a zoning code that emphasized infill and development of vacant/underutilized properties. Instead, the 1960s code enforced new standards that were out-of-place and that never served Eureka in a functional or logical way. For example, each year the City turns away home owners that are seeking to build additions onto their homes, despite the fact that they are seeking nothing more than to duplicate the design of the homes that surround them. This has been happening for decades. Many of the development styles and patterns that were constructed prior to the 1960s and that form the basic fabric of what makes Eureka the city that it is, were made non-conforming by the adoption of the 1960's zoning code.

Like most communities in California, Eureka is experiencing a shortage of housing at all income levels. Eureka is especially hard hit by this trend since the City is almost completely built-out and has little to no room for expanding the City's residential zone districts. According to the City's 2014 Housing Element and recent housing projections associated with the City's General Plan Update, the maximum potential growth of new single-family residential homes is not likely to exceed a few hundred. The City has conducted extensive analysis of opportunities for annexation and no meaningful opportunities for territorial expansion are viable. The City is surrounded by fully built-out residential subdivisions and coastal wetlands, which means that there is nowhere for the City to expand in order to create new housing. Accordingly, the City's recent analysis of vacant and underutilized parcels within City limits shows that the City's greatest opportunity for residential growth is through the construction of multi-story buildings in the Downtown and Old Town areas. Such development is envisioned to consist of multi-story buildings with retail on the ground floor and residential units on the upper floors. While the current zoning code technically allows such development, the obstacles presented in the code are so great that new construction of this type is effectively impossible (despite the fact that there are dozens of such buildings that were constructed prior to the 1960s). This problem needs to be rectified in the new zoning code.

Another major flaw of the current zoning code is the lack of flexibility. For instance, while the code includes a massive use list with over 635 listed uses, staff regularly encounters problems with new business types that are not listed. While "telegraph offices" are permitted in multiple zones, "yoga studios" are not listed. This is problematic because of the strict prescriptive nature of the code and because the Coastal Commission does not always support or encourage exceptions. Likewise, the language for Planned Unit Developments is very weak and restrictive;

there is little to no flexibility for modifying setbacks, and floor area ratios are remarkably small with no built-in flexibility.

Through a series of City Council public meetings held in 2016 and 2017, it became evident that the City Council was seeking a modern General Plan that deviated significantly from the past several General Plans and that embraced the original density and diversity of development in Eureka prior to the 1960s. This led to the adoption of a new General Plan in October of 2018, which includes a substantial number of new policies that promote infill development and a return to Eureka's historic development patterns.

The Zoning Code Update, consistent with the 2040 General Plan, is principally inspired by Eureka's traditional development patterns. The regulations downtown are designed to encourage the new development of multi-story buildings patterned of those already existing. Multi-family residential development is regulated such that the design of new 4-plexes and 6-plexes will mirror those that were constructed in Eureka in the pre-war era, with entrances that face the street and architectural details. The Zoning Code Update also introduces some new regulations and incentives associated with contemporary topics, such as electric vehicle charging stations and bicycle parking. Additionally, the Zoning Code Update includes provisions that allow certain development regulations to be relaxed under certain circumstances. As a mature and largely built out community, easily developable sites are a challenge to find. Much of the city's future infill development will be on challenging sites that will need to make use of these flexibility provisions to bring the projects to fruition.

ENVIRONMENTAL IMPACT REPORT (EIR) AND ENVIRONMENTAL IMPACT REPORT ADDENDUM:

An EIR is an informational document to provide the public and decision-makers with information on the environmental effects of proposed actions. The EIR evaluates the direct physical environmental effects that may occur through the implementation of the City of Eureka 2040 General Plan as well as the indirect physical effects. This is based on "significance thresholds" adopted or accepted by agencies or by the City that serve as benchmarks for determining if a component action will result in a significant adverse environmental impact.

The City of Eureka prepared the City of Eureka 2040 General Plan Update Program EIR (State Clearinghouse #2016102025) in its capacity as lead agency under CEQA and in compliance with CEQA. The EIR consists of the Notice of Preparation, the Draft EIR including technical appendices, the Responses to Comments, Final Corrections and Additions, and the Project Findings and Statement of Overriding Considerations. The City of Eureka 2040 General Plan EIR was certified by City Council on October 15, 2018, at the same time the General Plan was adopted.

The environmental document associated with the Zoning Code Update is called an Environmental Impact Report Addendum. This document depends on the same analysis used in the EIR, and is used when a responsible agency (City of Eureka) retains discretion over the implementation of the project (The General Plan, via the Zoning Code). Pursuant to Section 21166 of CEQA and Section 15162 of the CEQA Guidelines, a subsequent EIR is required only when one of the three conditions listed in the aforementioned sections is met. As explained in Section 1.3

(Environmental Procedures) of the attached Environmental Impact Report Addendum, the Zoning Code Update does not meet any of these conditions. Therefore, the City has determined that that an Addendum to the certified General Plan EIR is an appropriate environmental document for the Zoning Code Update project.

The Environmental Impact Report Addendum analyzes the potential direct, indirect and cumulative environmental impacts on the following issues. It verifies that the updated regulations will not result in additional impacts or increase the severity of impacts beyond those identified in the General Plan EIR:

- Aesthetics and Visual Resources
- Agriculture and Timber Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology, Soils, and Mineral Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise and Vibration
- Public Services and Recreation
- Transportation
- Utilities and Services Systems
- Wildfire

Tribal Consultation

In accordance with Senate Bill 18 (SB 18) and Government Code 69352.3, the City of Eureka requested a list of Tribal Organization contacts from the Native American Heritage Commission in December 2014. The City of Eureka extended an invitation to the Wiyot, Blue Lake Rancheria, and Bear River Band of the Rohnerville Rancheria Tribes to consult on the General Plan Update. All three tribes indicated they would like to consult. City staff met with representatives of the three tribes on February 14, 2017. Members of the tribes subsequently provided input on proposed General Plan goals and policies pertaining to the management and protection of cultural resources. As documented in Section 3.5 of the EIR Addendum, adoption of the Draft Zoning Code will not result in new impacts or impacts more severe than those identified and addressed in the General Plan EIR.

ANALYSIS OF PROPOSED ZONING CODE UPDATE:

Objectives: The regulations contained in the Zoning Code Update implement the following General Plan objectives:

- Provide a comprehensive update to the City’s General Plan to more effectively address the issues facing Eureka and to reflect the current values and vision of the community;
- Enhance Eureka’s quality of life and enrich its sense of community;
- Support well planned infill projects that build upon Eureka's historic development patterns and that utilize development intensities and building heights that are in closer alignment with the City’s pre-1950s history;
- Meet the housing needs of existing and future residents through a variety of housing types and designs including infill development, higher density products, and mixed use;
- Preserve and enhance existing neighborhoods;
- Promote a vital Core Area with a mix of uses that include retail, office, residential, entertainment, and cultural uses that attract local residents, regional visitors, and tourists;
- Provide additional opportunities for industry and employment to strengthen and diversify the economic base of the City;
- Foster a diverse and resilient local economy friendly to new business investment and the creation and retention of quality jobs;
- Minimize development regulations, such as parking requirements and other development standards that unnecessarily complicate development processes.
- Improve mobility and safety for pedestrians, bicyclists, and vehicles; and
- Accommodate growth that protects important environmental resources, as well as ensures long-term economic sustainability, and equity and social well-being for the entire community.

Articles of the Zoning Code: The Zoning Code is divided into 5 Articles, grouping the content thematically.

Article 1: General Provisions: Legally establishes the Zoning Code, identifies rules for interpreting the Zoning Code, and identifies the Zoning districts and overlay zones established in the Zoning Map.

Article 2: Zoning Districts and Overlay Zones: Identifies allowed land uses and development standards that are unique to each zoning district and overlay zone.

Article 3: Citywide Standards: Contains standards that apply to all property in Eureka, addressing issues such as parking, signs, landscaping, and accessory structures.

Article 4: Permits and Administration: Identifies procedures and requirements for permits and other approvals required by the Zoning Code, and procedures for the administration of the Zoning Code.

Article 5: Glossary: Defines all specialized terms used in the Zoning Code, including the land uses allowed in each zoning district.

Changes of Note: The following are examples of the most important changes found in the Zoning Code Update:

Article 1: General Provisions:

- More detail on how the Zoning Code should be interpreted
- Detailed graphics showing how setbacks and building heights are measured

Article 2: Zoning Districts and Overlay Zones:

- 60 Use Classifications instead of over 600 prescriptive specific uses
- Context-based setbacks
- Allows 0' setbacks on alley garages (consistent with traditional Eureka development)
- Allows easier home additions using established setbacks (no “jog-over” rule)
- Protects and expands neighborhood markets
- Embraces mixed-use residential uses

Article 3: Citywide Standards:

- Provides design standards for multi-family residential and commercial development (no blank walls, street-facing entries required, etc.)
- Simplified regulations for ADU permitting
- Allows for parking exemptions in certain areas
- Allows for parking reductions in certain situations
- Improve landscaping requirements
- Allows small lot subdivisions
- Allows conservation subdivisions
- Simplifies tree removal procedure
- Clearer sign regulations that allow for more administrative (“over the counter”) approvals

Article 4: Permits and Administration:

- Easier-to-understand administrative procedures (e.g. noticing, appeals, etc.)
- Adds Minor Modifications (10% modification in most physical standards)
- Adds Administrative Adjustment (less laborious way to modify a standard if certain conditions can be met)
- Updated non-conformity language that is more forgiving to existing structures

Article 5: Glossary:

- Updated land use classifications (e.g. Manufacturing – Artisan)
- More terms defined for greater clarity

CONSISTENCY WITH ZONING CODE:

Typically, in order to amend the text of the Eureka Municipal Code a finding must be made that the proposed amendment is consistent with the objectives of the zoning regulations as prescribed in § 155.002 of the Eureka Municipal Code. However, in this case, such a finding cannot be made because the proposed project is to repeal the entire contents of Chapter 155, including § 155.002. Therefore, the only consistency findings made in this staff report are consistency with the 2040 General Plan.

CONSISTENCY WITH GENERAL PLAN:

State law requires that the Zoning Code is consistent with the General Plan. This is achieved through regulations in the Zoning Code that implement goals and policies from the General Plan. The following outlines each of the General Plan goals and policies that are implemented by the proposed Zoning Code.

LU-1.1 Diverse Uses. Maintain a diverse range of compatible land uses that offer adequate flexibility to quickly respond to evolving market opportunities over time.

ZONING CODE: Article 2 and Article 5 provide 60 Use Classifications instead of over 600 specific listed uses, allowing for flexibility and simplicity in determining uses.

LU-1.2 Compact Form. Provide for a compact pattern of mixed land uses at densities/intensities consistent with the development patterns Eureka experienced from the 1870s to the 1940s and at densities/intensities that are higher than were allowed in the past three general plan updates.

ZONING CODE: Article 2.

LU-1.3 Beneficial Development. Items a, b, c, d, e, g, h, k, l.

ZONING CODE: Article 2; §155.412; §155.316; §155.412.050 (Infill Incentive Permits); and others

LU-1.4 Incompatible Uses. Facilitate the relocation of nonconforming industrial and other incompatible uses that create potential conflicts with and/or otherwise detract from the character of adjacent uses.

ZONING CODE: Article 2 and §155.424 (Nonconformities)

LU-1.5 Nonconforming Uses, Site Conditions and Structures

ZONING CODE: §155.424 (Nonconformities) provides a detailed description of the different types of nonconformities and treats each differently depending upon the communities vision.

LU-1.6 Flexible Zoning

ZONING CODE: §155.412 (Specific Permits and Approvals) creates multiple flexibility provisions in addition to the variance. These include infill incentive permits, minor modifications, and administrative adjustments.

LU-1.7 Parcel Specific Considerations

ZONING CODE: §155.224 (Overlay Zones) creates multiple overlay districts that allow for custom zoning regulations that only apply to one site. These include the qualified, neighborhood market, and special considerations overlay districts.

LU-1.8 Planned Development.

ZONING CODE: §155.412 (Specific Permits and Approvals) includes a number of options for the equivalent of planned development, including Infill Incentive Permit and Minor Modifications; Article 2 development standards allow for flexibility that accomplishes the objectives of planned development; §155.324 (Residential Subdivision Alternatives) provides for Small Lot Subdivisions and Conservation Subdivisions.

LU-1.10 Parking Standards for Existing Buildings

ZONING CODE: §155.316 (Parking) allows any existing commercial building to change from one commercial use to another without creating more on-site parking. This is important because most already developed sites are not able to physically accommodate more parking.

LU-1.11 Prior Development. Encourage the new use/development of properties that have been previously used for industrial and commercial purposes and have since become vacant, overgrown with vegetation or fallen into disrepair. Where it has been determined that “wetland” characteristic have formed or other constraints exist on these properties, allow modified development standards such as variable lot widths, reduced or zero setbacks, and reduced wetland setbacks to be implemented in order to maximize the allowable areas for new use and development.

ZONING CODE: §155.412.050 (Infill Incentive Permits)

LU-1.12 Attractive Design

ZONING CODE: §155.306 (Design Standards) requires that all new construction contains a minimum amount of architectural detail and prevents boxy, imposing structures.

LU-1.13 Lighting

ZONING CODE: §155.304.050 (Outdoor Lighting)

LU-1.17 Parking. Support coordinated “park once” strategies and allow flexibility in meeting required parking. Support coordinated, tandem, and shared parking facilities that allow users to park in one location and visit multiple destinations. Establish context based mechanisms in the Zoning Code that allow for parking reductions for new development.

ZONING CODE: §155.316 (Parking)

LU-1.18 Parking Access. Where feasible and desirable, require off-street parking to be accessed from alleys.

ZONING CODE: §155.316.060.A.1 (Parking Access)

LU-1.19 Pedestrian-oriented Design

ZONING CODE: §155.208 (Mixed-use Zones) designates certain streets as Pedestrian Focused Frontages (PFFs) and requires certain pedestrian-friendly design features such as glass storefronts and high-ceiling first floors.

LU-1.20 Incentives. Establish incentives to support the types of uses, development, and investments promoted by the General Plan.

ZONING CODE: §155.412.050 (Infill Incentive Permits); §155.316 (Parking); §155.224 (Overlay Zones); §155.324 (Residential Subdivision Alternatives)

LU-2.1 Core Area Uses and Activities

ZONING CODE: Article 2; §155.224 (Overlay Zones) legalizes all existing neighborhood markets, places operational limits on neighborhood commercial uses, and provides a way for new neighborhood commercial uses to be created; §155.324 (Residential Subdivision Alternatives); 155.302.120 (Residential Lodging) provides for the regulation of vacation rentals that balances the needs of visitors and residents.

LU-2.6 Parking for Urban Uses

ZONING CODE: §155.316 (Parking)

LU-2.8 Homeless Services

ZONING CODE: §155.302.050 (Emergency Shelters)

LU-2.12 Building Intensity

ZONING CODE: Article 2 Development Standards

LU-2.13 Residential as Permitted Use

ZONING CODE: §155.208 (Mixed Use Zones)

LU-2.14 Housing Expansion and Integration

ZONING CODE: §155.208 (Mixed Use Zones) allows a wide range of housing types, including live-work, upper floor multi-family, and single room occupancy (SRO).

LU-3.1 Variety of Commercial Uses

ZONING CODE: §155.204-216 (Zoning Districts) allows a diverse variety of land uses tailored to fit Eureka's current economic needs as well as to meet future economic conditions.

LU-3.7 Small Neighborhood Commercial Centers

ZONING CODE: §155.208 (Mixed Use Zones)

LU-4.1 Variety of Industrial Uses

ZONING CODE: §155.212 (Industrial Zones)

LU-4.2 Protect Industrial Lands

ZONING CODE: §155.212 (Industrial Zones) provides protections for existing industrial uses by establishing them as a priority use in industrial zones.

LU-4.3 Westside Industrial Area

ZONING CODE: §155.212 (Industrial Zones)

LU-4.4 3rd Street Industrial District

ZONING CODE: §155.212 (Industrial Zones) creates a new zoning district called Hinge Industrial which allows for diverse land uses including light industrial, commercial, and upper-floor residential in this unique part of the city.

LU-4.5 Hospital Medical District

ZONING CODE: §155.208

LU-5.1 Range of Densities

ZONING CODE: §155.204; §155.208; §155.212

LU-5.2 Parking Access for Residential Uses

ZONING CODE: §155.212 (Parking) requires that alleys be used to provide access to parking lots whenever possible. This minimizes vehicular access points and improves the pedestrian environment.

LU-5.3 High Density Housing

ZONING CODE: §155.204 (Residential Zones) updates the densities to match those of the 2040 General Plan. All densities have increased.

LU-5.4 Location

ZONING CODE: §155.416 (Specific Permits) allows for a small density bonus for sites located within walking distance of commercial areas and near high transit streets.

LU-5.5 Existing Neighborhoods. Items c and f.

ZONING CODE: §155.204 (Residential Zones); §155.306 (Design Standards)

LU-5.6 New Residential Neighborhoods

ZONING CODE: §155.324 (Residential Subdivision Alternatives) allows for small lot subdivisions and conservation subdivisions. Small lot subdivisions allow for the construction of new single-family homes in multi-family zones. Conservation subdivisions make it possible to develop on marginal lands while preserving gulches from development.

LU-5.7 Neighborhood Services

ZONING CODE: §155.116; §155.204

LU-6.1 Development Regulations and Standards

ZONING CODE: §155.204-208 (Zoning Districts) allows for taller buildings and higher floor areas than the current Zoning Code. The development standards are modeled on existing downtown buildings.

LU-6.2 Infill First

ZONING CODE: §155.412 (Specific Permits) allows for an Infill Incentive Permit which incentivizes development on vacant and difficult-to-develop sites. It makes the project eligible for reduced development standards.

LU-6.3 Zoning Incentives

ZONING CODE: §155.412.050 (Infill Incentive Permits); §155.316 (Parking); §155.224 (Overlay Zones); §155.324 (Residential Subdivision Alternatives).

LU-6.9 Streamlined Permitting

ZONING CODE: §155.412 (Specific Permits) requires that Design Review approval is granted prior to building permit application. This required reduces the likelihood that a development will be delayed by the need to modify construction drawings resulting from Design Review conditions of approval.

LU-7.1 Nutrition Education

ZONING CODE: §155.224 (Overlay Zones).

E-1.4 Targeted Development Incentives

ZONING CODE: §155.412.050 (Infill Incentive Permits); §155.316 (Parking); §155.224 (Overlay Zones); §155.324 (Residential Subdivision Alternatives).

E-3.7 Interim Uses

ZONING CODE: §155.332 (Temporary Uses); Article 2.

E-3.8 Expanded Office-Based Business Sector

ZONING CODE: §155.208

E-3.9 Regional Industrial Center

ZONING CODE: §155.212

NR-1.3 Natural Open Space Areas

ZONING CODE: §155.220

NR-3.8 Community Gardens

ZONING CODE: §155.204

NR-4.2 Lighting

ZONING CODE: §155.304.050 (Outdoor Lighting)

AG-1.12 Timber Management in Residential Zones

ZONING CODE: §155.204; 155.412.090 (Tree Permits)

AQ-1.4 Off-Street Parking

ZONING CODE: §155.316 (Parking)

AC-1.9 Artist Live-Work Spaces

ZONING CODE: §155.208

PR-1.11 Park Design and Landscaping

ZONING CODE: §155.320

CS-1.7 CPTED Principles

ZONING CODE: §155.320; §155.306

M-1.6 Dense Development

ZONING CODE: §155.316 (Parking); Article 2

M-3.9 Facilities at New Development

ZONING CODE: §155.316 (Parking)

M-5.4 Parking Lot Location

ZONING CODE: §155.316 (Parking)

M-5.5 Alternative Fuel Vehicle Parking

ZONING CODE: §155.316 (Parking)

M-5.8 Unbundling Parking Costs

ZONING CODE: §155.316 (Parking)

U-3.12 Minimize Drainage Through Design

ZONING CODE: §155.320

Timeline of Public and Stakeholder Input on the Zoning Code Update:

Public Workshop – Set the Tone for Your Zone
Tuesday, November 28, 2017 – 6:00 p.m. to 8:00 p.m.

Joint CC/PC Special Zoning Code Study Session
Friday, October 26, 2018—4:00 p.m. to 7:00 p.m.

Stakeholder Meeting—Developer and Architect Advisory Panel
Monday, January 8, 2019—12:00 p.m. to 1:30 p.m. and 5:00 p.m. to 6:30 p.m.

Discuss Zoning Code with Local Architect – K. Boodjeh Architects
Wednesday, January 10, 2019 –12:00 p.m. to 2:00 p.m.

COASTAL:

The Local Coastal Program (LCP) regulates development within the Coastal Zone. It consists of two parts, a Land Use Plan (LUP) and an Implementation Plan (IP), and must be certified by the Coastal Commission. The LUP is an element of the General Plan and the IP, together with the Zoning Code, serves to implement the General Plan within the Coastal Zone. Land use regulations that deal exclusively with coastal issues are contained in the IP (e.g. coastal access), which is in the process of being updated. Therefore, the Zoning Code Update does not constitute an amendment to the Local Coastal Program nor does it affect coastal resources.

ATTACHMENTS:

Attachment 1: Planning Commission Resolution

Attachment 2: User’s Guide and Draft Ordinance

Attachment 3: Environmental Impact Report Addendum

REVIEWED AND APPROVED BY:

- City Attorney
- City Clerk/Information Technology
- Community Services
- Development Services
- Finance
- Fire
- Human Resources
- Police
- Public Works

RESOLUTION NO. 2019-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA RECOMMENDING THE CITY COUNCIL REPEAL AND REPLACE EUREKA MUNICIPAL CODE TITLE 15 CHAPTER 155 AND AMEND TITLE 9 CHAPTER 92 AND TITLE 15 CHAPTERS 150, 154, 157, AND 158 TO UPDATE THE ZONING ORDINANCE AND TO CORRECT REFERENCES

WHEREAS, the City of Eureka adopted the Eureka 2040 General Plan on October 15, 2018; and

WHEREAS, California Government Code § 65850 requires that a local agency's general plan and zoning code be consistent; and

WHEREAS, the City's current zoning code, originally adopted in, and not comprehensively updated since 1963, is inconsistent with the 2040 Eureka General Plan as documented in the Planning Commission's April 8, 2018, staff report; and

WHEREAS, the proposed repeal and replacement of Chapter 155 (Zoning Regulations) would create consistency between the Eureka 2040 General Plan and the zoning code as documented in the aforementioned staff report; and

WHEREAS, the repeal and replacement of Chapter 155 of the Eureka Municipal Code is therefore required; and

WHEREAS, the repeal and replacement of the Zoning Map for all lands located outside of the Coastal Zone, which is a part of the Zoning Code, is therefore also required; and

WHEREAS, the repeal and replacement of Chapter 155 (Zoning Regulations) of the Eureka Municipal Code is a "project" for the purposes of the California Environmental Quality Act (CEQA). Pursuant to Section 21166 of CEQA and Section 15162 of the CEQA Guidelines, a subsequent EIR is required only when certain conditions are met. The Zoning Code Update does not meet any of these conditions. Therefore, an Addendum to the General Plan Program EIR (State Clearinghouse #2016102025) has been prepared. The Addendum analyzes the potential direct, indirect, and/or cumulative environmental impacts which may result from implementation of the Zoning Code Update. It verifies that the updated regulations will not result in additional impacts or increase the severity of impacts beyond those identified in the 2040 General Plan Update EIR. Therefore, the City of Eureka has determined that an Addendum to the certified General Plan Program EIR is the appropriate environmental document for the Zoning Code Update project.

WHEREAS, the proposed amendments to the text of Chapters 92, 150, 154, 157, and 158 of the Eureka Municipal Code are necessary to correct cross references related to the Zoning Code Update and do not constitute a change in the intent, content, or impact of those Chapters; and

WHEREAS, correcting the references to Chapters 92, 150, 154, 157, and 158 of the Eureka Municipal Code is not a "project" for the purposes of the California Environmental Quality Act (CEQA) because it

would not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the public hearing before the Planning Commission regarding the proposed repeal and replacement of Chapter 155 (Zoning Regulations) and amendments to Chapters 92, 150, 154, 157, and 158 of the Eureka Municipal Code was duly noticed pursuant to California Government Code § 65090 et seq..

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Eureka that the Commission recommend the Eureka City Council:

1. Consider the 2040 General Plan Program EIR and Addendum; and
2. Introduce and Adopt an Ordinance to:
 - a. Repeal and replace Chapter 155 (Zoning Regulations) of the Eureka Municipal Code with the following recommended modifications:
 - i. [§155.302.120.I.3] *Residential Lodging*. Reduce maximum number of permitted events from 3 per month to 4 per year;
 - ii. [155.424.050.C.1.a] *Nonconforming Signs*. Increase project value threshold from \$20,000 to \$50,000;
 - iii. [155.424050.C.2] *Nonconforming Signs*. Extend eligible period of nonconformance from 10 years to 20 years.
 - and
 - b. Repeal and replace the Zoning Map outside of the Coastal Zone;
and
 - c. Amend Chapters 92, 150, 154, 157, and 158 of the Eureka Municipal Code to correct cross-references.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 23rd day of April 2019 by the following vote:

AYES: RAGAN, AMES, ARRIAGA, MAIER

NOES: BONINO

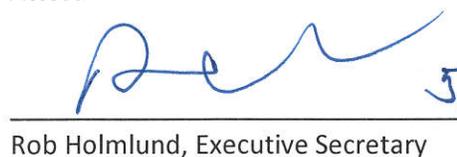
ABSENT:

ABSTAIN:

 4/24/19

Jeff Ragan, Chair, Planning Commission

Attest:

 5/3/19

Rob Holmlund, Executive Secretary

ZONING CODE USER'S GUIDE

General Plan and Zoning Code Overview

On October 15, 2018 the City of Eureka adopted an updated General Plan - the City's primary policy document governing local land use and development. The General Plan contains a Land Use Diagram identifying permitted land uses and development intensities, and establishes basic policies to guide development and conservation decisions in Eureka over the next twenty years.

To implement the new General Plan, the Development Services Department also prepared an update to the City's Zoning Code, which contains more detailed land use and development regulations. On October 26, 2018 the City Council and Planning Commission held a special joint meeting to provide feedback on key issues for the Zoning Code Update. A complete draft of the updated Zoning Code and Zoning Map was published on March 27, 2019. The Planning Commission held two hearings on the Zoning Code and recommended adoption to the City Council on April 23, 2019. The City Council will hold an initial hearing on the Zoning Code on May 13, 2019 with adoption planned for June 2019.

The updated Zoning Code replaces Eureka's existing Zoning Code found in Chapter 155 of the Eureka Municipal Code and includes a Zoning Map with zoning districts that apply to all property in Eureka. The Zoning Code identifies which land uses are allowed in each zoning district and establishes the permitted building height, minimum setbacks from lot lines, and other development standards in each zoning district.

In addition to development standards, the Zoning Code also establishes standards for signs, parking, landscaping, and many other topics. Finally, the Zoning Code identifies permits required for different land uses and types of development, and the process by which the City reviews permit applications and administers the requirements of the Zoning Code.

The Zoning Code applies to all of Eureka, but does not include regulations that are unique to the portion of Eureka located within the coastal zone. These coastal zoning regulations are established in a separate Local Coastal Program Implementation Program (IP) found in Eureka Municipal Code Chapter 156. The IP must be certified by the California Coastal Commission as required by the California Coastal Act. The City is currently preparing the updated IP and aims to publish the draft IP in 2019.

Organization of the Zoning Code

The updated Zoning Code is organized into five articles, as follows:

- **Article 1 – General Provisions.** Article 1 legally establishes the Zoning Code, identifies rules for interpreting the Zoning Code, and identifies the Zoning districts and overlay zones established in the Zoning Map.
- **Article 2 – Zoning Districts and Overlay Zones.** Article 2 identifies allowed land uses and development standards that are unique to each zoning district and overlay zone.

- **Article 3 – Citywide Standards.** Article 3 contains standards that apply to all property in Eureka, addressing issues such as parking, signs, landscaping, and accessory structures.
- **Article 4 – Permits and Administration.** Article 4 identifies procedures and requirements for permits and other approvals required by the Zoning Code, and procedures for the administration of the Zoning Code.
- **Article 5 – Glossary.** Article 5 defines all specialized terms used in the Zoning Code, including the land uses allowed in each zoning district.

Numbering and Referencing

The numbering system used in the updated Zoning Code reflects the numbering system of other chapters in the Municipal Code. The numbering system and outline levels used in the Zoning Code is as follows:

Chapter 155 – Zoning Code

Article 1 – Article Title

Section 155.104 – Section Title

Subsection 155.104.010 –Subsection Title

Division 155.104.010.A – Division Title

1. Paragraph

a. Paragraph

i. Paragraph

Using the Zoning Code

Below is a general summary of how to use the updated Zoning Code. This summary is intended to help property owners and other applicants understand how the Zoning Code works and the process to determine whether a proposed project complies with applicable regulations.

All project applicants are encouraged to contact the Planning and Zoning Division to verify the standards and requirements that apply to a proposed project before preparing and submitting a project application.

Step 1: Identify Your Zoning District and Any Overlay Zones

Identify the zoning district and any overlay zones that apply to your property. You can find your property on the Zoning Map, which shows the zoning districts and overlay zones that apply to it. Table 116-1 (Inland Zoning Districts) in Section 115.116 lists all the zoning districts in Eureka, and Table 116-2 (Overlay Zones) lists all of the overlay zones. Each property in Eureka is assigned one zoning district. Some properties may be subject to one or more overlay zones.

Step 2: Determine if your Land Use is Permitted

After you have identified the zoning district and any overlay zones that apply to your property, determine if your existing or proposed land uses are permitted. Each chapter within Article 2 of the Zoning Code contains a table that list allowed land uses in the zoning district. For example, Table 204-1 lists permitted land uses in the residential zoning districts. If your property is in a residential zoning district, look in this table to determine if your land use is permitted. Using the key provided at the top of the table, determine if you land use is permitted by right or permitted with a Minor Permit or Conditional Use Permit.

All land uses listed in the allowed use table are defined in the Section 155.504 (Land Use Classifications). If your land use does not clearly fall within a land use defined in the Zoning Code, the Development Services Director will determine if the land use should be treated the same as an equivalent listed land use following the procedures in Division 155.108.050.B (Unlisted Land Uses).

If your property is subject to one or more overlay zones, you also need to determine if your land use is permitted within the overlay zones. Land use regulations for overlay zones are found in Section 155.224 (Overlay Zones).

Step 3: Identify Development Standards in Your Zoning District

Next, identify the development standards in your zoning districts and overlay zones, if applicable. For each zoning district the Zoning Code establishes standards including minimum setbacks from property lines, maximum building height, and other limitations on the size, placement, and design of development.

Development standards for each zoning district are provided in Article 2 of the Zoning Code. For residential zoning districts, development standards can be found in Subsection 155.204.030 (Development Standards). Basic site and structure requirements are typically presented in a table followed by text with additional requirements or exceptions. Development standard tables may reference other sections of the Zoning Code that are relevant to your project.

Like with land use regulations, if your property is subject to one or more overlay zones, you also need to determine if your project complies with any additional development standards for the overlay zones.

Step 4: Identify Other Applicable Development Standards and Land Use Regulations

After you've determined that your project complies with land use regulations and development standards that are unique to your zoning district and overlay zone, determine that your project complies with citywide standards. These citywide standards are in Article 3 of the Zoning Code and include parking (Section 155.316), landscaping (Section 155.320), and signs (Section 155.338) for commercial projects. The Planning and Zoning Division will help you to identify which standards apply to your project and whether your project complies with these standards.

Certain land uses also are subject to special standards located in Section 155.302 (Supplemental Use Regulations) of the Zoning Code. Allowed land use tables for zoning districts in Article 2 include references to any supplemental standards. If your land use is subject to supplemental

standards, review the applicable standards in Section 155.302 to verify compliance. The Planning and Zoning Division will help to identify any applicable standards that apply to your project.

Step 5: Identify Required Permits and Approvals

After you've determined that your project complies with all applicable standards and regulations, you need to determine which permits and approvals are required. The allowed land use tables in Article 2 identifies which permits are required (Minor Use Permit or Conditional Use Permit) or if no permit is required (permitted by right). If you propose a physical change to a structure or site, your project may require Design Review. Projects that require Design Review are listed in Division 155.412.040.B (When Required).

The Zoning Code contains a variety of ways for the City to approve modifications to standards that apply to a project. Table 404-1 (Review and Decision-Making Authority) in Section 155.404 identifies "flexibility and relief" provisions that may be used request a modification to one or more standard that may not work for your project. The Planning and Zoning Division can help identify if you may be eligible to use these flexibility and relief provisions for your project.

Once you have identified which permits are required for your project, you need to identify the procedures and requirements to obtain approval. Section 155.408 (Permit Procedures) describes the procedural requirements that apply to all types of permits, such as application submittals, City review, and public notices and hearings. Requirements unique to individual types of permits, such as approval criteria, are in Section 155.412 (Specific Permits and Approvals). Article 4 also establishes other administrative procedures, such as opportunities to appeal decisions (Section 155.416) and the rules that apply to legally-established land uses and structure that do not conform to the Zoning Code (Section 155.424).

CITY OF EUREKA

ZONING CODE UPDATE

MUNICIPAL CODE CHAPTER 155

CITY COUNCIL REVIEW DRAFT

May 3, 2019

CITY OF EUREKA ZONING CODE

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- 155.104.010 – Title
- 155.104.020 – Effective Date
- 155.104.030 – Authority
- 155.104.040 – Purpose of the Zoning Code
- 155.104.050 – Relationship to the General Plan
- 155.104.060 – Applicability and Jurisdiction
- 155.104.070 – Relationship to the Local Coastal Program
- 155.104.080 – Numbering and Referencing
- 155.104.090 – Conflicting Provisions
- 155.104.100 – Transitional Provisions
- 155.104.110 – Severability

155.104.010 – Title

Chapter 155 of the Municipal Code will be known and cited as the “Eureka Zoning Code” and referred to in this title as the “Zoning Code.”

155.104.020 – Effective Date

The Zoning Code takes effect and is in force from and after [effective date of Zoning Code].

155.104.030 – Authority

The Zoning Code is adopted pursuant to the authority in the City Charter, Section 65850 of the California Government Code, and all other relevant laws of the State of California. Whenever the Zoning Code refers to a section of state law that is later amended or superseded, the Zoning Code will be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

155.104.040 – Purpose of the Zoning Code

- A. **General.** The purpose of the Zoning Code is to implement the General Plan and to protect the public health, safety, and welfare.
- B. **Specific.** The Zoning Code is intended to:
 - 1. Preserve and enhance Eureka’s unique sense of place, small city charm, livability, and sense of community;
 - 2. Support a pedestrian-friendly built environment, increase transportation choices, and expand opportunities for residents to walk, bike, and take transit to destinations;

3. Maintain and expand the variety of housing types to serve a diverse population;
4. Encourage and incentivize a diversity of residential, commercial, industrial, and mixed-use developments;
5. Encourage pedestrian-friendly urban development through a streamlined approval process;
6. Where appropriate, encourage vertical mixed-use development with upper story residential units above ground floor commercial uses;
7. Protect and enhance the distinctive character of Eureka's neighborhoods and commercial districts;
8. Enhance the appearance, economic vitality, and livability of Eureka's neighborhoods and commercial districts;
9. Encourage active and inviting streetscapes, buildings, and public spaces;
10. Realize the full development potential of Eureka's industrial and commercial waterfront areas;
11. Enhance the vitality of Downtown and Old Town as the core of the community with a diversity of land uses and pedestrian-oriented urban design;
12. Encourage infill development and the reuse of existing structures to strengthen established neighborhoods;
13. Establish flexible performance-based standards to encourage design creativity and address unique circumstances;
14. Protect Eureka's natural beauty and conserve valuable natural resources; and
15. Enhance the urban/wildland interface zones around the edges of the city and promote recreation opportunities within these zones.

155.104.050 – Relationship to the General Plan

The Zoning Code implements the General Plan by establishing detailed regulations for land uses, structures, and activities in Eureka. All land uses, structures, and activities in Eureka must be consistent with the General Plan.

155.104.060 – Applicability and Jurisdiction

- A. General.** The Zoning Code applies to all lots, land uses, structures, and development in Eureka unless an exemption is specifically provided by the Zoning Code.
- B. Coastal Zone.** The applicability of the Zoning Code in the coastal zone is described in 155.104.070 (Relationship to the Local Coastal Program).

- C. Compliance Required.** All lots, land uses, structures, and development in Eureka, including existing and proposed new development, must comply with the Zoning Code.
- D. Approvals Required.** A land use may be established and a structure may be constructed, altered, or moved only after:
 - 1. All applicable development review processes have been followed;
 - 2. All applicable approvals have been obtained; and
 - 3. All required permits and/or authorizations to proceed have been issued.
- E. Administrative Responsibilities.** City roles and responsibilities in the administration of the Zoning Code are as provided in 155.404 (Administrative Responsibilities).
- F. Subdivisions.** All subdivisions of land, lot line adjustments, and other actions under Municipal Code Chapter 154 (Subdivision Regulations) and the California Subdivision Map Act that are proposed after [effective date of Zoning Code] must comply with the Zoning Code.
- G. Governmental Activities.** The Zoning Code applies to special districts and state or federal governmental agencies to the extent legally permissible. The Zoning Code does not apply to public projects of the City of Eureka. Private projects on leased lands owned by the City are not public projects of the City.
- H. Public Utilities.** Public utilities are subject to the requirements of the Zoning Code except to the extent provided by Government Code Section 53091 and the California Public Utilities Code.
- I. Emergency Powers.** The City Council may authorize deviations from the Zoning Code during a local emergency declared in accordance with the California Emergency Services Act (Government Code Section 8550 et seq), by resolution without notice or public hearing.
- J. Other Regulations.** Compliance with the Zoning Code does not relieve an applicant from compliance with other federal, state, and City regulations that also apply to the property.

155.104.070 – Relationship to the Local Coastal Program

- A. Implementation Plan Separate from Zoning Code.** Eureka’s Local Coastal Program Implementation Plan (“Implementation Plan”) is separate from the Zoning Code. The Implementation Plan, found in Municipal Code Chapter 156 (Coastal Zoning), establishes regulations that apply in Eureka’s coastal zone to implement the Local Coastal Program Land Use Plan in accordance with the California Coastal Act of 1976. The Implementation Plan contains:
 - 1. Coastal zoning districts with allowed land uses and development standards that apply to zoning districts within the coastal zone;
 - 2. Additional regulations needed to implement the Land Use Plan; and

3. Procedures for the approval of coastal development permits and other permits and approvals in the coastal zone.
- B. Implementation Plan Limited to Chapter 156.** The Implementation Plan is limited exclusively to Municipal Code Chapter 156. No contents of the Zoning Code, irrespective of its applicability in the coastal zone, are considered a part of the Implementation Plan.
- C. Applicability in Coastal Zone.** The Zoning Code and Implementation Plan both contain requirements that apply in the coastal zone, as follows:
1. **Implementation Plan Requirements.** Implementation Plan requirements apply fully to all uses, structures, and activities in the coastal zone in accordance with the California Coastal Act. In case of conflict between the Implementation Plan and the Zoning Code, the Implementation Plan governs.
 2. **Requirements in Both Zoning Code and Implementation Plan.** Certain topics are addressed in both the Zoning Code and the Implementation Plan (e.g., parking, signs). For these topics, the Implementation Plan requirements govern in the coastal zone. All Zoning Code requirements superseded by the Implementation Plan are identified in the Zoning Code with notes in their respective sections.
 3. **Zoning Code Content not in the Implementation Plan.** Zoning Code requirements that are not specifically addressed in the Implementation Plan fully apply in the coastal zone. For example, Zoning Code requirements for the processing of permit applications, which is not addressed in the Implementation Plan, apply to all development projects. While these Zoning Code requirements may apply in the coastal zone, they are not considered a part of the Implementation Plan.

155.104.080 – Numbering and Referencing

The numbering system used in the Zoning Code reflects the numbering system of other chapters in the Municipal Code. The numbering system and outline levels used in the Zoning Code is as follows:

Chapter 155 – Zoning Code

Article 1 – Article Title

Section 155.104 – Section Title

Subsection 155.104.010 – Subsection Title

A. Division 155.104.010.A – Division Title

1. Paragraph

a. Paragraph

i. Paragraph

155.104.090 – Conflicting Provisions

- A. Conflict with State or Federal Regulations.** Where conflict occurs with state or federal laws, higher law shall control over lower law unless local variation is permitted.
- B. Conflicts with General Plan, Specific Plans, and Development Agreements.** Where the Zoning Code conflicts with the General Plan, a specific plan, or a development agreement, the General Plan, specific plan, or development agreement will control.
- C. Conflict with Other City Regulations.** Where the Zoning Code conflicts with other ordinances, resolutions, or regulations of the City of Eureka, the more restrictive will control.
- D. Conflict with Private Agreements.** It is not the intent of the Zoning Code to interfere with, abrogate, or annul any easement, covenant, deed restriction, or other agreement between private parties. If the Zoning Code imposes a greater restriction than imposed by a private agreement, the Zoning Code will control. Private agreements may impose greater restrictions than the Zoning Code, but the City is not responsible for monitoring or enforcing private agreements.

155.104.100 – Transitional Provisions

- A. Relation to Prior Zoning Ordinance.** This Zoning Code supersedes the prior Zoning Code codified as Chapter 155 of the Eureka Municipal Code.
- B. Violations Continue.** A violation of the prior Zoning Code continues to be a violation under this Zoning Code unless the violation is brought into compliance with this Zoning Code.
- C. Pending Applications.**
 - 1. If the City deems an application complete but does not take final action on the application before the effective date of this Zoning Code, the application remains subject to the Zoning Code in effect when the application was deemed complete.
 - 2. If the City deems an application withdrawn under 155.408.070 (Applications Deemed Withdrawn), any re-application is subject to the requirements of this Zoning Code.
- D. Approved Projects.**
 - 1. Permits and other approvals valid on the effective date of this Zoning Code remain valid until their expiration date.
 - 2. Projects with valid permits or approvals shall be completed in compliance with the standards in effect at the time of approval. If the permit or approval expires, future development must comply with the requirements of this Zoning Code.
- E. Nonconformities.** A parcel, land use, or structure legally established prior to [effective date of Zoning Code] that does not comply with this Zoning Code is considered nonconforming and subject to the requirements in 155.424 (Nonconformities).

F. Transition to New Zoning Districts.

1. Upon the effective date of this Zoning Code, land with zoning from the previous Zoning Code shall be rezoned to one of the zoning districts as established in 155.116 (Zoning Districts and Map) and shown on the Zoning Map.
2. A property must comply with the regulations of its zoning district classification as established in 155.116 (Zoning Districts and Map) and shown on the Zoning Map.

G. Planned Development Zoning Districts. Requirements and allowances that applied within a Planned Development zoning district existing before the effective date of the Zoning Code remain in full force and effect.

H. Qualifying Overlay Zoning Districts. Limitations and restrictions that applied within a Qualifying overlay zone existing before the effective date of the Zoning Code remain in full force and effect.

I. References to Prior Zoning Districts.

1. In cases where City ordinances, policies, conditions of approval, and other requirements reference a zoning district classification from the previous Zoning Code, such references will mean the equivalent zoning district in this Zoning Code.
2. For requirements based on previous zoning districts with no equivalent zoning district in this Zoning Code, such references will be interpreted to best achieve the requirement's original intent as determined by the Director.

155.104.110 – Severability

If any portion of the Zoning Code is found invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Zoning Code.

Section 155.108 – INTERPRETATION

Subsections:

- 155.108.010 – Purpose
- 155.108.020 – Authority
- 155.108.030 – Official Interpretations
- 155.108.040 – Rules of Interpretation
- 155.108.050 – Land Use Regulations
- 155.108.060 – Zoning Map

155.108.010 – Purpose

This section establishes rules and procedures for interpreting the Zoning Code to ensure that it is applied and enforced in a consistent manner.

155.108.020 – Authority

- A. **Director.** The Director has the authority to:
 - 1. Interpret the meaning and applicability of the Zoning Code; and
 - 2. Issue official interpretations of the Zoning Code as provided in 155.108.030 (Official Interpretations).
- B. **Department Staff.** Department staff may apply the rules for interpreting the Zoning Code established in this section when performing duties described in 155.404.030 (Development Services Department).

155.108.030 – Official Interpretations

- A. **Director Interpretations.** When the Director determines that a provision in the Zoning Code requires clarification, the Director may issue an official interpretation. Official interpretations will be in writing and maintained by the Department for public review.
- B. **Referrals to Planning Commission.** The Director may refer any issue of interpretation to the Planning Commission for review and final determination.
- C. **Appeals.** Official interpretations of the Zoning Code may be appealed in accordance with 155.416 (Appeals and Reviews).

155.108.040 – Rules of Interpretation

- A. **Meaning and Intent.** All language shall be construed according to the purpose and intent set out in 155.104.040 (Purpose of the Zoning Code).

- B. **Minimum Requirements.** The Zoning Code establishes minimum requirements to protect the public health, safety, and welfare. Where the Zoning Code allows for City discretion, the City may impose more stringent requirements to achieve the purpose and intent of the Zoning Code set out in 155.104.040 (Purpose of the Zoning Code).
- C. **Harmonious Construction.** The City intends that all provisions of the Zoning Code be construed harmoniously. When two or more provisions of the Zoning Code appear to conflict, the City may construe such provisions to give effect to both, if possible, by harmonizing them with each other. In cases of unresolvable conflict, the more restrictive will govern.
- D. **Headings, Tables, and Figures.** In cases where text conflicts with any heading, table, or figure, the text controls.
- E. **Lists and Examples.** Lists of items or examples that use terms such as “including,” “such as,” or similar language are intended to provide examples, not to be exhaustive lists of all possibilities. Unless otherwise specifically indicated, the word “including” always means “including but not limited to.”
- F. **Computation of Time.** References to days are calendar days unless otherwise stated. When business days are referenced, they include only days when Eureka City Hall is open. The end of a time period is computed by excluding the first day and including the last day.
- G. **Rounding of Fractional Numbers.** Unless otherwise stated, a fraction of one-half or more will be rounded to the next highest whole number and a fraction of less than one-half will be rounded to the next lowest whole number.
- H. **References to Other Regulations, Publications, and Documents.** Whenever reference is made to a law or regulation, it will be construed as a reference to the most recent edition of such law or regulation, unless specifically stated.
- I. **Technical and Non-Technical Terms.** Words and phrases will be construed according to the common and approved usage of the language. Technical words and phrases with a particular and appropriate meaning in law will be construed and understood according to such meaning.
- J. **Public Officials and Agencies.** All public officials, bodies, and agencies to which references are made are those of the City of Eureka, unless otherwise indicated.
- K. **Mandatory and Discretionary Terms.** The words “will,” “must,” “shall,” and “is” are always mandatory. The words “should” is encouraged but not required and “may” is permissive.
- L. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions will be interpreted as follows:
 - 1. “And” means that all connected items apply.
 - 2. “And/or” means that the connected items may apply singularly or in any combination.

3. "Or" means that one or more of the connected items may apply.
 4. "Either...or" means that the connected words or provisions shall apply singularly but not in combination.
- M. **Tenses and Plurals.** Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates otherwise. The singular includes the plural, and the plural includes the singular.
- N. **Terms Not Defined.** The Director has the authority to provide a definition for an undefined term based upon intended meaning of the term. Director determinations will be in writing and maintained by the Department for public review.

155.108.050 – Land Use Regulations

- A. **Land Use Regulation Tables.** Land use regulation tables in Article 2 (Zoning District Standards) identify permitted land uses within each zoning district. Notations within these tables have the following meanings:
1. **Permitted Uses.** A "P" means a use is permitted by right in the zoning district after obtaining a Zoning Clearance in accordance with 155.412.130 (Zoning Clearances).
 2. **Conditionally Permitted Uses.** A "C" means a use requires approval of a Conditional Use Permit in accordance with 155.412.110 (Use Permits).
 3. **Minor Permitted Uses.** An "M" means a use requires approval of a Minor Use Permit in accordance with 155.412.110 (Use Permits).
 4. **Uses Not Allowed.** A "-" (dash) means a use is not allowed in the zoning district.
- B. **Unlisted Land Uses.**
1. A land use not listed in a land use regulation table is not permitted if the use is listed as an allowed use in one or more other zoning districts. In such a case, the absence of the use in the land use regulation table means that the use is prohibited in the zoning district.
 2. For a proposed use not listed in any land use regulation table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if all of the following findings can be made:
 - a. The use is consistent with the goals and policies of the General Plan.
 - b. The use will not be detrimental to the public health, safety, or welfare.
 - c. The use will meet the purpose of the zoning district.
 - d. The use is similar to other uses allowed in the zoning district.
 - e. The density or intensity of the use is similar to other uses in the zoning district.

- f. The use is compatible with permitted and/or conditionally permitted uses in the zoning district.
 3. When the Director determines that a proposed use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Code.
 4. Director determinations will be in writing and maintained by the Department for public review.
 5. The Director may refer any equivalent use determination to the Planning Commission for review and final decision.
 6. Equivalent use determinations may be appealed in accordance with 155.416 (Appeals and Reviews).
- C. **Types of Uses.**
 1. **Primary Land Uses.**
 - a. A primary land use is the main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.
 - b. Multiple primary land uses may occupy a single site or building. A land use on a site with multiple uses is considered a separate primary use if it operates independently from the other uses (e.g., different owner, business name, services provided) and could continue operations if the other uses were no longer present on the site.
 - c. Each primary land use on a site is subject only to its own permit requirements identified in the land use regulation tables in Article 2 (Zoning District Standards) regardless of the permit requirements that apply to other uses on the site. For example, if one primary land use that requires a Conditional Use Permit (CUP) occupies the same space in a building as another primary land use allowed by-right, the land use allowed by-right is not required to obtain a CUP.
 - d. Each primary land use on a site is subject only to the standards and limitations that apply to the individual use. For example, if one primary use is subject to conditions of approval limiting its hours of operations, other primary uses on the site would not be subject to those same limitations unless specifically required as through their conditions of approval for their individual permits.
 2. **Second Uses.**
 - a. A second use is a land use specifically identified in 155.504.030 (Land Use Classifications) as allowed only when combined with a permitted primary use. For

example, a drive-through facility is a second use allowed only when combined with a permitted primary use (e.g., Restaurants, Cafes and Beverage Sales). A second use by its nature cannot exist without an associated primary use.

- b. A second use may require different permits from its associated primary use as identified in the land use regulation tables in Article 2 (Zoning District Standards). For example, a restaurant may be permitted by right, but a drive-through facility associated with the restaurant would require a Conditional Use Permit. A second use may be subject to standards and limitations separate from the requirements that apply to its associated primary use.

3. **Accessory Uses.**

- a. An accessory use is a use that is subordinate to and dependent on a primary use on the same lot.
- b. Accessory uses are subject to the requirements in 155.302.020 (Accessory Uses).
- c. An accessory use that complies with 155.302.020 (Accessory Uses) is considered a component of its primary use and may operate by-right without the requirement to obtain additional permits unless specifically required by the Zoning Code.

155.108.060 – Zoning Map

A. Uncertain Zoning District Boundaries. Where zoning district boundaries on the Zoning Map are uncertain, the following rules apply:

1. Boundaries shown as approximately following the centerlines of streets, highways, or alleys are construed to follow the centerline.
2. Boundaries shown as approximately following the coastal zone boundary are construed to follow the coastal zone boundary.
3. Boundaries shown as approximately following platted lot lines are construed as following the lot lines. If lot lines shift as a result of updated survey data or lot line adjustment, zoning district boundaries are construed to follow these shifted lot lines.
4. Boundaries shown as approximately following city limits are construed as following city limits.
5. Boundaries shown following railroad lines are construed to be midway between and parallel to the main tracks.
6. If a boundary does not follow a lot line and divides a parcel, the location of the boundary is determined using the scale on the Zoning Map.
7. Where further uncertainty exists, the Planning Commission shall determine the exact boundary location considering the general purpose of the Zoning Code, the purpose of the applicable zoning districts, site conditions of the subject property, and all other

relevant information.

- B. **Split Zoning.** For parcels containing two or more zoning districts (“split zoning”), the regulations for each zoning district will apply within the zoning district boundaries as identified on the Zoning Map.

Section 155.112 – RULES OF MEASUREMENT

Subsections:

- 155.112.010 – Purpose
- 155.112.020 – Lot Area
- 155.112.030 – Density
- 155.112.040 – Setbacks
- 155.112.050 – Floor Area and Floor Area Ratio
- 155.112.060 – Site Coverage
- 155.112.070 – Height
- 155.112.080 – Distances
- 155.112.090 – Slope

155.112.010 – Purpose

This section establishes rules for measurement in the Zoning Code.

155.112.020 – Lot Area

- A. Measurement.** Lot area is measured as the total area of a lot, expressed in square feet or acres.
- B. Included in Calculation.** Lot area includes areas subject to easements and/or private streets.

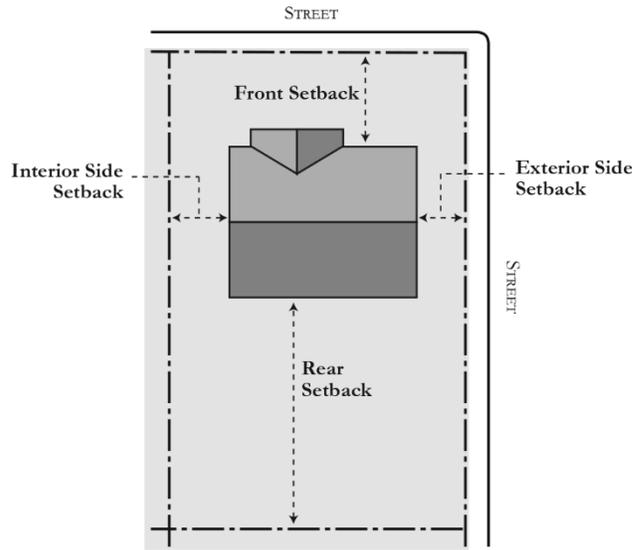
155.112.030 – Density

Density is measured as the number of dwelling units divided by the lot area.

155.112.040 – Setbacks

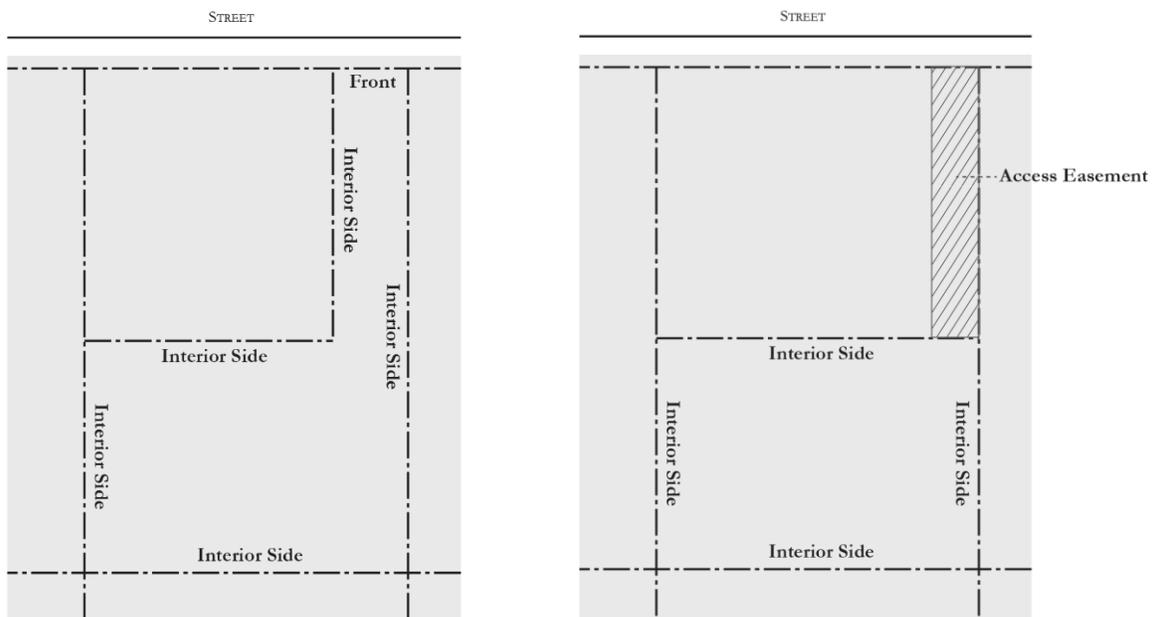
- A. Setback Measurement.** Setbacks are measured as the distance between a lot line and the nearest point of where a structure intersects the ground along a line at a right angle to the lot line. See Figure 112-1

Figure 112-1: Setback Measurement



- B. Lot Line Designation.** The Director has the authority to designate the location of street-facing, interior side, and rear lot lines based on the physical conditions and function of the lot.
- C. Flag Lots.** For flag lots, lot lines are designated as shown in Figure 112-2 unless otherwise designated by the Director based on the existing and/or proposed layout and function of the lot.

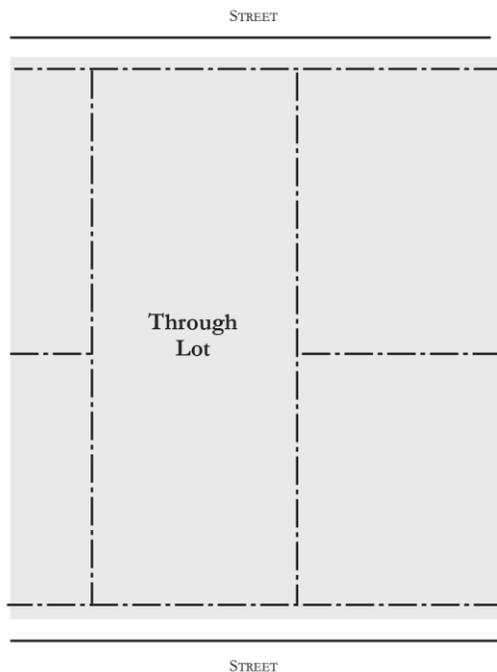
Figure 112-2: Flag Lot Setback Measurement



D. Lots Fronting on Two Parallel Streets.

1. For lots fronting on two parallel streets (“through lots”), the Director will either:
 - a. Determine that the lot has two fronts; or
 - b. Determine which street frontage constitutes the rear of the lot based on the placement and orientation of existing buildings on the lot and on neighboring properties.
2. An alley is not considered a street when determining whether a lot qualifies as a through lot. See Figure 112-3.

Figure 112-3: Through Lot



155.112.050 – Floor Area and Floor Area Ratio

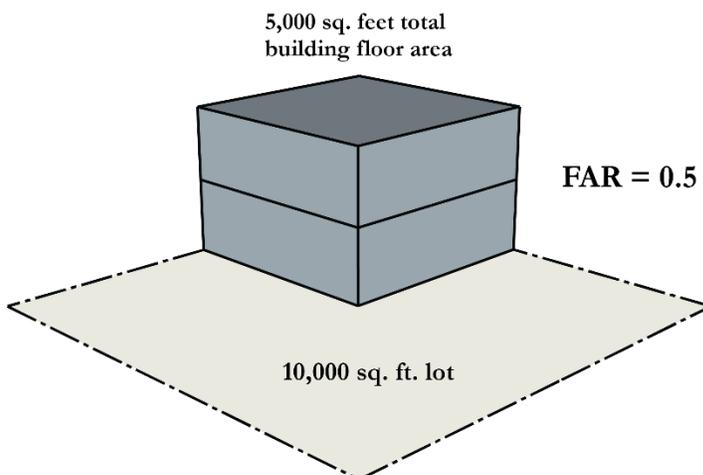
A. Floor Area.

1. Floor area is measured as the total enclosed area (as defined below) of all floors of a building measured from the exterior face of the outside walls.
2. The floor area calculation includes the following:
 - a. Enclosed areas used for vehicle parking, including garages, carports, and parking structures, but excluding tuck-under parking (ground-floor parking areas that are beneath a building and have three or fewer enclosed walls).
 - b. Elevator shafts and stairwells.

- c. Porches and balconies enclosed on all sides.
 - d. Mechanical shafts.
 - e. Mezzanines.
 - f. Service and mechanical equipment rooms.
 - g. Projecting windows, cantilevered upper floors, and other exterior architectural projections supported from the ground.
3. The floor area calculation does not include the following:
- a. Non-habitable attic spaces.
 - b. Basements.
 - c. Non-habitable accessory structures.
 - d. Exterior steps, patios, decks, terraces, porches, balconies, and porticoes open on one or more sides.
 - e. Projecting windows, cantilevered upper floors, and other exterior architectural projections not supported from the ground.
 - f. For nonresidential uses, arcades, porticoes, and similar open areas that are located at or near street level and are accessible to the general public but are not designed or used as sales, display, storage, service, or production areas.

B. Floor Area Ratio. Floor area ratio (FAR) is calculated by dividing the total floor area on a lot by the lot area. For example, a 10,000 square-foot lot containing a 5,000 square-foot building would have a FAR of 0.5 (5,000 divided by 10,000). See Figure 112-4.

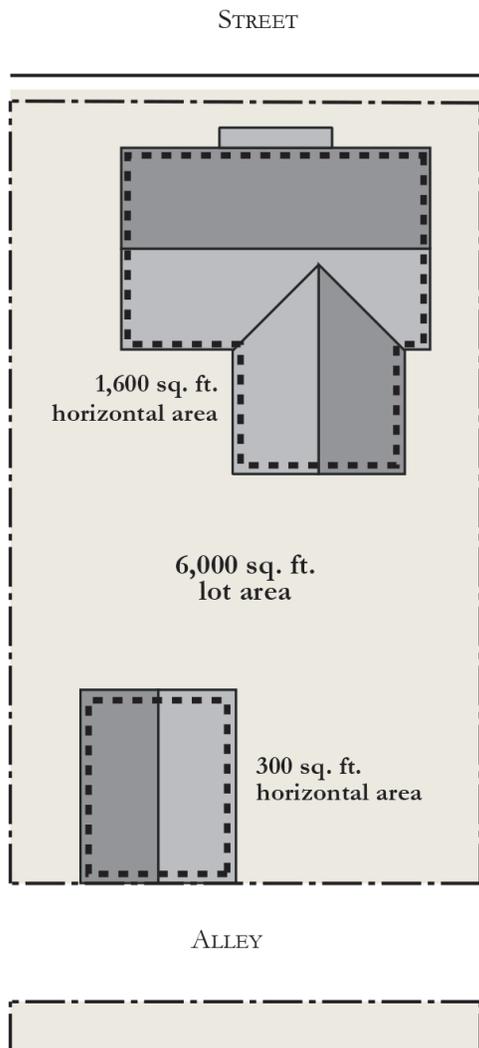
Figure 112-4: Floor Area Ratio



155.112.060 – Site Coverage

- A. Measurement.** Site coverage is measured as the total horizontal area covered by all buildings and structures on a lot, divided by the lot area. Total horizontal building area is measured from the exterior surface of the exterior walls of all principal and accessory buildings on the lot. See Figure 112-5.
- B. Included in Calculation.** The site coverage calculation includes the following:
1. All primary structures.
 2. All accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.)
 3. Bay windows, cantilevered upper floors, and other exterior architectural projections that are supported from the ground.

Figure 112-5 Site Coverage



Step 1: Calculate total horizontal area occupied by primary and accessory structures

$$\begin{array}{r} 1,600 \text{ sq. ft.} \\ + 300 \text{ sq. ft.} \\ \hline 1,900 \text{ sq. ft.} \end{array}$$

Step 2: Divide horizontal structure area by lot area

$$1,900 \text{ sq. ft.} / 6,000 \text{ sq. ft.} = 0.32$$

Site Coverage = 0.32

- C. Excluded from Calculation.** The site coverage calculation does not include the following:
1. Unenclosed and unroofed decks, uncovered patio slabs, landings, driveways, sidewalks, flatwork, balconies, stairways, and other similar unenclosed/unroofed structures less than 18 inches in height and six feet or less for railings.
 2. Projecting bay windows, cantilevered upper floors, and other exterior architectural projections that are not supported from the ground.
 3. Eaves and roof overhangs projecting less than three feet from a wall.
 4. Areas covered by a trellis or similar structure where at least 50 percent of the area is open to the sky with uniformly distributed openings.
 5. Swimming pools and hot tubs that are not enclosed in a roofed structure.
 6. Unenclosed building service equipment and mechanical appurtenances, such as exterior water heaters air conditioning units, and chimneys.

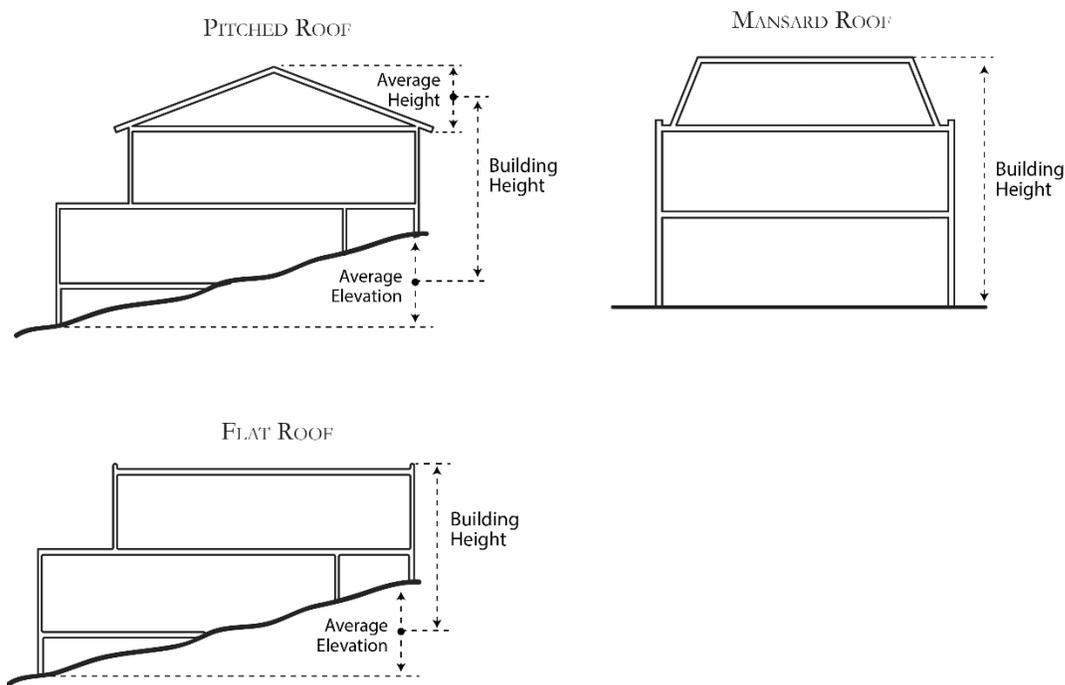
155.112.070 – Height

A. Building Height.

1. As shown in Figure 112-6, building height is measured vertically from the average elevation of the finished grade of the ground covered by the structure to the:
 - a. average height between the bottom of the eave and the ridge of a pitched roof;
 - b. the coping of a flat roof; and
 - c. the deck line of a mansard roof.
2. Roofs covering decorative elements, elevator shafts, stair towers, parapets, and other similar non-habitable building features are not included in the calculation of building height. See 155.304.020 (Height Exceptions).

B. Fence and Wall Height. See 155.312.030 (Measurement of Fence and Wall Height).

C. Freestanding Structure Height. For freestanding structures such as poles and towers, height is measured as the vertical distance from the finished grade at the base of the structure to the highest point of the structure.

Figure 112-6: Building Height**155.112.080 – Distances**

- A. Measurements Are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
- B. Distances Are Measured Horizontally.** When measuring distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. Distances are not measured following the topography or slope of the land.
- C. Measurements Involving a Structure.** Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
- D. Measurements Involving a Lot.** When measuring a required distance from a lot, the measurement is made from the portion of the lot that is the closest distance from the point of measurement.
- E. Measuring Radius.** When a specified land use must be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.

155.112.090 – Slope

A. Formula. Average ground slope is calculated using the formula:

$$S = \frac{I \times L}{A} (100)$$

where:

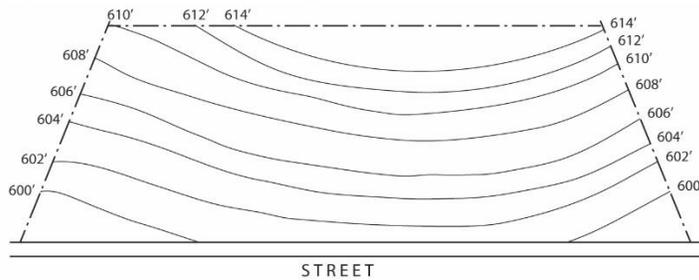
S = Average slope (in percent)

I = Contour interval (in feet)

L = Total length of all contour lines on the parcel (in feet)

A = Lot area (in square feet)

Figure 112-7: Average Slope Calculation



$$S = \frac{I \times L}{A} (100) = \frac{2 \times 838}{6,200} (100) = 27\%$$

$$I = 2 \text{ ft.}$$

$$L = 838 \text{ ft.}$$

$$A = 6,200 \text{ sq.ft.}$$

B. Contour Intervals. Measurements along contours shall be made at contour intervals not to exceed 10 feet, and a horizontal map scale of one-inch equals 200 feet or larger.

Section 155.116 – ZONING DISTRICTS AND MAPS

Subsections:

- 155.116.010 – Purpose
- 155.116.020 – Zoning Districts
- 155.116.030 – Zoning Maps
- 155.116.040 – Zoning Map Amendments

155.116.010 – Purpose

This section establishes the zoning districts that apply within the city limits and adopts the Inland Zoning Map.

155.116.020 – Zoning Districts

The City of Eureka is divided into zoning districts and overlay zones to achieve the purpose of the Zoning Code and to implement the General Plan.

- A. Inland Zoning Districts.** Table 116-1 lists the zoning districts that apply to inland areas outside of the coastal zone.

Table 116-1: Inland Zoning Districts

Symbol	Zoning District Name	General Plan Designation
Residential		
RE	Residential Estate	Estate Residential (ER)
R1	Residential Low	Low Density Residential (LDR)
R2	Residential Medium	Medium Density Residential (MDR)
R3	Residential High	High Density Residential (HDR)
Mixed Use		
DT	Downtown	Downtown (DT)
DW	Downtown West	
NC	Neighborhood Commercial	Neighborhood Commercial (NC)
HC	Henderson Center	
WA	Wabash Avenue	
OR	Office Residential	Professional Office (PO)
HM	Hospital Medical	
SC	Service Commercial	General Commercial (GC)

Symbol	Zoning District Name	General Plan Designation
Industrial		
HN	Hinge Industrial	Light Industrial (LI)
LI	Light Industrial	
HI	Heavy Industrial	General Industrial (GI)
Public		
PF	Public Facilities	Public/Quasi-Public (PQP)
P	Parks	
Resource-Related		
A	Agricultural	Agriculture (A)
NR	Natural Resources	Natural Resource (NR)

Coastal Zoning Districts. Table 116-2 lists the zoning districts within Eureka’s coastal zone. Regulations for these coastal zoning districts are found in Municipal Code Title 116 (Coastal Zoning).

Table 116-2: Coastal Zoning Districts

Symbol	Zoning District Name	General Plan Designation
Residential		
RE-CZ	Residential Estate - Coastal	Estate Residential (ER)
R1-CZ	Residential Low - Coastal	Low Density Residential (LDR)
R2-CZ	Residential Medium - Coastal	Medium Density Residential (MDR)
R3-CZ	Residential High - Coastal	High Density Residential (HDR)
Mixed Use		
OT-CZ	Old Town - Coastal	Old Town Commercial (OC)
BC-CZ	Bayfront Commercial - Coastal	Bayfront Commercial (BC)
LD-CZ	Library District - Coastal	Professional Office (PO)
MD-CZ	Marina District - Coastal	General Commercial (GC)
SC-CZ	Service Commercial - Coastal	
GN-CZ	Gateway North - Coastal	
BD-CZ	Bridge District - Coastal	
Industrial		
LI-CZ	Light Industrial - Coastal	Light Industrial (LI)
HN-CZ	Hinge Industrial - Coastal	

Symbol	Zoning District Name	General Plan Designation
HI-CZ	Heavy Industrial - Coastal	General Industrial (GI)
CDI-CZ	Coastal Dependent Industrial	Coastal Dependent Industrial (CDI)
Public		
PF-CZ	Public Facilities - Coastal	Public/Quasi-Public (PQP)
P-CZ	Parks-Coastal	
WI-CZ	Woodley Island - Coastal	Woodley Island (WI)
Resource		
A-CZ	Agricultural - Coastal	Agricultural (A)
NR-CZ	Natural Resources - Coastal	Natural Resources (NR)
WD-CZ	Water Development - Coastal	Water Development (WD)
WC-CZ	Water Conservation - Coastal	Water Conservation (WC)

B. Overlay Zones. Table 116-3 lists the overlay zones which impose additional regulations on properties beyond what is required by the underlying zoning district.

Table 116-3: Overlay Zones

Symbol	Overlay Zone Name
QO	Qualified
NMO	Neighborhood Market
SCO	Special Considerations

155.116.030 – Zoning Maps

- A. **Inland Zoning Maps** The City Council hereby adopts the Inland Zoning Map, which establishes the boundaries of zoning districts and overlay zones for areas in Eureka located outside of the coastal zone.
- B. **Coastal Zoning Map.** The Coastal Zoning Map, which establishes zoning district boundaries in the coastal zone, is adopted as part of Municipal Code Title 156 (Coastal Zoning).
- C. **Incorporation by Reference.** The Inland Zoning Map including all legends, symbols, notations, references, and other information shown on the maps, are incorporated by reference and made a part of the Zoning Code.
- D. **Public Streets.**
 - 1. The Inland Zoning Map assigns a zoning district to all dedicated public streets within the city limits.

2. A public street or alley that is officially vacated or abandoned will be assigned the zoning of the adjoining property to which it is merged.
- E. **Location.** The Inland Zoning Map are kept, maintained, and updated electronically by the Department and are available for viewing by the public at Department offices and on the official City of Eureka website.

155.116.040 – Zoning Map Amendments

The Inland Zoning Map may be amended in accordance with 155.432 (Zoning Code and General Plan Amendments). The Coastal Zoning Map may be amended in accordance with procedures established in Chapter 156 (Coastal Zoning).

ARTICLE 2 – ZONING DISTRICT STANDARDS

Section 155.204 – Residential Zoning Districts

- 155.204.010 – Purpose of Residential Zoning Districts
- 155.204.020 – Allowed Land Uses
- 155.204.030 – Development Standards

Section 155.208 – Mixed-Use Zoning Districts

- 155.208.010 – Purpose of Mixed-Use Zoning Districts
- 155.208.020 – Allowed Land Uses
- 155.208.030 – Development Standards
- 155.208.040 – Pedestrian-Focused Frontages

Section 155.212 – Industrial Zoning Districts

- 155.212.010 – Purpose of Industrial Zoning Districts
- 155.212.020 – Allowed Land Uses
- 155.212.030 – Residential and Office Uses in Industrial Zoning Districts
- 155.212.040 – Development Standards

Section 155.216 – Public Zoning Districts

- 155.216.010 – Purpose of Public Zoning Districts
- 155.216.020 – Allowed Land Uses
- 155.216.030 – Development Standards

Section 155.220 – Resource-Related Zoning Districts

- 155.220.010 – Purpose of Resource-Related Zoning Districts
- 155.220.020 – Allowed Land Uses
- 155.220.030 – Development Standards

Section 155.224 – Overlay Zones

- 155.224.010 – Purpose of Overlay Zones
- 155.224.020 – Qualified Overlay
- 155.224.030 – Neighborhood Market Overlay
- 155.224.040 – Special Considerations Overlay

Section 155.204 – RESIDENTIAL ZONING DISTRICTS

Subsections:

155.204.010 – Purpose of Residential Zoning Districts

155.204.020 – Allowed Land Uses

155.204.030 – Development Standards

155.204.010 – Purpose of Residential Zoning Districts

A. **General.** The purposes of the residential zoning districts are to:

1. Maintain stable neighborhoods offering a range of housing choices for residents with varied incomes and lifestyle needs;
2. Provide sufficient land in a range of residential densities to enable citizens from a wide array of economic levels and stages of life to live in Eureka, and to accommodate the existing and future workforce;
3. Accommodate increased development of high-density housing to balance Eureka’s housing inventory and enhance affordability;
4. Encourage the construction of new high-density multi-family housing in zoning districts where multi-family housing is allowed;
5. Promote housing in close proximity to parks, schools, and public services;
6. Promote new development that supports a pedestrian-friendly environment and allows residents to easily walk, bike, and take transit to destinations;
7. Ensure that development protects and enhances the positive qualities of existing neighborhoods and strengthens Eureka’s unique sense of place;
8. Encourage the development of vacant lots and the redevelopment of underutilized properties;
9. Allow improvements to existing homes consistent with the historic neighborhood character and the need to produce more housing units;
10. Allow for public and quasi-public uses compatible with a residential setting; and
11. Allow limited neighborhood-serving commercial uses to enhance residents’ quality-of-life where allowed by the Neighborhood Market (NMO) overlay zone.

B. **Specific.**

1. **Residential Estate (RE).** The RE zoning district provides areas for low-density single-family detached homes, accessory dwelling units, and limited agricultural uses with a rural character compatible with adjacent agriculture, timberland, and open space uses.

2. **Residential Low (R1).** The R1 zoning district contains neighborhoods of single-family homes and accessory dwelling units in a moderately low-density setting, located in proximity to parks, schools, and public services.
3. **Residential Medium (R2).** The R2 zoning district accommodates a variety of medium-density housing types close to commercial (mixed-use) areas.
4. **Residential High (R3).** The R3 zoning district accommodates high-density multi-family housing in an urban setting close to employment centers, mixed-use zoning districts, and/or public transportation.

C. Coastal Zoning Districts.

1. The following residential zoning districts are located exclusively in Eureka’s coastal zone:
 - a. Residential Estate - Coastal (RE-CZ).
 - b. Residential Low - Coastal (R1-CZ).
 - c. Residential Medium - Coastal (R2-CZ).
 - d. Residential High - Coastal (R3-CZ).
2. Purpose statements, allowed land uses, and development standards for coastal zoning districts are found in Municipal Code Chapter 156 (Coastal Zoning).

155.204.020 – Allowed Land Uses

- A. **General.** Table 204-1 identifies allowed land uses and required permits in the residential zoning districts.
- B. **Additional Permits.** In addition to permits identified in Table 204-1, proposed projects in the residential zoning districts may require additional permits and approvals as described in 155.412 (Specific Permits and Approvals).

Table 204-1: Allowed Land Uses in Residential Zoning Districts

Land Use	Zoning District				Additional Standards
	Residential Estate RE	Residential Low R1	Residential Medium R2	Residential High R3	
<i>Residential</i>					
Accessory Dwelling Unit (ADU)	P	P	P	P	155.308
Medical Care Housing	C	C	M	M	
Micro/Shared Housing	-	-	C	C	
Multi-family Dwellings	-	-	P	P	155.302.100
Non-medical Care Housing, Large	-	-	P	P	
Non-medical Care Housing, Small	P	P	P	P	
Single-Family Home, Attached	-	-	P	P	

Land Use	Zoning District				Additional Standards
	Residential Estate RE	Residential Low R1	Residential Medium R2	Residential High R3	
(Townhomes)					
Single-Family Home, Detached (existing)	P	P	P	P	
Single-Family Home, Detached (new)	P	P	P [1]	P [1]	
Commercial					
Car Share Facility	-	-	P	P	155.302.040
Day Care Facility	C [2]	C [2]	M [2]	M [2]	
Family Day Care Home, Large [4]	C	C	C	C	155.302.060
Family Day Care Home, Small [4]	P	P	P	P	155.302.060
Residential Lodging					155.302.130
Single-Room	P	P	P	P	
Multiple-Room	M	M	M	M	
Full Unit	M	M	M	M	
Agricultural and Natural Resources					
Timber Production and Harvesting	C	C	-	-	
Civic and Recreation					
Civic Institutions	C	C	C	C	
Government Facilities	C	C	C	C	
Non-Commercial Places of Assembly	C	C	C	C	
Parks and Playgrounds	P	P	P	P	
Schools, Public and Private	C	C	C	C	
Instructional Services	-	-	C [3]	C [3]	
Infrastructure and Utilities					
Public Utility	C	C	C	C	
Other Uses and Activities					
Accessory Uses	See 155.302.020				
Animal Keeping	See Municipal Code Chapter 91				
Home Occupations	See 155.302.070				
Neighborhood-Serving Commercial	See 155.224.030				
Temporary Uses	See 155.332				
Tree Removal	See 155.302.140				
Wireless Telecommunication Facilities	C	C	C	C	Municipal Code Chapter 159
Notes:					
[1] Allowed only on lots 3,000 square feet or less.					
[2] Allowed by-right when located in an existing non-residential facility such as a church or community center. Use Permit required for all other day care facilities.					
[3] Allowed only on collector and arterial streets as shown in General Plan Figure M-1. Not allowed on local streets.					
[4] Allowed only as a second use when combined with an allowed primary use. See 155.108.050.C (Types of Uses).					

155.204.030 – Development Standards

- A. **RE and R1 Zoning Districts.** Table 204-2 shows development standards in the RE and R1 zoning districts. Standards apply to both primary and accessory buildings unless otherwise noted.

Table 204-2: ER and R1 Development Standards

Standard	Zoning District		Additional Standards
	Residential Estate RE	Residential Low R1	
Minimum Lot Area [1]	10,000 sq. ft.	5,000 sq. ft.	155.304.010
Maximum Floor Area Ratio (FAR)	0.75	1.0	
Density			
Maximum units per acre or lot [2]	4 du/acre	1 du/lot [3]	
Minimum lot area per unit [1] [2]	10,000 sq. ft.	5,000 sq. ft.	
Maximum Site Coverage	35%	60%	
Maximum Building Height	35 ft.	35 ft.	155.304.020
Minimum Front Setbacks			155.204.030.D; 155.304.030
Building Walls	15 ft. [4]	10 ft. [4]	
Porches and Stoops	15 ft. [4]	5 ft. [4]	
Garage Doors and Carport Entrances	20 ft.	20 ft.	
Minimum Exterior Side Setbacks			155.204.030.D&E; 155.304.030
Building Walls; Porches and Stoops	15 ft. [4]	5 ft. [4]	
Garages on a corner lot facing a side street and within 30 ft. of the rear lot line [5]	0 ft. or ≥ 20 ft. [6]	0 ft. or ≥ 20 ft. [6]	
All other garages [5]	20 ft.	20 ft.	
Minimum Interior Side Setbacks	15 ft.	5 ft.	155.204.030.E; 155.304.030
Minimum Rear Setbacks, Alley Adjacent [7] [8]			155.204.030.G; 155.304.030
First story	0 ft. or ≥ 10 ft.	0 ft. or ≥ 10 ft.	
Second story and above	0 ft.	0 ft.	
Minimum Rear Setbacks, No Alley [7]			
First story	5 ft.	5 ft.	
Second story and above	10 ft.	10 ft.	

Notes:

[1] Minimum lot area standard applies only to new lots created through the subdivision or lot line adjustment process after [effective date of Zoning Code]. Lots existing as of [effective date of Zoning Code] are not subject to a minimum lot size standard.

Standard	Zoning District		Additional Standards
	Residential Estate RE	Residential Low R1	
<p>[2] Excludes accessory dwelling units in conformance with 155.308 (Accessory Dwelling Units).</p> <p>[3] For new subdivisions or conservation subdivisions, maximum 8.5 du/acre.</p> <p>[4] Or average of adjacent lots, whichever is less. See 155.204.030.D (Front and Exterior Side Setback Alternative).</p> <p>[5] Setback also applies to accessory dwelling units above a garage.</p> <p>[6] Garages must be set back either zero feet or 20 feet or more from the lot line. Garages may not be setback any distance between 0 ft and 20 feet from the lot line. See Figure 204-4. This applies only to garages, not to carports.</p> <p>[7] See Figure 204-5 in 155.204.030.G (Rear Setbacks).</p> <p>[8] Eaves, gutters, and other building features may project across a lot line into an alley only when allowed by the Building Code and with an easement and/or encroachment permit.</p>			

- B. **R2 and R3 Zoning Districts.** Table 204-3 shows development standards in the R2 and R3 zoning districts. Standards apply to both primary and accessory buildings unless otherwise noted.

Table 204-3: R2 and R3 Development Standards

Standard	Zoning District		Additional Standards
	Residential Medium R2	Residential High R3	
Minimum Lot Area [1]	2,000 sq. ft.	2,000 sq. ft.	155.304.010
Density			
Maximum units per acre [2]	22 du/acre	44 du/acre	
Minimum lot area per unit	2,000 sq. ft.	1,000 sq. ft.	
Maximum Floor Area Ratio (FAR)			
Lots less than 4,000 sq. ft.	0.55	0.7	
Lots 4,000 – 4,999 sq. ft.	0.7	0.85	
Lots 5,000 – 5,999 sq. ft.	0.9	1.0	
Lots 6,000 sq. ft. and above	1.0	1.15	
Maximum Site Coverage			
Lots less than 4,000 sq. ft.	50%	60%	
Lots 4,000 – 5,999 sq. ft.	60%	70%	
Lots 6,000 sq. ft. and above	70%	80%	
Maximum Building Height			155.304.020
Lots less than 4,000 sq. ft.	24 ft.	24 ft.	
Lots 4,000 – 5,999 sq. ft.	28 ft.	28 ft.	
Lots 6,000 sq. ft. and above	35 ft.	35 ft.	
Minimum Front Setbacks			155.204.030.D; 155.304.030

Standard	Zoning District		Additional Standards
	Residential Medium R2	Residential High R3	
Building Walls	10 ft. [3]	10 ft. [3]	
Porches and Stoops	5 ft. [3]	5 ft. [3]	
Garage Doors and Carport Entrances	20 ft.	20 ft.	
Minimum Exterior Side Setbacks			155.204.030.D&E; 155.304.030
Building Walls; Porches and Stoops	5 ft. [3]	5 ft. [3]	
Garages on a corner lot facing a side street and within 30 ft. of the rear lot line [4]	0 ft. or ≥ 20 ft. [5]	0 ft. or ≥ 20 ft. [5]	155.204.030.E
All other garages [4]	20 ft.	20 ft.	
Minimum Interior Side Setbacks	5 ft.	5 ft.	155.204.030.E; 155.304.030
Minimum Rear Setbacks, Alley Adjacent [6] [7]			155.204.030.G; 155.304.030
First story	0 ft. or ≥ 10 ft.	0 ft. or ≥ 10 ft.	
Second story and above	0 ft.	0 ft.	
Minimum Rear Setbacks, No Alley [6]			
First story	5 ft.	5 ft.	
Second story and above	10 ft.	10 ft.	
Notes:			
[1] Minimum lot area standard applies only to new lots created through the subdivision or lot line adjustment process after [effective date of Zoning Code]. Lots existing as of [effective date of Zoning Code] are not subject to a minimum lot size standard.			
[2] Excludes accessory dwelling units in conformance with 155.308 (Accessory Dwelling Units).			
[3] Or average of adjacent lots, whichever is less. See 155.204.030.D (Front and Exterior Side Setback Alternative).			
[4] Setback also applies to accessory dwelling units above a garage.			
[5] Garages must be set back either zero feet or 20 feet or more from the lot line. Garages may not be setback any distance between 0 ft. and 20 feet from the lot line. See Figure 204-4. This applies only to garages, not to carports.			
[6] See Figure 204-5 in 155.204.030.G (Rear Setbacks).			
[7] Eaves, gutters, and other building features may project across a lot line into an alley only when allowed by the Building Code and with an easement and/or encroachment permit.			

C. **Lot Area and Dimensions.** See 155.304.010 (Lot Standards).

D. **Average Setback Alternative.** Minimum required front and exterior side setbacks in Tables 204-2 and 204-3 may be reduced as provided below.

1. **Interior Lots.**

- a. For interior lots adjacent to two developed lots, the minimum front setback for building walls, porches, and stoops may be reduced to the average existing front setback of buildings of all developed lots on the same block face. See Figure 204-1.
- b. For lots not on a standard block configuration, the minimum setback may be reduced to the setback equal to the adjacent developed lots. New multi-lot subdivisions must comply with the minimum setbacks in Tables 204-2 and 204-3.

2. **Corner Lots.** For corner lots, the minimum front and exterior side setbacks may be reduced to the average setback of all developed lots on the same block face, including alley-separated lots. See Figure 204-2.

Figure 204-1: Alternative Front Setback – Interior Lots

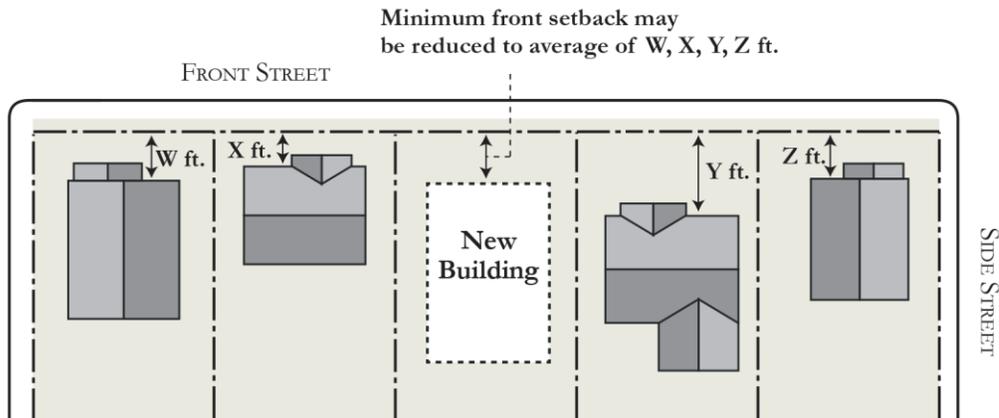
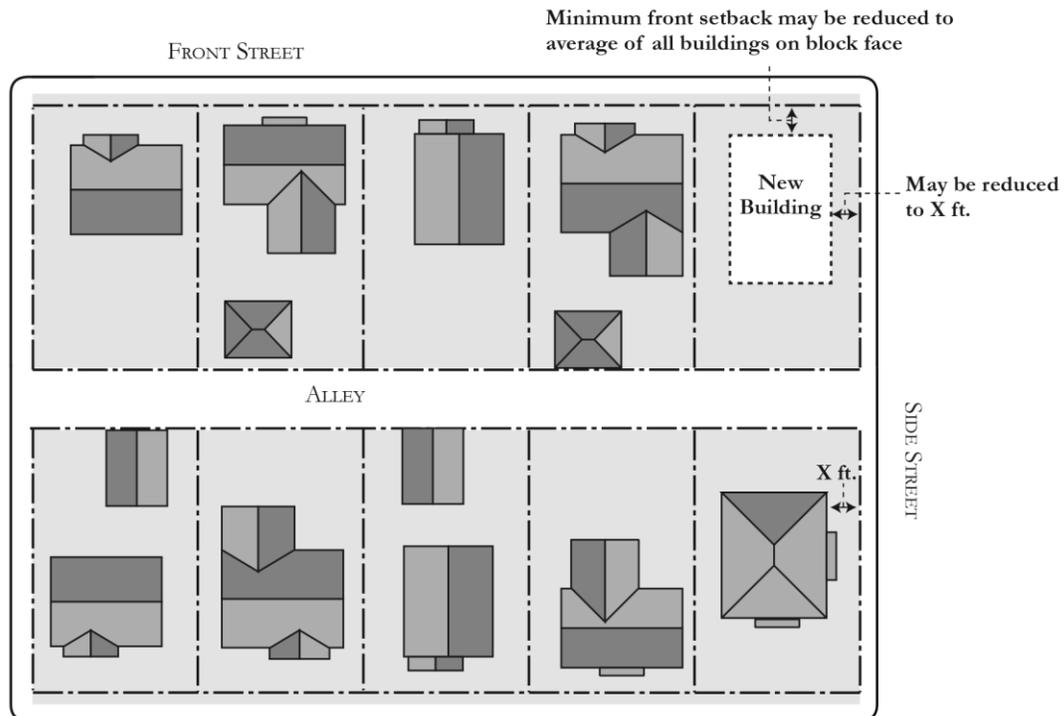


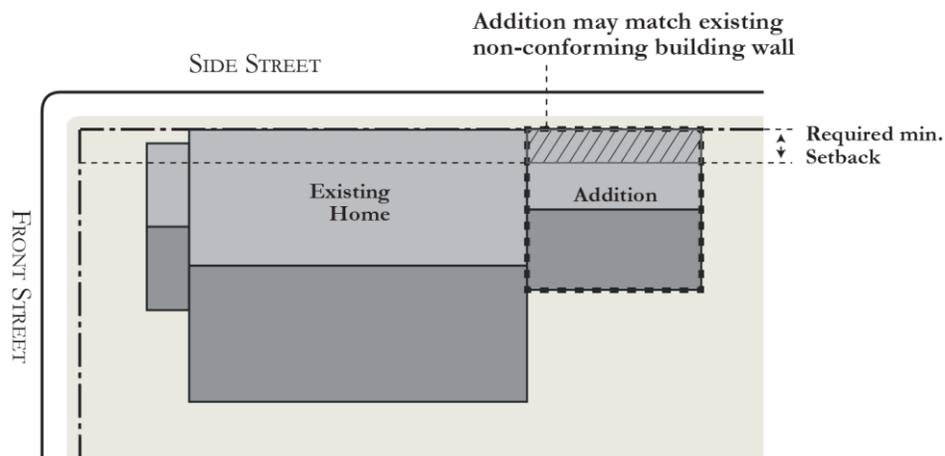
Figure 204-2: Alternative Front and Exterior Side Setback – Corner Lots



E. Established Side Setbacks for Building Additions.

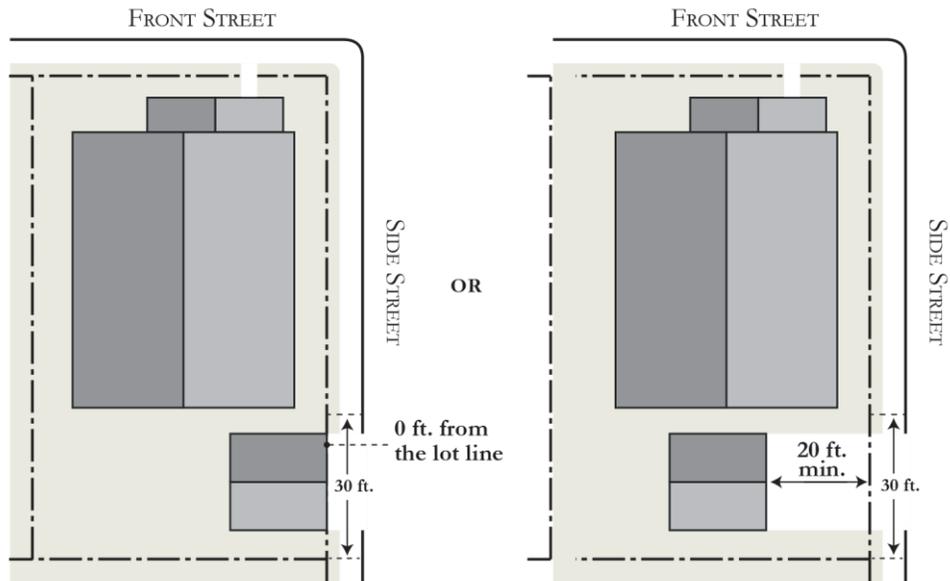
1. A building wall non-conforming to an interior or exterior side setback, if established prior to [effective date of Zoning Code], may be extended by-right to accommodate a residential addition of habitable floor area, including accessory dwelling units. See Figure 204-3. This allowance does not apply to garages and other non-habitable buildings or portions of a building.
2. Eaves and other building projections may not extend across a lot line. The Director may require a boundary survey to verify the lot line location.

Figure 204-3: Established Setbacks for Building Additions



- F. Exterior Side Setbacks for Garages.** As stated in Tables 204-2 and 204-3, if a street-facing garage is within 30 feet of the rear lot line, the garage must be setback either zero feet or 20 feet or more from the exterior lot line. See Figure 204-4. This provision applies only to garages, not to carports.

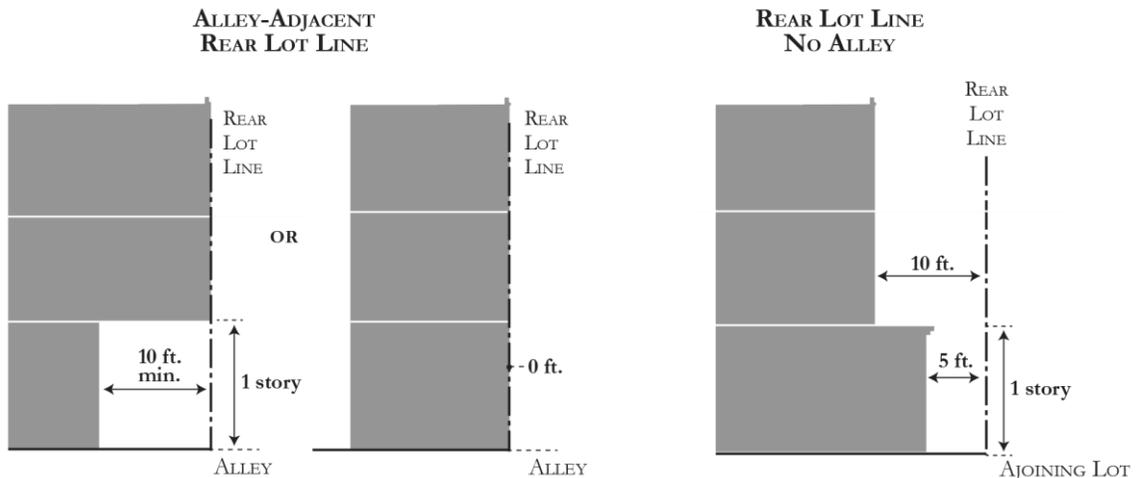
Figure 204-4: Exterior Street Garage Setbacks



G. Rear Setbacks.

1. As stated in Tables 204-2 and 204-3, the first story of a building must be setback either 0 ft. or 10 ft. or more from an alley-adjacent rear lot line. No setback is required for the second story and above. See Figure 204-5.
2. For rear lot lines that are not adjacent to any alley, a five-foot setback is required for the first story and a 10-foot setback is required for the second story and above. See Figure 204-5.

Figure 204-5: Minimum Rear Setback Elevations



- H. **Setback Projections.** See 155.304.030.A (Building Features) for building projections and site improvement allowed within minimum setbacks.
- I. **Accessory Dwelling Units.** See 155.308 (Accessory Dwelling Units) for development standards that apply to Accessory Dwelling Units (ADUs).
- J. **Accessory Structures and Site Features - Setback Encroachments.** See 155.304.030.B (Site Features) for site features and accessory structures allowed in minimum setback areas.
- K. **Subdivision Alternatives.** See 155.324 (Residential Subdivision Alternatives) for allowed modifications to development standards for small lot subdivisions and conservation subdivisions.
- L. **Design Standards.** See Section 155.306 (Design Standards) for building entry, architectural relief, and garage door width standards that apply to new primary building except single-family homes.
- M. **Parking.** See 155.316 (Parking).
- N. **Landscaping.** See 155.320 (Landscaping).

Section 155.208 – MIXED-USE ZONING DISTRICTS

Subsections:

155.208.010 – Purpose of Mixed-Use Zoning Districts

155.208.020 – Allowed Land Uses

155.208.030 – Development Standards

155.208.040 – Pedestrian-Focused Frontages

155.208.010 – Purpose of Mixed-Use Zoning Districts

A. **General.** The purposes of the mixed-use zoning districts are to:

1. Protect, enhance, and build upon Eureka’s unique identity, historic character, and sense of community;
2. Promote a compact development pattern with high-intensity activity centers, infill development, adaptive reuse of existing buildings, and redevelopment of vacant lots and underutilized properties;
3. Encourage a mix of commercial, residential, professional office, and civic land uses;
4. Accommodate a broad range of commercial uses to serve the community and allow properties to quickly respond to evolving market opportunities over time;
5. Promote a diversity of multi-family housing choices in higher density mixed-use settings, especially on upper floors;
6. Provide a pedestrian-friendly environment while accommodating the needs of automobiles where appropriate;
7. Promote transportation alternatives, reduce the reliance on automobiles, and increase opportunities to walk, bike, or take transit to destinations;
8. Foster a diverse and resilient local economy, friendly to new business investment and the creation and retention of quality jobs;
9. Encourage growth in the City’s tax base to support City services and infrastructure; and
10. Provide attractive and well-designed streetscapes, buildings, parking, and public spaces.

B. **Specific.**

1. **Downtown (DT).** The DT zoning district maintains, promotes, enhances, and builds upon Eureka’s Downtown as a vibrant center for residents, businesses, the arts, local/regional visitors, and out-of-town tourists. Vertical mixed-use development with a diversity of uses promote daytime and evening activity, including residential,

cultural, lodging, civic, professional office, entertainment, retail, and other customer-serving and employment-intensive uses. Multi-story buildings built to lot lines fully utilize available land and support a high-intensity economic and cultural center for the surrounding region. Existing buildings are fully utilized with uses that serve residents, employees, visitors, and the broader region. A diversity of building types and architectural styles, many with active ground-floor uses, support a vibrant pedestrian environment and active and inviting public spaces.

2. **Downtown West (DW).** The DW zoning district is an extension of the Downtown (DT) zoning district with a broader range of allowed land uses to further encourage investment and development and to provide a transition zone from Broadway to Downtown.
3. **Service Commercial (SC).** The SC zoning district is an intensive commercial district primarily located in or adjacent to highly visible areas, and provides for local, regional, and visitor needs. Development accommodates vehicles in a manner that supports an attractive streetscape and pedestrian-friendly environment. The SC zoning district allows a broad variety and scale of retail, office, restaurants, lodging, entertainment, outdoor sales, large product retail sales, storage, warehousing, wholesale, and limited residential uses.
4. **Henderson Center (HC).** The HC zoning district is a pedestrian-oriented limited-scale neighborhood shopping district primarily serving residents in nearby neighborhoods. Pedestrian-scale buildings with active street-facing storefronts close to the sidewalk create an active and inviting public realm. Single-family residential homes converted to retail and office uses retain their residential character and buffer nearby residences from higher intensity uses.
5. **Neighborhood Commercial (NC).** The NC zoning district provides places for limited-scale convenience retail, restaurants, offices, professional services, and other customer-serving uses to meet the daily needs of nearby residents, workers, and visitors. The form and intensity of development supports an active pedestrian environment and is compatible with neighboring residential properties. Limited residential mixed-use development contributes to neighborhood vitality and safe and attractive streetscapes.
6. **Wabash Avenue (WA).** The WA zoning district provides an area for limited-scale commercial uses to serve the community in the western half of Eureka. Over time, existing properties will be modified and redeveloped to create a more robust neighborhood-oriented and pedestrian-friendly shopping and professional service-related corridor.
7. **Office Residential (OR).** The OR zoning district provides areas for customer-serving and non-customer-serving professional offices, clinics, and related retail and services, as well as residential uses. The OR district allows a mix of single-family and multi-

family housing, offices, converted residential buildings, and lodging where the intent is to generally retain the character, scale, and form of the residential neighborhood. The OR zoning district provides a mix of office and residential uses in an environment with a different character and lower intensity than the other mixed-use commercial districts of the city.

8. **Hospital Medical (HM).** The HM zoning district provides a centralized and consolidated regional hub for hospitals, medical offices and clinics, other health care-related uses, and restricted commercial development that supports these uses.

C. Coastal Zoning Districts.

1. The following mixed-use zoning districts are located exclusively in Eureka's coastal zone:
 - a. Old Town - Coastal (OT-CZ)
 - b. Bayfront Commercial - Coastal (BC-CZ)
 - c. Library District - Coastal (LD-CZ)
 - d. Marina District - Coastal (MD-CZ)
 - e. Service Commercial - Coastal (SC-CZ)
 - f. Gateway North - Coastal (GN-CZ)
 - g. Bridge District - Coastal (BD-CZ)
2. Purpose statements, allowed land uses, and development standards for coastal zoning districts are found in Municipal Code Title 156 (Coastal Zoning).

155.208.020 – Allowed Land Uses

- A. **General.** Table 208-1 identifies allowed land uses and required permits in the mixed-use zoning districts.

Table 208-1: Allowed Land Uses in the Mixed-Use Zoning Districts

P = Permitted Use M = Minor Use Permit Required C = Conditional Use Permit Required - = Prohibited Land Use	Zoning District								Additional Standards
	Downtown Commercial DT	Downtown West DW	Service Commercial SC	Henderson Center HC	Neighborhood Commercial NC	Wabash Avenue WA	Office Residential OR	Hospital Medical HM	
Residential									155.208.040
Accessory Dwelling Unit (ADU)	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	155.308
Medical Care Housing	C [2]	C [2]	C	C [2]	C	C	C	C	
Micro/Shared Housing	C [2]	C [2]	C	C [2]	C	C	C	C	
Multi-family Dwellings	P [2]	P [2]	P	P[2]	P	P	P	C	155.302.100
Non-medical Care Housing, Large	P [2]	P [2]	P	C [2]	P	P	P	C	
Non-medical Care Housing, Small	P [2]	P [2]	P	P [2]	P	P	P	P	
Single Family Attached Home (Townhome)	P [3]	P [3]	P	P [3]	P	P	P	C	
Single Family Detached Home, New	-	-	-	-	-	-	-	-	
Single Family Detached Home, Existing	P	P	P	P	P	P	P	P	
Commercial - Sales									
Bars and Nightclubs	P	P	P	M	C	C	-	-	
Drive-Thru Facility, Food-Serving [4]	-	C	P	-	-	-	-	-	
Drive-Thru Facility, Non-Food Serving [4]	C	M	P	C	-	-	-	C	
Fuel and Service Stations	-	M	P	-	-	-	-	-	
General Retail – Indoor, Very Large	-	C	C	-	-	-	-	-	
General Retail – Indoor, Large	C	C	P	-	-	-	-	-	
General Retail – Indoor, Small	P	P	P	P	P	P	C	M [5]	
General Retail-Outdoor [4]	C [6]	C	P	P [6]	-	-	-	-	
Heavy Equipment Sales and Service	-	C	M	-	-	-	-	-	
Mobile Vendors	P	P	P	P	P	P	P	P	155.302.090
Restaurants, Cafes, and Beverage Sales	P	P	P	P	P	P	C	M [5]	
Vehicle Sales and Rental (Indoor)	P	P	P	-	-	-	-	-	
Commercial - Service & Office									

P = Permitted Use M = Minor Use Permit Required C = Conditional Use Permit Required - = Prohibited Land Use	Zoning District								Additional Standards
	Downtown Commercial DT	Downtown West DW	Service Commercial SC	Henderson Center HC	Neighborhood Commercial NC	Wabash Avenue WA	Office Residential OR	Hospital Medical HM	
Business Services and Heavy Commercial	-	P	P	-	-	-	-	-	
Car Share Facility	P	P	P	P	P	P	P	P	
Check Cashing	C	C	C	-	-	-	-	-	
Commercial Lodging	P	P	P	P	P	P	C	C [5]	
Day Care Facility	P	P	P	P	P	P	P	P	
Family Day Care Home, Large [4]	P	P	P	M	C	C	C	P	155.302.060
Family Day Care Home, Small [4]	P	P	P	P	P	P	P	P	155.302.060
Fitness, Dance, or Health Facility, Large	P	P	P	-	-	-	-	-	
Fitness, Dance, or Health Facility, Small	P	P	P	P	P	P	C	C [5]	
General Services	P	P	P	P	M	M	C	-	
Hospitals	-	-	-	-	-	-	-	P	
Kennel-Animal Boarding	-	C	M	-	-	-	-	-	
Medical Offices and Clinics	P	P	P	P	P	P	P	P	
Offices	P	P	P	P	P	P	P	-	
Outdoor Commercial Recreation	C	M	P	M	M	M	-	-	
Parking Lots and Structures	C	M	M	C	C	C	C	M [5]	
Personal Service	P	P	P	P	P	P	P	C [5]	
Vehicle Repair	C	M	P	-	-	-	-	-	
Vehicle Towing and Impound	-	-	C	-	-	-	-	-	
Industrial and Storage									
Manufacturing, Artisan	P	P	P	P	P	P	C	-	
Manufacturing, Light	-	M	C	-	-	-	-	-	
Outdoor Storage, Non-Retail	-	-	M	-	-	-	-	-	
Warehousing, Wholesale, and Distribution	-	C	C	-	-	-	-	-	
Civic and Recreation									
Civic Institutions	P	P	P	P	P	P	P	-	

P = Permitted Use M = Minor Use Permit Required C = Conditional Use Permit Required - = Prohibited Land Use	Zoning District								Additional Standards
	Downtown Commercial	Downtown West	Service Commercial	Henderson Center	Neighborhood Commercial	Wabash Avenue	Office Residential	Hospital Medical	
	DT	DW	SC	HC	NC	WA	OR	HM	
Colleges and Trade Schools (upper floor)	P	P	P	P	C	C	C	C [5]	
Colleges and Trade Schools (ground floor)	C	C	C	C	C	C	C	C [5]	
Instructional Services	P	P	P	P	P	P	P	C [5]	
Emergency Shelter	-	-	P	-	-	-	-	-	155.302.050
Government Facilities	P	P	P	P	P	P	P	P	
Non-Commercial Places of Assembly	P	P	P	P	P	P	P	P	
Parks and Playgrounds	P	P	P	P	P	P	P	P	
Recreational Vehicle Parks	-	-	C	-	-	-	-	-	155.302.120
Schools, Public and Private	C	C	-	-	-	-	-	-	
Social Services	C	C	C	-	-	-	-	C	
Infrastructure and Utilities									
Public Utility	C	C	C	C	C	C	C	C	
Recycling Collection Facility	-		C	-	-	-	-	-	
Other Uses									
Accessory Uses	See 155.302.020								
Cannabis Uses	See Municipal Code Chapter 158								
Home Occupations	See 155.302.070								
Temporary Uses	See 155.332								
Wireless Telecommunication Facilities	P [7]	P [7]	P [7]	P [7]	P [7]	P [7]	C	P [7]	Municipal Code Chapter 159
Notes: [1] An accessory dwelling unit is allowed only on lots with a single-family homes existing as of [effective date of zoning code]. [2] See 155.208.040 (Pedestrian-focused Frontages) for ground-floor use limitations that apply to residential uses facing a Pedestrian-focused Frontage as shown in Figure 208-4. [3] Prohibited when facing a Pedestrian-focused Frontage as shown in Figure 208-4. [4] Allowed only as a second use when combined with an allowed primary use. See 155.108.050.C (Types of Uses). [5] Limited to uses intended to primarily serve employees, patients, and visitors of medical uses in the zoning district as determined by the Minor Use or Conditional Use Permit process. [6] New general retail - outdoor uses established after [effective date of zoning code] are prohibited. General retail-outdoor uses established before [effective date of zoning code] may remain. See 155.208.020.C (General Retail – Outdoor in the Downtown Zoning District). [7] Wireless Telecommunication Facilities located within 100 feet of a residential zoning district require a CUP.									

- B. **Additional Permits.** In addition to permits identified in Table 208-1, proposed projects in the mixed-use zoning districts may require additional permits and approvals as described in 155.412 (Specific Permits and Approvals).
- C. **General Retail – Outdoor in the Downtown Zoning District.** The following requirements apply to general retail – outdoor (including outdoor vehicle sales and rental establishments) in the Downtown (DT) zoning district.
1. **Second Use Only.** General retail – outdoor is allowed only as a second use when combined with a permitted primary use. See 155.108.050.C (Types of Uses).
 2. **New Uses Prohibited.** New general retail – outdoor (including outdoor vehicle sales and rental uses) established after [effective date of Zoning Code] are prohibited.
 3. **Existing Uses May Remain.** An existing general retail – outdoor facility (including vehicle sales and rental establishments) is an allowed use subject to the following requirements:
 - a. The general retail – outdoor use (including vehicle sales and rental uses) applies to the entire lot.
 - b. The use may not be enlarged or expanded to a new lot unless the new lot already contain a general retail – outdoor use.
 - c. Existing buildings occupied by the general retail – outdoor use may be repaired, improved, and enlarged. New buildings may be constructed to serve the use.
 - d. Other uses that comply with the DT zoning district standards may be added to a site while the general retail – outdoor use remains in operation.
 - e. Existing general retail – outdoor uses may be replaced by another conforming use at any time.
 - f. If a general retail – outdoor use is discontinued for twelve consecutive months or more, the use may not be reestablished.

155.208.030 – Development Standards

- A. **General.** Table 208-2 identifies development standards in the mixed-use zoning districts.

Table 208-2: Development Standards – Mixed-Use Zoning Districts

Standard	Zoning Districts								Additional Standards
	Downtown Commercial DT	Downtown West DW	Service Commercial SC	Henderson Center HC	Neighborhood Commercial NC	Wabash Avenue WA	Office Residential OR	Hospital Medical HM	
Minimum Lot Area	No min.	No min.	No min.	No min.	No min.	No min.	No min.	No min.	
Maximum Density (du/acre) [1]	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.	
Maximum Floor Area Ratio (FAR)									
Minimum	1.0	1.0	No min.	No min.	No min.	No min.	No min.	No min.	
Maximum	6.0	6.0	2.5	2.5	3.0	3.0	2.5	2.5	
Building Height									155.304.020
Minimum (stories)	2 stories	2 stories	No min.	2 stories	2 stories	2 stories	No min.	No min.	
Maximum (feet)	100 ft.	80 ft.	55 ft.	55 ft.	45 ft.	45 ft.	45 ft.	45 ft. [2]	
Front Setbacks									155.304.030
Minimum	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	10 ft.	
Maximum	10 ft.	10 ft.	No max	15 ft.	15 ft.	15 ft.	15 ft.	No max.	155.208.030.B
Minimum Side Setbacks									155.208.030.C; 155.304.030
Exterior	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	10 ft.	
Interior	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	5 ft.	5 ft.	
Minimum Rear Setbacks									155.208.030.C; 155.304.030
Non-Alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Maximum Site Coverage	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.	
<p><u>Notes:</u> [1] While there is no maximum residential density in the mixed-use zoning districts, the number residential units on a lot will be limited by the maximum FAR, maximum building height, required parking, minimum unit size requirements in the building code, and other applicable development standards. [2] Maximum hospital height: 100 feet.</p>									

B. Maximum Front Setbacks. The following applies to new buildings in zoning districts with a maximum front setback requirement as shown in Table 208-2.

1. Buildings shall be constructed at or within the required maximum front setback for a minimum of 50 percent of the lot’s linear street frontage. See Figure 208-1.
2. The Director may modify or waive this requirement with an Administrative Adjustment. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and the following additional findings:
 - a. Unique physical conditions on the site require the modified standard to accommodate a development project consistent with the purpose of the applicable zoning district; and
 - b. The project incorporates a front-facing courtyard or privately-owned public space between the front building wall and front lot line to provide a pedestrian-oriented environment. See Figure 208-2.

Figure 208-1: Maximum Front Setbacks

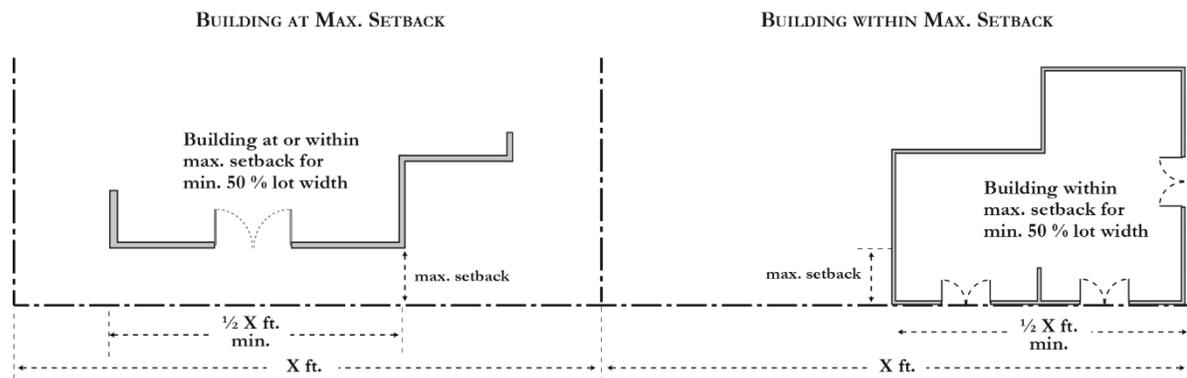
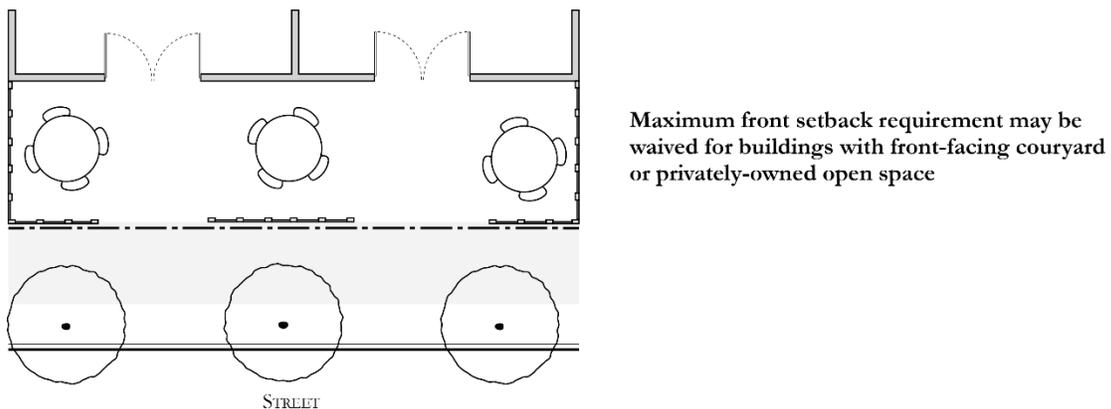


Figure 208-2: Front-facing Courtyard or Privately-owned Public Space

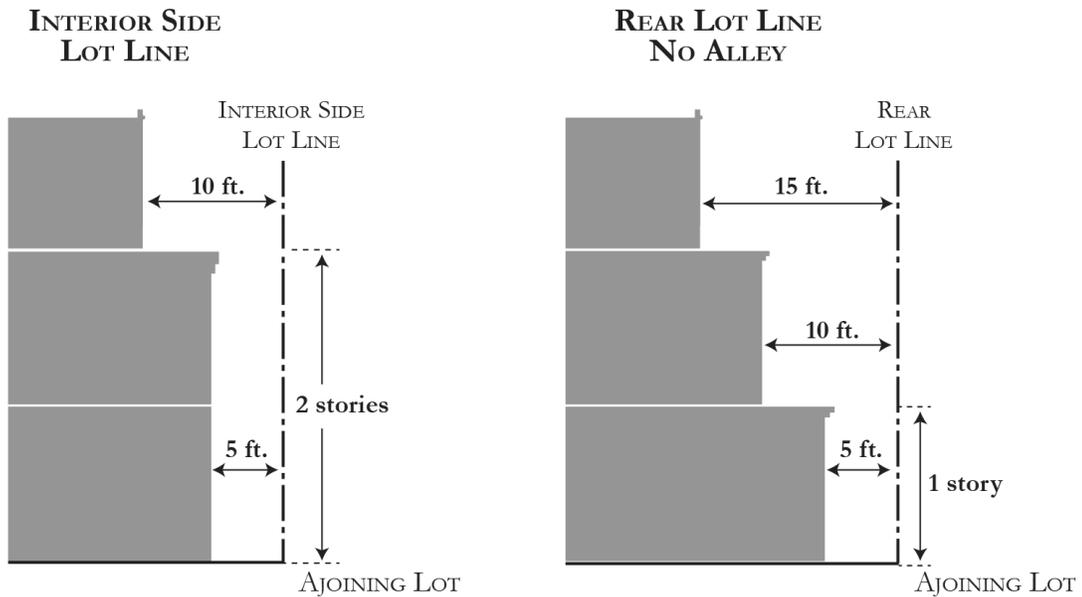


- C. **Setbacks Adjacent to Residential Zoning Districts.** All new buildings and additions to existing buildings adjoining a lot in a residential zoning district must comply with the setback standards in Table 208-3. See Figure 208-3.

Table 208-3: Setbacks Adjacent to Residentially-zoned Lot

Lot Line	Minimum Setback
Interior Side	
First and second stories	5 ft.
Third story and above	10 ft.
Alley Rear	0 ft.
Non-Alley Rear	
First story	5 ft.
Second story	10 ft.
Third story and above	15 ft.

Figure 208-3: Setbacks Adjacent to Residential Zoning Districts (Elevations)

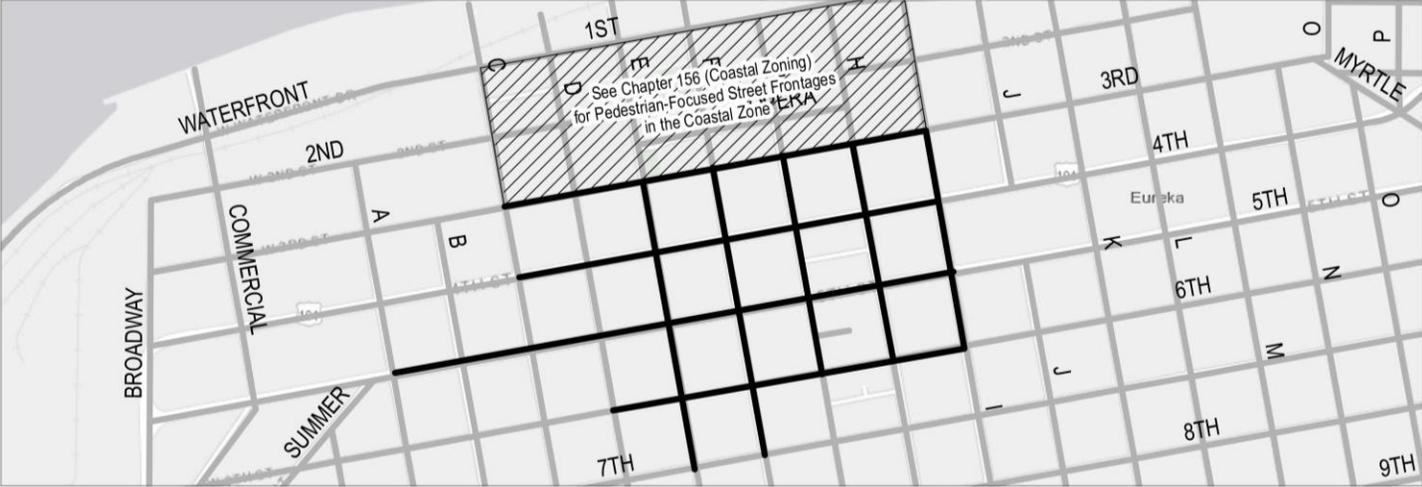


- D. **Building Design.** See Section 156.306 (Design Standards) for building design standards that apply to all new primary buildings in the DT, DW, HC, WA, NC, and OR zoning districts.
- E. **Parking.** See 155.316 (Parking).
- F. **Landscaping.** See 155.320 (Landscaping).
- G. **Signs.** See 155.338 (Signs).

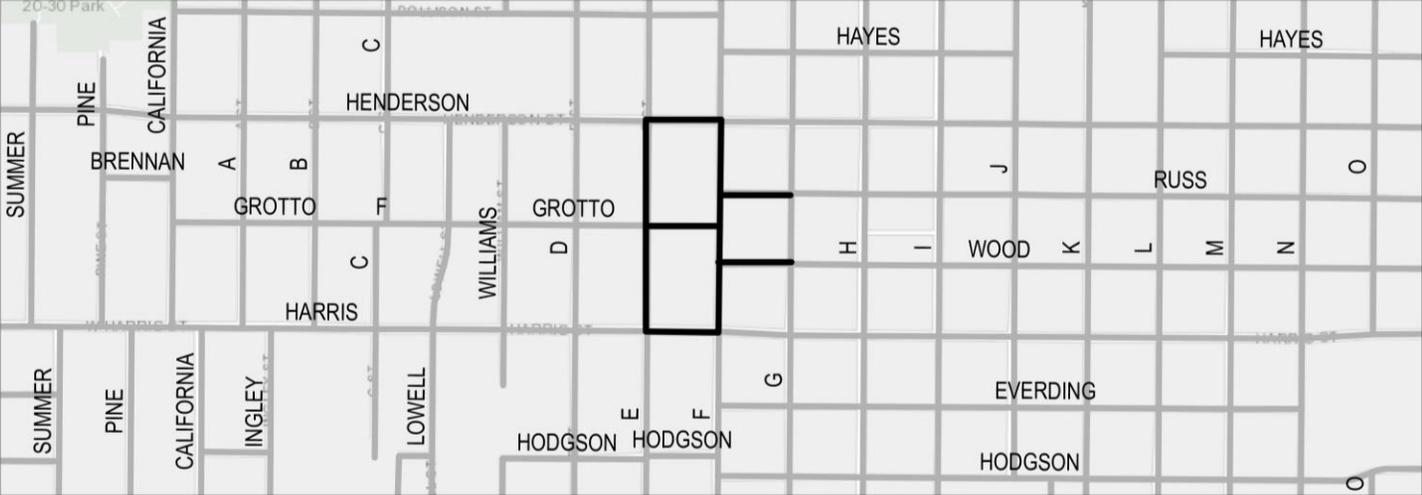
155.208.040 – Pedestrian-Focused Frontages

- A. **Purpose and Applicability.** Figure 208-4 shows the location of Pedestrian-focused Frontages outside of the coastal zone. The facades of buildings facing these street frontages are subject to special land use regulations and development standards to maintain and enhance an active and engaging pedestrian environment. These standards do not apply to facades that do not front the street (e.g., multi-story building facades that can be seen over shorter buildings).
- B. **Design Review Required.** Any exterior modification to a building façade that faces a Pedestrian-focused Frontage requires Design Review in accordance with Section 155.412.040 (Design Review).
- C. **Ground Floor Ceiling Height.** A new building with non-residential ground-floor uses facing the street must provide a minimum floor to ceiling height of 12 feet on the ground floor.
- D. **Ground Floor Residential Use Limitations.**
 - 1. New residential development with less than 66 dwelling units per acre must be part of a mixed-use project where the residential use is located above or behind a ground-floor non-residential use facing the street. For example, on a 6,000 square foot lot, a new residential development with less than nine units cannot have ground-floor street-facing residential units.

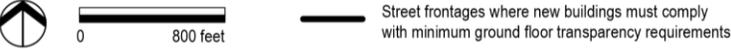
Figure 208-4: Pedestrian-Focused Frontages (both sides of each street)



Downtown and Old Town



Henderson Center



2. For projects with 66 dwelling units per acre or more, ground-floor residential uses facing the street are permitted. For example, on a 6,000 square foot lot, a new residential development with nine or more units may have street-facing residential units.
 3. When allowed, ground-floor residential uses facing the street are not subject to the transparency requirement in 155.208.040.E (Storefront Transparency)
- E. Ground Floor Storefront Transparency.** New development with non-residential ground-floor uses facing the street shall comply with the following transparency requirement.
1. The ground-floor street-facing building walls of non-residential uses must provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage located between three and seven feet above the sidewalk. See Figure 208-5.
 2. Window and door area must be transparent to allow views into the building, but may be frosted for privacy purposes provided that the windows can be returned to a transparent state.

Figure 208-5: Storefront Transparency (between three and seven feet above the sidewalk)



3. The Director may allow exceptions to this transparency requirement with an Administrative Adjustment. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and the following additional findings:
 - a. The proposed use has unique operational characteristics that preclude building openings, such as for a cinema or theater; and
 - b. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

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Section 155.212 – INDUSTRIAL ZONING DISTRICTS

Sections:

155.212.010 – Purpose of Industrial Zoning Districts

155.212.020 – Allowed Land Uses

155.212.030 – Residential and Office Uses in Industrial Zoning Districts

155.212.040 – Development Standards

155.212.010 – Purpose of Industrial Zoning Districts

A. **General.** The purposes of the industrial zoning districts are to:

1. Provide land for a broad range of viable industrial, manufacturing, and assembly uses to attract new industries and retain and expand existing uses;
2. Protect industrially-designated lands from encroachment by incompatible uses and activities that could conflict with or limit industrial activities;
3. Accommodate nonconforming industrial uses relocated from other locations;
4. Encourage the new use and redevelopment of properties that have been previously used for industrial purposes;
5. Strengthen Eureka’s role as a regional manufacturing and industrial center;
6. Foster a diverse and resilient local economy, friendly to new business investment and the creation and retention of quality jobs; and
7. Provide locations for non-coastal related industrial uses outside of the coastal zone, with access to necessary transportation routes and infrastructure.

B. **Specific.**

1. **Hinge (HN) Industrial Zoning District.** The HN zoning district provides an area for low-intensity manufacturing and very limited commercial uses close to Eureka’s historic Core Area. The primary purpose of the HN zoning district is to provide a location for manufacturing uses. The HN zoning district secondarily allows upper-floor residential and office uses to increase housing opportunities and support a dynamic employment area that can evolve and adapt over time.
2. **Light Industrial (LI) Zoning District.** The LI zoning district provides an area for lower-intensity manufacturing, assembly, wholesaling, service commercial, and other employment-generating uses. The LI zoning district accommodates industrial and heavy commercial uses in proximity to residential, retail, and commercial service uses without adverse impacts to these uses. Existing office uses are permitted.
3. **Heavy Industrial (HI) Zoning District.** The HI zoning district provides an area for intensive manufacturing, assembly, packaging, processing, wholesaling, warehousing,

distribution, research and development, and other employment-generating uses. The HI zoning district locates industrial uses away from residential, commercial, and visitor serving uses due to the potential for loud noise, noxious odors and emissions, vibrations, and high volumes of truck traffic.

C. Coastal Zoning Districts.

1. The following industrial zoning districts are located exclusively in Eureka’s coastal zone:
 - a. Hinge Industrial – Coastal (HN-CZ)
 - b. Light Industrial – Coastal (LI-CZ)
 - c. Heavy Industrial – Coastal (HI-CZ)
 - d. Coastal Dependent Industrial (CDI-CZ)
2. Purpose statements, allowed land uses, and development standards for coastal zoning districts are found in Municipal Code Chapter 156 (Coastal Zoning).

155.212.020 – Allowed Land Uses

- A. **General.** Table 212-1 identifies allowed land uses and required permits in the industrial zoning districts.

Table 212-1: Allowed Land Uses in the Industrial Zoning Districts

Land Use	Zoning Districts			Additional Standards
	Hinge Industrial HN	Light Industrial LI	Heavy Industrial HI	
P = Permitted Use M = Minor Use Permit Required C = Use Permit Required - = Prohibited				
Residential				
Micro/Shared Housing	C [1]	-	-	
Multi-family Dwellings	C [1]	-	-	
Non-medical Care Housing	C [1]	-	-	
Commercial - Sales				
Bars and Nightclubs	C	-	-	
Fuel and Service Stations	C	M	M	
Heavy Equipment Sales and Service	P	P	P	
Mobile Vendors	P	P	P	155.302.090
Commercial - Service and Office				
Adult Entertainment	C [2]	C	-	155.302.030
Business Services and Heavy Commercial	P	P	P	
Fitness, Dance, or Health Facility, Large	C	C	-	
Fitness, Dance, or Health Facility, Small	M	M	-	
Kennel-Animal Boarding	M	M	-	

Land Use	Zoning Districts			Additional Standards
	Hinge Industrial HN	Light Industrial LI	Heavy Industrial HI	
Offices, Existing	P [3]	P [3]	P [3]	
Offices, New	C [1]	-	-	
Parking Lots and Structures	P	M	C	
Vehicle Repair	P	P	P	
Vehicle Towing and Impound	P	P	P	
Industrial and Storage				
Manufacturing, Artisan	C	-	-	
Manufacturing, Light	P	P	P	
Manufacturing, Heavy	-	-	P	
Mini-Storage	-	C	C	
Outdoor Storage, Non-Retail	P	P	P	155.302.110
Warehousing, Wholesale, and Distribution	P	P	P	
Agricultural and Natural Resources				
Animal Processing	-	-	C	
Civic and Recreation				
Emergency Shelter	P	P	-	155.302.050
Government Facilities	C	C	C	
Social Service Providers	M	M	-	
Infrastructure and Utilities				
Freight Terminals and Transfer	C	C	P	
Public Agency Corporation Yard	P	P	P	
Public Utility	C	C	C	
Recycling Collection Facility	P	P	P	
Recycling Processing Facility	C	C	P	
Other Uses				
Accessory Uses	See 155.302.020			
Cannabis Uses	See Municipal Code Chapter 158			
Home Occupation	See 155.302.070			
Temporary Uses	See 155.332			
Wireless Telecommunication Facilities	P [4]	P [4]	P [4]	Municipal Code Chapter 159
Notes:				
[1] Residential and office uses must be located either above ground floor commercial and/or industrial in a vertical mixed-use building or to the rear of a separate street-fronting building on the site. Residential and office uses must be designed in compliance with 155.212.030.D (Standards for Residential and Office Uses in Mixed-Use Projects).				
[2] Prohibited on lots fronting Fourth Street.				
[3] Existing offices established as of [effective date of zoning code] as a primary use on a lot may continue as a permitted use. New office uses are allowed only on lots where an office use was a primary use on the lot as of [effective date of zoning code]. New office uses are not permitted on a lot if an office use was not present as a primary use on the lot as of [effective date of zoning code]				
[4] Wireless Telecommunication Facilities located within 100 feet of a residential zoning district require a CUP.				

- B. **Additional Permits.** In addition to permits identified in Table 212-1, proposed projects in the industrial zoning districts may require additional permits and approvals as described in 155.412 (Specific Permits and Approvals).

155.212.030 – Residential and Office Uses in Industrial Zoning Districts

- A. **Purpose.** This subsection establishes standards for new residential and office uses in the Hinge (HN) zoning district to:
1. Protect existing and new manufacturing uses in the industrial zoning districts;
 2. Ensure that manufacturing uses are recognized as the primary purpose of the industrial zoning districts; and
 3. Ensure that residential and office uses can functionally co-exist in a mixed-use development in the industrial zoning districts.
- B. **Where Allowed.** Residential and office uses are allowed in the industrial zoning districts only as provided in Table 212-1.
- C. **Nuisance Protection for Non-Residential Uses.**
1. If a residential or office use (excluding caretaker units) is established in Hinge (HN) zoning district, existing non-residential uses in the HN zoning district are considered a protected use.
 2. A protected use may not be considered a nuisance pursuant to the Municipal Code if:
 - a. The use was not a nuisance when it began;
 - b. The use is conducted and/or maintained in a manner consistent with proper and accepted customs and standards, as established and followed by similar uses in Eureka;
 - c. The use is consistent with the purposes of the applicable zoning district as described in 155.212.010 (Purpose of Industrial Zoning Districts); and
 - d. The use complies with the requirements of all applicable federal, state, and City statutes, ordinances, rules, regulations, approvals, and permits.
 3. The nuisance protections in this division do not apply where a nuisance results from the negligent or improper management or operation of a protected use.
- D. **Standards for Residential and Office Uses in Mixed Use Projects.** The following standards apply to new residential and office uses proposed as part of a mixed-use development project in the Hinge (HN) zoning district:
1. **General Standard.** The City may approve a new residential or office use only upon finding that the new use will not interfere with existing or anticipated future industrial operations within an industrial zoning district.

2. **Noise.** Proposed new residential and office development must prepare an assessment of existing and anticipated future noise at the site and incorporate construction measures as needed to meet the interior noise levels described in Table N-2 of the Noise Element of the General Plan.
3. **Vibration.** Proposed new residential and office development must prepare an assessment of existing and anticipated future vibration on the site and incorporate construction measures as needed to reduce the effects of vibration to acceptable levels for the proposed new land use.
4. **Odors, Dust, and Fumes.** Proposed new residential and office development must prepare an assessment of existing and anticipated odor/dust/fumes at the site and incorporate construction measures as needed to reduce the effects of odor/dust/fumes to acceptable levels for the proposed new land use.

155.212.040 – Development Standards

- A. **General.** Table 212-2 identifies development standards in the industrial zoning districts.

Table 212-2: Development Standards – Industrial Zoning Districts

Standard	Zoning District			Additional Standards
	Hinge Industrial HN	Light Industrial LI	Heavy Industrial HI	
Minimum Lot Area [1]	No min.	6,000 sq. ft.	6,000 sq. ft.	155.304.010
Maximum Density (du/acre)	44 du/acre	N/A	N/A	
Maximum Floor Area Ratio (FAR)	2.0	2.0	2.0	
Maximum Building Height	50 ft.	50 ft.	50 ft. [2]	155.304.020
Minimum Setbacks				155.304.030
Front	0 ft.	0 ft.	0 ft.	
Exterior Side	0 ft.	0 ft.	0 ft.	
Interior Side	0 ft	0 ft	0 ft	
Rear	0 ft	0 ft	0 ft	
Notes:				
[1] Minimum lot area standard applies only to new lots created through the subdivision process after [effective date of Zoning Code]. Lots existing as of [effective date of Zoning Code] are not subject to a minimum lot size standard.				
[2] 100 feet allowed with a Conditional Use Permit.				

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Section 155.216 – PUBLIC ZONING DISTRICTS

Subsections:

155.216.010 – Purpose of Public Zoning Districts

155.216.020 – Allowed Land Uses

155.216.030 – Development Standards

155.216.010 – Purpose of Public Zoning Districts

- A. **General.** The purpose of the public zoning districts is to accommodate government facilities and services, public and private institutional uses, and non-commercial community facilities in convenient and appropriate locations for residents, employees, and visitors.
- B. **Specific.**
 - 1. **Public Facilities (PF).** The PF zoning district provides locations for schools, governmental offices and facilities, community assembly uses, courthouses, social services, cemeteries, fairgrounds, airports, marinas and wharves, utility facilities, and other similar public and civic uses.
 - 2. **Parks and Recreation (PR).** The PR zoning district provides areas for public parks, playgrounds, golf courses, active/programmable public recreational facilities, passive/self-directed public recreational facilities, and other public open space uses.
- C. **Coastal Zoning Districts.**
 - 1. The following public zoning districts are located exclusively in Eureka’s coastal zone:
 - a. Public Facilities - Coastal (PF-CZ)
 - b. Parks and Recreation - Coastal (PR-CZ)
 - c. Woodley Island - Coastal (WI-CZ)
 - 2. Purpose statements, allowed land uses, and development standards for coastal zoning districts are found in Municipal Code Chapter 156 (Coastal Zoning).

155.216.020 – Allowed Land Uses

- A. **General.** Table 216-1 identifies allowed land uses and required permits in the public zoning districts.

Table 216-1: Allowed Land Uses in the Public Zoning Districts

Land Use	Zoning District		Additional Standards
	Public Facilities PF	Parks and Recreation PR	
P = Permitted Use M = Minor Use Permit Required C = Use Permit Required			
Commercial - Service and Office			
Mobile Vendors	P	p	155.302.090
Parking Lots and Structures	P [1]	C	
Civic and Recreation			
Civic Institutions	P	C	
Colleges and Trade Schools	P [2]	-	
Government Facilities	P	C	
Instructional Services	P [2]	-	
Parks and Playgrounds	P	P	
Schools, Public and Private	P [2]	-	
Social Services	C	-	
Infrastructure and Utilities			
Airport	P	-	
Public Agency Corporation Yard	P	-	
Public Utility	C	-	
Recycling Collection Facility	C	-	
Other Uses			
Accessory Uses	See 155.302.020		
Temporary Uses	See 155.332		
Wireless Telecommunication Facilities	C	C	Municipal Code Chapter 159
Notes: [1] City owned or operated only. [2] Public schools only.			

- B. **Incidental Commercial Use.** With a Minor Use Permit, the Director may allow in the PF and PR zoning districts a retail, commercial service, office, or other use not listed in Table 216-1 if:
 - 1. The use is incidental to a permitted use; and
 - 2. The establishment of the use would have a public benefit as determined by the Director.
- C. **Additional Permits.** In addition to permits identified in Table 216-1, proposed projects in the public zoning districts may require additional permits and approvals as described in 155.412 (Specific Permits and Approvals).

155.216.030 – Development Standards

Table 216-2 identifies development standards in the public zoning districts.

Table 216-2: Development Standards – Public Zoning Districts

Standard	Zoning District		Additional Standards
	Public Facilities PF	Parks and Recreation PR	
Maximum Floor Area Ratio	4.0	4.0	
Maximum Building Height	75 ft.	50 ft.	155.304.020
Minimum Setbacks			155.304.030
Front	0 ft.	0 ft.	
Exterior Side	0 ft.	0 ft.	
Interior Side	0 ft. [1]	0 ft. [1]	
Rear	0 ft. [2]	0 ft. [2]	
<u>Notes:</u> [1] 10 ft. min when abutting a residential zoning district. [2] 20 ft. min when abutting a residential zoning district.			

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Section 155.220 – RESOURCE-RELATED ZONING DISTRICTS

Subsections:

155.220.010 – Purpose of Resource-Related Zoning Districts

155.220.020 – Allowed Land Uses

155.220.030 – Development Standards

155.220.010 – Purpose of Resource-Related Zoning Districts

- A. **General.** The purpose of the resource-related zoning districts is to protect agricultural lands, open space, and natural habitats with important economic, cultural, and environmental value to Eureka and the broader region.
- B. **Specific.**
1. **Agricultural (A).** The purpose of the A zoning district is to protect and conserve agricultural lands and to support agricultural activities as an important contributor to the local and regional economy. The A zoning district allows the production of crops, livestock grazing, animal and poultry raising, apiaries, dairies, stables, and associated residences and farmworker housing. The A zoning district is intended to protect land, including farmed or grazed wetlands, that is primarily suitable for long-term agricultural and wildlife habitat uses and to ensure adequate separation from adjacent development.
 2. **Natural Resources (NR).** The purpose of the NR zoning district is to protect and restore land-based habitats and natural resources in Eureka. The NR zoning district protects land that is primarily suitable for permanent habitat preservation, compatible resource-related uses, nature study, and natural resource-related recreation. Public access, passive recreation, active recreation, and visitor-related facilities are allowed to the extent such activities do not negatively impact or degrade natural resources. The NR zoning district aims to protect surface water resources, riparian habits, groundwater, and water quality, sensitive biological resources, and open space.
- C. **Coastal Zoning Districts.**
1. The following resource-related zoning districts are located exclusively in Eureka’s coastal zone:
 - a. Agricultural – Coastal (A-CZ)
 - b. Natural Resources – Coastal (NR-CZ)
 - c. Water Development – Coastal (WD-CZ)

- d. Water Conservation – Coastal (WC-CZ)
- 2. Purpose statements, allowed land uses, and development standards for coastal zoning districts are found in Municipal Code Chapter 156 (Coastal Zoning).

155.220.020 – Allowed Land Uses

A. **General.** Table 220-1 identifies allowed land uses and required permits in the resource-related zoning districts.

Table 220-1: Allowed Land Uses in Resource-Related Zoning Districts

Land Use	Zoning District		Additional Standards
	Agricultural A	Natural Resource NR	
P = Permitted Use M = Minor Use Permit Required C = Conditional Use Permit Required - = Prohibited			
Residential			
Accessory Dwelling Unit (ADU)	P	-	155.308
Farmworker Housing	P	-	
Single-Family Detached Home	P	-	
Commercial - Service and Office			
Kennel-Animal Boarding	P	-	
Outdoor Commercial Recreation	-	-	
Agricultural and Natural Resource			
Agricultural Processing	C	-	
Agriculture	P	P [1]	
Resource Protection and Restoration	P	P	
Timber Production and Harvesting	-	C	
Civic and Recreation			
Parks and Playgrounds	-	C [2]	
Infrastructure and Utilities			
Public Utility	C	-	
Other Uses			
Accessory Uses	See 155.302.020		
Animal Keeping	See Municipal Code Chapter 91		
Cannabis Uses	See Municipal Code Chapter 158		
Home Occupation	See 155.302.070		
Temporary Uses	See 155.332		
Wireless Telecommunication Facilities	C	-	Municipal Code Chapter 159
Notes: [1] Limited to grazing-related uses only. [2] Only recreation with limited improvements is permitted. Allowed improvements include informational kiosks, parking areas, play structures, and other similar improvements.			

- B. **Additional Permits.** In addition to permits identified in Table 220-1, proposed projects in the natural resource zoning districts may require additional permits and approvals as described in 155.412 (Specific Permits and Approvals).

155.220.030 – Development Standards

- A. **General.** Table 220-2 identifies development standards in the resource-related zoning districts.

Table 220-2: Development Standards – Resource-Related Zoning Districts

Standard	Zoning District		Additional Standards
	Agricultural A	Natural Resource NR	
Minimum Lot Area [1]	20 acres	No min.	155.304.010
Maximum Density (du/acre)	2 units per 20 acres [2]	N/A	
Maximum Building Height			155.304.020
Residential structures	35 ft.	N/A	
Non-residential structures	50 ft.	50 ft.	155.220.030.B
Minimum Setbacks			155.304.030
Front	30 ft.	No min.	
Exterior Side	30 ft.	No min.	
Interior Side	30 ft.	No min.	
Rear	30 ft.	No min.	
<p>Notes: [1] Minimum lot area standard applies only to new lots created through the subdivision process after [effective date of Zoning Code]. [2] Excludes allowed farmworker housing.</p>			

B. Height Exceptions for Non-Residential Structures.

1. With Director approval of an Administrative Adjustment, water tanks, agricultural processing equipment and silos, aggregate processing equipment, granaries, barns, pole buildings, electronic towers, antennas, and similar structures associated with agricultural and natural resource uses may exceed 50 feet in height.
2. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find the structure does not exceed the maximum height necessary to perform its intended function.

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Section 155.224 – OVERLAY ZONES

Subsections:

155.224.010 – Purpose of Overlay Zones

155.224.020 – Qualified Overlay

155.224.030 – Neighborhood Market Overlay

155.224.040 – Special Considerations Overlay

155.224.010 – Purpose of Overlay Zones

- A. **General.** An overlay zone is a defined geographic area shown on the Zoning Map where special requirements or limitations apply, in addition to the underlying base zoning district requirements.
- B. **Conflicting Requirements.** Whenever a requirement of an overlay zone conflicts with a requirement of the underlying base zoning district, the overlay zone requirement controls.

155.224.020 – Qualified Overlay

- A. **Purpose.** The purpose of the Qualified (QO) overlay zone is to limit the land uses allowed in a zoning district when applied to a specific property. The QO overlay zone is intended for unique circumstances where use limitations are necessary to reduce impacts and promote compatibility between neighboring properties.
- B. **Allowed restrictions.** When the QO overlay is applied to a property, the ordinance establishing the overlay may:
 - 1. Prohibit land uses that are otherwise allowed in the applicable base zoning district;
 - 2. Impose more stringent development standards on allowed use; and/or
 - 3. Require a use permit for allowed land uses that are otherwise permitted by right.
- C. **Limitations.**
 - 1. **General Plan Compliance.** Land use and development restrictions established by the QO overlay zone must be consistent with the General Plan. For example, the QO overlay zone may not prohibit multi-family dwellings on a site where multi-family housing is expressly allowed by the applicable General Plan land use designation.

155.224.030 – Neighborhood Market Overlay

- A. **Purpose.** The purpose of the Neighborhood Market (NMO) overlay zone is to allow for the continuation, re-establishment, or creation of new neighborhood-serving commercial uses in residential zoning districts. These neighborhood-serving commercial uses are intended to:

1. Protect the historic character and unique identity of Eureka’s neighborhoods;
2. Increase opportunities for social interaction and community-building in neighborhoods;
3. Promote economic vitality by expanding opportunities for locally-owned businesses;
4. Promote public safety by increasing pedestrian activity in residential neighborhoods;
5. Increase opportunities for residents of all ages and abilities to easily access stores and services;
6. Reduce vehicle trips and decrease traffic congestion by increasing opportunities for residents to walk to destinations; and
7. Provide opportunities for neighborhood-based healthy food opportunities.

B. Applicability. The NMO designation applies to properties shown on the Zoning Map and identified in this subsection.

C. Neighborhood-Serving Commercial Uses Defined.

1. **Included Uses.** Permitted neighborhood-serving commercial uses are exclusively limited to the following:
 - a. General retail, limited to:
 - (1) Establishments serving the daily needs of neighborhood residents (e.g., markets selling food products and household products such cleaning supplies, paper towels, laundry products);
 - (2) Retail bakeries and other establishments primarily selling specialized foods prepared on-site; and
 - (3) Bookstores.
 - b. Restaurants, cafes, and beverage sales.
 - c. Instructional services
 - d. Small Fitness, dance, or health facilities.
 - e. Personal services, limited to barbershops, hair salons, nail salons, and health spas.
 - f. Other similar uses as determined by the Director that meet the purpose of the NMO designation.
2. **Upper Floor Residential.** Residential units are permitted on upper floors above a neighborhood-serving commercial use.
3. **Excluded Uses.** Neighborhood-serving commercial uses exclude the following, as defined in 155.504 (Land Use Classifications):

- a. Bars.
- b. Drive-thru facilities.
- c. Fuel and service stations.
- d. Adult entertainment.
- e. Business services and heavy commercial.
- f. General Retail Outdoor.
- g. General Services, including banks, funeral parlors, laundromats, and other general services as defined in 155.504 (Land Use Classifications).
- h. Offices.
- i. Medical offices and clinics.
- j. Vehicle repair, towing, and sales.
- k. Other similar uses as determined by the Director.

D. Existing Neighborhood-serving Commercial Uses.

- 1. Table 224-1 lists properties with an NMO designation where a neighborhood-serving commercial use was present as of [effective date of Zoning Code].

Table 224-1: Historical NMO Properties with Neighborhood-Serving Commercial Uses Existing as of [Effective Date of Zoning Code]

NMO Zone #	APN	Address	Existing Use
NMO -1	009-125-002	2100 California Street	Retail establishment serving the daily needs of neighborhood residents (market)
NMO -2	005-022-007	1011 H Street	Instructional services for personal enrichment (dance studio)
NMO -3	010-111-004	3500 F Street	Retail establishment serving the daily needs of neighborhood residents (market)
NMO -4	005-145-007	1201 11 th Street	Retail establishment serving the daily needs of neighborhood residents (market)
NMO -5	011-185-001	3100 K Street	Retail establishment serving the daily needs of neighborhood residents (market)
NMO -6	009-022-026	2338 Albee Street	Retail establishment serving the daily needs of neighborhood residents (market)

- 2. An existing neighborhood-serving commercial use may continue as a permitted land use without Department approval if the use continues as the existing use described in Table 224-1.

3. An existing neighborhood-serving commercial use on a property in Table 221-4 may change to a different (new) type of neighborhood-serving commercial use with approval of a Conditional Use Permit
4. If a neighborhood-serving commercial use on a property in Table 224-1 ceases operations for 12 consecutive months or more, re-establishing a neighborhood-serving commercial use requires a Conditional Use Permit.

E. New Neighborhood-serving Commercial Uses.

1. Table 224-2 lists properties with an NMO designation where a neighborhood-serving commercial use previously existed, though some were not present as of [effective date of Zoning Code].
2. Establishing or re-establishing a neighborhood-serving commercial use on a property in Table 224-2 requires a Conditional Use Permit.

Table 224-2 Neighborhood Commercial Overlay NMO Properties with Prior Neighborhood-Serving Commercial Uses

NMO Zone #	APN	Address
NMO -7	004-021-012	1100 California Street
NMO -8	004-101-007	1037 B Street
NMO -9	004-116-001	1305 California Street
NMO -10	004-251-013	1505 F Street
NMO -11	005-015-008	931 H Street
NMO -12	005-134-011	1833 J Street
NMO-13	010-024-002	2304 A Street
NMO -14	008-014-008	2329 Fairfield Street
NMO -15	018-181-026	3911 Campton Road
NMO -16	004-234-006	405 13 th Street

F. Performance Standards. All new neighborhood-serving commercial uses must comply with the following performance standards:

1. **Noise.** Neighborhood serving commercial uses must comply with Municipal Code Section 94.01 et seq (Noise).
2. **Hours of Operation.** A neighborhood-serving commercial use may be open to the public only between the hours of 7 a.m. and 9 p.m. unless extended hours of operation are approved with a Conditional Use Permit.

3. **Live Entertainment.** Live entertainment may include only unamplified music, book readings, and other similar quiet activities appropriate for residential neighborhoods. Amplified live entertainment is prohibited.
 4. **Deliveries.** Deliveries and pick-ups may not involve the use of commercial vehicles greater than 26,000 pounds gross vehicle weight except for FedEx, UPS, or USPS-type deliveries and pick-up.
 5. **Solid Waste and Recycled Materials.**
 - a. **Location.** Solid waste/recyclable material collection and storage areas must be located a minimum of 15 feet from any adjoining residential lot line.
 - b. **Screening.** All outdoor collection and waste storage areas must be screened from view from an adjoining residential property by a fence or enclosure, compatible with adjacent architecture, with a minimum height of five feet for carts/cans, and seven feet for dumpsters.
- G. Building and Site Standards.** Neighborhood-serving commercial uses must comply with the following building and site standards:
1. Indoor areas for customers and clients may not exceed 2,000 square feet.
 2. Establishments that provide food and/or beverage service are limited to seating for 30 people.
 3. Exterior sales windows (e.g., concession stands) without interior customer space are not permitted.
 4. No more than three on-site parking spaces may be added to the site for customer parking. Parking areas must comply with design standards in 155.316 (Parking).
- H. Development Standards.**
1. Notwithstanding 155.224.030.G (Building and Site Standards), an NMO property is subject to either: 1) the development standards of the applicable base zoning district; or 2) the existing conditions of the site and building at the time of NMO designation, whichever is less restrictive. For example, if an existing NMO building has a 5-foot front setback and the applicable zoning district requires a 10-foot setback, the NMO building is subject to a minimum 5-foot front setback requirement. If an NMO building has a height of 20 feet in a zoning district with a 35-foot maximum height, the NMO building is subject to the 35-foot maximum height standard.
 2. The development standards in this division apply only to buildings occupied by a neighborhood-serving commercial use and upper floor residences above a neighborhood-serving commercial use. Buildings occupied by any other allowed use must comply with the development standards of the applicable zoning district.
- I. Applying the NMO to Additional Properties.**

1. In addition to properties identified in Table 224-1 and 224-2, the City Council may apply the NMO designation to any property in a residential zoning district, regardless of the property size, location, or current use.
2. To apply the NMO designation to additional properties, the City Council must approve a Zoning Code Amendment (Zoning Map and text) in conformance with 155.432 (Zoning Code and General Plan Amendments).
3. To approve the Zoning Code Amendment, the City Council must make the findings in 155.432.070 (Findings for Approval) and find the proposed NMO use(s) will substantially advance the purpose of the NMO overlay as described in 155.224.030.A (Purpose).

155.224.040 – Special Considerations Overlay

- A. Purpose.** The purpose of the Special Considerations (SCO) overlay zone is to allow for high-quality development that deviates from the Zoning Code while remaining consistent with the General Plan. The SCO overlay zone is intended to promote creativity in building design, flexibility in permitted land uses, and innovation in development concepts. The SCO overlay zone provides the City with enhanced flexibility to address unique site characteristics and allow projects that will provide public benefits for residents, employees, and visitors.
- B. Where Allowed.** The SCO overlay zone may be applied to any property in Eureka.
- C. Designated Properties.** The SCO overlay applies to properties shown on the Zoning Map and listed in Table 224-3. Each property subject to the SCO overlay zone will be listed in Table 244-3 with property information, the City ordinance applying the overlay to the property (“implementing ordinance”), and a summary of the development allowed by the overlay on the property.

Table 224-3: SCO Overlays

SC Zone #	APN	Address	Implementing Ordinance	Allowed Development

- D. Allowed Modifications to Regulations.** When the SCO overlay is applied to a property, the implementing ordinance may allow for modification to any land use regulation or development standard in the Zoning Code, subject to the limitations in 155.224.040.E (General Plan Compliance).
- E. General Plan Compliance.** Modifications allowed by the SCO overlay zone must be consistent with the General Plan. For example, the SCO overlay zone may not allow a floor

area ratio (FAR) on a property that is greater than the maximum FAR for the applicable General Plan land use designation.

F. Required Approvals.

1. **Zoning Code Amendment.** To apply the SCO overlay zone to a property the City Council must approve a Zoning Code and Zoning Map Amendment in accordance with Section 155.432 (Zoning Code and General Plan Amendments).
2. **Subsequent Approvals.** A development project proposed in an SCO overlay zone must receive all permits and approvals required by the Zoning Code, unless specifically modified by the implementing ordinance.

G. Conditions of Approval. When the SCO overlay is applied to a property, the City Council may identify in the implementing ordinance conditions of approval that will apply to any proposed project on the property.

H. Effect of Designation.

1. Development in the SCO overlay zone is allowed as specified in the implementing ordinance for the property.
2. Proposed projects in an SCO overlay zone must comply with all Zoning Code requirements except as specifically modified by the implementing ordinance or as otherwise allowed by the Zoning Code.

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ARTICLE 3 – CITYWIDE STANDARDS

Section 155.302 – Supplemental Use Regulations

- 155.302.010 – Purpose
- 155.302.020 – Accessory Uses
- 155.302.030 – Adult Entertainment
- 155.302.040 – Car Share Facilities
- 155.302.050 – Emergency Shelters
- 155.302.060 – Family Day Care Homes
- 155.302.070 – Home Occupations
- 155.302.080 – Manufactured Housing
- 155.302.090 – Mobile Vendors
- 155.302.100 – Multi-Family Laundry Facilities
- 155.302.110 – Outdoor Storage
- 155.302.120 – Recreational Vehicle Parks
- 155.302.130 – Residential Lodging
- 155.302.140 – Tree Removal

Section 155.304 – General Standards

- 155.304.010 – Lot Standards
- 155.304.020 – Height Exceptions
- 155.304.030 – Setback Exceptions
- 155.304.040 – Vision Clearance Area
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- 155.304.060 – Screening for Residential Zoning Districts
- 155.304.070 – Solid Waste/Recyclable Material Storage

Section 155.306 – Design Standards

- 155.306.010 – Purpose
- 155.306.020 – Applicability
- 155.306.030 – Exterior Materials
- 155.306.040 – Building Entries
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- 155.306.070 – Garage Doors in Residential Zoning Districts

Section 155.308 – Accessory Dwelling Units

- 155.308.010 – Purpose
- 155.308.020 – Permits Required
- 155.308.030 – Where Allowed
- 155.308.040 – Accessory Dwelling Units in Existing Space
- 155.308.050 – Site and Design Standards

Section 155.312 – Fences and Walls

- 155.312.010 – Purpose and Applicability
- 155.312.020 – Required Permits and Approvals
- 155.312.030 – Measurement of Fence and Wall Height
- 155.312.040 – Maximum Height
- 155.312.050 – Materials
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- 155.316.030 – Number of On-Site Parking Spaces Required
- 155.316.040 – Reductions and Alternatives to Automobile Parking
- 155.316.050 – General Requirements
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Section 155.320 – Landscaping

- 155.320.010 – Purpose
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- 155.320.030 – Landscape Plans
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- 155.320.070 – Maintenance and Enforcement

Section 155.324 – Residential Subdivision Alternatives

- 155.324.010 – Purpose
- 155.324.020 – Small Lot Subdivisions
- 155.324.030 – Conservation Subdivisions

Section 155.332 – Temporary Uses and Structures

- 155.332.010 – Purpose
- 155.332.020 – Applicability and Permit Requirements
- 155.332.030 – General Standards
- 155.332.040 – Temporary Uses and Structures Allowed By-Right
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Section 155.338 – Signs

155.338.010 – Purpose

155.338.020 – Applicability

155.338.030 – Signs Allowed Without Permits

155.338.040 – Prohibited Signs

155.338.050 – Rules of Measurement

155.338.060 – Sign Permits

155.338.070 – Sign Standards

155.338.080 – General Requirements

155.338.090 – Temporary Signs

Section 155.302 – SUPPLEMENTAL USE REGULATIONS

Subsections:

- 155.302.010 – Purpose
- 155.302.020 – Accessory Uses
- 155.302.030 – Adult Entertainment
- 155.302.040 – Car Share Facilities
- 155.302.050 – Emergency Shelters
- 155.302.060 – Family Day Care Homes
- 155.302.070 – Home Occupations
- 155.302.080 – Manufactured Housing
- 155.302.090 – Mobile Vendors
- 155.302.100 – Multi-Family Laundry Facilities
- 155.302.110 – Outdoor Storage
- 155.302.120 – Recreational Vehicle Parks
- 155.302.130 – Residential Lodging
- 155.302.140 – Tree Removal

155.302.010 – Purpose

This section establishes supplemental standards that apply to specific land uses and development in all zoning districts.

155.302.020 – Accessory Uses

A. Relationship to Primary Use.

1. An accessory use must be related to and serve the purpose of the primary use on the site.
2. An accessory use must be clearly incidental and subordinate to the primary use on the site, which may be demonstrated by factors such as the floor area of the use, economic importance of the use, and the number of customers/visitors generated by the use.
3. If the primary use is destroyed or removed, the accessory use is no longer allowed.

B. Maximum Size. The following maximum size standards apply to all accessory uses except accessory dwelling units (ADUs):

1. The total floor area of a building containing an accessory use may not exceed 49 percent of the habitable floor area containing the primary use on the site.
2. The Director may allow the floor area of an accessory use to exceed 49 percent with an Administrative Adjustment. To approve the Administrative Adjustment, the

Director must make the findings in 155.412.030.F (Findings for Approval) and find that:

- a. The accessory use complies with 155.302.020.A (Relationship to Primary Use); and
 - b. Unique circumstances associated with the primary use warrant the additional floor area for the accessory use.
- C. Location.** An accessory use must be located on the same site as the primary use.
- D. Timing of Establishment.** An accessory use may not be established before the primary use is established.
- E. Residential Accessory Uses.** Accessory uses customarily associated with a place of residence are permitted in residential zoning districts. Allowed accessory uses include, but are not limited to the following:
1. Home occupations in conformance with 155.302.070 (Home Occupations).
 2. Garage and yard sales in conformance with 155.332.040.B (Garage Sales).
 3. Keeping of domestic pets in conformance with Municipal Code Chapter 91 (Animals).
 4. Vehicle parking serving on-site uses in conformance with 155.316 (Parking).
 5. Gardening, landscaping, and open space management in conformance with Municipal Code Section 94.15 et seq. (Weeds, Rubbish and Debris).
 6. Storage of personal household property inside a permitted structure.
 7. Personal hobbies for non-commercial purposes.
- F. Non-residential Accessory Uses.** Accessory uses customarily associated with the primary use on the site are permitted in non-residential zoning districts. Allowed accessory uses include, but are not limited to the following:
1. Administrative offices for the primary use.
 2. Vehicle parking serving on-site uses in conformance with 155.316 (Parking).
 3. Wholesale or retail sales to a buyer's custom order of goods produced by the primary use.
 4. Back-of-the-house niche manufacturing of products sold in a retail facility (such as chocolate production in the back of a candy store, craft beer brewing in a restaurant/brewery, or guitar fabrication in the back of a music instrument store).
 5. The storage of goods associated with the primary use in conformance with Subsection 155.302.110 (Outdoor Storage).
 6. Tasting rooms associated with a food or beverage production use.
 7. Caretaker units in the industrial and public zoning districts.

8. Other similar uses as determined by the Director through a Zoning Clearance.

155.302.030 – Adult Entertainment

A. Purpose and Applicability. This subsection establishes standards for the location, approval, and operation of adult entertainment as defined in 155.302.030.B (Definitions).

B. Definitions.

1. Adult Entertainment.

a. Adult entertainment means a business which either:

- (1) Provides live entertainment or performances that involve the display of specified anatomical areas or specified sexual activities; or
- (2) Displays pornographic films, photographs, or other still or moving images with an emphasis on specified anatomical areas or specified sexual activities.

b. Adult entertainment includes, but is not limited to, strip clubs, adult movie theaters, adult arcades, adult motels, and places that engage in or allow couch dancing, topless dancing, nude or semi-nude mud wrestling, and similar businesses.

2. Specified Anatomical Areas. Specified anatomical areas means any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region, anus or female breasts below a point immediately above the top of the areolae.
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

3. Specified Sexual Activities. Specified sexual activities means any of the following:

- a. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus or female breasts.
- b. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy.
- c. Masturbation, actual or simulated.
- d. Human genitals in a state of sexual stimulation, arousal or tumescence.
- e. Excretory functions.

C. Exceptions. The following types of businesses are not considered adult entertainment and are exempt from the requirements of this subsection:

1. **Retail Sales.** The sale of adult-oriented merchandise related to specified anatomical areas or specified sexual activities as defined in 155.302.030.B (Definitions), including adult bookstores, adult video rental stores, adult novelty stores, and art galleries. All

such uses must comply with Chapter 7.5 (Obscene Matter) of Title 9 of the California Penal Code and other applicable obscenity and indecent behavior laws (e.g., sexually-explicit merchandise may not be visible from building exterior).

2. **Therapeutic Massage.** Massage conducted by a massage therapist certified by the California Massage Therapy Council.
3. **Medical or Psychological Therapies.** The medical or psychological therapeutic activities of state-licensed doctors, psychologists, psychiatrists, or marital or sexual therapists.
4. **Modeling or Theatrical Performances.** Nude modeling done at infrequent intervals in connection with a college or art school, accredited by a nationally recognized accreditation organization, for students who have enrolled on a semester or quarterly basis, with tuition. Occasional theatrical performances, either live or in motion picture theaters, in which nudity is incidental to the content of the presentation.
5. **Private Noncommercial Behavior.** This subsection does not regulate the private behavior of adults, which is otherwise permitted by law, where there is no payment, gratuity, exchange of labor or goods, or other consideration of a transaction.

D. Permit Required. A Conditional Use Permit is required to:

1. Establish an adult entertainment use as a new business;
2. Convert an existing business to an adult entertainment use; or
3. Add activities that qualify as an adult entertainment use to an existing business.

E. Location.

1. **LI and HN Zoning Districts Only.** Adult entertainment is allowed only within the Hinge (HN) and Light Industrial (LI) zoning districts.
2. **Prohibited on Highway 101.** Adult entertainment is not permitted on properties fronting Highway 101 (Broadway, 4th Street, or 5th Street).
3. **Other Adult Businesses.** An adult entertainment use may not be established or located within 500 feet of any other adult entertainment use.
4. **Sensitive Land Uses.** An adult entertainment use may not be established or located within 500 feet of a sensitive land use. A sensitive land use means any one of the following:
 - a. A residential zoning district or residential use (not including caretaker units).
 - b. A religious institution, on land leased or owned by any church, synagogue, mosque, temple, or any school or meeting hall operated by such institution.
 - c. A public or private elementary, junior high or high school, preschool, or child day care center.

- d. A public park on which recreation games may be played, including lawn and parking areas, but excluding natural open space areas where no recreational facilities are present.
- e. A public assembly or public use civic building, including libraries, community centers, post offices, but excluding police and fire stations.
- f. Other land uses oriented to youth/minors as determined by the Director (e.g., toy stores, ice cream shops, etc.).

F. Application Review/Conditions of Approval.

- 1. Applications to establish adult entertainment shall be reviewed by the City of Eureka Chief of Police. The Chief of Police shall recommend to the Planning Commission conditions of approval necessary to protect the public health, safety, and welfare.
- 2. Conditions of approval may address hours of operation, lighting, management supervision, security, visibility, signage, access by minors, live performances, the configuration of interior spaces, and other development and operational standards as needed.
- 3. To approve an adult entertainment use, the Planning Commission must make all findings in 155.412.110.F (Findings for Approval) and may attach any additional conditions of approval in accordance with 155.408.110 (Conditions of Approval).

155.302.040 – Car Share Facilities

Car share facilities in the R2 and R3 zoning districts are subject to the following:

- A. On-site employees and on-site servicing and repair of vehicles is prohibited.
- B. Electric vehicles (EV) charging stations and covered parking is allowed.

155.302.050 – Emergency Shelters

- A. **Purpose and Intent.** This subsection establishes standards for emergency shelters in compliance with Government Code Section 65583(a)(4).
- B. **Permitted Zoning District.** Emergency shelters are allowed in zoning districts as shown in the allowed use tables in Article 2 (Zoning District Standards).
- C. **Standards.**
 - 1. **Buildings and Open Space.** An emergency shelter may be established within one or more buildings or outside of buildings in open space areas.
 - 2. **Number of Residents.** For emergency shelters occupying a building, the Building Official and/or Fire Marshal will determine the maximum number of residents permitted to occupy an emergency shelter based on Building Code occupant loading

requirements.

3. **Length of Stay.** The length of stay at an emergency shelter may not exceed six months.
4. **Separation.** An emergency shelter may be located no closer than:
 - a. 1,000 feet from a pre-school, nursery school, or schools for students in kindergarten through 12th grade; and
 - b. 50 feet from another emergency shelter.

155.302.060 – Family Day Care Homes

- A. **License.** Family Day Care Home providers must obtain and maintain a license from the State of California Department of Social Services.
- B. **Separation – Large Family Day Care Homes.** A large family day care home in a residential zoning district may not be located within 300 feet of another family day care home (large or small) or a day care facility.

155.302.070 – Home Occupations

- A. **Purpose.** This subsection establishes standards for home occupations and cottage food operations to allow residents to conduct business and employment activities in their home in a manner compatible with a residential setting.
- B. **Permits Required.**
 1. **Home Occupation Permit.** A home occupation that complies with all standards in 155.302.070.E (Standards) is permitted by-right with a Zoning Clearance.
 2. **Minor Use Permit.** A home occupation that does not comply with one or more standards in 155.302.070.E (Standards) may be allowed with a Minor Use Permit.
- C. **Business License.** All persons conducting a home occupation must obtain a City of Eureka Business License.
- D. **Applicant Agreement.** All applicants requesting approval of a home occupation must sign a statement that they have read, understand, and will comply with the City's home occupation requirements.
- E. **Standards.** The following standards apply to all home occupations:
 1. **Accessory Use.** The home occupation must be clearly secondary to the primary use of the property as a residence.
 2. **Signs.** See 155.338.030.A.7 (Home Occupation).
 3. **Residential Appearance.** Except for a permitted sign, the existence of the home occupation may not be apparent beyond the boundaries of the site, and no permit to

alter the exterior of the structure for the home occupation may be approved.

4. **Off-site Effects.** A home occupation may not create dust, fumes, odors, smoke, noise, vibration, or electrical interference that is perceptible beyond the property line.
 5. **Hazardous Materials Prohibited.** The storage and use of flammable, combustible, or explosive materials must receive approval from the Chief Building Official. Typically, the only such materials that will be allowed are limited to small quantities of fuel for landscaping equipment, contained mini-torches used for sculpting glass, and other similar modest quantities of materials associated with approved home occupation business types.
 6. **Outdoor Display or Storage.** Window displays, outdoor storage, or display of equipment, materials, or supplies associated with the home occupation are not allowed.
 7. **Employees.** A maximum of two on-site non-resident employees is allowed.
 8. **Client/Customer Visits.** Only ten vehicle trips per day of clients or customers to the residence are allowed. Client or customer visits are limited to the hours between 8:00 a.m. and 8:00 p.m.
 - a. For retail, commercial service, and office home occupations, no more than one client or customer may be on-site at any given time.
 - b. For instructional services, tutoring, gyms, and other similar home occupations as determined by the Director, a maximum of 10 students, clients, or customers may be on-site at any given time.
 9. **Deliveries.** Deliveries and pick-ups may not involve the use of commercial vehicles greater than 26,000 pounds gross vehicle weight except for FedEx, UPS, or USPS-type home deliveries and pick-up.
 10. **Parked Vehicles.** Commercial vehicles/trailers greater than 19,500 pounds gross vehicle weight used by the home occupation may not be parked on site or on street.
- F. Cottage Food Operations.** Cottage food operations (CFO) as defined in California Health and Safety Code Section 113758 and Government Code Section 51035 are a permitted home occupation subject to the following requirements:
1. The cottage food operation must comply with home occupation standards in 155.302.070.E (Standards).
 2. All cottage food operations must be registered or permitted by Humboldt County Department of Environmental Health before commencing business.

155.302.080 – Manufactured Housing

- A. General.** A manufactured home certified under the National Manufactured Housing

Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq) may be used for residential purposes subject to the requirements of this subsection.

- B. Development Standards.** A manufactured home must comply with all development standards (e.g., height, setback, lot coverage) that would apply to a conventional single-family home on the same lot.
- C. Design and Construction Standards.** A manufactured home must be compatible in design and appearance with residential structures in the vicinity and meet the following standards:
1. **Foundation.** A manufactured home must be built on a permanent foundation system approved by the Building Official.
 2. **Roof Material.** Roof material must consist of material customarily used for conventional dwelling units, such as tile, composition shingles, and wood shakes and shingles.
 3. **Siding Material.** Siding material must consist of exterior material customarily used for conventional dwelling units, such as stucco, wood, brick, stone or decorative concrete. Metal siding, if utilized, must be non-reflective and horizontally lapping.
 4. **Skirting.** Skirting must extend to the finished grade. Siding material utilized as skirting must be the same as the material used on the exterior wall surface of the manufactured home.

155.302.090 – Mobile Vendors

- A. Applicability.**
1. This subsection applies to the production, sale, and/or distribution of retail products from a vehicle, while operating on private property. These standards also apply to on-site incidental preparation by a mobile vendor immediately before and after retail activity occurs on a site.
 2. This subsection does not apply to hand carts or any retailer traveling from place to place by a non-vehicular type of conveyance, which are subject to the regulations under Municipal Code Chapter 118 (Peddlers and Solicitors).
 3. This subsection does not apply to mobile vendors operating on a street, which are regulated under Municipal Code Chapter 75 (Mobile Vendors Operating Upon a Street).
- B. Standards.** All mobile vendors must comply with the following standards:
1. **Obstructions.** A mobile vendor may not directly obstruct pedestrian or vehicular traffic, or block a driveway or alleyway.
 2. **Schools.** A mobile vendor may not operate within 300 feet of any property on which a K-12 school is located, between the hours of 7:00 a.m. and 5:00 p.m. of any school

day. This prohibition does not apply if the school provides the mobile vendor written authorization to park on school property.

3. **Waste.** While in operation, a mobile vendor must maintain a clearly designated waste receptacle in the immediate vicinity of the vehicle.
4. **Operation.** When not engaged in on-site incidental preparations or in operation, all mobile vendors, associated equipment, and waste receptacles must be removed from the site of operation.
5. **Compliance with Other Laws and Regulations.** Mobile vendors must obey all local, state, and federal laws.
6. **Business Improvement Districts.** Mobile vendors that operate, or intend to operate, within a business improvement district must pay associated fees.

C. City Approvals.

1. **Council Approval on City Property.** Permission for a mobile vendor to operate on City-owned property, excluding public rights-of-way, requires City Council approval. This requirement does not apply to mobile vendors operating under a special event permit.
2. **Business License.** Mobile vendors must acquire a City business license.
3. **Mobile Vendor Agreement.** Prior to receiving a business license, each mobile vendor must sign a statement that they have read, understand, and will comply with the City's mobile vendor requirements.
4. **Record of Approved Mobile Vendors.** The City will keep a list of approved mobile vendors.

155.302.100 – Multi-Family Laundry Facilities

All new construction of a multi-family residential use in any location must provide either private laundry facilities in each dwelling unit or a common laundry facility with at least one clothes washer and dryer for each six dwelling units. Common washers and dryers may be coin operated.

155.302.110 – Outdoor Storage

A. Applicability.

1. The outdoor storage requirements in this subsection apply to the storage of goods, materials, machines, equipment, vehicles, or parts outside of a building for more than 72 hours.
2. These requirements apply only to lots occupied by a non-residential primary use or undeveloped lots in a non-residential zoning district.

3. These requirements do not apply to:
 - a. Fleet and service vehicles associated with an allowed land use when parked outdoors in a legally established parking area;
 - b. Vehicle inventory parked outdoors as part of an allowed vehicle sales and rental use; or
 - c. Temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid Building Permit.
- B. Nonconformities.** Uses nonconforming to this subsection must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).
- C. Where Allowed.** Outdoor storage is allowed only in zoning districts identified in the allowed use tables in Article 2 (Zoning District Standards).
- D. Screening.**
 1. Outdoor storage areas must be screened with a minimum 6-foot high solid fence or wall so as not to be visible from any:
 - a. Public street or highway; or
 - b. Residential zoning district or use.
 2. Screening fences and walls may not exceed the maximum allowed height identified in Table 312-1 of 155.312 (Fences and Walls) and may not use prohibited fence materials identified in Table 312-2.
- E. Surfacing.**
 1. Outdoor storage areas must be surfaced with an all-weather material (such as asphalt, concrete, or comparable surfacing material approved by the Director of Public Works) and graded to provide adequate stormwater drainage.
 2. Outdoor storage areas may be surfaced with partially permeable materials if adequate drainage, erosion and dust control are provided. Unpaved outdoor storage areas are not subject to the parking lot landscaping requirements contained in 155.316.080 (Parking Lot Landscaping).
 3. Outdoor storage of hazardous materials requires a roof or awning over the materials and either a dead-end sump to contain spills or containment in the form of berms, dikes, or curbs. All hazardous materials regulated by the California Department of Toxic Substances Control must be placed on a surface as deemed appropriate by the permitting agency. In addition, the surface must conform to all applicable federal and State air and water quality standards.
- F. Shipping Containers.** Metal shipping containers (e.g., CONEX boxes) qualify as outdoor storage and are permitted only in the industrial zoning district. Shipping containers are

subject to all of the outdoor storage standards provided in this subsection.

155.302.120 – Recreational Vehicle Parks

- A. Compliance with State Law.** All RV parks must conform to Title 25, Chapter 5 of the California Code of Regulations, Division 13 of the California Health and Safety Code, and all other state laws and regulations that apply to RV parks.
- B. Length of Occupancy.** The maximum length of occupancy in an RV park is 180 days in any consecutive 365-day period.

155.302.130 – Residential Lodging

- A. Purpose.** This subsection establishes regulations for residential lodging uses to allow for short-term vacation rentals within residential zoning districts. These regulations are intended to:
 - 1. Minimize adverse impacts that could result from transient lodging uses in residential neighborhoods;
 - 2. Ensure that vacation rentals do not significantly impact the supply of permanent housing available to Eureka residents;
 - 3. Provide opportunities for homeowners to generate supplemental income by renting out rooms and residential units to visitors;
 - 4. Provide visitors with a range of lodging options to support the local tourism economy; and
 - 5. Ensure the City is able to collect transient occupancy taxes (TOT) and other taxes as required by City ordinances.
- B. Applicability.**
 - 1. This subsection applies to dwelling units, or portions thereof, located in a residential zoning district that are rented to transient patrons for 30 consecutive days or less.
 - 2. This subsection does not apply to transient lodging uses in a residential unit in a mixed-use or other non-residential zoning district. All transient lodging uses outside of a residential zoning district are regulated as a commercial lodging use, regardless of whether the transient lodging use occupies or replaces an existing residential or commercial use.
- C. Types or Residential Lodging.** This subsection allows for three types of residential lodging:
 - 1. **Single-Room.** The rental of one room within a dwelling unit with the proprietor in residence for the duration of the rental. Includes bed and breakfast establishments where meals are provided.

2. **Multiple-Room.** The rental of two or more rooms within a dwelling unit with the proprietor in residence for the duration of the rental. Includes bed and breakfast establishments where meals are provided.
3. **Full Unit.** The rental of an entire dwelling unit, either with or without the proprietor in residence elsewhere on the property for the duration of the rental. Includes rental of accessory dwelling units (ADUs).

D. Maximum Number Per Year.

1. The number of full unit rentals permitted/licensed each year may not exceed the annual limit set by the City Council. Alternatively, the total number of full unit rentals permitted/licensed by the City may not exceed the total limit set by City Council.
2. Single-room and multiple-room rentals are exempt from the annual limit for new residential lodging.

E. Permits Required.

1. **Minor Use Permit.** See Table 204-1 in Section 155.204 (Residential Zoning Districts) for types of residential lodging that require a Minor Use Permit.
2. **Home Occupation Permit.** Single-room and multiple-room residential lodging uses require a Home Occupation Permit. See 155.302.070 (Home Occupations).
3. **Business License.** Residential lodging operators must acquire and maintain a City business license.
4. **Residential Lodging Agreement.** Prior to receiving a business license, each residential lodging operator must sign a statement that they have read, understand, and will comply with the City's residential lodging requirements.
5. **Record of Approved Residential Lodging Operators.** The City will keep a list of approved residential lodging operators.

F. City Taxes. All types of residential lodging uses are subject to a Transient Occupancy Tax ("TOT") and any other mandated taxes. Each residential lodging owner, proprietor, and/or manager must comply with Municipal Code Section 35.070, which addresses the collection, record keeping, reporting and remittances of applicable TOT.

G. Standards for all Residential Lodging Uses. The following standards apply to all types of residential lodging uses.

1. **Inspections.**
 - a. All residential lodging uses must be inspected to residential standards by the Building Department prior to approval.
 - b. If the dwelling unit was previously inspected by the Building Department within one year of the Residential Lodging application, the Building Official may waive

the requirement for a new inspection.

2. **Parking.**

- a. No on-site parking is required to convert an existing residential use to a residential lodging use.
- b. If on-site parking existed at the time the residential lodging use was established, that parking may not be removed while the residential lodging use remains in operation.

3. **Signs.** See 155.338.030.A.8 (Residential Lodging).

H. Standards for Multiple-Room Rentals. The following standards apply only to multi-room rentals:

1. **Maximum Rooms.** A multiple-room rental may contain no more than seven rooms available to paying guests.
2. **Maximum Guests.** Eureka Municipal Code Chapter 150 (Building Regulations) governs the maximum number of guests per room.
3. **Events.** A property with a multi-room rental is limited to three events (e.g., wedding receptions, graduation parties) per month. Event attendance may not exceed the total occupant limit for the property as required by the Building Code and may not create a noise nuisance in violation of Municipal Code Section 94.02 (Loud Noises Unlawful).

I. Standards for Full Unit Rentals. The following standards apply only to full unit rentals:

1. **Maximum Number Per Lot.** The number of residential units and/or full unit rentals on a lot may not exceed the maximum allowed by the density established in Tables 204-2 and 204-3 in 155.204 (Residential Zoning Districts).
2. **Maximum Occupants.** The maximum number of occupants allowed in a full unit rental may not exceed two persons per bedroom plus an additional two persons (e.g. a two-bedroom unit may have six occupants). Children aged 12 and under are not counted toward the occupancy total.
3. **Events.** A property with a full unit rental is limited to six events (wedding receptions, graduation parties, etc.) per year. Event attendance may not create a noise nuisance in violation of Municipal Code Section 94.02 (Loud Noises Unlawful).
4. **Emergency Contact.**
 - a. Each full unit rental applicant must designate a local emergency contact person on the application form, including a 24-hour-emergency contact phone number.
 - b. The emergency contact person may be the property owner, property manager, or designee, and must live within 50 miles of the city limits.
 - c. The Department will provide the emergency contact information to all

neighboring properties within 200 feet of the use and to the Eureka Police Department.

- d. The property owner must immediately notify the Department, neighboring properties, and the police dispatch of any changes to the designated emergency contact information.
5. **Fire Department Access.** Properties with gated entries must have a Fire Department approved device that allows emergency response vehicles and personnel to enter the property.
- J. Enforcement.** A permit or approval for any residential lodging use may be revoked in accordance with 155.428 (Enforcement and Penalties) and as follows:
1. The Director may revoke a permit for a residential lodging use upon finding one or more of the following:
 - a. The proprietor, property owner, or emergency contact has been negligent in responding to an emergency situation more than two times in a rolling twelve-month period.
 - b. More than two documented law enforcement violations have occurred in a rolling twelve-month period.
 - c. The residential lodging use has been chronically non-compliant with the requirements of this subsection.
 - d. The residential lodging has failed to pay required transient occupancy taxes despite warnings from the Finance Department.
 - e. The proprietor or property owner has failed to correct noted Building or Fire Code violations.
 2. Documented, significant violations may include copies of citations, written warnings, or other documentation maintained by law enforcement, Fire Department, Finance Department, or Building Department.

155.302.140 – Tree Removal

- A. Purpose.** This subsection establishes permit requirements to remove trees in residential zoning districts.
- B. By-Right Tree Removals.** The removal of trees not requiring a Tree Permit or Conditional Use Permit as described below is allowed by-right without Department approval.
- C. Tree Permit Required.**
 1. **When Required.** A Tree Permit is required to remove a commercial tree species with a diameter at breast height (DBH) of three feet or more.

2. **Commercial Tree Species Defined.** A commercial tree species includes any of the following species:
 - a. Douglas-fir
 - b. Redwood
 - c. White, grand, and red firs
 - d. Western white pine
 - e. Sugar pine
 - f. Bishop pine
 - g. Ponderosa or Jeffrey pine
 - h. Sitka spruce
 - i. Western hemlock
 - j. Western red cedar
 - k. Incense-cedar
 - l. Port Orford cedar
 3. **Maximum Number Removed.** No more than five trees may be removed every ten years with the issuance of a Tree Permit.
- D. Conditional Use Permit Required.** The removal of more than five commercial tree species with a DBH of three feet or more within a ten-year period is considered a timber harvesting use and requires Planning Commission approval of a Conditional Use Permit. Approval from CalFire and other State agencies may also be required.

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Section 155.304 – GENERAL STANDARDS

Subsections:

- 155.304.010 – Lot Standards
- 155.304.020 – Height Exceptions
- 155.304.030 – Setback Exceptions
- 155.304.040 – Vision Clearance Area
- 155.304.050 – Outdoor Lighting
- 155.304.060 – Screening for Residential Zoning Districts
- 155.304.070 – Solid Waste/Recyclable Material Storage

155.304.010 – Lot Standards

A. Minimum Lot Area.

1. All newly-created lots must comply with the minimum lot area requirements for the applicable zoning district in Article 2 (Zoning District Standards) unless otherwise allowed by the Zoning Code. Minimum lot area requirements do not apply to existing lots.
2. Minimum lot area requirements do not apply to individual condominiums or townhouse units, but instead apply to the creation of the entire site that is the location of the condominium or townhouse project.
3. A lot line adjustment may not:
 - a. Reduce the area of an existing lot to less than the minimum area for the applicable zoning district; or
 - b. further reduce the lot area for existing lots that do not comply with the minimum lot area for the applicable zoning district.

B. Lot Dimensions and Configuration.

1. Lots are not subject to minimum width and depth requirements.
2. To approve a lot line adjustment or subdivision, the Director (or Planning Commission for subdivisions creating five or more lots) must find that the resulting lots, excluding remainder parcels, are “buildable.” A buildable lot means a lot with a building site that can reasonably accommodate a structure in compliance with the minimum setbacks, lot coverage, and other development standards for the applicable zoning district.

C. Street Frontage and Access.**1. Residential Lots.**

- a. Newly created lots in a residential zoning district must have frontage on and take direct access from a public street, an alley, or recorded access easement.
- b. If vehicle access is not possible due to the location of existing buildings or other physical site features, the lot must be served by a minimum four-foot wide dedicated pedestrian accessway. Such cases must receive approval from the Fire Marshall of Humboldt Bay Fire District.

2. **Commercial or Industrial Lots.** Commercial or industrial lots must either have public-street frontage or appropriate access provided by way of common/reciprocal easement (e.g., a vehicle access easement in a shopping center parking lot).

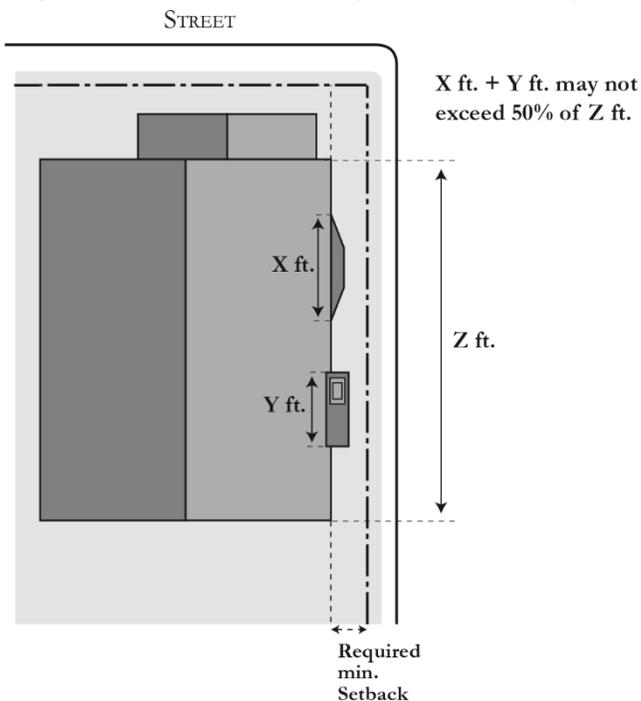
155.304.020 – Height Exceptions

- A. Additional Story – Mixed-Use Zoning Districts.** In all mixed-use zoning districts, up to 20 percent of the building footprint may contain one additional story with habitable space above the maximum permitted building height. In no case may the project exceed the maximum floor area ratio in the applicable zone.
- B. Projections Allowed By-Right.** The following building features may project above the maximum permitted building height in the applicable zoning district. These projections are permitted by-right, with no discretionary permit required.
 1. Non-habitable decorative features such as spires, steeples, belfries, cupolas, and domes.
 2. Parapets, fire escapes, catwalks, and open guard rails required by law.
 3. Skylight, chimneys, and vent stacks.
 4. Photovoltaic panels and wind energy systems.
 5. Rooftop equipment and enclosures.
 6. Elevator shafts and stair towers.
 7. Building-mounted wireless telecommunications facilities as allowed by Chapter 159 (Wireless Telecommunication Facilities).
 8. Amateur radio facilities and receive-only radio and television antennas.
 9. Other similar building features as determined by the Director.
- C. Maximum Height.** A projection above the maximum permitted building height may not exceed the maximum height necessary to perform its intended function as determined by the Director.

155.304.030 – Setback Exceptions**A. Building Features.**

1. In residential zoning districts, the following building features may project a maximum of three feet into required setbacks, but may not cross property lines without an easement or encroachment permit:
 - a. Cornices, awnings, eaves, and other similar roof projections.
 - b. Bay windows, balconies, sills, louvers, fireplaces, chimneys, and similar wall projections.
 - c. Unenclosed balconies, decks, porches, stairways, fire escapes, and other emergency egress structures (all unenclosed).
 - d. On demand water heaters, utility meters and/or connections, and other equipment normally associated with a structure.

2. In residential zoning districts, the total length of all building wall projections (excluding eaves and other roof projections) in required setback areas may not exceed 50 percent of the length of the wall to which the projection is attached. See Figure 304-1.

Figure 304-1: Maximum Length of Setback Projection

3. Projections may not extend across a property line except as allowed by Paragraph (4) of this division.
4. In non-residential zoning districts a building feature may extend across a property line into the public right-of-way with an encroachment permit.

B. Site Features

1. The following site features and accessory structures may be located within required setbacks:
 - a. At-grade flatwork such as concrete paving and patios.
 - b. Landing places, patios, steps, and decks 18 inches or less above grade.
 - c. Wheelchair ramps and similar features for the disabled.
 - d. Trellis structures and arbors up to 10 feet in height and at least 50 percent transparent.
 - e. Retaining walls, seating, planter boxes and other similar landscaping features up to four feet in height.
 - f. Decorative ornamental features up to six feet in height.
 - g. Children's play equipment, movable dog house, and similar moveable objects.
 - h. Movable sheds, greenhouses, and other similar buildings without a foundation, less than 120 square feet, and without electrical, water, or sewer connections.
 - i. Rain harvest tanks up to eight feet in height.
 - j. Ground-mounted mechanical and utility equipment up to 36 inches in height.
2. Swimming pools, hot tubs, spas, fire pits, outdoor kitchens, and other similar entertainment features must be set back a minimum of five feet from side and rear property lines, and may not be located within a front or exterior side setback.
3. Fences and walls within required setbacks must comply with maximum height limitations in 155.312 (Fences and Walls).

155.304.040 – Vision Clearance Area

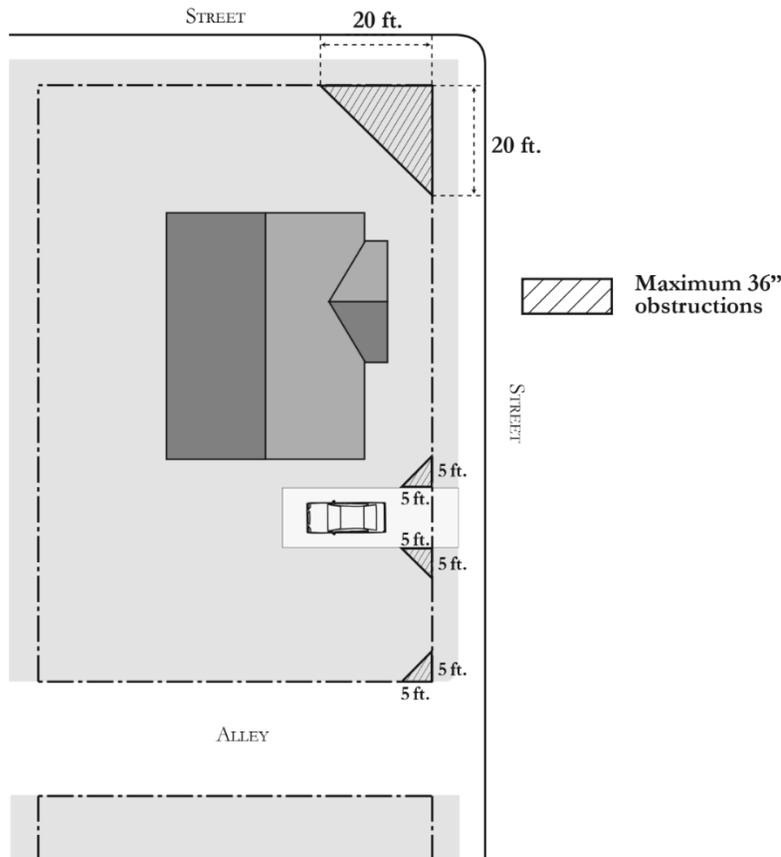
- A. General.** For the purpose of traffic safety, properties must provide vision clearance areas (also known as sight visibility triangles) at the intersections of streets, driveways, and alleys as required by this subsection and Municipal Code Section 71.55 (Height of Obstructions). These requirements apply only to fences, walls, landscaping, trees, signs, and other similar objects. These requirements do not apply to homes, garages, and other buildings that comply with the minimum setback standards of the applicable zoning district.

B. Nonconformities. Properties nonconforming to this subsection must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).

C. Vision Clearance Areas Defined.

1. **Streets Intersections.** The intersection vision clearance area is the area formed by measuring 20 feet along the two intersecting corner lot lines from the point of intersection, and diagonally connecting the ends of the two lines. See Figure 304-2
2. **Driveways/Alleys.** The driveway/alley vision clearance area is the area formed by measuring five feet along the edge of the driveway/alley and the lot line from the point of intersection, and diagonally connecting the ends of the two lines. See Figure 304-2. Where no sidewalk is present, the lot line will be used.

Figure 304-2: Vision Clearance Area



D. Maintenance of Sight Lines. No fence, wall, landscaping, vehicle, or object over 36 inches in height may be placed within a vision clearance area, except as allowed by 155.304.040.G (Exceptions).

- E. **Pruned Trees.** Trees pruned at least 10 feet above the established grade of the curb so as to provide clear view by motor vehicle drivers are permitted within a vision clearance area.
- F. **One-Way Streets.** Vision clearance areas are not required at the intersection of one or more one-way streets where sight visibility triangles are not needed for traffic safety purposes.
- G. **Exceptions.**
 - 1. The Director, in consultation with the Public Works Director and Chief of Police, may approve an Administrative Adjustment to allow an exception to the vision clearance area requirement.
 - 2. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that compliance with the vision clearance area standard is unnecessary for traffic safety.

155.304.050 – Outdoor Lighting

- A. **Purpose.** This subsection establishes standards for outdoor lighting to minimize light pollution, maintain enjoyment of the night sky, and reduce light impacts on adjacent properties.
- B. **Applicability.** The standards in this subsection apply to all outdoor lighting in Eureka except:
 - 1. Lighting installed and maintained by the City, another public agency, or a public utility;
 - 2. Athletic field lights used within a school campus or public or private park;
 - 3. Temporary construction and emergency lighting; and
 - 4. Seasonal lighting displays related to cultural or religious celebrations.
- C. **Exceptions.**
 - 1. Low intensity string lights do not need to comply with this section.
 - 2. The Director may approve an Administrative Adjustment to allow deviations from the standards in this subsection. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that the modification to the lighting standard is necessary for public safety or security purposes.
- D. **Nonconformities.** Properties nonconforming to this subsection must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).
- E. **Fixture Types.** All lighting fixtures must be shielded or recessed so the lighting source is not directly visible from the public right-of-way or adjoining properties. All fixtures must meet

the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light ("dark sky compliant") and the California Green Building Standards Code.

F. Light Trespass.

1. Lights must be directed downward and away from adjacent lots to minimize illumination of adjacent properties and the public right-of-way to the maximum extent possible.
2. Direct or sky-reflected glare from floodlights may not be directed into an adjacent property or the public right-of-way.
3. No lighting may produce an illumination level greater than one foot-candle on any adjacent residential property.

G. Prohibited Lighting. The following types of exterior lighting are prohibited:

1. Bulbs without fixtures or hoods;
2. Mercury vapor lights; and
3. Searchlights, laser lights, or any other lighting that flashes, blinks, alternates, or moves.

H. Parking Lot Lighting. See 155.316.060.I (Lighting).

I. Residential Zoning Districts.

1. Light fixtures in any residential zoning district may not exceed a height of 16 feet.
2. Multi-family residential development with more than four units must provide lighting along all on-site vehicular access ways and pedestrian walkways.
3. Lighting of at least one-foot candle must be provided within all covered and enclosed parking areas serving multi-family uses.

155.304.060 – Screening for Residential Zoning Districts

- A. **Screening Requirement.** In the mixed use and industrial zoning districts, a solid wall or fence at least six feet high must be provided on all interior side and rear lot lines that abut a residential zoning district. Bushes, vines, and other vegetation may be incorporated into the design of required fences.
- B. **Nonconformities.** Properties nonconforming to 155.304.060.A (Screening Requirement) must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).
- C. **Parking Lot Screening.** See also 155.316.060.K (Screening) for parking lot screening standards.

155.304.070 – Solid Waste/Recyclable Material Storage

- A. **Purpose.** This subsection establishes standards for newly created solid waste and recyclable material collection and storage areas.
- B. **Applicability.** The standards in this subsection apply to all multi-family residential and non-residential uses except for:
 - 1. Uses that do not store solid waste/recyclable materials outdoors; and
 - 2. Uses on sites with an existing or proposed site coverage of 100 percent.
- C. **Nonconformities.** Uses nonconforming to the standards in 155.304.070.D (Standards) must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).
- D. **Standards.**
 - 1. **Location.** Collection and storage areas may not be street-facing or located in a required parking space or landscape area.
 - 2. **Screening.** All outdoor collection and storage areas must be screened from view from any parking lot, street, or adjoining residential property by a fence or enclosure, compatible with adjacent architecture, with a minimum height of five feet for carts/cans, and seven feet for dumpsters.

Section 155.306 – DESIGN STANDARDS

Subsections:

- 155.306.010 – Purpose
- 155.306.020 – Applicability
- 155.306.030 – Exterior Materials
- 155.306.040 – Building Entries
- 155.306.050 – Architectural Features
- 155.306.060 – Blank Walls
- 155.306.070 – Garage Doors in Residential Zoning Districts

155.306.010 – Purpose

This section establishes design standards for new development in the residential and mixed-use zoning districts.

155.306.020 – Applicability

- A. **When Required.** This section applies to the following new development:
 - 1. **Residential Zoning Districts:** All new primary buildings in the R2 and R3 zoning districts and all new non-residential primary buildings in the R1 zoning district.
 - 2. **Mixed Use Zoning Districts:** All new primary buildings in the DT, DW, HC, WA, NC, and OR zoning districts.
- B. **Exempt Projects.** Projects exempt from this section include the following:
 - 1. Single-family homes, including accessory dwelling units and other structures accessory to a single-family home.
 - 2. Development in the Service Commercial (SC) and Hospital Medical (HM) zoning districts.
 - 3. Public infrastructure and public utility uses in any zoning district.
- C. **Street-Facing.** The standards in this section apply to all exterior street-facing portions of a building.
- D. **Equivalent Degree.**
 - 1. For buildings located on sites with multiple street frontages, such as buildings on corner or double frontage lots, each side of the building facing a street must feature:
 - a. An equivalent quality of materials; and
 - b. An equivalent degree and quality of detailing.

2. For example, on a corner lot, the quality and design detail of windows on the side of the building that faces the side street must be comparable to windows on the front building wall.

155.306.030 – Exterior Materials

- A. **High Quality Materials Required.** All exterior materials used for additions and new construction of any primary building in the multi-family residential and mixed-use zoning districts and non-residential primary buildings in the R1 zoning district must allow for long-term durability and appearance. The use of plywood siding (e.g., T1-11 panels) and vinyl as exterior siding material is prohibited except when allowed by 155.306.B (Plywood and Vinyl – When Allowed).
- B. **Plywood and Vinyl – When Allowed.** Plywood siding and vinyl may be used as exterior siding material for building repairs and remodels where:
 1. Plywood siding or vinyl is the existing exterior siding material; and
 2. No more than 50 percent of the existing building exterior material is removed or replaced.
- C. **Board and Batten.** Vertically-oriented board and batten siding must consist of separate board and battens pieces that are installed together onto the building wall. Pre-fabricated sheathing that simulates the board and batten appearance is not allowed.
- D. **Stucco.** For all multi-family and non-residential buildings, stucco may be used for a maximum of 50 percent of the street-facing building wall. The calculation of the building wall area excludes windows, doors, and other building openings. This standard applies to all forms of exterior plaster, including stucco, concrete plaster, elastomer, and other related materials.

155.306.040 – Building Entries

- A. **Buildings with One Primary Entry.** For buildings with one primary entrance that provides interior access to multiple individual dwelling units or non-residential tenant spaces, the primary building entrance must face the street. See Figure 306-1.
- B. **Multiple Independent Entries.** On lots where units/tenant spaces have independent entrances, all ground floor units/tenant spaces with street frontage must have an entrance that faces the street. If any wall of a ground floor units/tenant space faces the street, the units/tenant space must comply with this requirement. For units/tenant spaces that do not front the street, entrances may face the interior of the lot. See Figure 306-2.

Figure 306-1: Building Entry Orientation – Single Primary Entry

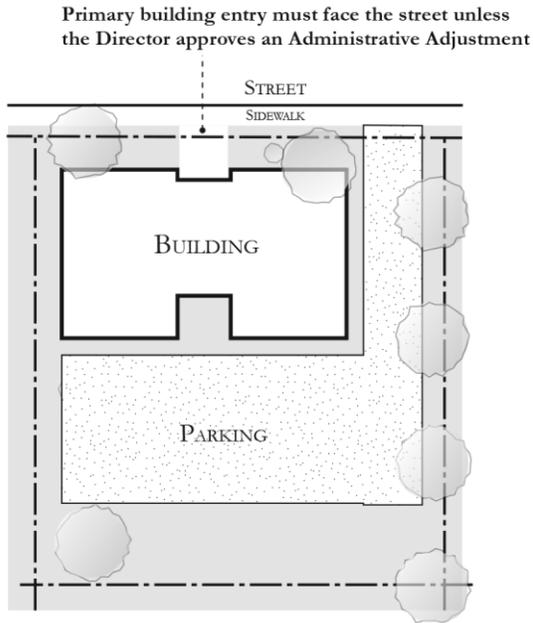
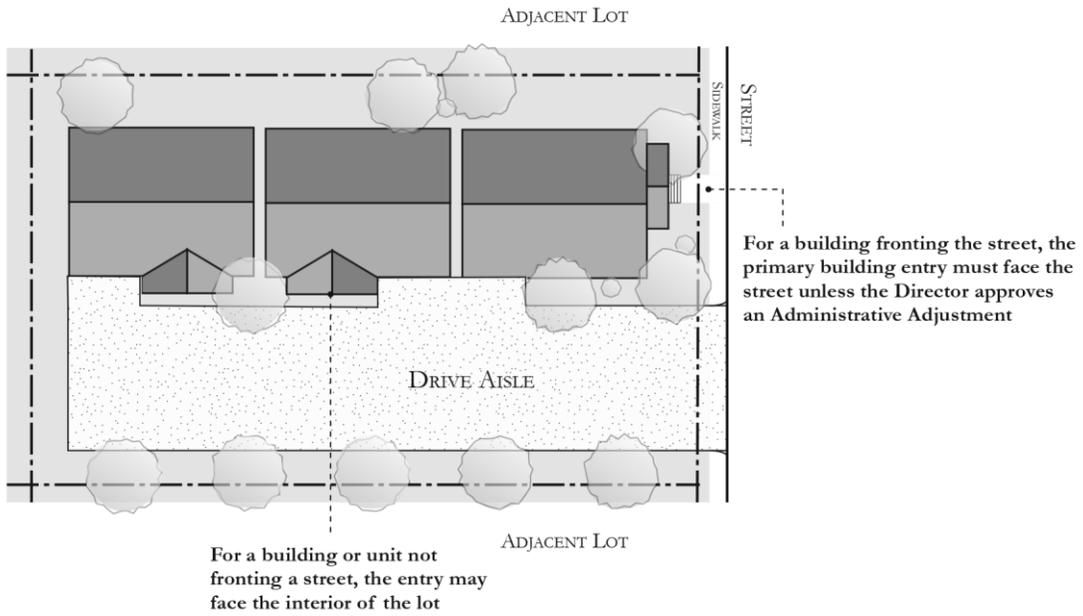


Figure 306-2: Building Entry Orientation – Multiple Primary Entries



C. Entrance Design.

1. **Residential Projects.** A street-facing primary entrance to residential buildings must feature a porch, covered entry, or recessed entry clearly visible from the street to give the entrance prominence. Entrances must be connected to the adjacent sidewalk with a pedestrian walkway. Recessed entries must feature design elements that call attention to the entrance such as ridged canopies, contrasting materials, crown molding, decorative trim, or a 45-degree cut away entry. This standard does not apply to secondary or service entrances.
2. **Non-Residential Projects.** Primary entrances to non-residential and mixed-use buildings must be emphasized and clearly recognizable from the street. Methods to achieve this result include:
 - a. Projecting non-fabric awnings or canopies above an entry (covered entry);
 - b. Taller building mass above an entry, such as a tower that protrudes from the rest of the building surface;
 - c. Special corner building treatments, such as a rounded or angled facets on the corner, or an embedded corner tower, above the entry;
 - d. Special architectural elements, such as columns, porticos, overhanging roofs, and ornamental light fixtures;
 - e. Projecting entries or projecting bays in the facade;
 - f. Recessed entries or recessed bays in the facade; and
 - g. Changes in roofline or articulation in the surface of the subject wall.

D. Exceptions.

1. Where a building or ground floor unit/tenant space has frontage on two streets (e.g. on a corner), only one of the two sides must have an entrance.
2. The Director may allow an exception to the building entry requirement in this subsection with an Administrative Adjustment.
3. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that:
 - a. A street-facing entry is infeasible due to grading requirements;
 - b. The street-facing building wall incorporates architectural features and design details beyond the minimum requirements in 155.306.050 (Architectural Features); and
 - c. The exception allows for a clearly superior project to that which can be achieved while complying with the building entry requirement.

155.306.050 – Architectural Features

A. **Options for Architectural Features.** New buildings must incorporate at least two of the following architectural features on the street-facing portions of buildings (e.g. “Roof Form Variation” and “Horizontal Articulation” or “Projecting Bay Windows” and “Masonry Facade”). See 155.306.050.B (Rules for Measurement of Architectural Features) for rules to measure each type of architectural feature.

1. Roof Form Variation.

- a. At least 25 percent of the linear frontage of the building’s street-facing building roof line incorporates at least one element of variable roof form that is different from the remainder of the street-facing roof form. See Figure 306-3. The following are examples of how to meet this requirement:
 - (i) Recessed or projecting gabled roof elements.
 - (ii) Roof dormers.
 - (iii) Changes in roof heights.
 - (iv) Changes in direction or pitch of roof slopes.
 - (v) Other similar methods.
- b. The rule to measure this architectural feature is provided in 155.306.050.B.1.

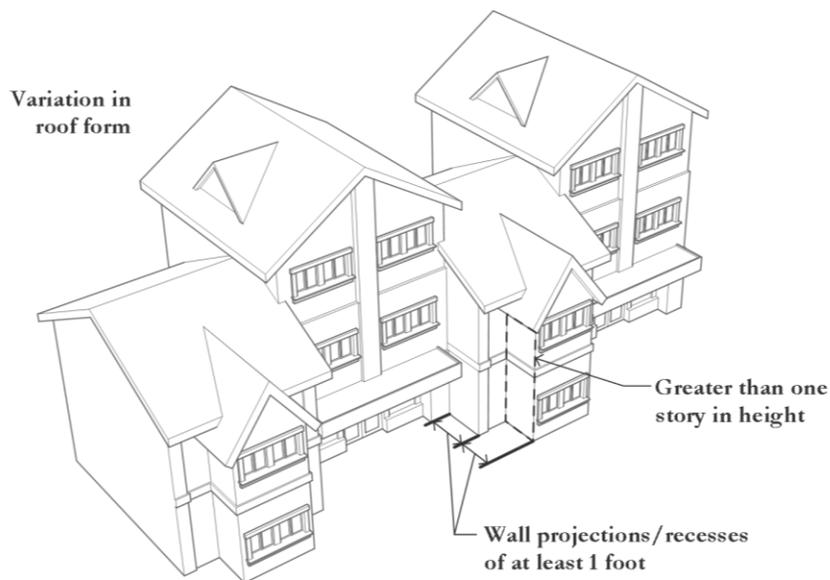
2. Roof Detail and Ornamentation.

- a. At least 80 percent of the linear frontage of the building’s street-facing roof line incorporates roof detail and/or ornamentation. The following are examples of how to meet this requirement:
 - (i) Parapet wall that is an average of at least one-foot tall and has a cornice.
 - (ii) Periodic and articulated corbelling or dentils.
 - (iii) An ornamental soffit.
 - (iv) A projecting roof eave with decorative fascia and eave returns.
 - (v) A projecting roof eave with exposed rafters.
 - (vi) An offset gable clearstory.
 - (vii) A half story in which the building features a habitable uppermost story lighted by dormer windows where a sloping roof replaces the upper part of the front wall.
 - (viii) Other similar methods.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.1.

3. Horizontal Articulation.

- a. At least 25 percent of the linear frontage of the ground floor street-facing building wall has a projection or recess of at least one-foot deep. If located on a building with two or more stories, the articulated elements must be greater than one story in height. See Figure 306-3. Horizontal articulation may also include an articulated corner tower, angled facet, or other special articulated corner treatments.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.1.

Figure 306-3: Roof Form Variation and Horizontal Articulation



4. Cantilevered Upper Story.

- a. For at least 25 percent of the linear frontage of the street-facing building wall, an upper story building wall projects at least two feet from the ground floor building wall.
 - b. Traditional designs must include decorative features such as knee braces. Contemporary, minimalistic designs do not require decorative features.
 - c. The rule to measure this Architectural Feature is provided in 155.306.050.B.1.
5. **Balconies.** At least 20 percent of the linear frontage of the street-facing building wall contains at least one-above-ground balcony. Each balcony must be either:
- (i) A traditional balcony that is at least four feet in depth; or
 - (ii) A Juliet balcony that is served by French doors and that includes metal or glass railings that allow unobstructed visibility.

- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.1.

6. Projecting Windows.

- a. At least 25 percent of all windows on the street-facing building wall consist of projecting windows. The furthest extent of each projecting window must project at least one foot from the building wall. This requirement may be satisfied with bay windows, oriel windows, bow windows, canted windows, and other similar designs.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.2.

7. Window Trim.

- a. At least 75 percent of all windows on the street-facing building wall feature trim that surrounds the entire window and meets one or more of the following criteria:
 - (i) Crown molding projects at least two inches from the building wall.
 - (ii) Trim material visually contrasts with the building wall.
 - (iii) Sill projects at least two inches from the building wall.
- b. Trim material must be constructed of materials such as wood, fiber cement board, brick, stone, stucco, concrete, or cellular PVC. Foam does not meet this requirement.
- c. The rule to measure this Architectural Feature is provided in 155.306.050.B.2.

8. Recessed or Protruding Windows.

- a. At least 75 percent of all windows on the street-facing building wall are recessed at least four inches from the building wall.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.2.

9. Rigid Window Coverings.

- a. At least 50 percent of all windows on the street-facing building wall have rigid window coverings, such as rigid awnings, shade devices, above-window cornices or crowns, projecting arches, or other window coverings of equivalent quality. Flexible materials such as fabric and vinyl do not satisfy this requirement.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.2.

10. Masonry Facade.

- a. At least 40 percent of the street-facing building wall surface area is covered in masonry such as brick, stone, terrazzo, ceramic tile, or comparable material. Exposed cinder block does not satisfy this requirement.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

11. Wood Façade.

- a. At least 40 percent of the street-facing building wall surface area is covered in high-grade wood that is finished with a clear sealer or semi-transparent stain. Wood may not be painted or finished with an opaque stain. Faux wood products made from synthetic materials, including vinyl, cellular PVC, and fiber cement do not satisfy this requirement.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

12. Glass Façade.

- a. At least 40 percent of the street-facing building wall surface area is covered in glass, including window glass.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

13. Cladding Materials Façade.

- a. At least 40 percent of the street-facing building wall surface area is covered in, concrete tile, stone, ceramic, high-grade metal, or comparable material.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

14. Living Wall.

- a. At least 20 percent of the street-facing building wall surface area is covered in a directly integrated living wall or building integrated vegetation. Plans submitted for living walls and building integrated vegetation must include a long-term maintenance plan that includes documentable evidence of on-going maintenance and operation strategies to ensure the long-term viability of the wall. Living walls and building integrated vegetation must include an integrated water delivery system.
- b. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

15. Combination of Materials Façade.

- a. At least 40 percent of the street-facing building wall surface area is covered in a combination of two or more of the following materials: masonry, stone, high-grade wood, glass, metal/ceramic cladding, or living wall. Materials used to satisfy this requirement must comply with requirements in paragraphs 10-14 above (excluding wall area percentage requirements in these paragraphs).
- b. The Combination of Materials Façade option may not be double-counted with any of the other façade materials options (i.e. Masonry Façade, Glass Façade, Cladding Façade, or Living Wall) to satisfy the Architectural Features requirement. For example, a building wall that is 40 percent masonry and 10 percent wood siding can qualify for Combination of Materials Façade, but cannot simultaneously qualify for Masonry Façade. However, a wall that is 20 percent masonry, 20

percent living wall, and 40 percent glass may satisfy two Architectural Features requirements, with the masonry and living wall satisfying the Combination of Materials option and the glass satisfying the Glass Façade option.

- c. The rule to measure this Architectural Feature is provided in 155.306.050.B.3.

B. Rules for Measurement of Architectural Features. The architectural features in 155.306.050.A (Options for Architectural Features) are measured as follows:

1. Percent of Linear Frontage.

- a. Percent of linear frontage is used to measure Roof Form Variation, Roof Detail and Ornamentation, Horizontal Articulation, Cantilevered Upper Story, and Balconies.
- b. Percent of linear frontage is calculated by measuring the total horizontal length of the frontage of a building's street-facing wall relative to the total horizontal length of the Architectural Feature to be evaluated. For example, a three-story building with a street-facing wall that is 100 feet long has a total horizontal length of 100 feet. If that building has a cantilevered section on the second floor that has a 25-foot horizontal length, then the cantilevered section constitutes 25 percent of the street-facing wall's linear frontage (25 divided by 100). In this case, the building meets the criteria for Cantilevered Upper Story. Alternatively, if a two-story building with a 50-foot total horizontal length had two separate 20-foot long balconies on the second floor, then 80 percent of the street-facing wall's linear frontage contains balconies (40 divided by 50). In this case, the building exceeds the criteria for Balconies.

2. Percent of All Windows.

- a. Percent of all windows is used to measure Projecting Windows, Recessed or Protruding Windows, Window Trim, and Rigid Window Coverings.
- b. Percent of all windows is calculated by counting the total number of windows on the building's street-facing wall and then dividing that number into the Architectural Feature to be evaluated. For example, a building wall that contains 100 windows, 75 of which are recessed from the building wall, has 75 percent recessed windows. In this case, the building meets the criteria for Recessed Windows.

3. Percent of Street-facing Building Wall Surface Area.

- a. Percent of street-facing building wall surface area is used to measure Masonry Façade, Wood Façade, Living Wall, Glass Façade, Cladding Materials Façade, and Combination of Materials Façade.
- b. Percent of street-facing building wall surface area is the total area of the building's street-facing wall relative to the total surface area of the Architectural Feature to be evaluated. The building wall area measurement includes doors,

windows, and other openings within the wall area. For example, a building wall that is 100 feet long and 30 feet high has a total surface area of 300 square feet (including the wall's windows and doors). If that same wall includes a section of exposed brick that is 50 feet long and 30 feet high, then 50 percent of the total wall surface area has a masonry façade. The 50 percent calculation may include windows and doors inset into brick wall material. In this example, the building meets the criteria for Masonry Façade. A street-facing building wall that is at least 80 percent glass may double-qualify as satisfying two Architectural Features. No other materials (such as masonry, green wall, or cladding) may double-qualify as satisfying two Architectural Features.

155.306.060 – Blank Walls

- A. **Maximum Blank Wall Area.** The area of a blank building wall fronting a public street may not exceed a square area where the height and width are both 10 ft. See Figure 306-4.
- B. **Breaks in Blank Walls.**
 1. A break in a blank building wall may be provided by any of the following:
 - a. Doors, windows, or other building openings.
 - b. Building projections or recesses, doorway and window trim, or other details that provide architectural articulation and design interest.
 - c. Varying wall planes where the wall plane projects or is recessed at least six inches.
 - d. Non-fabric awnings, canopies or arcades.
 - e. Substantial variations in building material. For example, adding brick or stone veneer to a stucco building or changing from vertically-oriented board and baton style siding to horizontally-oriented lap siding.
 - f. A living wall as defined in 155.306.050.
 2. The following do not qualify as a break in blank wall:
 - a. Variation in exterior building wall color.
 - b. Vegetation or landscaping.
 - c. Mechanical appurtenances such as water heaters, vents, or utility meters.
 - d. Gutters.

Figure 306-4: Blank Walls



155.306.070 – Garage Doors in Residential Zoning Districts

In residential zoning districts garage doors may occupy no more than 40 percent of a building's street frontage. See Figure 306-5.

Figure 306-5: Maximum Garage Door Width



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Section 155.308 – ACCESSORY DWELLING UNITS

Subsections:

155.308.010 – Purpose

155.308.020 – Permits Required

155.308.030 – Where Allowed

155.308.040 – Accessory Dwelling Units in Existing Space

155.308.050 – Site and Design Standards

155.308.010 – Purpose

This section establishes standards for accessory dwelling units in conformance with Government Code Section 65852.2. These standards are intended to allow for accessory dwelling units as an important form of affordable housing, while preserving the character and integrity of Eureka’s residential neighborhoods.

155.308.020 – Permits Required

- A. **Zoning Clearance.** Accessory dwelling units consistent with the requirements of this section are allowed by-right with a Zoning Clearance.
- B. **Time Limit to Act.** The City shall complete its review of an accessory dwelling unit application requiring a Zoning Clearance and approve or deny the application within 120 days after receiving the application.

155.308.030 – Where Allowed

Accessory dwelling units are permitted in any zoning district where detached single-family homes are a permitted land use. In mixed-use zoning districts, accessory dwelling units are allowed only on lots with a single-family detached dwelling existing as of [effective date of Zoning Code].

155.308.040 – Accessory Dwelling Units in Existing Space

An accessory dwelling unit created within an existing primary dwelling, garage, or other accessory structure is permitted, regardless of all other standards in this section if the accessory dwelling unit:

- A. Complies with all applicable building and safety codes; and
- B. Provides independent exterior access separate from the primary dwelling.

155.308.050 – Site and Design Standards

- A. Height, FAR, and Site Coverage.** Accessory units are subject to the same height, FAR, and site coverage standards that apply to primary dwellings on the lot in the applicable zoning district.
- B. One Primary Residence on Lot.**
1. An accessory dwelling unit is permitted only when one detached single-family home is present on a lot or is constructed concurrently with the accessory dwelling unit.
 2. Accessory dwelling units are not permitted on lots with multi-family or mixed-use residential development.
- C. Number of Accessory Units.** No more than one accessory dwelling unit is permitted on a single lot.
- D. Relationship to Primary Dwelling.**
1. An accessory dwelling unit may be within, attached to, or detached from the primary dwelling.
 2. An accessory dwelling unit must have its own kitchen, bathroom facilities, and entrance, separate from the primary dwelling, except as allowed by Paragraph (3) of this division.
 3. The City will allow Junior Accessory Dwelling Units as defined in Government Code Section 65852.22 with an efficiency kitchen. Bathroom facilities, but not the efficiency kitchen, may be shared with the primary dwelling.
- E. Maximum Unit Size.** The floor area of an accessory dwelling unit (both attached and detached) may not exceed 1,200 square feet. Maximum allowed unit size on a specific property may be less than 1,200 square feet due to floor area ratio, setbacks, and other site constraints.
- F. Existing Home Designated as Accessory Unit.** If a lot contains an existing single-family home less than 1,200 square feet, the existing home may be designated as an accessory dwelling unit as part of a project to construct a new single-family home on the lot.
- G. Lot Line Setbacks.**
1. Accessory dwelling units must comply with the minimum setbacks that apply to primary dwellings in the applicable zoning district except as provided in Paragraph (2) of this division.
 2. No setbacks are required for an existing accessory structure that is converted to an accessory dwelling unit or for an accessory dwelling unit constructed above an existing garage.

3. New accessory dwelling units above garages must comply with the same setback requirements as the garage to which it is attached.

H. Parking.

1. On-site parking is not required for accessory dwelling units.
2. When an existing covered parking space is eliminated in conjunction with the creation of an accessory dwelling unit, replacement parking is not required for the eliminated parking space.

I. Accessory Units and Multi-Family Uses.

1. In the multifamily zoning districts and commercial zoning districts, an accessory dwelling unit may be added to a lot with one existing detached single-family dwelling. The accessory dwelling unit may be attached to or detached from the single-family dwelling. Regardless of the configuration, the two resulting units are considered a single-family use with an accessory dwelling unit, not a duplex. The two units are not subject to the requirements that apply to multi-family uses.
2. A lot may contain only one accessory dwelling unit. If one or more additional units are added to a lot with an existing single-family dwelling and an existing accessory dwelling unit, all units are considered a multi-family use. However, the original single-family home and accessory dwelling unit are not required to retroactively comply with multi-family standards (e.g. parking), or development fees. New units added to the existing single-family dwelling and accessory dwelling unit must comply with all requirements that ordinarily apply to multi-family uses.

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Section 155.312 – FENCES AND WALLS

Subsections:

- 155.312.010 – Purpose and Applicability
- 155.312.020 – Required Permits and Approvals
- 155.312.030 – Measurement of Fence and Wall Height
- 155.312.040 – Maximum Height
- 155.312.050 – Materials
- 155.312.060 – Nonconforming Fences and Walls

155.312.010 – Purpose and Applicability

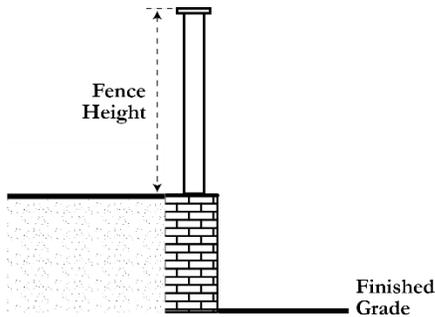
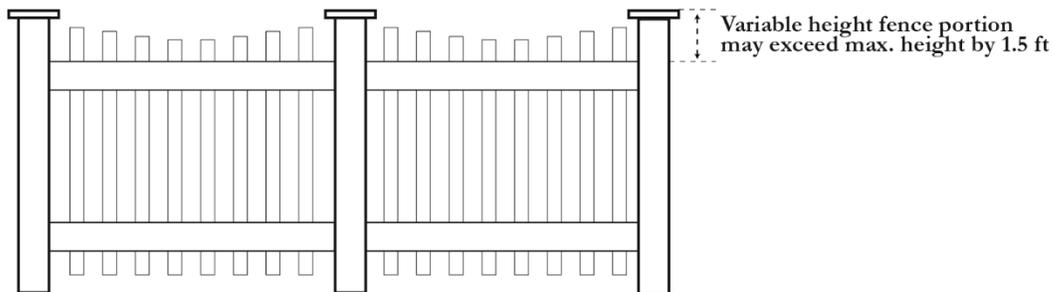
This section establishes standards for fences and walls in all zoning districts.

155.312.020 – Required Permits and Approvals

- A. **No Department Approval Required.** Fences and walls consistent with this section are permitted by-right without the need to obtain a Zoning Clearance or other Department approval, unless otherwise stated.
- B. **Building Permit.** Fences and walls may require a Building Permit as required by California Building Code.
- C. **Encroachment Permit.** Fences and walls in the public right-of-way require an Encroachment Permit approved by the Public Works Department.

155.312.030 – Measurement of Fence and Wall Height

- A. **Measurement of Height.**
 - 1. The height of a fence or wall is measured as the vertical distance from the finished grade at the base of the fence or wall to the top edge of the fence or wall. See Figure 312-1.
 - 2. Fence or wall height includes any materials directly attached to the fence or wall.
- B. **Variable Height Fences.** If the height of a fence varies due to features integral to the overall fence design, variable height elements of the fence may exceed the allowed height by a maximum of one-foot six-inches. See Figure 312-2.

Figure 312-1: Measurement of Fence Height**Figure 312-2: Variable Fence Height**

- C. **Fences on Walls.** If a fence is atop a wall, the fence height is measured from the base of the wall or the sidewalk, whichever results in a greater height, except as allowed by 155.312.030.D (Different Finished Grades).
- D. **Different Finished Grades.** If the adjacent finished grade is different on opposite sides of a fence or wall, the height is measured from the side with the highest finished grade to the highest point on the fence or wall.

155.312.040 – Maximum Height

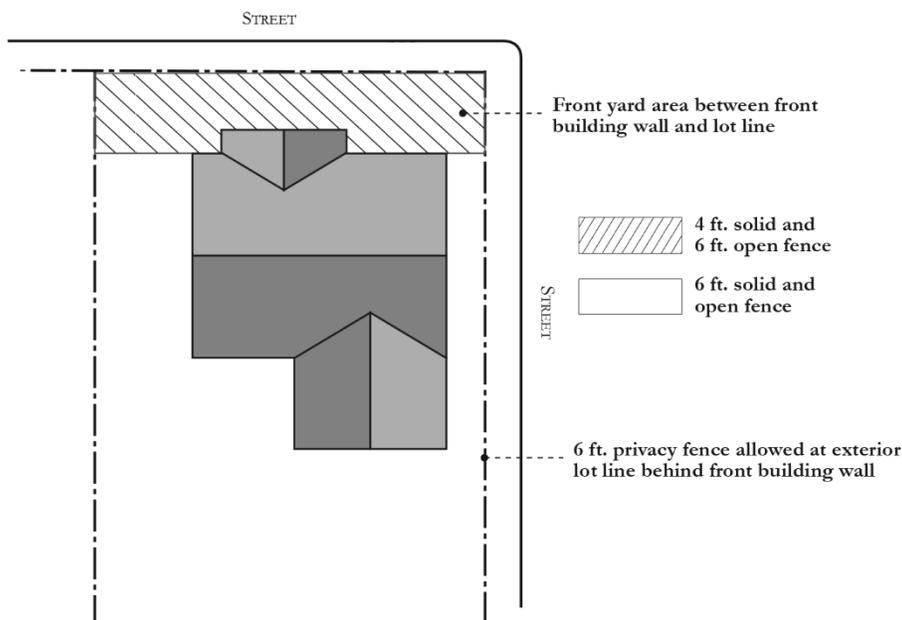
- A. **Maximum Height.** Fences and walls may not exceed the maximum height shown in Table 312-1 and Figure 312-3.

Table 312-1: Allowed Fence Height

	Maximum Height [1]	
	Solid Fence	Open Fence [2]
Residential Zones		
Front yard area between front building wall and front lot line	4 ft [3]	6 ft.
All other areas on lot	6 ft.	6 ft.
Mixed Use Zones - Any location on lot	8 ft. [4]	8 ft.
Industrial, Public Facilities, and Resource Related Zones - Any location on lot	12 ft.	12 ft.
<p>Notes:</p> <p>[1] Fences exceeding 7 feet require a Building Permit and engineered plans.</p> <p>[2] Open fences must be wrought iron or other high-quality decorative material and at least 70 percent open to the passage of light and air. Chain link and other wire fence materials are not allowed within minimum required front and street side setbacks in the residential zoning districts and are not allowed between a building and the street in the mixed-use zoning districts.</p> <p>[3] See 155.304.040 (Vision Clearance Area) for height limitations at street intersections and when adjacent to driveways and alleys.</p> <p>[4] Solid fences are not allowed between a building and the street in the mixed-use zoning districts.</p>		

B. Exterior Side Setback Exception. Where an existing building wall is located within five feet of an exterior side lot line in a residential zoning district, a six-foot solid fence is allowed on the lot line from the back of the home to the rear lot line. See Figure 312-3.

Figure 312-3: Allowed Fence Height – Residential Zoning Districts



- C. **Vision Clearance Area.** Walls and fences shall comply with the vision clearance area requirements in 155.304.040 (Vision Clearance Area).

155.312.050 – Materials

Table 312-2 identifies prohibited fence materials.

Table 312-2: Prohibited Fence Material

Fence Material	Where Prohibited
Barbed wire	All zoning districts except for industrial and resource-related zoning districts
Razor or concertina wire	All zoning districts, except when protecting critical infrastructure as determined by the Public Works Director
Electrified fence	All zoning districts except for resource-related zoning districts
Chain link and other wire fencing	Within minimum required front and street side setbacks in the residential and mixed-use zoning districts
Nails, broken glass, or other similar hazardous objects on the top of fence or wall	All zoning districts

155.312.060 – Nonconforming Fences and Walls

Existing fences and walls that do not comply with this section may remain and may be repaired and modified in accordance with 155.424.030.E (Repairs and Modifications).

Section 155.316 – PARKING

Sections:

155.316.010 – Purpose

155.316.020 – Applicability

155.316.030 – Number of On-Site Parking Spaces Required

155.316.040 – Reductions and Alternatives to Automobile Parking

155.316.050 – General Requirements

155.316.060 – Parking Design and Development Standards

155.316.070 – Bicycle Parking

155.316.080 – Parking Lot Landscaping

155.316.010 – Purpose

This section establishes on-site parking requirements to:

- A. Provide on-site parking spaces for existing and new land uses in a manner that promotes infill development, supports a pedestrian-friendly environment, and maintains Eureka’s unique sense of place;
- B. Provide for functional on-site parking areas that are safe for vehicles and pedestrians;
- C. Ensure that parking areas are well-designed and contribute to a high-quality design environment in Eureka;
- D. Maintain a sufficient supply of parking on an area-wide basis, with less concern for the number of parking spaces provided on each individual lot or land use;
- E. Allow for flexibility in on-site parking requirements to support a multi-modal transportation system and sustainable development pattern;
- F. Encourage the construction of new housing and conversion of existing underutilized commercial properties to residential use;
- G. Support and encourage alternative fuel vehicles, bicycle transportation, car-sharing, and other new and innovative transportation options;
- H. Support a vibrant and dynamic local economy with flexible parking requirements;
- I. Ensure that on-site parking areas do not adversely impact land uses on neighboring properties; and
- J. Support a pedestrian-friendly streetscape design, walkable neighborhoods, and active and inviting mixed-use districts.

155.316.020 – Applicability

- A. **Parking Required.** On-site parking must be provided as required by this section except when:
1. Exempted by this subsection; or
 2. Reduced by 155.316.040 (Reductions and Alternatives to Automobile Parking).
- B. **Residential Use Exemptions.** The following residential uses are exempt from on-site parking requirements:
1. Accessory dwelling units.
 2. New residential units 500 square feet or less, regardless of the size of the overall structure.
 3. New residential units that are deed restricted to households earning 50 percent or less of the Humboldt County area median income.
 4. New construction or conversion of existing non-residential space to create eight or fewer residential units in the Downtown (DT), Downtown West (DW), and Hinge Industrial (HN) zoning districts. Where nine or more new units are created, parking must be provided only for the units in excess of eight. This parking exemption applies to exempt units in perpetuity regardless of future development on the site.
 5. New construction or conversion of existing non-residential space to create four or fewer residential units in a mixed-use project in the Henderson Center (HC), Neighborhood Commercial (NC), Wabash Avenue (WA), Office Residential (OR), Hospital Medical (HM), and Service Commercial (SC) zoning districts.
 6. Division of an existing residential unit to create one or more additional residential units.
 7. Conversion of existing covered parking to create one or more additional residential units. When a covered parking space is eliminated to create an additional residential unit, replacement parking is not required for the eliminated parking space.
- C. **Non-Residential Use Exemptions.** The following non-residential uses are exempt from on-site parking requirements:
1. New construction of a building less than 1,000 square feet.
 2. New construction on lots less than 4,000 square feet.
 3. Existing non-residential buildings enlarged by less than 1,000 square feet.
 4. All new construction in the Downtown (DT), Downtown West (DW), Henderson Center (HC), and Hinge Industrial (HN) zoning districts and in the Neighborhood Market (NMO) overlay zone.

- 5. All new construction within the Parking Assessment District. See Figure 508-4 in 155.508 (Glossary) for Parking Assessment District boundaries.
 - 6. In all zoning districts, a change from an existing non-residential use to a different non-residential use within an existing building.
- D. **Enlargements.** Where parking is required for an enlarged building, additional parking is required only to serve the enlarged area. Additional parking is not required to remedy parking deficiencies existing prior to the enlargement.

155.316.030 – Number of On-Site Parking Spaces Required

- A. **Vehicle Spaces Required.** On-site parking for motor vehicles must be provided in the quantities specified in Table 316-1, except as otherwise provided in this section.

Table 316-1: Required Vehicle Parking Spaces

Land Use	Number of Required Parking Spaces
Residential	
All residential uses except those listed below [1]	1 per unit
Accessory Dwelling Unit	None required
Farmworker Housing	0.25 per bed
Medical Care Housing	0.5 per bedroom
Micro/Shared Housing	0.25 per bedroom
Non-Medical Care Housing	0.25 per bedroom
Commercial and Office	
All commercial uses except those listed below [1]	1 per 500 sq. ft.
Day Care Facility	None
Family Day Care Home	None beyond that required for residential use
Kennel-Animal Boarding	1 per 2,000 sq. ft.
Commercial Lodging	0.75 per room
Residential Lodging	None beyond that existing for residential use
Hospitals	None
Outdoor Commercial Recreation	For sites less than 1 acre, 1 per 5,000 sq. ft. of outdoor space available to customers; for sites over one acre, 1 per 15,000 sq. ft. of outdoor space available to customers
Parking Lots and Structures	None required
Vehicle Repair, Towing, and Impound	1 space per 1,000 sq. ft. of non-service bay floor area plus 2 spaces per service bay
Industrial and Storage	
All industrial and storage uses except those listed below [1]	1 per 2,000 sq. ft.
Manufacturing, Artisan	1 per 1,000 sq. ft.
Mini-Storage	1 per 4,000 sq. ft.
Civic and Recreation	
All civic and recreation uses except those listed below [1]	1 per 500 sq. ft.
Elementary and Middle School	1.25 per classroom plus 1 per 500 square feet

Land Use	Number of Required Parking Spaces
	of administrative office space
High School	5 per classroom
Colleges and Trade Schools	1 per every 4 fixed seats or 1 per 200 sq. ft. of assembly or classroom area, whichever is less
Emergency Shelter	As determined by the Director based on the demonstrated need for on-site parking
Parks and Playgrounds	None required
Non-Commercial Places of Assembly	1 per 300 sq. ft.
Infrastructure and Utilities	
Airport	As determined by parking demand study approved by the Director
Freight Terminals and Transfer	1 per 2,500 sq. ft.
Public Agency Corporation Yard	1 per 2,500 sq. ft.
Public Utility	None required
Recycling Collection Facility	1 per 750 sq. ft.
Recycling Processing Facility	1 per 1,000 sq. ft.
<u>Notes:</u>	
[1] See 155.504 (Land Use Classifications) for specific land uses included in category.	

- B. **Required Electric Vehicle Spaces.** See 155.316.050.C (Electric Vehicle Charging).
- C. **Required Bicycle Parking Spaces.** See 155.316.070 (Bicycle Parking).
- D. **Calculation of Required Spaces.**
- Floor Area.** Where a parking requirement is a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated. The floor area of a use is calculated as described in 155.112.050 (Floor Area and Floor Area Ratio).
 - Employees.** Where a parking requirement is stated as a ratio of parking spaces to employees, the number of employees is based on the largest shift that occurs in a typical week.
 - Seats.** Where a parking requirement is stated as a ratio of parking spaces to seats, each 24 inches of bench-type seating is counted as one seat.
 - Fractional Spaces.** In determining the number of required parking, fractions of spaces over one-half will be rounded down to the next whole number.
- E. **Unlisted Uses.** The parking requirement for land uses not listed in Table 316-1 is determined by the Director based on the requirement for the most comparable similar use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.
- F. **Sites with Multiple Uses.** Where more than one land use is conducted on a site, the minimum number of required on-site parking spaces is the sum of the number of parking spaces required for each individual use unless on-site shared parking is allowed in accordance with 155.316.040.C.11 (On-site Shared Parking).

155.316.040 – Reductions and Alternatives to Automobile Parking

A. General.

1. This subsection identifies allowed reductions and alternatives to on-site automobile parking spaces required by 155.316.030 (Number of Required Spaces).
2. These reductions are allowed either by-right or require approval of an Administrative Adjustment. If the reduction is requested as part of a project subject to discretionary approval, the request is considered by the review authority as part of the overall project.

B. Calculation of Parking Reductions.

1. Available reductions apply only to non-exempt parking spaces as specified in 155.316.020 (Applicability).
2. Available reductions are additive (i.e., multiple reductions may be combined for a single project). Each allowed reduction is calculated using the number of parking spaces required before any other reduction is applied. For example, parking for a development requiring 20 parking spaces that qualifies for a 10 percent transit proximity reduction (155.316.040.C.1) and a 25 percent low demand reduction (155.316.040.C.12) would be reduced by 35 percent (seven spaces).

C. Available Reductions. The following allow for the reduction of required on-site parking spaces:

1. **Transit Proximity.** For projects in proximity to a public transit bus stop where the average interval of time between buses is 90 minutes or less (90-minute headways) during weekday daytime hours, required on-site parking may be reduced as shown in Table 316-2. Public transit bus stops exclude school bus stops.

Table 316-2: Transit Proximity Parking Reduction

Proximity to Bus Stop	Allowed Parking Reduction
600 feet	30 percent
900 feet	20 percent
1,200 feet	10 percent

2. Bus Pass.

- a. On-site parking is not required for a multi-family rental unit within 900 feet of a public transit stop if the lease agreement includes a complementary bus pass for use by the resident, paid for by the property owner during the entire duration of the rental.
- b. The Department will authorize this reduction only after the property owner or the property owner’s authorized representative has submitted to the Department a

signed agreement in a form approved by the City Attorney guaranteeing that the complementary bus pass will be provided as required for the parking reductions.

3. **Bicycle Facility Proximity.** Required on-site parking may be reduced by up to 30 percent for projects located within 300 feet of an existing designated Class I or Class II bicycle facility as shown in General Plan Figure M-2.
4. **Carpool Spaces.** For non-residential uses, two automobile parking spaces may be exchanged for one carpool parking space. The carpool parking space must be designated as such with signage and/or space markings.
5. **Electric Vehicle Charging Stations.** Two required parking spaces may be exchanged for one space served by an electric vehicle charging station. To receive reduction, electric vehicle charging stations must be in excess of the minimum number of charging stations required by 155.316.050.C (Electric Vehicle Charging)
6. **Loss of On-Street Parking.** If providing new on-site parking requires a new curb cut through an existing sidewalk and thereby eliminates an on-street parking space, the on-site parking is required only if the new on-site parking provides at least two more spaces than the number of lost on-street spaces. For example, if a new parking lot eliminates one on-street parallel parking space, new off-street parking is required only if it contains at least three spaces.
7. **Required Disabled and Electric Vehicle Spaces.** Replacement parking spaces are not required if retrofitting a required accessible parking space or installing a required electric vehicle charging station eliminates one or more required parking spaces (e.g., to accommodate accessible loading area).
8. **Bicycle and Motorcycle Spaces.**
 - a. Bicycle or motorcycle parking may replace up to two required automobile spaces or 10 percent of the required number of on-site automobile parking spaces, whichever is less.
 - b. Each automobile parking space must be replaced by space for at least 10 bicycles or 4 motorcycles. Bicycle parking spaces must comply with development standards in 155.316.070 (Bicycle Parking).
 - c. Bicycle spaces replacing an automobile space must be in addition to the minimum bicycle parking spaces required by 155.316.070 (Bicycle Parking).
9. **In-Lieu Fees.** Parking requirements may be satisfied through the payment of in-lieu fees consistent with any in-lieu parking fee program established by the City Council.
10. **On-site Shared Parking.**
 - a. Shared parking is the practice of allowing land uses with different peak and off-peak parking demand schedules to share required on-site parking spaces.

- b. Shared parking is allowed with an Administrative Adjustment for uses on a single lot, on adjacent lots, and on lots within 100 feet of one another.
- c. An applicant requesting shared parking must submit a parking demand study justifying the shared parking. The study must be prepared by a qualified transportation planning consultant or consist of materials that provide satisfactory evidence as determined by the Director.
- d. The total number of parking spaces in a shared parking arrangement must be equal to or greater than the number of spaces ordinarily required for any one of the participating uses.
- e. To approve an Administrative Adjustment for shared parking, the Director must make the findings in 155.412.030.F (Findings for Approval).
- f. The Director may require that additional documents, covenants, deed restrictions or other agreements are executed to ensure that:
 - (1) The required parking spaces are maintained for the duration of the uses served; and
 - (2) Uses with similar hours and parking requirements as those uses sharing the parking remain for the life of the building.

11. Off-site Parking.

- a. Required parking may be provided off-site on a non-adjoining lot with an Administrative Adjustment if the parking is located no more than 300 feet from the lot serving the use. Required parking may be provided on an adjoining lot by-right.
- b. To approve an Administrative Adjustment for off-site parking at a non-adjoining lot, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that the off-site parking is located and designed in a manner that will conveniently meet the parking needs of the use that it serves.
- c. Prior to establishing the off-site parking, a covenant record (“parking indenture”), approved by the City, must be filed with the County Recorder guaranteeing that off-site parking will be maintained exclusively for the use served for the duration of the use.

12. Low Demand.

- a. The number of required parking spaces may be reduced by up to 25 percent with an Administrative Adjustment for uses with unique operating characteristics that result in a lower parking demand than otherwise would be required.
- b. An applicant requesting reduced parking for a low demand use must submit evidence to the satisfaction of the Director that the use requires fewer parking

spaces than otherwise required by 155.316.030 (Number of On-site Parking Spaces Required). Acceptable evidence may include parking surveys, sales receipts, and examples of comparable uses in Eureka or similar communities.

- c. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and the following additional findings:
 - (1) Evidence submitted by the applicant demonstrates that the use requires fewer parking spaces required by 155.316.030 (Number of On-Site Parking Spaces Required) for the use; and
 - (2) The use will provide a sufficient amount of on-site parking to accommodate its expected parking demand.

13. Low Impact Development.

- a. Required parking spaces may be reduced by up to 15 percent, not to exceed four spaces, with an Administrative Adjustment in cases where the parking requirement conflicts with the City's storm water system (MS4) permit requirements.
- b. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that providing all of the on-site parking while complying with the City's storm water system (MS4) permit requirements is not possible due to physical site constraints.

- 14. Infill Incentive Permit Reductions.** Required parking spaces may also be reduced through an Infill Incentive Permit. See Table 412-1 in 155.412.060 (Infill Incentive Permits)

155.316.050 – General Requirements

A. Availability and Use of Spaces.

- 1. Required parking spaces for multi-family and non-residential uses must be permanently available and maintained to provide parking for the use they are intended to serve.
- 2. Required parking spaces for single-family homes may not be removed unless specifically allowed by the Zoning Code. Immovable equipment, such as water heaters and washer/dryers, may not be located within a required parking space.
- 3. Required parking spaces must be used exclusively for the temporary parking of vehicles and not for the sale, lease, display, advertising, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, or equipment, or for any other use not authorized by the Zoning Code, except as allowed by Paragraph (4) of this division.
- 4. One vehicle or trailer owned by the lessee, owner, or renter of a property may be

displayed within a required parking area for the purpose of sale for a maximum of 30 days.

5. Repair work or servicing of motor vehicles is not allowed in an uncovered on-site parking facility, except for minor work commonly performed on operating vehicles that are associated with a residential use.

B. Parking Location.

1. **On-Site Parking.** Required parking must be located on the same lot or site as the use which it serves, or on an adjoining lot, except as allowed by 155.316.040.C.11 (Off-site Parking).
2. **Vehicles Contained on Lot.** Parked vehicles may not encroach onto or over a sidewalk or public right-of-way.

C. Electric Vehicle Charging.

1. **Number of Charging Stations.** The number of required parking spaces with an electric vehicle charging station is as follows:
 - a. 25-49 parking spaces: 1 charging station.
 - b. 50-100 parking spaces: 2 charging stations, plus one for each additional 50 parking spaces.
 - c. Two required parking spaces may be exchanged for one space served by an electric vehicle charging station as allowed by 155.316.040.C.5 (Electric Vehicle Charging Stations).
2. **Charging Stations Required.** Electric vehicle charging stations must be provided:
 - a. For new structures or uses required to provide at least 25 parking spaces before any allowed reductions; and
 - b. For lots with 50 or more existing parking spaces, when a project increases the required number of parking spaces by 10 percent or more.
3. **Signage.** Signage must designate spaces with required electric vehicle charging stations as available only for electronic vehicle parking. Signage is required only for electric vehicle charging stations required by this division.

- D. Large Vehicle Parking.** Recreational vehicles, boats, and other large vehicles may not be parked within a required front or exterior side setback in a residential zoning district.

155.316.060 – Parking Design and Development Standards

A. Parking Access.

1. **Alley Access.** The following alley access requirements apply to all uses except for

detached single-family homes:

- a. For interior lots served by an alley, access to parking must be from the alley unless the Director approves an Administrative Adjustment to allow parking access from the street.
- b. To approve an Administrative Adjustment to access parking from a street, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that access from a street is necessary due to traffic, circulation, or safety concerns.
- c. For corner lots served by an alley, parking may be accessed from a side street without an Administrative Adjustment.

2. **Number of Driveways.**

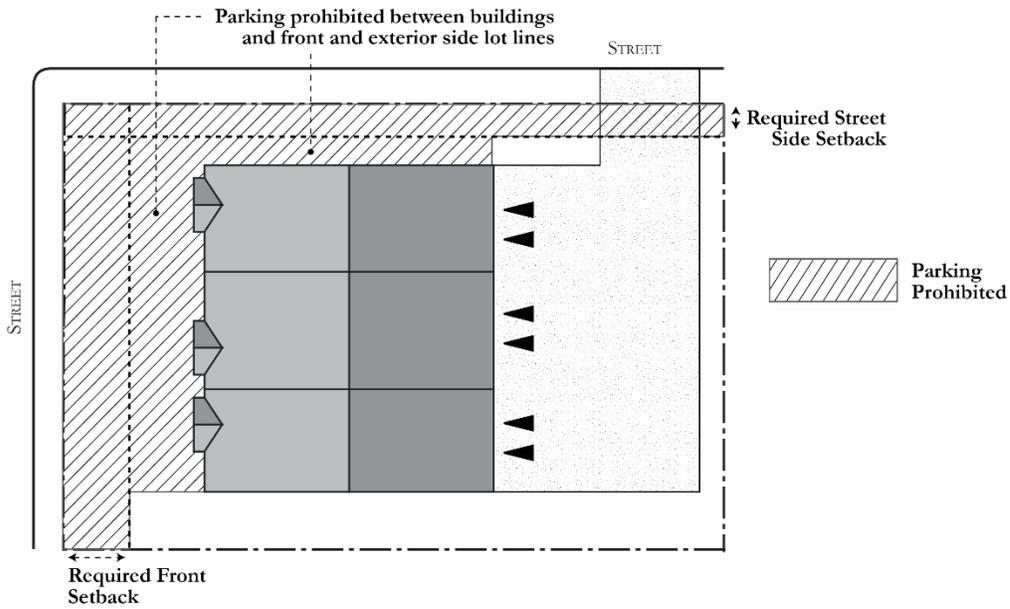
- a. For residential uses in residential zoning districts, no more than one driveway may serve lots less than 100 feet wide and no more than two driveways may serve lots 100 feet wide or more. On corner lots, this rule applies separately to each of the two street-facing sides.
- b. For non-residential uses in residential zoning districts and in all other zoning districts, the maximum number of driveways will be the minimum number necessary to serve the intended use. The Director, in consultation with the Director of Public Works, will determine the permitted number of driveways based on the needs of the intended use and traffic, circulation, and safety concerns.

3. **Driveway Drop Curb Width.** Minimum and maximum allowed driveway drop curb widths shall be as required by the Director of Public Works.
4. **Separation of Driveways.** Separation between driveways will be the minimum distance required by the Director of Public Works.
5. **Shared Driveways.** Parking facilities on adjoining lots may share access points and driveways provided reciprocal access easements are recorded for all properties.
6. **Distance from Street Corner.** New driveways must be located the minimum distance from street corners required by the Director of Public Works.

B. **Parking Placement on Site.**

1. **Applicability.** The parking placement requirements in this division apply only to new development and the parking areas that serve them.
2. **Multi-Family Dwellings.** Surface parking spaces for a multi-family dwelling may not be located between a primary building and a front or exterior side property line. See Figure 316-2.

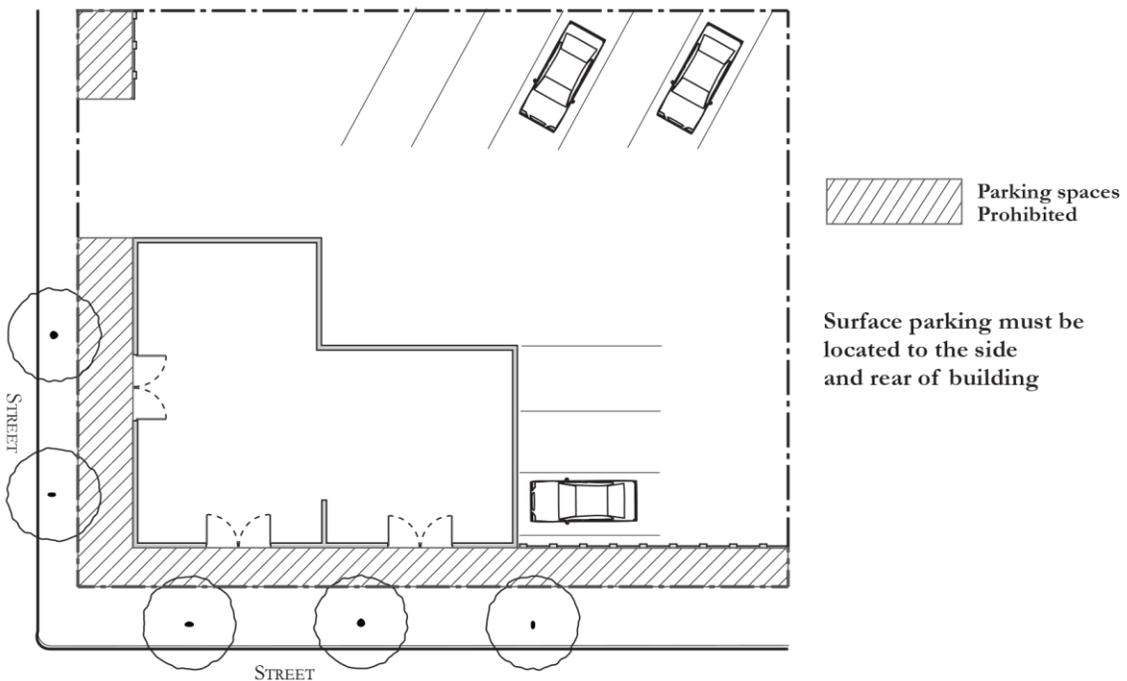
Figure 316-2: Multi-Family Residential Parking Location



3. DT, DW, NC, HC, OR Zoning Districts.

- a. Surface parking spaces may not be located between a building and a front or exterior side lot line. Parking must be located to the rear or side of buildings. Corner surface parking lots are prohibited. See Figure 316-3.

Figure 316-3: Mixed Use District Parking



4. **Modification to Parking Placement Standard.** The Director may approve modifications to the parking placement standards in this section with an Administrative Adjustment. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and find that complying with the parking placement standards is infeasible due to unique physical site conditions such as parcel shape, topography, or traffic-related public safety risks.
- C. **Forward Entrance and Exit.** Parking areas of four or more spaces adjacent to an arterial or collector roadway must provide sufficient maneuvering area to allow vehicles to enter and access the roadway in a forward direction.
- D. **Controlled Access.** Parking areas must be designed to prevent vehicular access to the public right of way at any point other than at designated driveways.
- E. **Parking Space and Lot Dimensions.**
 1. **Single-family Homes.** Parking spaces serving single-family homes must have the following minimum dimensions:
 - a. Uncovered parking space: eight feet six inches in width by 18 feet in length.
 - b. Uncovered parking space parallel to an alley: eight feet six inches in width by 20 feet in length.
 - c. Covered parking space in a garage or carport: 10 feet in width by 18 feet in length.
 - d. The width of a carport space may be reduced to eight feet six inches if one side is open without a solid wall or physical barrier obstructing a car door.
 2. **Parking Lots.** Parking spaces, drive aisles, and other parking lot features must comply with minimum dimensions shown in Figure 316-4.
 3. **Compact Spaces.** Up to 50 percent of the required parking spaces in a parking lot may be compact spaces.

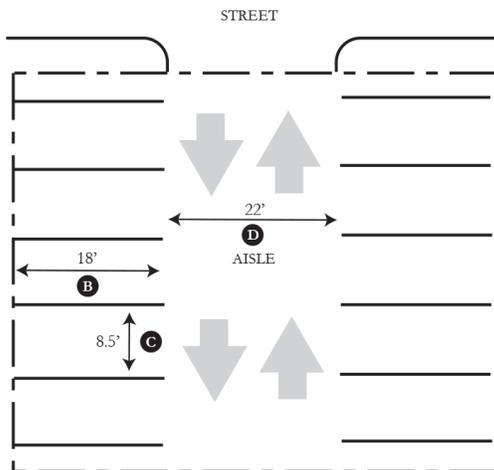
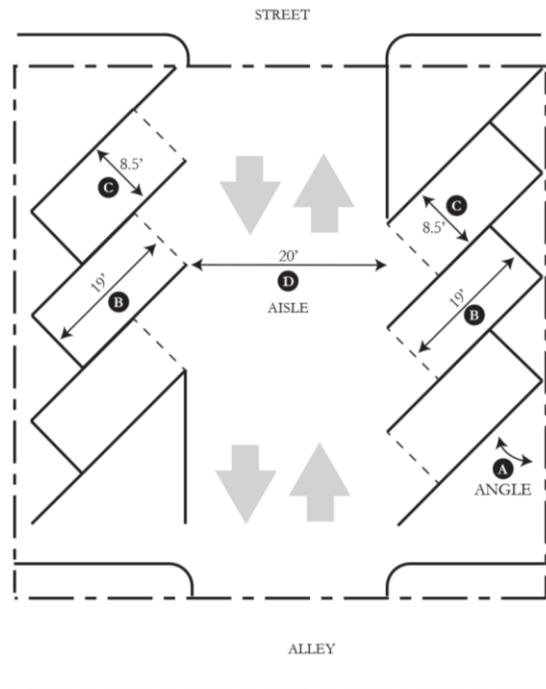
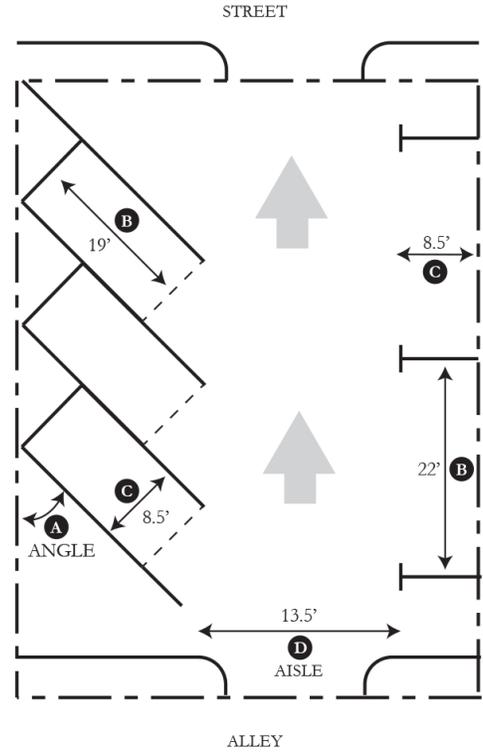
FIGURE 316-4 PARKING DIMENSIONS

STANDARD SIZE				
Angle A	Length B	Width C	Aisle D	
			One-Way	Two-Way
0° (parallel)	22 ft.	8.5 ft.	12 ft.	20 ft.
30°	19 ft.	8.5 ft.	11 ft.	20 ft.
45°	19 ft.	8.5 ft.	13.5 ft.	20 ft.
60°	19 ft.	8.5 ft.	18.5 ft.	20 ft.
90° (perpendicular)	18 ft.	8.5 ft.	22 ft. [1]	22 ft.

[1] 20 feet minimum for residential uses

COMPACT				
Angle A	Length B	Width C	Aisle D	
			One-Way	Two-Way
0° (parallel)	18 ft.	7.5 ft.	12 ft.	20 ft.
30°	16 ft.	7.5 ft.	11 ft.	20 ft.
45°	16 ft.	7.5 ft.	13.5 ft.	20 ft.
60°	16 ft.	7.5 ft.	18.5 ft.	20 ft.
90° (perpendicular)	16 ft.	7.5 ft.	22 ft. [2]	22 ft.

A = Angle of parking sapace
B = Length of parking space
C = Width of parking space
D = Width of drive aisle



F. Surfacing.**1. Standard Materials.**

- a. Except as allowed by Paragraph (2) of this division, all parking areas and drive aisles must be paved with an asphalt, concrete, or comparable all-weather surfacing material approved by the Director of Public Works. Unpaved areas may not be used for parking or maneuvering.
- b. Ribbon driveways (parallel strips of paved surface for tires separated by an open, unpaved area) are allowed for single-family home driveways.
- c. Permeable paving materials, such as porous concrete/asphalt, open-jointed pavers, and turf grids, are a permitted surface material, subject to approval by the Director of Public Works.
- d. Parking areas must be graded to dispose of all surface water consistent with the City's MS4 Permit storm water requirements to the satisfaction of the Director of Public Works.

2. Alternative Materials.

- a. Parking areas and access ways may be surfaced with decomposed granite or other similar all-weather compacted material when serving:
 - (1) All uses in a residential zoning district;
 - (2) All uses in the Hinge Industrial (HN) and Light Industrial (LI) zoning districts; and
 - (3) All uses in the Parks (P) and Public Facilities (PF) zoning districts.
- b. Where alternative surface materials are allowed by Paragraph (2)(a) of this division, asphalt, concrete, or comparable all-weather surfacing material must be used for:
 - (1) The first 20 feet of the access way from a public street serving residential uses; and
 - (2) The first 50 feet of the access way from a public street serving uses in the Hinge Industrial (HN), Light Industrial (LI), Parks (P), and Public Facilities (PF) zoning districts.
- c. Construction methods must be approved by the Director of Public Works.

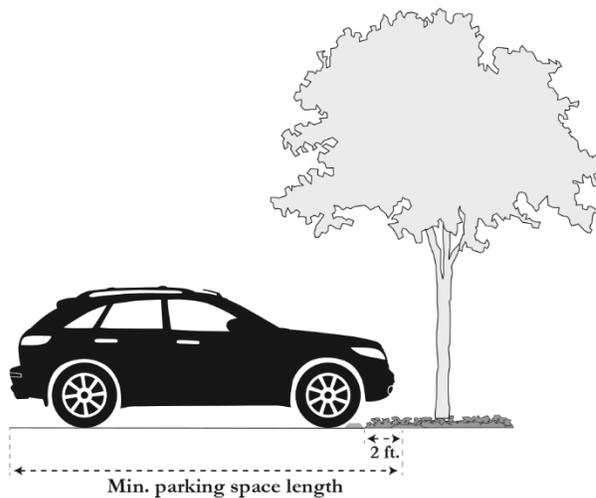
3. Wheel Stops and Curbs.

- a. Landscaped areas, walkways, and walls must be protected by either:
 - (1) Parking space wheel stops; or
 - (2) A curb at least 6 inches wide and 6 inches high designed to allow storm water runoff to pass through.
- b. A paved sidewalk may be used as a wheel stop if the overhang will not reduce the

minimum required walkway width.

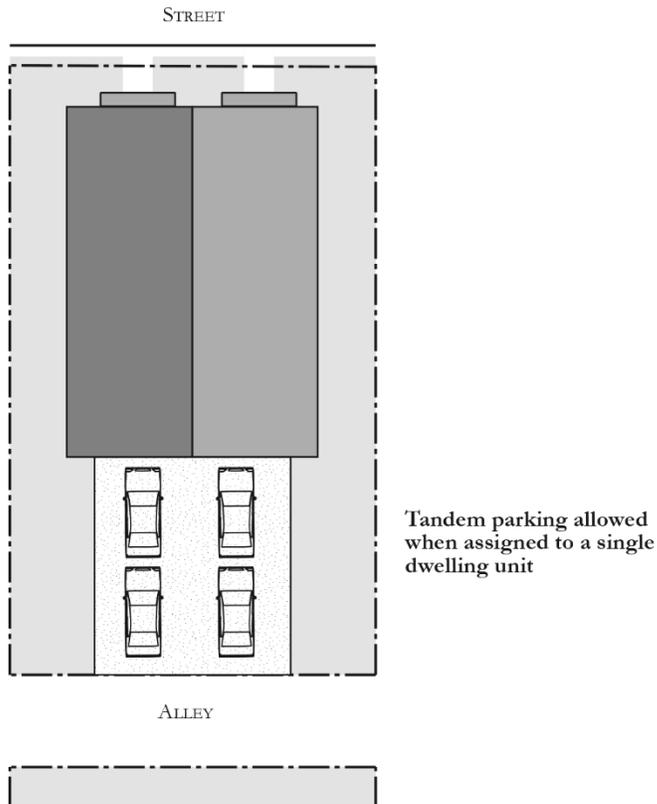
4. **Landscaped Parking Space.** Up to two feet of the front of a parking space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped with ground cover plants instead of paving where wheel stops are provided. See Figure 316-5. Parking space landscaping may be included in the required perimeter landscaping area required by 155.316.080.D (Perimeter Parking Lot Landscaping).

Figure 316-5: Parking Space Landscaping



G. Tandem Parking Spaces.

1. **When Allowed.** Tandem parking spaces are permitted for residential uses and designated employee parking. See Figure 316-6.
2. **Residential Uses.** Parking spaces in a tandem configuration for residential uses must be reserved for and assigned to a single dwelling unit.
3. **Non-Residential Uses.** Tandem parking may be used only for employee parking, in addition to parking spaces required by 155.316.030 (Number of On-site Parking Spaces Required).
4. **Configuration.** Tandem parking spaces may not conflict with required parking spaces or aisles providing access to other parking spaces located within the parking area. For example, a tandem space may not project into the minimum drive aisle width providing vehicle access to other parking spaces in a parking lot.

Figure 316-6: Tandem Parking Space

- H. **Parking Lifts.** Required parking may be provided using elevator-like mechanical parking systems (“lifts”) provided the lifts are located within an enclosed structure or otherwise screened from public view.
- I. **Lighting.** Parking area lighting must be provided in compliance with 155.304.050 (Outdoor Lighting) and as follows:
1. A parking area with six or more parking spaces must include outdoor lighting that provides a minimum illumination of 1.0 foot-candles over the entire parking area.
 2. Lighting must be pedestrian-scaled and may not exceed a maximum height of 16 feet.
 3. Outdoor lighting as required above must be provided during nighttime business hours.
 4. Parking structures must provide indoor lighting as required by the California Building Code.
- J. **Pedestrian Access.**
1. Parking lots with more than 30 parking spaces must include a pedestrian walkway outside of drive aisles. Only one walkway is required to serve the entire parking lot;

walkways for each parking row within the lot are not required.

2. The design of the pedestrian walkway must be clearly visible and distinguished from parking and circulation areas through striping, contrasting paving material, or other similar method as approved by the Director. The pedestrian walkway must be a minimum width of six feet.
- K. **Screening.** Parking lots of six spaces or more must comply with the following screening standards. See also 155.304.060 (Screening for Residential Zoning Districts):
1. **Location.** Screening must be provided along the perimeter of parking lots fronting a street and abutting a residential zoning district.
 2. **Height.**
 - a. Screening adjacent to streets must have a minimum height of three feet.
 - b. For parking lots within 10 feet of a residential zoning district or residential use, screening must have a minimum height of six feet.
 3. **Materials.**
 - a. Required screening adjacent to a street may consist of:
 - (1) A low-profile wall constructed of brick, stone, stucco or other durable solid material; or
 - (2) An open fence combined with landscaping to form an opaque screen. Open fences must be wrought iron or other high-quality decorative material and at least 70 percent open to the passage of light and air. Chain link and other wire fence materials are not allowed.
 - b. Parking lots within 10 feet of a residential zoning district must be screened by a six-foot masonry wall.

155.316.070 – Bicycle Parking

- A. **Applicability.** All new multi-family and commercial construction must provide bicycle parking as required by this subsection and the California Green Building Standards Code.
- B. **Types of Bicycle Parking.**
 1. **Short-Term Bicycle Parking.** Short-term bicycle parking provides shoppers, customers, messengers and other visitors who generally park for two hours or less a convenient and readily accessible place to park bicycles.
 2. **Long-Term Parking.** Long-term bicycle parking provides residents and employees who live or work at a site a secure and weather-protected place to park and store bicycles. Long-term parking may be located in garages or other limited access areas for exclusive use by tenants, residents, and/or employees. Long-term parking may not be located within an area of a dwelling unit primary intended to serve a different function

(e.g., clothes closet or bathroom).

C. Number of Spaces.

1. **Minimum Requirement.** Multi-family and commercial uses must provide short-term and long-term bicycle parking as specified in Table 316-3.

Table 316-3: Required Bicycle Parking Spaces

Land Use [1]	Required Bicycle Parking Spaces	
	Short-Term Spaces	Long-Term Spaces
Multi-Family Dwellings	1 per 6 units	1 per 3 units
Commercial Uses		
Service Commercial (SC) Zoning District	1 per 2,000 sq. ft.	1 per 20 required automobile spaces for uses 10,000 sq. ft. or greater
All other Zoning Districts	1 per 1,000 sq. ft.	
<p><u>Note:</u> [1] For mixed-use projects, required bicycle parking spaces is the combined total for the residential and commercial components of the project.</p>		

2. **Calculations of Less than One.** When the calculation of required bicycle parking results in less than one space, a minimum of one bicycle parking space must be provided.
3. **Maximum Spaces.** In no case will more than 15 bicycle spaces be required for any single use or development project.
4. **Reductions.** The Director may allow reductions to the number of required bicycle parking spaces with an Administrative Adjustment. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and one or both of the following additional findings:
 - a. Adequate space is not available to provide the bicycle parking.
 - b. Reduced bicycle parking is justified by reasonably anticipated demand.

D. Short-Term Bicycle Parking Standards.

1. **Location.** Short-term bicycle parking must be located within 100 feet of the primary entrance of the structure or use it is intended to serve. Parking may be located within required setbacks.
2. **Surfacing.** Parking areas must be paved with asphalt, concrete, or other all-weather surface.
3. **Protection.** When located in a parking area: for the protection of bikes, automobiles, and pedestrians, bicycle spaces must be protected by curbs, fences, planter areas, bumpers, or similar barriers.

E. Parking Space Dimensions.

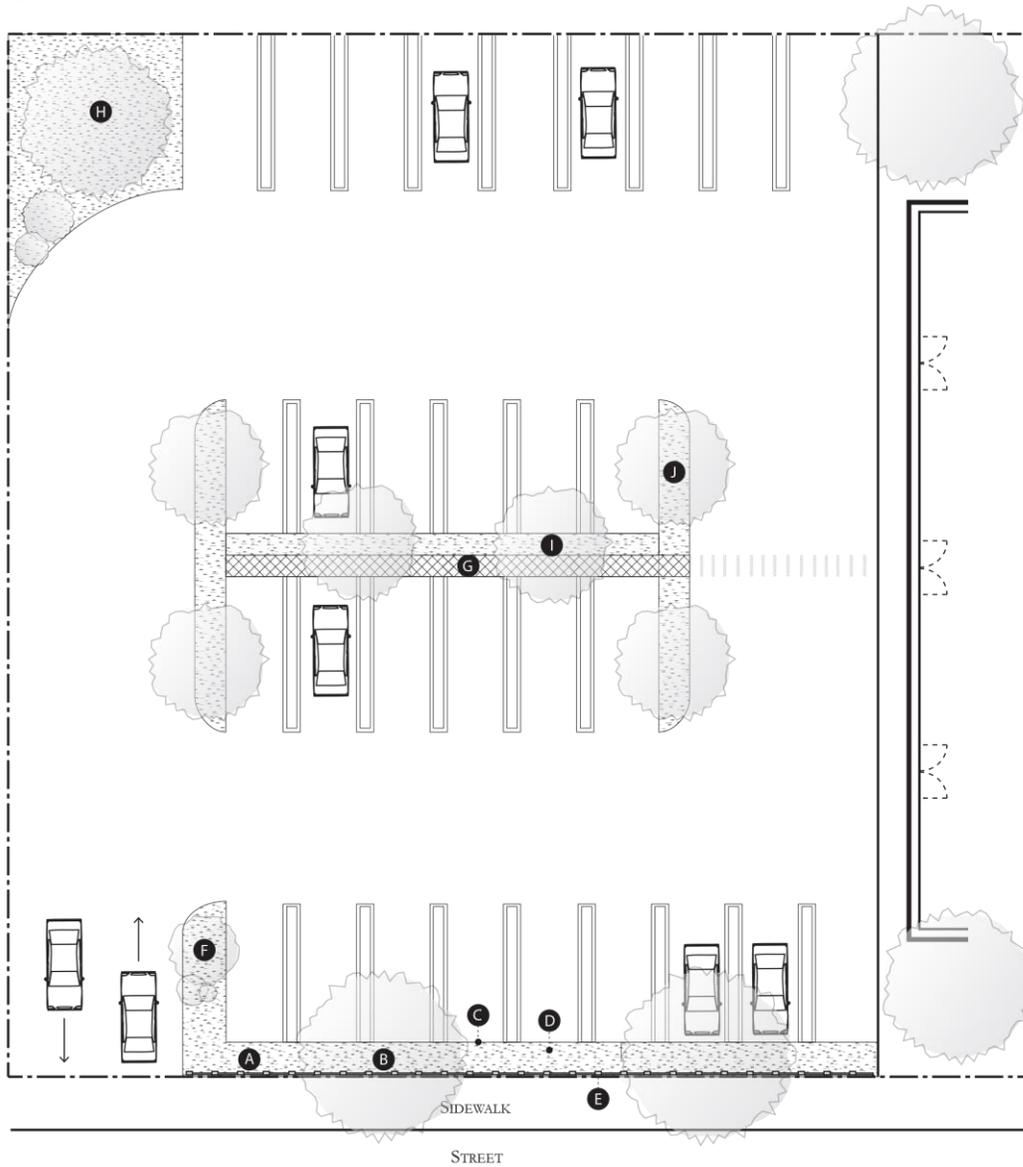
1. Minimum dimensions of two feet by six feet must be provided for each bicycle parking space. Spaces may be configured horizontally or vertically.
 2. An aisle of at least five feet must be provided behind all bicycle parking to allow room for maneuvering.
 3. A minimum two feet of clearance must be provided between bicycle parking spaces and adjacent walls, poles, landscaping, pedestrian paths, and other similar features.
 4. A minimum four feet of clearance must be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.
- F. **Rack Design.** Bicycle racks must be capable of locking both the wheels and the frame of the bicycle, and of supporting bicycles in a secure position, such as an “inverted-U” style rack. Alternative methods to secure bicycles are allowed if they provide a level of security equivalent to conventional bicycle racks.
- G. **Long-Term Bicycle Parking Standards.**
1. **Location.** Long-term bicycle parking:
 - a. Must be located on or within 250 feet of the use that it is intended to serve;
 - b. May be located within a garage;
 - c. May not be located within required front setbacks; and
 - d. Must be permanently available and maintained to provide bicycle parking for the use they serve (e.g., immovable equipment, such as water heaters and washer/dryers, may not be located within a required parking area).
 2. **Security.** Long-term bicycle parking spaces must be secured. Spaces are considered secured if one or more of the following apply:
 - a. The spaces are in a locked room or area enclosed by a fence with a locked gate.
 - b. The spaces are within view or within 100 feet of an attendant or security guard.
 - c. The spaces are visible from employee work areas.

155.316.080 – Parking Lot Landscaping

A. **Applicability.**

1. **New Parking Lots.** All new parking lots with four or more spaces must comply with this subsection as illustrated in Figure 316-7.

Figure 316-7: Parking Lot Landscaping



- A Min. 4 feet wide perimeter landscaping.
- B Min. one tree in perimeter landscaped area for every 30 feet of parking lot street frontage.
- C Landscape area protected by wheel stops or curb. Curbs must allow stormwater to pass through.
- D Up to 2 feet of min. parking space depth may be landscaped per 155.136.060.F.45.
- E Min. 3-foot wall or fence provides screening along street.
- F Concentration of landscaping provided at parking lot entrance.
- G Pedestrian walkway outside of drive aisle. Pedestrians can access building entrance without crossing landscaped areas.
- H Landscaping required in all areas not occupied by parking space, drive aisle, pedestrian way, or trash collection and storage areas.
- I Min. one interior tree per 15 parking space.
- J Landscape island with tree at end of row of parking spaces.

1. **Nonconformities.** An existing parking lot with four or more spaces nonconforming to this subsection must be brought into conformance to the extent possible when required by 155.424.030 (Nonconforming Site Features).
- B. **Landscape Materials.** Except as otherwise specified in this subsection, 50 percent of required landscape area must be covered with groundcover, shrubs, turf, or other types of plants at maturity. The remaining area may be covered by mulch, bark chip, crushed rock, pebbles, stone, and similar non-plant materials.
- C. **Interior Parking Lot landscaping.**
 1. **Amount of Landscaping.**
 - a. All portions of a parking lot not occupied by a parking space, drive aisle, pedestrian way, or trash collection and storage area must be landscaped.
 - b. A minimum of one tree that reaches a mature height of at least 20 feet must be planted within the parking lot at a minimum ratio of one tree for each 15 parking spaces.
 - c. When the calculation of required trees results in less than one tree (i.e., parking lots with fewer than 15 spaces), a minimum of one tree must be provided.
 2. **Location of Landscaping.**
 - a. Where space permits, a landscaped island, at least four feet in all interior dimensions, and containing at least one tree, must be provided at each end of each interior row of automobile parking stalls and between every eight consecutive automobile parking stalls. Horizontal curb surfaces may not be included in the landscaped island area calculation. Trees in landscape islands may count towards the required number of trees under Paragraph (1.b) of this division.
 - b. Parking lots with more than 50 spaces must provide a concentration of landscape elements at primary parking lot entrances, such as trees, shrubs, flowering plants, and enhanced paving.
 - c. Landscaping must be located and designed so that pedestrians are not required to cross landscaped areas to reach building entrances from parked cars. This may be achieved through the orientation of the landscaped fingers and islands, and by providing dedicated pedestrian access through landscaped areas where needed.
- D. **Perimeter Parking Lot Landscaping.**
 1. **Adjacent to Streets.**
 - a. Parking areas adjacent to a street must include a landscaped planting strip between the street and parking area at least four feet wide with a minimum planting height of 36 inches.

- b. Plantings and screening materials may include a combination of plant materials, earth berms, solid decorative masonry walls, raised planters, or other screening devices that are determined by the Director to meet the intent of this requirement.
 - c. Trees must be provided within the planting strip at a rate of at least one tree for each 30 feet of street frontage with a minimum distance of not more than 60 feet between each tree. Tree species must reach a mature height of at least 20 feet. Planting strip tree requirements are in addition to required interior parking lot trees.
 - d. Landscaping must comply with intersection and driveway vision clearance requirements in 155.304.040 (Vision Clearance Area).
2. **Stormwater Runoff.** When required, parking lot drainage plans will be reviewed by the Director of Public works and must comply with all applicable Low Impact Development (LID) standards.

E. **Alternative Landscape Designs.**

1. The Director may approve an Administrative Adjustment to allow alternative landscape design that deviates from the requirement in this subsection.
2. To approve an Administrative Adjustment for an alternative landscape design, the Director must make the findings in 155.408.030.F (Findings for Approval) and find that adjustments to landscape design requirements are warranted to provide relief for existing site constraints or to achieve a superior aesthetic or environmental design.

Section 155.320 – LANDSCAPING

Subsections:

155.320.010 – Purpose

155.320.020 – Applicability

155.320.030 – Landscape Plans

155.320.040 – Required Landscape Areas

155.320.050 – General Landscape Requirements

155.320.060 – Water Efficiency in Landscaping Ordinance (WELO)

155.320.070 – Maintenance and Enforcement

155.320.010 – Purpose

This section establishes landscaping standards to enhance the aesthetic appearance of developed areas in Eureka and to promote the efficient use of water resources.

155.320.020 – Applicability

- A. **General.** Except for projects exempted under 155.320.020.B (Exemptions), the requirements in this section apply to projects that:
1. Construct a new building of 500 square feet or more;
 2. Add 1,000 square feet or more to an existing building; or
 3. Add a multi-family dwelling unit to the site.
- B. **Exemptions.** This section does not apply to:
1. Single-family homes in any zoning district;
 2. Buildings in mixed-use zoning districts constructed on a front or exterior side lot line without any setback; and
 3. Development in an industrial zoning district.
- C. **Nonconformities.** Properties nonconforming to the standards in 155.320.040 (Required Landscape Areas) and 155.320.050 (General Landscape Requirements) must be brought into conformance when required by 155.424.030 (Nonconforming Site Features).

155.320.030 – Landscape Plans

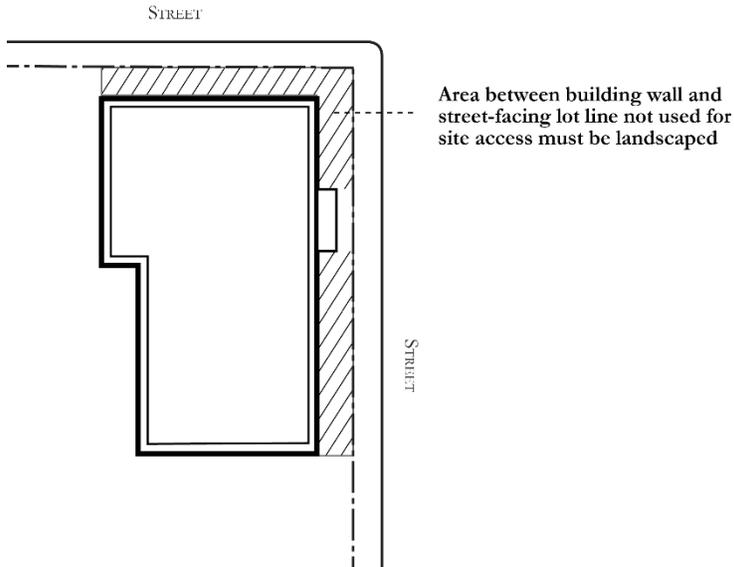
A. Landscape Plan Required.

1. An applicant must submit a landscape plan if the proposed project is:
 - a. Subject to requirements of this section as stated in 155.320.020 (Applicability); and

- b. Involves new landscaping or the modification or removal of existing landscaping.
 2. Required landscape plans must be submitted as part of the permit application, if any, and subsequent building permit applications.
- B. **Required Contents.** Landscape plans must include the following features and information:
 1. Site boundaries.
 2. Existing conditions on the property, including contours and existing structures.
 3. New structures and improvements proposed as part of the project.
 4. Existing landscaping, trees, and vegetation to be retained, specifying plant location, species, and size. Details of existing trees must also include approximate tree diameter measured 48 inches above existing grade and approximate outer limit of tree canopy.
 5. New landscaping proposed as part of the development project, specifying plant location, species, number, and size.
 6. Irrigation plan specifying the location, type, and size of all components of the irrigation system (if proposed).
 7. Proposed grading if any.
 8. A landscape maintenance plan describing how the landscaping will be maintained in a healthy and thriving condition, including provisions to replace plant material as needed to maintain compliance with the approved landscape plan.
 9. Additional information as determined by the Department to demonstrate compliance with the requirements of this section.
- C. **Review and Approval.**
 1. For projects that do not require a discretionary permit, the Department will review all landscape plans to verify compliance with this section as part of the Zoning Clearance approval.
 2. For projects that require a discretionary permit, the review authority responsible for approving the discretionary permit must also approve the landscape plan.
- D. **Changes to Approved Landscape Plans.**
 1. Only the review authority that approved the landscape plan may allow substantial modifications to an approved landscape plan.
 2. The Director may approve minor changes to a landscape plan previously approved by the City Council, Planning Commission, or Design Review Committee. Minor changes are defined as modifications to a landscape plan that do not alter the general design character of the landscaped area or alter a feature of the landscaped area specifically

- C. **Mixed-Use Zoning Districts.** In mixed-use zoning districts, all areas between a building and a front or exterior side lot line must be landscaped, excluding areas required for access to the property. See Figure 320-2.

FIGURE 320-2: REQUIRED LANDSCAPE AREA IN MIXED USE DISTRICTS



- D. **Industrial Zoning Districts.** Parking lots in industrial zoning districts must comply with the landscaping requirements in 155.316.080 (Parking Lot Landscaping). No additional landscaping is required.

155.320.050 – General Landscape Requirements

- A. **Parking Lots.** See 155.316.080 (Parking Lot Landscaping) for landscaping requirements that apply to new parking lots with four or more spaces.
- B. **Vision Clearance Area.** Landscaping must comply with the vision clearance area requirements in 155.304.040 (Vision Clearance Area).
- C. **Public Safety.** Plant species must be selected and located so that at maturity they do not interfere with pedestrian, bicycle, or vehicular circulation and do not conflict with utilities and overhead lights.
- D. **Invasive Plants.** Planting species with a “High” rating in the California Invasive Plant Council’s Cal-IPC inventory of invasive plants is prohibited.
- E. **Trees.**

1. Trees must be a minimum 15-gallon size unless the reviewing authority determines that a smaller size is sufficient for the site.
2. Trees in landscape planters less than 10 feet in width or located closer than five feet from a public sidewalk, street, or permanent structure on an adjacent property must be planted with root barriers or root barrier panels to prevent damage to adjacent structures or pavement.

F. Groundcover and Shrubs.

1. A minimum of 50 percent of required landscape area must be covered with groundcover, shrubs, turf, or other types of plants at maturity.
2. Groundcover must be provided throughout the landscaped area and must be spaced to achieve full coverage of the groundcover area within one year.
3. A maximum of 50 percent of the required landscape area may consist of mulch, bark chip, crushed rock, pebbles, stone, or similar non-plant materials.
4. Landscaped areas must be top dressed with bark, chip, mulch, or other similar material to cover exposed bare soil.

G. Timing of Installation.

1. Landscaping must be installed prior to receiving a temporary or final certificate of occupancy.
2. The Director may defer the installation of landscaping for a maximum of 180 days after project occupancy/completion in cases of delays caused by inclement weather, unavailability of plant materials, construction scheduling, or other similar issues. The Director may require the applicant to provide adequate security to guarantee the landscaping installation in accordance with 155.420.070 (Performance Guarantees).

155.320.060 – Water Efficiency in Landscaping Ordinance (WELO)

- A. General.** In addition to the requirements of this section, all applicable development in Eureka must also comply with the California Model Water Efficient Landscape Ordinance (WELO) as required by California Water Conservation in Landscaping Act (Government Code Section 65591 et seq.).
- B. When Required.** The following landscape projects must comply with the WELO requirements:
1. Total combined landscaped area of 2,500 square feet or more installed by a public agency or commercial developer.
 2. Total combined landscaped area of 5,000 square feet or more in a single-family or multi-family residential project installed under the direction of the homeowner(s).

- C. **Conflicts.** If conflicts occur between the Government Code or WELO and this section, the more restrictive will control.

155.320.070 – Maintenance and Enforcement

The following maintenance requirements and enforcement procedures apply to landscaping installed as part of a City-approved landscaping plan:

A. **Maintenance Required.**

1. **Dead and Dying Plants.** All landscaping must be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease. Dead or dying plants must be removed and replaced with landscaping of similar size and maturity.
2. **Weed Removal.** Landscaping must be kept free from weeds.
3. **Irrigation Systems.** Irrigation systems must be maintained in a fully functional manner as approved by the City and required by this section. Watering schedules should be adjusted periodically to reflect seasonal variations.

- B. **Violations.** Failure to maintain landscape areas in compliance with this section will be deemed a nuisance subject to the enforcement procedures in 155.428 (Enforcement and Penalties).

Section 155.324 – RESIDENTIAL SUBDIVISION ALTERNATIVES

Subsections:

155.324.010 – Purpose

155.324.020 – Small Lot Subdivisions

155.324.030 – Conservation Subdivisions

155.324.010 – Purpose

This section establishes requirements for residential small lot and conservation subdivisions to accommodate a diversity of infill housing types, allow for development on constrained lots, and preserve open space and other natural resources.

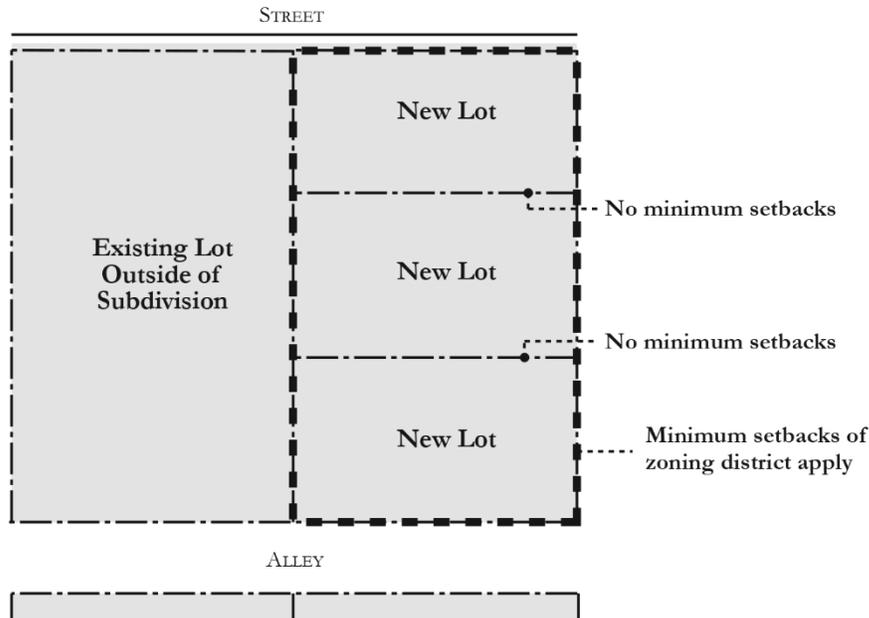
155.324.020 – Small Lot Subdivisions

- A. Purpose.** This subsection establishes standards for small lot subdivisions in the multi-family zoning districts. The intent of these standards is to:
1. Facilitate the development of infill housing on vacant and underutilized properties;
 2. Increase opportunities for fee-simple home ownership in higher density areas of Eureka;
 3. Expand the types of housing available for purchase in Eureka, including lower-cost housing for first-time homebuyers and seniors looking to downsize; and
 4. Ensure that development on small lot subdivisions is well designed and minimizes impacts on neighboring properties.
- B. Where Allowed.** Small lot subdivisions are allowed only in the R2 and R3 zoning districts.
- C. Optional/Not Mandatory.** Small lot subdivisions are an available option, not a mandatory requirement. Lots in the R2 and R3 zoning districts may also be subdivided using generally applicable subdivision requirements. Conventional subdivisions, however, are not eligible for relaxed development standards in 155.324.020.E (Development Standards).
- D. Approvals Required.** Small lot subdivisions require City approval of a tentative and final or parcel map as required by the California Subdivision Map Act and Municipal Code Chapter 154 (Subdivision Regulations). Proposed small lot subdivisions shall be clearly identified as such on the tentative map.
- E. Development Standards.**
1. **Lot Area.** The minimum lot area in a small lot subdivision is 2,000 square feet.

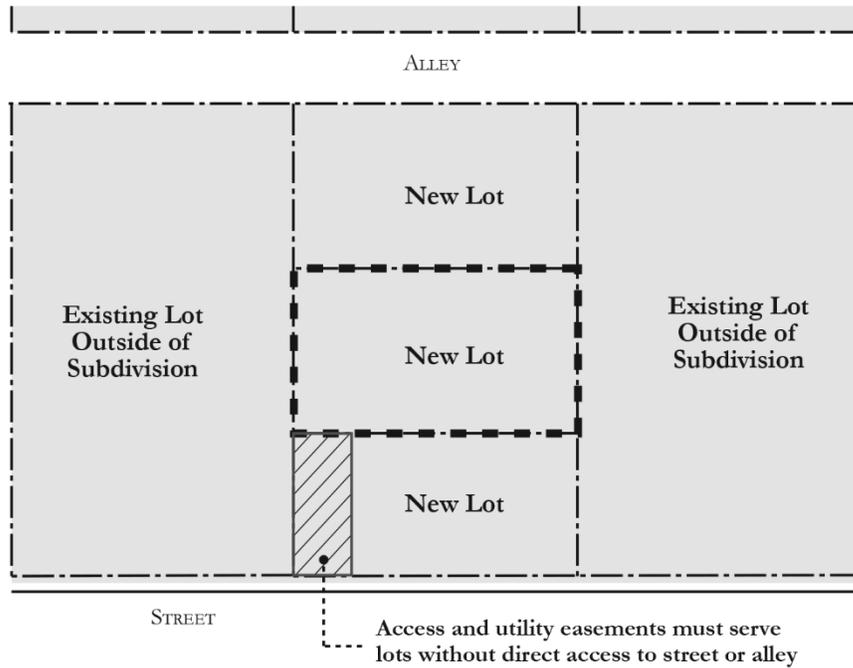
2. Minimum Setbacks.

- a. There are no minimum setbacks from lot lines within a small lot subdivision that do not abut a lot outside of the small lot subdivision. See Figure 324-1.
- b. Setbacks from lot lines that abut a property outside of the small lot subdivision are as required by the applicable zoning district.

Figure 324-1: Small Lot Subdivision Setbacks



3. **Lot Access.** Newly created lots must comply with street frontage and access standards in 155.304.010.C (Street Frontage and Access). For lots without direct vehicle access from a street or alley, utility access easements must be granted to the City. See Figure 324-2.
4. **Parking.**
 - a. On-site parking is required consistent with 155.316 (Parking), except that the Director may waive the on-site parking requirement with an Administrative Adjustment for lots without street or alley frontage where it is physically impossible for a vehicle to access a lot.
 - b. To approve the Administrative Adjustment, the Director must make the findings in 155.412.030.F (Findings for Approval) and the following additional findings:
 - (i) It is physically impossible to provide vehicular access to the lot due to the location of existing structures; or
 - (ii) Proposed development on the lot cannot be reasonably reconfigured in any way that would allow for vehicular access to the lot.

Figure 324-2: Lot Access

5. **Other Standards.** Except for minimum setbacks, small lot subdivisions are subject to all development standards (e.g., height, FAR, site coverage) in the applicable zoning district.

F. Subdivision Configurations.

1. **Minimum Requirements.** Small lot subdivisions must comply with 155.304.010 (Lot Standards).
2. **Example Configurations.** Figures 324-3 and 342-4 illustrate example lot configuration and building placement permitted in small lot subdivisions. Other configurations are permitted provided they comply with the requirements of this subsection.

Figure 324-3: Small Lot Subdivision Example Configurations – Interior Lots

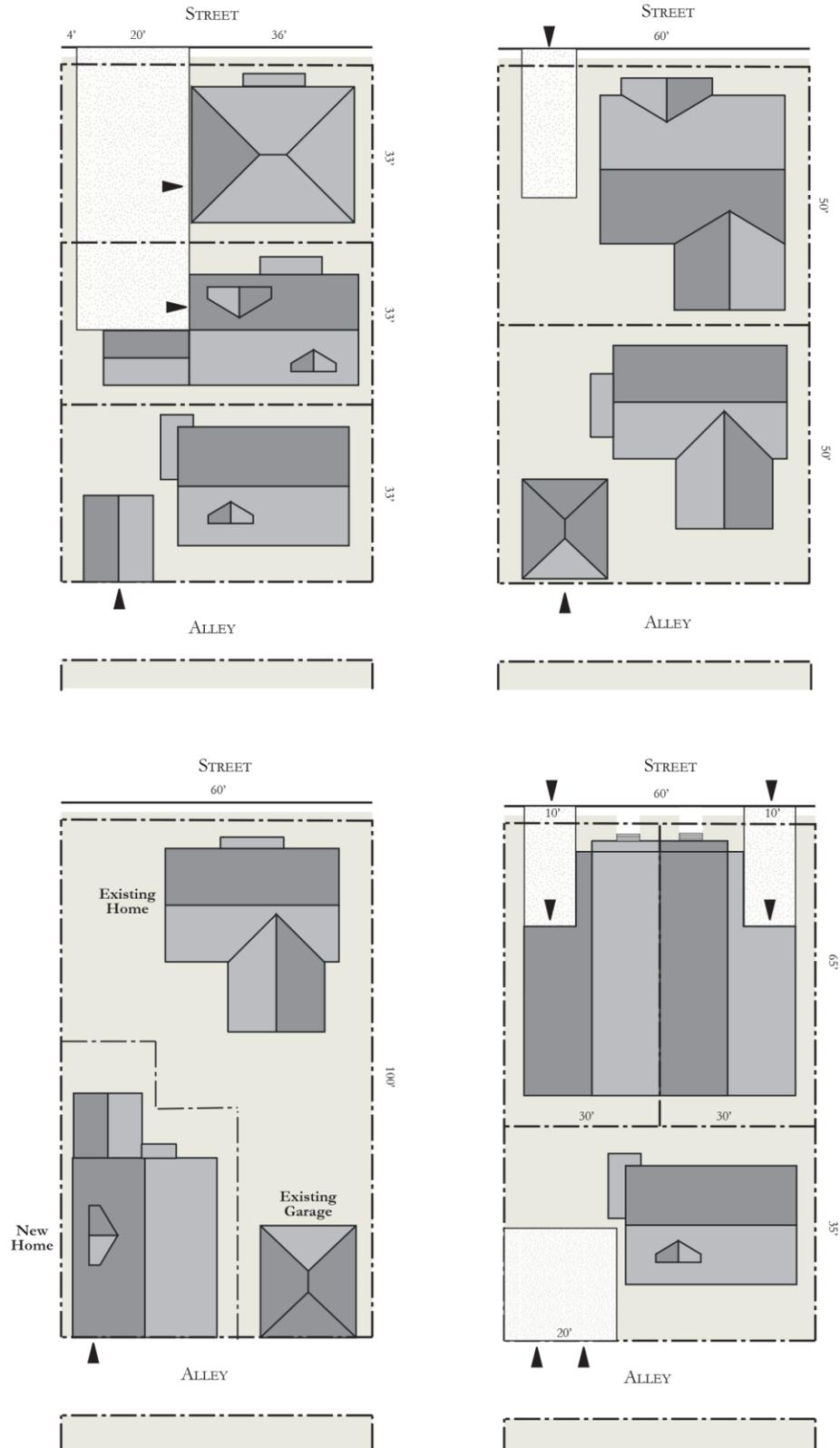
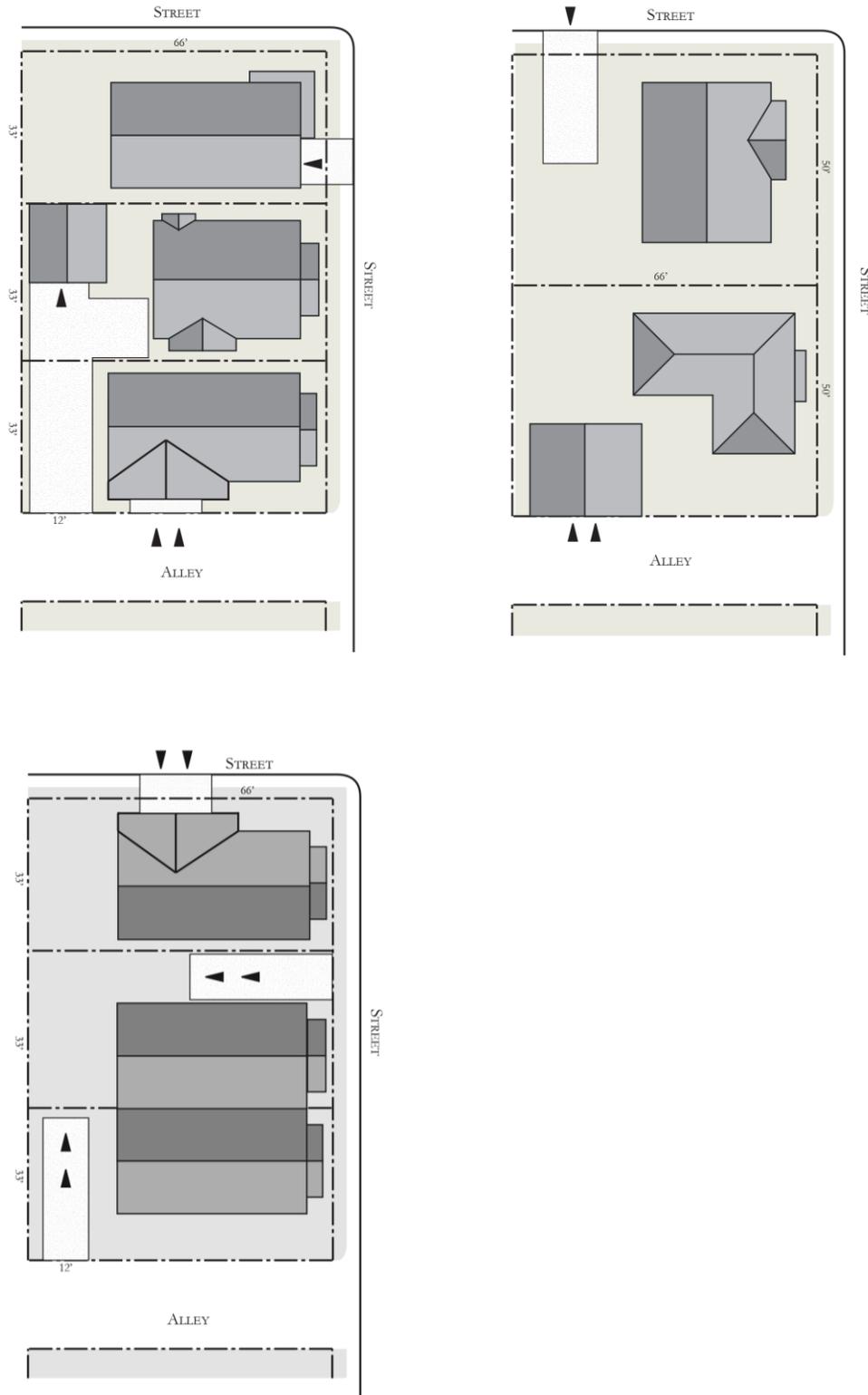


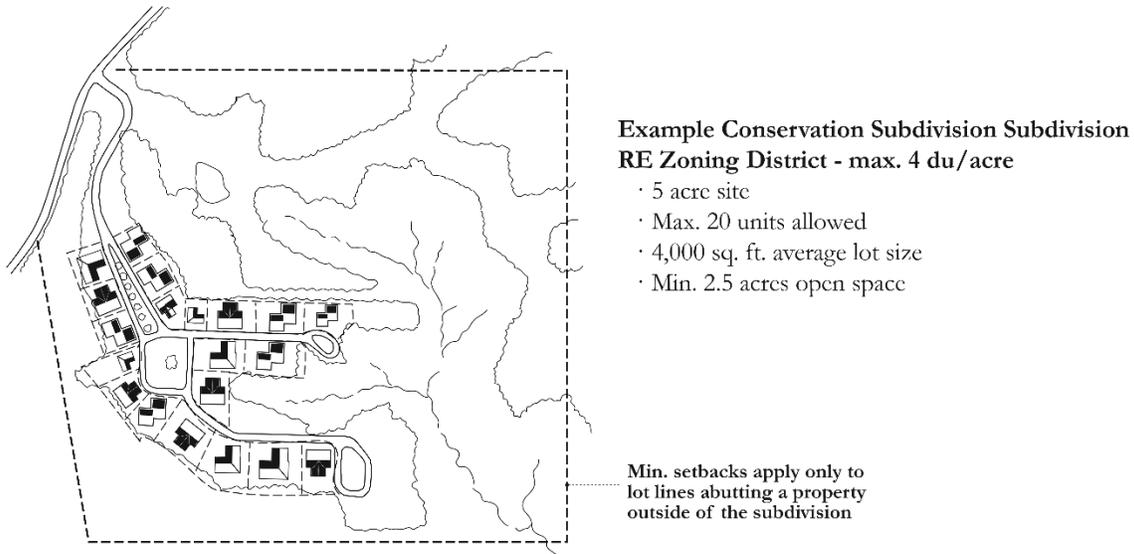
Figure 324-4: Small Lot Subdivision Example Configurations – Corner Lots



155.324.030 – Conservation Subdivisions

- A. Purpose.** This subsection allows for residential conservation subdivisions to preserve open space and accommodate creative site plans on lots where development is constrained by gulches, trees, steep slopes, and other physical features. See Figure 324-5 for an example conservation subdivision in the RE zoning district.

Figure 324-5: Example Conservation Subdivision



- B. Eligibility.** Conservation subdivisions are permitted in any residential zoning district on lots 10,000 square feet or more.
- C. Approvals Requirements.** Conservation subdivisions require City approval of a tentative and final or parcel map as required by the California Subdivision Map Act and Municipal Code Chapter 154 (Subdivision Regulations). Proposed conservation subdivisions must be clearly identified as such on the tentative map.
- D. Development Standards.**
1. **Lot Size.**
 - a. There is no minimum lot size within a conservation subdivision, provided the overall density of the subdivision does not exceed the maximum density of the applicable zoning district.
 - b. Project density is calculated using the number of homes, not the number of lots, and includes all open space areas. See Figure 324-5.
 2. **Setbacks.**
 - a. There are no minimum setbacks from lot lines within a conservation subdivision that do not abut a property outside of the conservation subdivision. See Figure

324-5.

- b. The applicable zoning district will govern setbacks from lot lines that abut a property outside of the conservation subdivision.
3. **Height.** Buildings within a conservation subdivision may not exceed a maximum height of 35 feet.
4. **Site Coverage.** Table 324-1 identifies the maximum site coverage for individual lots within a conservation subdivision.
5. **Floor Area Ratio.** The maximum floor area ratio in a conservation subdivision is as required by Table 204-2 in 155.204 (Residential Zoning Districts).

Table 324-1: Maximum Site Coverage

Lot Size	Maximum Site Coverage	
	RE	R1
Less than 3,000 sq. ft.	75%	90%
3,000 – 4,000 sq. ft.	70%	80%
4,000 – 5,000 sq. ft.	65%	70%
5,000 – 6,000 sq. ft.	60%	60%
6,000 – 7,000 sq. ft.	55%	60%
7,000 – 8,000 sq. ft.	50%	60%
8,000 – 9,000 sq. ft.	45%	60%
9,000 – 10,000 sq. ft.	40%	60%
Over 10,000 sq. ft.	35%	60%

- E. **Allowed Land Uses.** The applicable zoning district will govern allowed land uses in a conservation subdivision.
- F. **Conservation Area.** Dedicated conservation areas within a conservation subdivision must be separated from residential parcels and comply with the following standards:
 1. **Open Space Minimums.** A conservation subdivision project must designate a minimum of 50 percent of the total project site as permanent open space. See Figure 324-5.
 2. **Conservation Easement Required.** Designated open space must be guaranteed in perpetuity using one or more of the following control mechanisms:

- a. Dedication of a conservation easement to a public agency or a public interest land trust;
 - b. Dedication of land in fee-title to a public agency; or
 - c. Deed restrictions recorded with the County Recorder.
3. **Use of Conservation Area.** Conservation areas will remain as undeveloped open space in accordance with the following:
- a. Development is prohibited within a conservation area, except for development necessary for natural resource protection and restoration as determined by the Director.
 - b. Animal grazing and crop production is allowed in a conservation area consistent with Municipal Code Chapter 91 (Animals). Accessory structures serving an agricultural use, such as pole barns, are allowed.
 - c. Trees may not be removed within a conservation area except as allowed by 155.302.140 (Tree Removal).
 - d. A subdivider or property owner is not required to provide public access to a conservation area.
4. **Contiguity.** Fragmentation of dedicated open space areas must be avoided. Dedicated open space areas must be consolidated or linked to facilitate wildlife movement, maintain functioning biological communities, and accommodate agricultural activity where appropriate. Open space connections to adjoining land beyond the project site should be anticipated and identified where possible.

Section 155.332 – TEMPORARY USES AND STRUCTURES

Subsections:

155.332.010 – Purpose

155.332.020 – Applicability and Permit Requirements

155.332.030 – General Standards

155.332.040 – Temporary Uses and Structures Allowed By Right

155.332.050 – Temporary Uses and Structures Allowed with a Zoning Clearance

155.332.010 – Purpose

This section establishes standards for temporary uses and structures to allow for appropriate short-term events and activities while limiting impacts on neighboring properties and the general public.

155.332.020 – Applicability and Permit Requirements

- A. Applicability.** This section applies to all temporary uses and structures in Eureka.
- B. Permit Requirements.** Specific types of temporary uses and structures are allowed either:
1. By right without Department approval (see 155.332.040); or
 2. With a Zoning Clearance (see 155.332.050).

155.332.030 – General Standards

- A. Standards for all Temporary Uses and Structures.** All temporary uses and structures must comply with the following standards:
1. **Encroachment Permit.** Temporary uses and structures may not be located in the public right-of-way without an Encroachment Permit.
 2. **Business License Required.** Any person engaging in commercial activity or conducting a business in any manner as part of a temporary use must obtain a City of Eureka Business License.
 3. **Nuisance.** A temporary use or structure may not constitute a public nuisance as defined in Municipal Code Section 150.163 (Public Nuisance Specified).
 4. **Obstructions.** A temporary use or structure may not obstruct pedestrian or vehicular traffic or block a driveway or alleyway.
 5. **Trash and Litter.** Temporary uses must provide on-site trash receptacles as needed to keep the site free of trash and debris.
 6. **Site Condition After Use.** Upon completion and removal of a temporary use, the

site must be cleaned of debris and litter and returned to its original state.
Temporary uses and structures may not result in permanent alterations to the site.

7. **Other Applicable Requirements.** Temporary uses and structures must comply with all other applicable standards in the Zoning Code and Municipal Code, including but not limited to:
- a. Lighting standards in 155.304.050 (Outdoor Lighting);
 - b. Sign standards 155.338.090 (Temporary Signs); and
 - c. Noise limitations in Municipal Code Section 94.01 et seq (Noise).

- B. Applicant Agreement.** An applicant requesting approval of a temporary use or structure requiring a Zoning Clearance must agree in writing to comply with all applicable standards as provided in this section.

155.332.040 – Temporary Uses and Structures Allowed By Right

The following temporary uses and structures are allowed without a Zoning Clearance or any other form of Department approval:

- A. On-site Construction Yards and Equipment.** A construction yard on the same site as an approved construction project, including a trailer or modular unit used for security personnel, storage, office, or other similar temporary use, dumpsters, and other construction equipment. Construction yards, trailers, and equipment must be removed within ten days of completion of the construction project, or the expiration of the Building Permit, whichever occurs first.
- B. Garage Sales.** Garage sales for individual residences limited to three, one- to two-day events per calendar year. One block or neighborhood sale per calendar year is allowed in addition to individual sales.
- C. Portable Moving and Storage Containers.** Moving and storage containers delivered to a home, loaded by residents, and delivered to another location, for a maximum of two weeks on private property. Containers placed in a street must comply with the City of Eureka Traffic Code Chapter 72 (Stopping, Standing and Parking).
- D. Dumpsters.** Dumpsters used to collect and store debris from building demolition and property clean-up activities are allowed on private property for the duration of the Building Permit or 30 days.
- E. dumpsters for demolition and property clean up purposes.** on private property for active building permit or 30 days.
- F. Outdoor Fundraising Events.** Outdoor fundraising events on commercial sites when sponsored by a non-profit organization directly engaged in civic or charitable efforts. Outdoor fundraising events are limited to two days each month for each sponsoring

organization.

G. Catering. Mobile food vendors operating as caterers to private events when food or beverages are not sold to the general public.

H. Recreational Vehicles (RVs).

1. A recreational vehicle (RV), motor home, camper, or other similar vehicle as follows:
 - a. Used for living and sleeping purposes on a site with an active Building Permit for a construction project associated with an existing single-family home. Vehicles may be occupied only by the property owner and the property owner's family. Vehicles must be removed within ten days of completion of the construction project, or the expiration of the Building Permit, whichever occurs first.
 - b. Used for temporary living and sleeping purposes when associated with a single-family home (e.g. visiting relatives) for a maximum of 14 consecutive days and a maximum of 45 days per calendar year.
2. A recreational vehicle (RV), motor home, camper, or other similar vehicle located outside of a legally established recreational vehicle park may not be used for living or sleeping purposes except as allowed in Paragraph (1) of this division.

155.332.050 – Temporary Uses and Structures Allowed with a Zoning Clearance

The following temporary uses and structures require a Zoning Clearance.

- A. Seasonal Sales.** Seasonal sales (e.g., Christmas trees, pumpkins) for a maximum of 60 days, no more than four times per year on a single property.
- B. Outdoor Sales Events.** Outdoor sales events conducted by a permanent on-site use for a maximum of 30 days in any 180-day period.
- C. Travelling Sellers.** Temporary outdoor retail sales not associated with a permanent on-site use conducted in a fixed location as follows:
 1. A travelling seller may conduct sales for a maximum of 14 days and no more than four times per year on a single property. After 14 days, a travelling seller must move to a new location 1,000 feet or more from the previous location.
 2. Travelling sellers may locate only on commercial property, and only with approval of the property owner. Sales activities are not permitted in the public right-of-way.
 3. Retail sales from a vehicle are not subject to these limitations. See 155.302.090 (Mobile Vendors).
- D. Metal Shipping Containers.** Metal shipping containers (e.g., CONEX boxes) in residential and mixed-use zoning districts, not to exceed 30 days.

- E. Expansion or Replacement Facilities.** Temporary work space for employees during construction or remodeling of a permanent building. Temporary space may be provided in trailers or transportable buildings that are pre-constructed and arrive at the site ready for occupancy and are readily removed and installed at other sites. Structures must be removed within ten days of completion of the construction project, or the expiration of the Building Permit, whichever occurs first.
- F. Other Temporary Uses.** Other temporary uses compatible with the applicable zoning district and surrounding land uses as determined by the Director.

Section 155.338 – SIGNS

Sections:

- 155.338.010 – Purpose
- 155.338.020 – Applicability
- 155.338.030 – Signs Allowed Without Permits
- 155.338.040 – Prohibited Signs
- 155.338.050 – Rules of Measurement
- 155.338.060 – Sign Permits
- 155.338.070 – Sign Standards
- 155.338.080 – General Requirements
- 155.338.090 – Temporary Signs

155.338.010 – Purpose

This section establishes standards relating to the permitted type, size, dimensions, placement, number, and design of signs. The intent of these standards is to:

- A. Support economically viable businesses serving city residents, workers, and visitors;
- B. Allow for signage that identifies businesses and other properties in a fair and equitable manner;
- C. Allow persons to exercise their free speech rights protected under the U.S. and California Constitutions;
- D. Promote the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development;
- E. Ensure that signs are compatible with their surroundings;
- F. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage;
- G. Emphasize Eureka's small-town historical character by promoting pedestrian-oriented and appropriately-scaled signage in all parts of town other than Broadway;
- H. Acknowledge Broadway's role as a primarily vehicular corridor through Eureka and allow for larger-scale and more vehicle-oriented signs on Broadway while still emphasizing aesthetic quality and scales appropriate for Eureka; and
- I. Allow for a simple and streamlined sign permitting process.

155.338.020 – Applicability

Unless specifically exempted, all signs in Eureka must comply with the requirements of this section, including signs for which a City permit or other approval is not required.

155.338.030 – Signs Allowed Without Permits

- A. Types of Signs.** The following signs are exempt from the permit requirements of this section and are not counted towards the allowable sign area or number of signs;
1. **Address and Nameplate Signs.** Street, apartment, unit, suite numbers, and nameplates, not greater than four inches in height for residential uses, and not greater than six inches in height for commercial uses.
 2. **Commemorative Plaques.** One commemorative plaque identifying a building name, date of construction, or similar information that is cut into, carved, or made of stone, concrete, metal, or other similar permanent material. Commemorative plaques may not be illuminated.
 3. **Decorations.** Holiday and cultural observance decorations on private property which do not include any commercial advertising.
 4. **Sandwich Board Signs on Private Property.** Non-digital sandwich board signs on private property, not to exceed a vertical or horizontal dimension of four feet.
 5. **Directional Signs.** On-site directional signs located entirely on the property to which they pertain, identifying direction to parking, restrooms, and similar public facilities, each not exceeding five feet in height and five square feet in area for non-residential uses, and two square feet for residential uses.
 6. **Directory Signs.** One directory sign per street frontage as follows:
 - a. Maximum area: one square foot per tenant.
 - b. Maximum height: six feet if freestanding.
 - c. Internal illumination prohibited.
 7. **Home Occupation.** One single, non-illuminated, wall-mounted outdoor sign of not more than two square feet in area.
 8. **Residential Lodging.** Each lot containing a multiple-room rental may display one unilluminated sign not to exceed four square feet. All other residential lodging uses may display one single, non-illuminated, wall-mounted outdoor sign of not more than two square feet.
 9. **Flags.** Flags bearing noncommercial messages or graphic symbols.
 10. **Government Signs.** Signs installed or required by a governmental agency, including signs advertising community activities and local nonprofit, civic, or fraternal

organizations.

11. **Informational Signs.** Signs with information for the safety and convenience of the public such as address, hours and days of operation, whether a business is open or closed, no smoking notices, up to three square feet per sign and 10 square feet in total. Excludes internally illuminated window signs.
 12. **Internal Signs.** Signs within a building, or on the premises of a building, that are not visible from the public right-of-way and are intended for interior viewing only.
 13. **Window Signs.** Window signs consistent with Table 338-2 (Window Signs, Non-Illuminated) and Table 338-3 (Window Signs, Internally Illuminated). Signs may not move or appear to move, change intensity, color, or pattern at any time, and may not create a public nuisance or hazard due to glare or halo effect.
 14. **Equipment Signage.** Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semipublic use, including but not limited to telephone booths, restrooms, vending machines, automated teller machines, gasoline pumps, drive-thru restaurant menu boards, and other signs of an instructive nature.
 15. **No Trespassing Signs.** "No trespassing" signs, each not more than one square foot in size, placed at each corner and each entrance to a property, and at intervals of not less than 100 feet, or in compliance with the requirements of state or federal law.
 16. **Non-Commercial Bulletin Boards.** One bulletin board on a parcel occupied by a non-commercial place of public assembly, with a maximum area of 12 square feet.
 17. **Real Estate Listings.** Real estate listings posted in the window of a real estate office, with a maximum area of 25 percent of the total window area.
 18. **Restaurant Menu Signs.** Restaurant menu signs attached to a building.
 19. **Service Station Signs.** Service station price signs as required by State law. (See Business & Professions Code Section 13530). Service station signs may include digital displays; however, the digital display may change no more than once a day. Digital displays must comply with brightness limitations in Table 338-9 (Digital Signs).
 20. **Temporary Signs.** Temporary signs consistent with 155.338.090 (Temporary Signs).
- B. Routine Maintenance.** The painting, cleaning, repair, and normal maintenance of a legally-established sign in conformance with 155.338.080.E (Maintenance) is allowed by-right, without a Zoning Clearance or other form of Department approval.
- C. Murals and Decorations.** Murals, decorations, and design elements on the exterior of a building that do not advertise a product, business, or service are not considered signs and are not subject to the requirements of this section. Advertisement includes text displaying the name of a business, text displaying the name of a product, text publicizing a service,

business-specific logos, and product-specific logos. Murals do not require a permit.

155.338.040 – Prohibited Signs

A. Prohibited Sign Types. The following types of signs are prohibited:

1. Banner signs, feather banners, yard signs, and inflatable balloon signs, except when used as a temporary sign consistent with 155.338.090 (Temporary Signs).
2. Beacon signs and searchlights.
3. Human directional and advertising signs.
4. New off-premise signs established after [effective date of Zoning Code].
5. Ticker signs.

B. Prohibited Location or Placement. Signs with the following location and/or placement characteristics are prohibited:

1. Signs attached to or placed adjacent to any utility pole, parking meter, traffic signpost, traffic signal, or any other traffic control device except when installed by a governmental agency.
2. Signs attached to trees.
3. Signs erected or maintained with horizontal or vertical clearance from overhead utilities less than required by a governmental agency.
4. Signs installed without permission of the property owner or the owner's agent.
5. Signs mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a business establishment. This prohibition does not limit the use of business logos, identification, or advertising on vehicles actively used for business purposes and/or personal transportation.
6. Signs in the public right-of-way or projecting over a public street which have not received an encroachment permit.
7. Signs that obstruct or interfere with a traffic control sign or signal.
8. Signs that obstruct or interfere with the free use of a fire escape, exit, stairway, door, ventilator or window in violation of the California Building or Fire Code.
9. Signs that conflict with 155.304.040 (Vision Clearance Area) or signs that otherwise interfere with visibility at an intersection, public right-of-way, driveway, or other point of ingress/egress. The City may require sign setbacks greater than specified in this section to maintain adequate visibility for motorists and pedestrians.

C. Prohibited Design Features. Signs with the following design features and/or physical characteristics are prohibited:

1. Signs containing mirrors and signs that constitute a traffic hazard due to highly reflective or fluorescent materials.
2. Signs that simulate in size, color, lettering, or design a traffic control sign or signal.
3. Signs that blink, except chase lighting (see 155.338.080.H).
4. Signs that flash, strobe, or change intensity.
5. Signs emitting audible sounds, odor, fumes, smoke, flames, or other visible matter.
6. Signs that feature a flag, pennant, whirligig, or any devices that wave, flutter, rotate or display other movement under the influence of wind.

D. Prohibited Sign Content.

1. The following sign content is prohibited:
 - a. Obscene or indecent text or graphics.
 - b. Text or graphics that advertise unlawful activity under state or local laws.
 - c. Text or graphics that constitute defamation, incitement to imminent lawless action, or true threats.
 - d. Text or graphics that present a clear and present danger due to their potential confusion with signs that provide public safety information (for example, signs that use the words "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
2. The content prohibited by Paragraph (1) above is either not protected by the United States or California Constitutions or is offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each subparagraph of Paragraph (1) above be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or California Constitutions.

155.338.050 – Rules of Measurement

A. Calculating Sign Area.

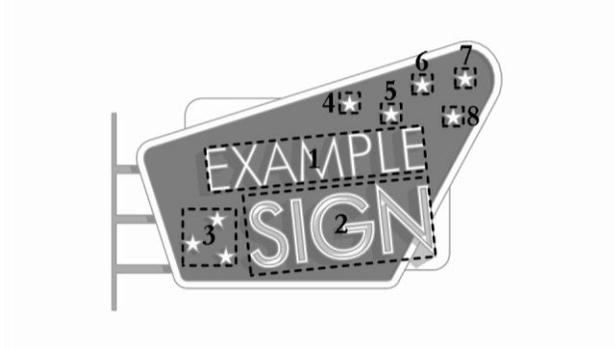
1. **Digitally-Printed Signs.** Sign area for digitally-printed signs is measured as the area within a single rectangle that completely enclose the sign copy and graphics, as well as any frame, material, or color that is an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. See Figure 338-1.
2. **All Other Signs.** For all signs other than digitally-printed signs, sign area is measured as

the area within up to eight rectangles that completely enclose the sign copy and graphics. See Figure 338-2.

Figure 338-1: Sign Area Measurement – Digitally Printed Signs

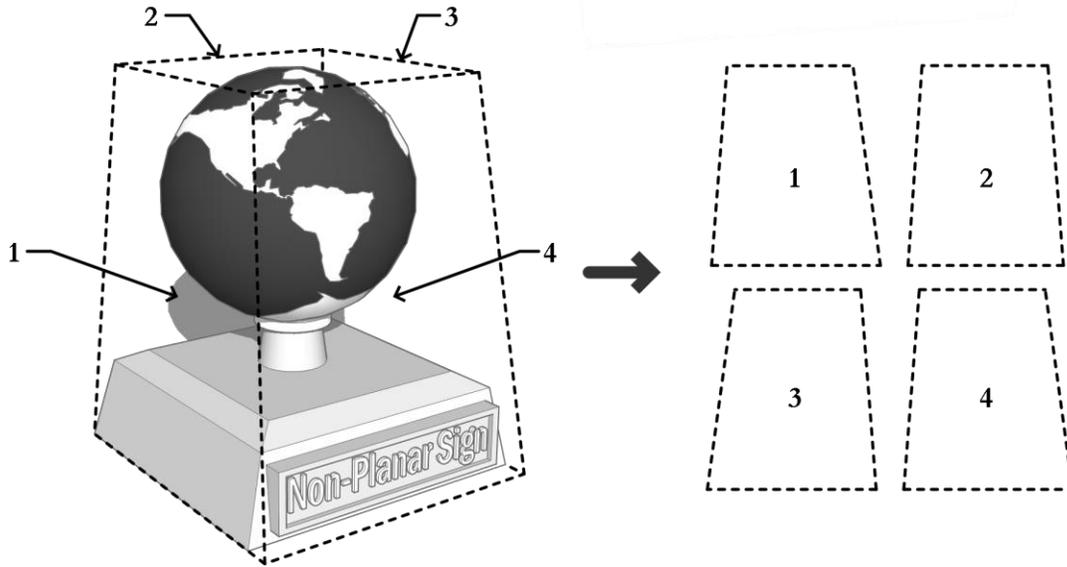


Figure 338-2: Sign Area Measurement – All Other Sign Types



3. Supporting framework or bracing that is clearly incidental to the display itself is not calculated as sign area.
4. For projecting and other double-faced (back-to-back) signs with identical faces, only one display face is counted in the sign area measurement if the distance between each sign face does not exceed 36 inches and the two faces are parallel with each other.
5. The area of spherical, free-form, sculptural, or other non-planar signs is measured as 50 percent of the sum of the area enclosed within the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. See Figure 338-3.

Figure 338-3: Non-Planer Sign Area

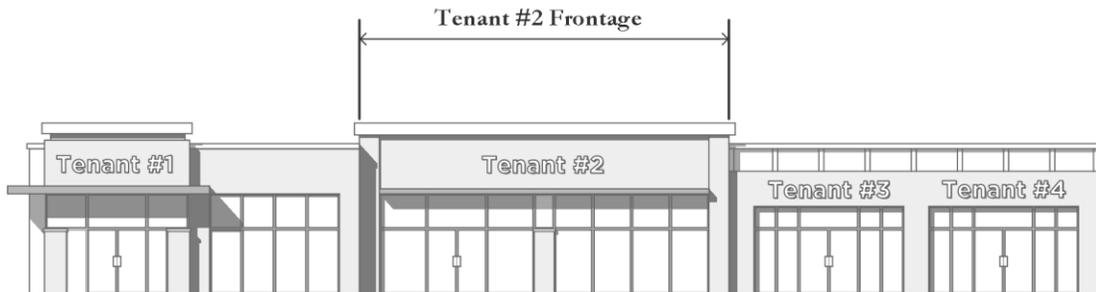


B. Tenant Frontage.

1. General.

- a. Tenant frontage is the linear measurement of a tenant’s building wall that abuts a street, parking lot that abuts a street, or pedestrian walkway. See Figure 338-4.
- b. Tenant frontage does not include building walls fronting an alley.

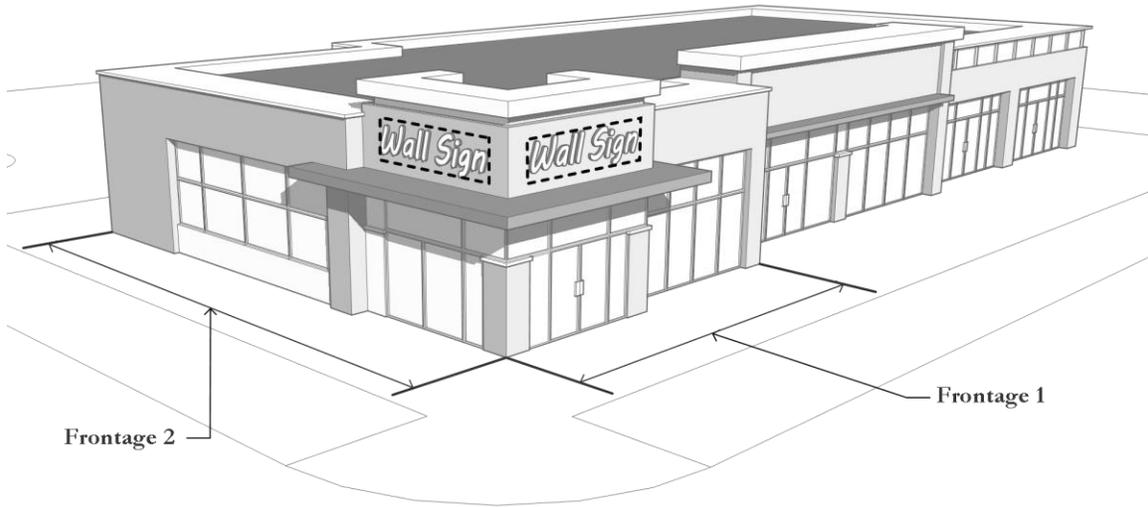
Figure 338-4: Tenant Frontage



2. Corner and Through Lots.

- a. Where a tenant occupies a building that fronts on two streets (on a corner or through lot), allowed sign standards apply independently for each street frontage unless otherwise indicated in this section. See Figure 338-5.

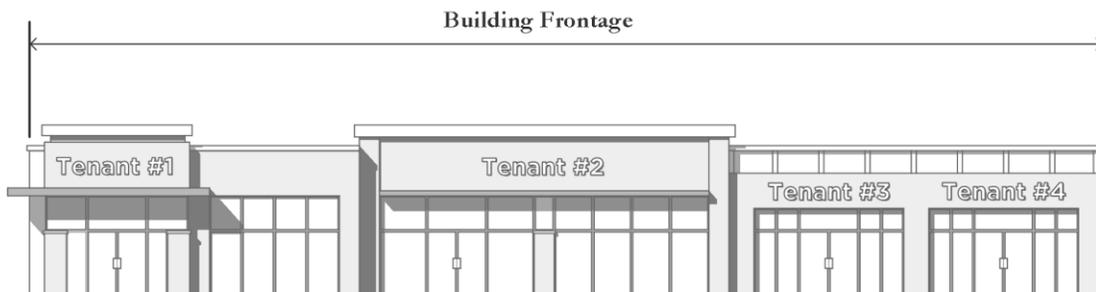
Figure 338-5: Corner and Through Lots



- b. For example, a corner tenant in the DT zoning district may install one wall sign on each street frontage. Allowed sign area applies individually to each frontage and may not be transferred between frontages.

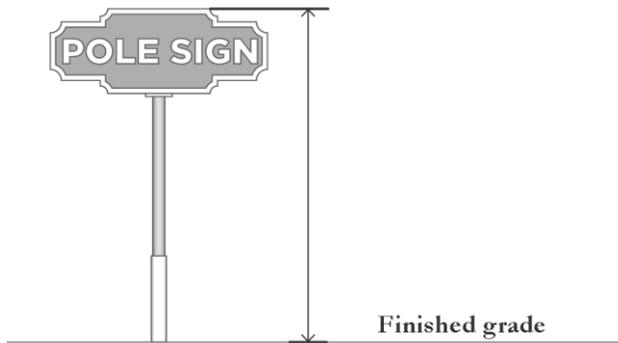
C. Building Frontage. Building frontage is measured in the same manner as tenant frontage, except calculated for the entire building, not individual tenants. See Figure 338-6.

Figure 338-6: Building Frontage



- D. Detached Sign Height Measurement.** The height of a freestanding, pole, monument or other type of detached sign is measured from the finished grade at the base of the sign to the top of the sign. See Figure 338-7.

Figure 338-7: Detached Sign Height



155.338.060 – Sign Permits

- A. Types of Sign Permits.** The Zoning Code establishes three types of Sign Permits: Administrative Sign Permits, Master Sign Permits, and Creative Sign Permits.
1. An Administrative Sign Permit is a ministerial approval by the Department to confirm that a proposed sign complies with all applicable standards.
 2. A Master Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow for comprehensive and coordinated signs on large, complex, non-residential multi-tenant sites and to allow some deviation from sign standards where appropriate.
 3. A Creative Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow unique, high-quality signs that deviate from sign standards in this section.
- B. Administrative Sign Permits.**
1. **When Required.** All new signs require an Administrative Sign Permit except for:
 - a. Signs exempt from permit requirements as identified in 155.338.030 (Signs Allowed Without Permits);
 - b. Signs proposed concurrently as part of a Master Sign Permit application as identified in 155.338.060.C (Master Sign Permit); and
 - c. Signs that comply with the requirements of a Creative Sign Permit as identified in 155.338.060.D (Creative Sign Permit).

2. **Permit Requirements.**

- a. Administrative Sign Permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department
- b. Department staff will review the proposed sign to verify compliance with applicable standards. If the proposed sign complies with all applicable standards, the Department staff will approve the Administrative Sign Permit. No public notice or hearing is required.

C. **Master Sign Permit.**

1. **Purpose.** The purpose of the Master Sign Permit is to provide a coordinated approach to signage for large sites/buildings and non-residential multi-tenant developments, buildings, or adjacent/adjoining properties/parcels.
2. **When Allowed.** Any site greater than one acre, any site with tenant spaces above the first floor, or any non-residential development, building, or property with three or more tenants, may request approval of a Master Sign Permit.
3. **Review Authority.** The Design Review Committee reviews and takes action on Master Sign Permit applications.
4. **Application Submittal and Review.**
 - a. Master Sign Permit applications must be submitted and reviewed in compliance with 155.408 (Permit Procedures).
 - b. Master Sign Permit applications must be authorized by the property owner/agent
5. **Master Sign Program.** All Master Sign Permit applications must include a proposed Master Sign Program that identifies the placement, size, materials, type, and general design of signs located on a site, including both existing and proposed signs.
6. **Design Standards.**
 - a. A Master Sign Program may allow for variety in the design of individual signs.
 - b. A Master Sign Program may not allow prohibited signs as identified in 155.338.040 (Prohibited Signs) or deviation from digital sign requirements in Table 338-9 (Digital Signs).
 - c. A Master Sign Program may allow transfers of maximum sign areas in 155.338.070 (Sign Standards) between tenants on a site. For example, on a site with ten tenants that each have 20-foot-wide frontages, each tenant would be allowed 20 square feet of pole signs. Through a standard Administrative Sign Permit, the area of each sign cannot be transferred from one tenant to another. However, through Design Review Committee approval of a Master Sign Permit,

the collective total of 200 square feet of sign area for the entire site can be pooled and then re-allocated between tenants so that one tenant could have 101 square feet and the remaining tenants could each have 11 square feet of sign area.

- d. A Master Sign Program may allow deviation from the total number of signs permitted per site in 155.338.070 (Sign Standards). For example, pole signs are limited to one pole sign per site with a standard Administrative Sign Permit. However, through a Master Sign Permit, the example in Paragraph (c) above could have two or more pole signs if specifically allowed by the Master Sign Permit approval.
 - e. Deviation from any other requirement in this section is not allowed.
7. **Public Notice and Hearing.** The Design Review Committee will review and act on a Master Sign Permit application at a noticed public hearing in compliance with 155.408.080 (Notice of Public Hearing) and 155.408.100 (Public Hearing).
8. **Findings for Approval.** To approve a Master Sign Permit, the Design Review Committee must make all of the following findings:
- a. Allowed signs are consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council;
 - b. The Master Sign Program features a unified and coordinated approach to the materials, size, type, placement, and general design of signs proposed for a project or property;
 - c. If deviations from sign standards in 155.338.070 (Sign Standards) are proposed, the deviations are necessary to accommodate the unique signage needs of the site;
 - d. Allowed signs comply with all applicable standards in this section, unless specific deviations are allowed by the Master Sign Program;
 - e. The allowed signs will not adversely impact the public health, safety, or general welfare;
 - f. The allowed sign sizes are proportionate to the building and site where they are located; and
 - g. The number, placement, design, and material of the allowed signs are compatible with the architectural design of buildings on the site.

9. **Limitations.**

- a. As a part of the discretionary approval of a Master Sign Permit, the Design Review Committee may require modifications to the proposed Master Sign Program including limits on allowed sign types, height, area, dimensions, placement, materials, and other sign design features.

10. **Effect of Master Sign Program.**

- a. All tenants and land uses on the site are subject to the requirements of the approved Master Sign Program.
- b. All subsequent signs proposed for a site subject to an approved Master Sign Program must comply with the standards and specifications included in the Master Sign Program.
- c. Subsequent signs consistent with an approved Master Sign Program are allowed with an Administrative Sign Permit.
- d. Signs inconsistent with an approved Master Sign Program require either an amendment to the Master Sign Program or modification of the inconsistent signs.
- e. Approval of a Master Sign Program supersede the regulations of this section. Any aspect of the proposed signs not addressed by the Master Sign Program must be in compliance with this section.

D. Creative Sign Permits

1. **Purpose.** A Creative Sign Permit allows for creative signs that deviate from sign standards in this section. Creative Sign Permits are intended to:
 - a. Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
 - b. Allow for creative signs that deviate from the standards in this section while minimizing adverse impacts on neighboring properties and the community at large.
2. **When Allowed.** A creative sign is allowed for any type of sign in any location in Eureka, except for digital signs, which are allowed only in locations specified in Table 338-9 (Digital Signs).
3. **Review Authority.** The Design Review Committee reviews and takes action on Creative Sign Permit applications.
4. **Application Submittal and Review.** Creative Sign Permit applications must be submitted and reviewed in compliance with 155.408 (Permit Procedures).
5. **Eligible Adjustments.** A Creative Sign Permit may allow deviation from standards in 155.338.070 (Sign Standards), excluding standards for digital signs (see Table 338-9)

and marquee signs (see 155.338.070 E.3). Deviation from any other requirement in this section is not allowed.

6. **Design Features Requiring a Creative Sign Permit.** The following sign design features are allowed only with a Creative Sign Permit:
 - a. Signs which change color at a frequency of more than one color change per 15 seconds, except for digital signs consistent with Table 338-9 (Digital Signs).
 - b. Chase lighting.
 - c. Neon signs that change color or are animated. Neon signs that do not change color or utilize animation are allowed without a Creative Sign Permit.
7. **Digitally-Printed Signs.** A digitally-printed sign may constitute no more than 40 percent of the total sign area of a sign approved with a Creative Sign Permit.
8. **Public Notice and Hearing.** The Design Review Committee will review and act on a Creative Sign Permit application at a noticed public hearing in compliance with 155.408.080 (Notice of Public Hearing) and 155.408.100 (Public Hearing).
9. **Approval Criteria.** To approve a Creative Sign Permit, the Design Review Committee must find that the sign meets all of the General Design criteria and incorporates three or of the Sign Features, Materials, and Contextual Criteria, as provided below.
 - a. **General Design.** The sign meets all of the following general design criteria:
 - (i) The sign constitutes a substantial aesthetic improvement to the site and has a positive visual impact on the surrounding area;
 - (ii) The sign is of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit;
 - (iii) The sign is of a higher creative, artistic, and/or sculptural nature than the average sign typically found in Eureka; and
 - (iv) The sign provides strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.
 - b. **Sign Features, Materials, and Contextual Criteria.** The sign incorporates three or more of the following:
 - (i) Materials of a higher quality than typically used for signs in Eureka (e.g., stone, sculptural steel, sandblasted wood, gold leaf, hand-painted content with an artistic mural-like component).
 - (ii) Projecting, recessed, or cut-out text (e.g., push-through illuminated acrylic letters, routed letters, routed metal).

- (iii) Creative and unique use of clearly-visible high-quality landscaping with an area greater than the minimum required for the sign or site, whichever is more.
- (iv) Creative and unique use of lighting (e.g., chase, neon lighting, LED faux neon, a well-coordinated combination of at least three different types of site-appropriate illumination).
- (v) Clearly visible three-dimensionality where a notable proportion of the structure or form of the sign includes multiple deviations from a parallel plane (e.g., a sphere, a half-sphere, sculptural elements, a fully three-dimensional beer mug).
- (vi) Sign design successfully emulates the architecture of the building (e.g., a sign with roof-like covering that matches the general design of the roof of the building it serves).
- (vii) Highly irregular multi-dimensional sign shape (e.g., a sign that has at least five or more straight sides, a sign that has a few straight sides and multiple variable rounded sides, a sign with an unusually disproportionate height-to-width ratio).
- (viii) At least 50 percent of the sign area includes custom artistic illustrations.
- (ix) Sign shape includes inventive representation of the use, name, or logo of the structure or business (e.g., a fish-shaped sign for a fishing store).
- (x) Neon and/or LED faux neon signs that emulate movement but do not include chase lighting.
- (xi) Mechanically-animated element(s).
- (xii) Symbols or imagery relating to timber, commercial fishing, coastal land uses, arts/culture, other factors inherent to Eureka's identity, or to Eureka's current or historic character.

10. **Limitations.** As a part of the discretionary approval of a Creative Sign Permit, the Design Review Committee may require modifications to the proposed Creative Sign including limits on allowed sign types, area, dimensions, placement, materials, and other sign design features.

- E. Encroachment Permit.** Any sign which projects into the public right-of-way requires approval of an Encroachment Permit.
- F. City-Installed or Required Signs.** Signs installed or required by the City do not require a permit.

155.338.070 – Sign Standards**A. Sign Type Standards.**

1. All signs must comply with the sign type standards in Tables 338-1 through 338-9 unless deviations are allowed through a Master Sign Permit (155.338.060.C) or Creative Sign Permit (155.338.060.D).
2. Maximum sign standards in Tables 338-1 through 338-9 apply to individual signs, not all signs combined on a property, unless otherwise noted in the tables.
3. If a proposed sign type is not specifically listed in Tables 338-1 through 338-9, the sign will be regulated in the same manner as the most similar listed sign type as determined by the Director.

Table 338-1: Wall Signs

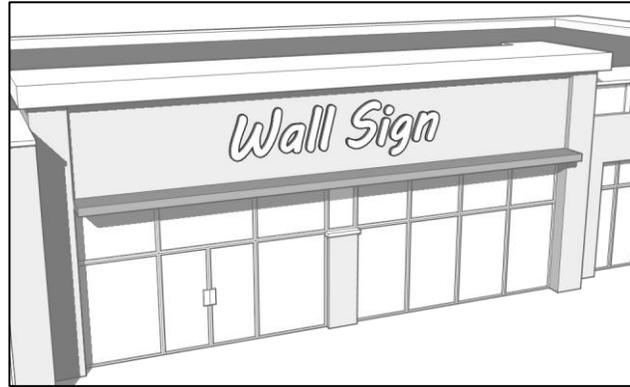
Definition: A wall sign is a sign attached to, or painted on, the exterior wall of a structure, with the display surface of the sign approximately parallel to the building wall. Wall signs include signs attached to, but not extending above, a fascia, parapet, or mansard roof.

Where Allowed: All zoning districts.

Figure 338-7: Wall Signs

Materials:

- Unless painted on a wall, wall signs must be constructed of durable, rigid material such as wood, plastic, or metal.
- Permanent wall signs constructed of flexible, non-rigid material (e.g., cloth, flexible vinyl) are not permitted.
- Wall signs may be painted directly on a building wall.



Illumination:

- In non-residential zoning districts: Both external and internal illumination is allowed.
- In residential zoning districts: Only external illumination is allowed.

Standards [1]	Zoning District		
	DT, DW, HC, WA, NC, OR, HM, H	SC, LI, GI	Non-residential uses in all Residential zones
Max. number	2 per tenant frontage		1 per building frontage
Max. area [2]	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant frontage	1.0 sq. ft. per linear foot of tenant frontage (no maximum)	24 sq. ft.
Max. height	Roof line or parapet of building to which sign is attached.		
Max. projection from building wall	6 inches		

Notes:

[1] Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).

[2] Maximum area applies to all wall signs combined on a tenant frontage.

Table 338-2: Window Signs, Non-Illuminated

Definition: A sign posted, painted, placed, or affixed in or on a window exposed to public view (including windows on upper floors). Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.

Where Allowed: All zoning districts.

Window Transparency: For each individual window, a minimum of 75 percent of the total window area must be transparent and free of signage features. Window area is measured from interior of trim to interior of trim, including mullions, muntins, and other separations of panes of glass.

Figure 338-8: Window Signs, Non-Illuminated



Standard [1]	Zoning District		
	DT, DW, HC, WA, NC, OR, HM, H	SC, LI, GI	Non-residential uses in all Residential zones
Max. number	No max.		
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area	25 percent of the total window area of each individual window
Max. height	No max.		
<p>Notes:</p> <p>[1] Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).</p> <p>[2] Maximum area applies to all wall signs combined on a tenant frontage.</p>			

Table 338-3: Window Signs, Internally Illuminated

Definition: A sign placed in a window with individually illuminated letters, numbers, or graphics not exceeding 12 square feet. Includes illuminated “open” signs and signs illuminated with LEDs, neon, or other fluorescing gas.

Where Allowed:

- Allowed in all non-residential zoning districts except for the Office Residential (OR) zoning district.
- **Additional Requirements:**
- Animated window signs require a Creative Sign Permit.
- Digital signs are not allowed as a window sign.

Figure 338-9: Window Signs, Internally Illuminated



Standard [1]	Zoning District	
	DT, DW, HC, WA, NC, HM, HN	SC, LI, GI
Max. number	2 per tenant frontage	
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area
Max. height	No max.	
<p><u>Note:</u></p> <p>[1] Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).</p> <p>[2] Maximum area applies to all wall signs combined on a tenant frontage.</p>		

Table 338-4: Projecting and Suspended Signs

Definition: A sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.

Where Allowed:

- Allowed in all non-residential zoning districts.
- Prohibited in all residential zoning districts.

Vertical and Horizontal Clearance: See 155.338.080.I (Vertical and Horizontal Clearance)

Figure 338-8: Projecting and Suspended Signs



Standard [1]	Zoning District	
	DT, DW, HC, WA, NC, OR, HM, HN	SC, LI, GI
Max. number	1 per tenant frontage	
Max. area	18 sq. ft. per tenant frontage	24 sq. ft. per tenant frontage
Max. height	Height of building to which it is attached	
Maximum projection from building wall	8 ft.	
<p>Notes:</p> <p>[1] Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).</p> <p>[2] The Building Code may require a projection less than eight feet</p>		

Table 338-5: Awning/Canopy Signs

Definition: An awning sign is incorporated into, attached to, or painted on the face or valance of an awning. A canopy sign is attached to a fixed overhead shelter used as a roof.

Figure 338-9: Awning Signs



Figure 338-10: Canopy Signs



Where Allowed:

- Allowed in all non-residential zoning districts.
- Prohibited in all residential zoning districts.

Placement: Awnings and canopies with signs may only be mounted on the wall area below the second floor.

Vertical and Horizontal Clearance: See 155.338.080.I (Vertical and Horizontal Clearance)

Materials: Awnings must be constructed of durable, long-lasting fabric. Plastic or vinyl material is not permitted.

Awnings/Canopies Without Sign Copy: Awnings and canopies without lettering or sign copy are not regulated as signs.

Standard	Zoning District	
	DT, DW, HC, WA, NC, OR, HM, HN	SC, LI, GI
Max. number	No max.	
Max. area	25 sq. ft. or area of awning or canopy fascia, whichever is less	35 sq. ft. or area of awning or canopy fascia, whichever is less
Max. height (awning signs)	Height of awning area	
Max. height (canopy signs)	Height of canopy fascia; 3 ft. for signs atop canopy	Height of canopy fascia; 4 ft. for signs atop canopy
Max. width	The building wall to which it is attached or the tenant space it identifies	
Maximum projection from building wall	No max.	
<i>Note:</i> Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).		

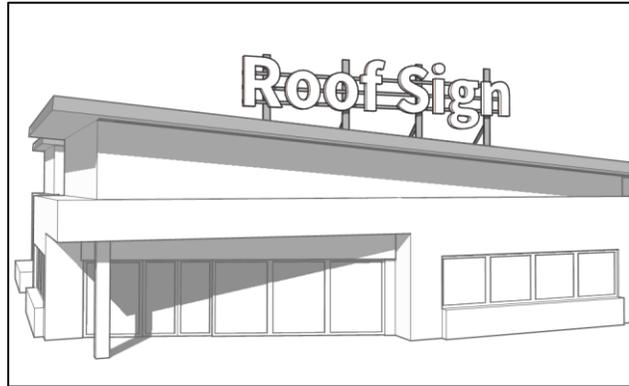
Table 338-6: Roof Signs

Definition: A sign erected above a roof and/or the parapet of a building. Signs attached to the side of a mansard roof are not considered roof signs. The definition of roof signs does not include signs attached to a building wall or other horizontal building element.

Where Allowed:

- Allowed in all non-residential zoning districts except for Office Residential (OR) and Hospital Medical (HM).
- Prohibited in Office Residential (OR), Hospital Medical (HM), and all residential zoning districts.

Figure 338-11: Roof Signs



Design: Roof signs must consist of individually-formed letters and associated graphics without a solid background. A box sign is not allowed as a roof sign.

Illumination: Internal or external illumination allowed. Internally illuminated signs are permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo.

Digital Signs: Digital signs are not allowed as a roof sign.

Standards	Zoning District	
	DT, DW, HC, WA, NC, HN	SC, LI, GI
Max. number	1 roof sign per building	
Max. area	1.0 sq. ft. per linear foot of total building frontage to a maximum of 50 sq. ft.	1.0 sq. ft. per linear foot of total tenant frontage to a maximum of 100 sq. ft.
Max. height	10 ft. above top of building	16 ft. above top of building
Note: Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).		

Table 338-7: Monument Signs

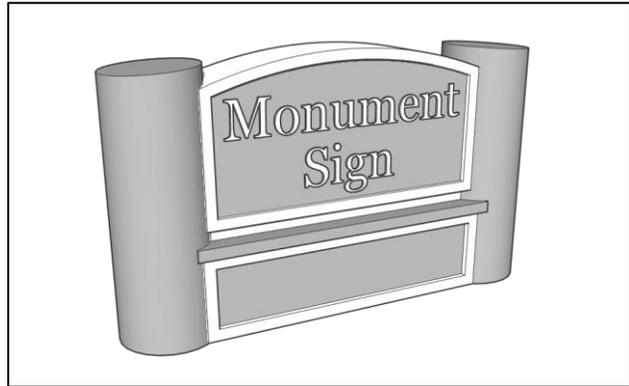
Definition: A monument sign is a sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles, or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”

Where Allowed: Allowed in all mixed use and industrial zoning districts.

Monument and Pole Signs: A monument sign is not allowed on a site that also contains a pole sign.

Ground Support and Placement: See 155.338.110.J (Detached Sign Ground Support and Clearance).

Figure 338-12 Monument Signs



Standard	Zoning District	
	DT, DW, HC, WA, NC, OR, HM, HN	SC, LI, GI
Max. number	1 per site	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant; maximum of 64 sq. ft. for multi-tenant signs	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	8 ft.	12 ft.
Max. width	No max.	
<u>Note:</u> Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).		

Table 338-8: Pole Signs

Definition: A sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face.

Where Allowed:

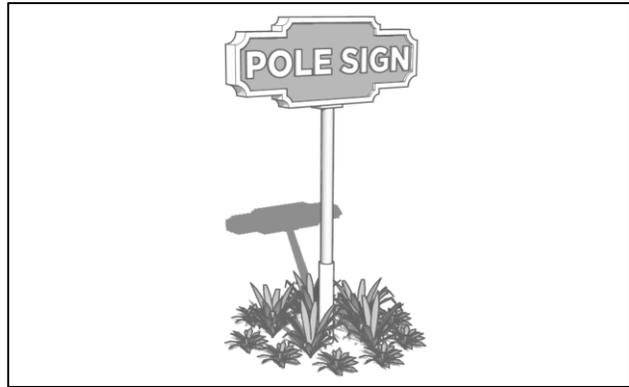
- New pole signs are allowed in the SC, LI, and GI zoning districts.
- New pole signs are prohibited in all other zoning districts. Pole signs existing as of [effective date of zoning code] may remain.

Pole and Monument Signs. A pole sign is not allowed on a tenant frontage that also contains a monument sign.

Ground Support and Placement: See 155.338.110.J (Detached Sign Ground Support and Clearance).

Landscaping: Pole signs must be placed in a planter box or other landscaped area, with the area of the landscaping a minimum of 15 square feet or one-half of the surface area of the sign, whichever is greater.

Figure 338-13: Pole Signs



Standard	SC, LI, GI Zoning Districts
Max. number	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	24 ft.
Horizontal clearance	See 155.338.110.I (Vertical and Horizontal Clearance).
Max. width	No max.
<u>Note:</u> Standards apply only to ground-floor tenants and uses. See 155.338.070.B (Multi-Story Buildings).	

Table 338-9: Digital Signs

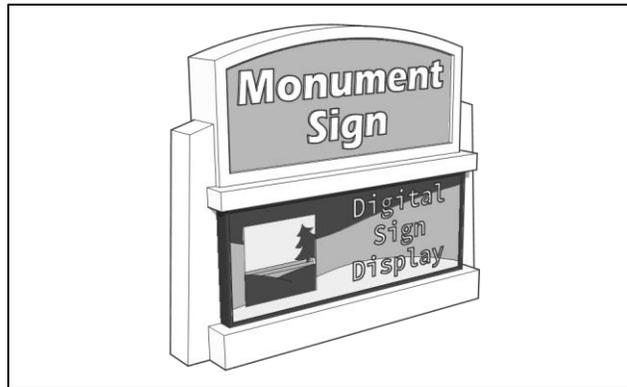
Definition: A sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs), or their functional equivalent, where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.

Where Allowed:

- Allowed only on properties fronting Broadway in the Service Commercial (SC) zoning district.
- Prohibited in all other zoning districts.

Sign Type: Digital signs are permitted only when incorporated into a monument sign, wall sign, or pole sign that also includes additional non-digital sign copy.

Figure 338-14: Digital Signs



Off-Premise Signs Prohibited: Digital signs may not be used as an off-premise sign, or for any form of off-site advertising.

Design:

- A digital sign must be incorporated into the face of a permanent sign that includes text or graphics that are not part of the digital display.
- If a digital sign is located at the top of a sign, the sign must include a substantial cap feature above the digital display, which consists of the same or complementary material, form, and color as used on the sign face or structure.

Standard	SC, LI, GI Zoning Districts
Max. number	1 per site
Max. frequency of message display change	15 sec.
Max. height	Established by the sign type into which the digital sign is incorporated.
Max. percentage of sign area containing digital display	66 percent of total allowable sign area of the sign type into which the digital sign is incorporated to a maximum of 100 sq. ft.
Max. width	No max.

Message Display:

- Digital signs may contain static messages only. Signs may not display text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
- Digital signs may not change message more than once every 15 seconds.
- The content of a digital sign must transition by changing instantly (e.g., no fade-out or fade-in).
- Ticker Signs are prohibited.

Brightness:

- During daylight hours between sunrise and sunset, luminance is limited to 10,000 nits.
- At all other times, luminance is limited to 500 nits.
- Digital signs may produce no more than 0.3 foot-candle of light when measured from the distance using the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

- Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change.

- B. Multi-story Buildings.** Standards for signs in Tables 338-1 through 338-9 apply only to ground floor tenants and uses. Signs for tenants and uses located above the ground floor are allowed only with a Master Sign Permit that establishes sign standards for the site. See 155.338.060.C (Master Sign Permits).
- C. Hospital Signs.** Hospitals are exempt from all building-attached sign regulations except for digital sign regulations. Hospitals must comply with detached sign regulations. Non-hospital uses in the HM zoning district must comply with all sign regulations.
- D. Public Facilities and Parks Zoning Districts.** In the Public Facilities (PF) and Parks (P) zoning districts, the Director will determine the allowed sign types and size based on the signage needs of the associated uses.
- E. Marquee Signs.**
1. A marquee sign is allowed with a Creative Sign Permit and must satisfy all of the requirements of that permit. The Design Review Committee will determine the maximum allowed sign area, height, dimensions, and other standards as part of the Design Review approval process.
 2. Marquee signs are limited to theaters, auditoriums, indoor amusement/entertainment facilities, and similar facilities. A maximum of one marquee sign is allowed per use.
 3. Digital display is allowed only for marquee sign copy that advertises films, performances, and other events. Use of digital display to advertise goods and services is not allowed. Digital display may change no more than once a day. Digital display must comply with the brightness limitation in Table 338-9 (Digital Signs).
- F. Sandwich Board Signs.**
1. Sandwich board signs on private property are exempt from the requirements of this section (see 155.338.030).
 2. Sandwich board signs within the public right of way must comply with the following standards:
 - a. Signs must be constructed of durable materials and in such a manner as not to present a hazard to pedestrian movement.
 - b. A sign may not exceed 30 inches in width and 48 inches in height.
 - c. Signs must be weighted at the base so as to provide a stable and secure sign.
 - d. Signs must be placed so as to allow for a minimum of 48 inches pedestrian path of travel clearance between obstacles.
 - e. Signs may not conflict with utilities or parking meters, public parking or traffic sight distance at street or alley intersections, and may not block entrances or exits.

- f. Signs are limited to one sign per business, and must be placed on the sidewalk that fronts the business.
- g. Digital signs are not allowed as a sandwich board sign. See Table 338-9 (Digital Signs).
- h. Signs in the public right-of-way must acquire an encroachment permit.

155.338.080 – General Requirements

A. Message Neutrality.

- 1. It is the City's policy to regulate signs in a constitutional manner that does not favor commercial speech over noncommercial speech, and is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.
- 2. Where necessary, the Director will interpret the meaning and applicability of this section in light of this message neutrality policy. Under no circumstances will this message neutrality policy be interpreted to allow off-premise signs. See 155.338.080.K (Off-Premise Signs).

B. Message Substitution.

- 1. Subject to the property owner's consent, a message of any type may be substituted, in whole or in part, for the message displayed on any legally established sign without consideration of message content.
- 2. Message substitutions require a Zoning Clearance.
- 3. This message substitution provision does not:
 - a. Create a right to increase the total amount of signage beyond that otherwise allowed or existing;
 - b. Affect the requirement that a sign structure or mounting device be properly permitted, when a permit requirement applies;
 - c. Allow a change in the physical structure of a sign or its mounting device;
 - d. Allow the establishment of a prohibited sign as identified in 155.338.040 (Prohibited Signs); or
 - e. Nullify or eliminate any contractual obligation through a development agreement or similar agreement that specifies the allowable content of a sign.

C. Maximum Number of Sign Types. No more than three different types of signs are allowed on a site without approval of a Master Sign Permit (see 155.338.060.C)

D. Changes to Sign Face. Changes to a sign face that do not structurally alter or enlarge a legally-established sign require a Zoning Clearance.

E. Maintenance.

1. All signs and supporting hardware, including temporary signs, must be maintained in a state of good repair at all times.
2. Any repair to a sign must be of equal or better quality of materials and design as the original sign.
3. A sign that is not properly maintained or is dilapidated will be deemed a public nuisance, and may be abated in compliance with 155.428 (Enforcement and Penalties) and Municipal Code Section 10.35 et seq. (Administrative Citations). Examples of dilapidated signs include the following:
 - a. Signs with rust covering 25 percent or more of a pole or other support structures.
 - b. Signs with peeling paint visible on 25 percent or more of the sign or support structure.
 - c. Signs and support structures with visible physical damage that significantly alters the sign's appearance.
 - d. Signs with malfunctioning or damaged lighting.
 - e. Illegible sign copy resulting from damage to the sign.
 - f. Signs and supporting elements that no longer contain a sign face or copy. Includes box signs without a slide-in sign copy panel, projecting sign brackets without an attached sign face, and stand-alone poles without an attached sign face.
 - g. Other similar conditions as determined by the Director.

F. Building Surface Repair. When an existing sign is replaced, removed, or modified, any newly exposed portions of a building surface on which the sign is or was displayed must be repaired and repainted to restore a uniform appearance to the surface. Compliance with this requirement includes the removal of any excess conduit and supports, and the patching or filling of any exposed holes.

G. Materials. Except for interior window signs, all permanent signs must be constructed of wood, metal, plastic, glass, or similar durable and weatherproof material.

H. Illumination.

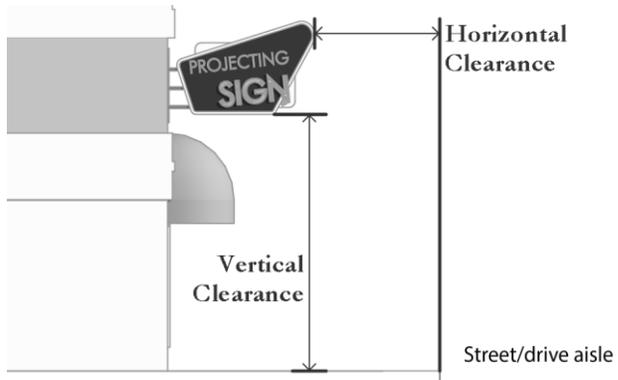
1. Signs in non-residential zoning districts may be internally or externally illuminated except where specifically prohibited.
2. Signs in residential zoning districts may only be externally illuminated.

3. Light sources must be steady, stationary, and static in color, except for neon signs and chase lighting when allowed with a Creative Sign Permit.
4. Lighting may not produce glare that creates a public nuisance or hazard for motorists or pedestrian.
5. The light source for externally illuminated signs must be positioned so that light does not shine directly on adjoining properties.
6. Exposed bulbs, with or without chase lighting, are permitted with a Creative Sign Permit.
7. Design features consisting of neon or other small diameter tubing illuminated by fluorescing gas is allowed as part of any type of sign.

I. Vertical and Horizontal Clearance.

1. Signs that project over any public walkway or walk area must have an overhead clearance of at least eight feet and require an Encroachment Permit. See Figure 338-16.
2. Signs must maintain a minimum two-foot horizontal clearance from a driveway or street curb. See Figure 338-15.

Figure 338-15: Vertical and Horizontal Clearance



J. Detached Sign Ground Support and Placement.

1. **Ground Support.** Detached signs must be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.
2. **Placement.** A detached sign may not occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, traffic portion of the right-of-way or other areas required to remain unobstructed.

K. Off-Premise Signs.

1. **New Off-Premise Signs.** New off-premise signs established on or after [effective date of Zoning Code] are prohibited.
2. **Existing Off-Premise Signs.** Legally-established off-premise signs established prior to [effective date of Zoning Code] may remain and must comply with all applicable regulations in this section.

L. Nonconforming Signs. See 155.424.050 (Nonconforming Signs).**M. Violations and Enforcement.** See 155.428.090 (Signs) for the procedure to remove hazardous and illegal signs.**155.338.090 – Temporary Signs**

Temporary signs are allowed in all zoning districts subject to this subsection.

A. Temporary Sign Defined.

1. A temporary sign means a sign intended to be displayed for a limited period of time.
2. The following types of signs are always considered temporary and allowed only as a temporary sign:
 - a. Banner signs.
 - b. Feather banners.
 - c. Yard signs.
 - d. Inflatable balloon signs.
 - e. Post signs on a residential property (e.g., for-sale signs).

B. Allowed By-Right. Temporary signs that comply with this subsection are allowed by-right without a Zoning Clearance or other form of Department approval.**C. Prohibited Signs.** Temporary signs must comply with Subsection 155.338.040 (Prohibited Signs).**D. Maximum Area.** Temporary signs may not exceed the maximum sign area shown in Table 338-10.

Table 338-10: Maximum Temporary Sign Area

Zoning District	Maximum Area
DT, DW, HC, NC, OR	25 sq. ft. per tenant, business, or land use
SC, HM, HN, LI, GI	
Tenants with less than 50 sq. ft. of tenant frontage	25 sq. ft. per tenant, business, or land use
Tenants with 50 ft. or more of tenant frontage	0.5 sq. ft. per linear foot of building frontage to a maximum of 100 sq. ft.
All Other Zoning Districts	25 sq. ft. per site

E. Illumination. Illumination of temporary signs is prohibited.

F. Duration.

1. Temporary signs may be displayed for the maximum duration shown in Table 338-11.
2. A sign displayed longer than allowed by Table 338-11 is considered a permanent sign subject to all applicable requirements in this section.

Table 338-11: Temporary Sign Duration

Type of Temporary Sign	Maximum Duration
Yard signs	90 days
Post signs	180 days
All other temporary signs	30 days not to exceed 60 calendar days per year

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ARTICLE 4 – Permits and Administration

Section 155.404 – Administrative Responsibilities

- 155.404.010 – Purpose
- 155.404.020 – Review and Decision-Making Authority
- 155.404.030 – Development Services Department
- 155.404.040 – Development Services Director
- 155.404.050 – Planning Commission
- 155.404.060 – Design Review Committee
- 155.404.070 – Historic Preservation Commission
- 155.404.080 – City Council

Section 155.408 – Permit Procedures

- 155.408.010 – Purpose and Applicability
- 155.408.020 – Application Preparation and Filing
- 155.408.030 – Application Fees
- 155.408.040 – Application Review
- 155.408.050 – Multiple Permit Applications
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- 155.408.070 – Applications Deemed Withdrawn
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Section 155.412 – Specific Permits and Approvals

- 155.412.010 – Purpose
- 155.412.020 – Review Authority; Appeals
- 155.412.030 – Administrative Adjustments
- 155.412.040 – Design Review
- 155.412.050 – Home Occupation Approvals
- 155.412.060 – Infill Incentive Permits
- 155.412.070 – Minor Modifications
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- 155.412.090 – Sign Permits
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- 155.412.110 – Use Permits
- 155.412.120 – Variances
- 155.412.130 – Zoning Clearances

Section 155.416 – Appeals and Reviews

- 155.416.010 – Purpose
- 155.416.020 – Appeal Subjects and Jurisdiction
- 155.416.030 – Filing and Processing of Appeals
- 155.416.040 – Calls for Review
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Section 155.420 – Post-Approval Provisions

- 155.420.010 – Purpose
- 155.420.020 – Notice of Decision
- 155.420.030 – Effective Date of Decision
- 155.420.040 – Issuance of Permits
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- 155.420.080 – Changes to an Approved Project
- 155.420.090 – Permit Expiration
- 155.420.100 – Extension of Time
- 155.420.110 – Resubmittals Following Denial or Revocation
- 155.420.120 – Permits to Run with the Land

Section 155.424 – Nonconformities

- 155.424.010 – Purpose
- 155.424.020 – Applicability
- 155.424.030 – Nonconforming Site Features
- 155.424.040 – Nonconforming Buildings
- 155.324.050 – Nonconforming Signs
- 155.424.060 – Nonconforming Uses
- 155.424.070 – Nonconforming Lots
- 155.424.080 – Findings

Section 155.428 – Enforcement and Penalties

- 155.428.010 – Purpose
- 155.428.020 – Violations
- 155.428.030 – Permits and Approvals
- 155.428.040 – Enforcement Authority
- 155.428.050 – Inspections, Access, and Entry
- 155.428.060 – Remedies
- 155.428.070 – Remedies are Cumulative
- 155.428.080 – Permit Revocation
- 155.428.090 – Signs

Section 155.432 – Zoning Code and General Plan Amendments

155.432.010 – Purpose

155.432.020 – Initiation

155.432.030 – General Plan Amendment Petition

155.432.040 – Application

155.432.050 – Planning Commission Hearing and Action

155.432.060 – City Council Hearing and Action

155.432.070 – Findings for Approval

155.432.080 – Limitations on Resubmittals after Denial

Section 155.404 – ADMINISTRATIVE RESPONSIBILITIES

Subsections:

- 155.404.010 – Purpose
- 155.404.020 – Review and Decision-Making Authority
- 155.404.030 – Development Services Department
- 155.404.040 – Development Services Director
- 155.404.050 – Planning Commission
- 155.404.060 – Design Review Committee
- 155.404.070 – Historic Preservation Commission
- 155.404.080 – City Council

155.404.010 – Purpose

This section describes City roles and responsibilities when administering the Zoning Code.

155.404.020 – Review and Decision-Making Authority

- A. **Summary Table.** Table 404-1 summarizes City review and decision-making authority when processing permit applications and other requested approvals.
- B. **Meaning of Notations.** Authority roles shown in Table 404-1 mean the following:
 - 1. “Recommend” means the authority reviews and makes a recommendation to a higher decision-making body.
 - 2. “Decision” means the authority may approve, conditionally approve, or deny an application.
 - 3. “Appeal” means the authority hears an appeal of a decision by a lower review authority.
 - 4. “-” means the authority has no role in the action.
- C. **Multiple Permit Applications.** For projects that include multiple permits, see 155.408.050 (Multiple Permit Applications).

155.404.030 – Development Services Department

- A. **Responsibilities and Powers.** The Department:
 - 1. Processes permit applications as provided in 155.408 (Permit Procedures);
 - 2. Assumes responsibilities delegated by the Director; and
 - 3. Performs other duties as necessary to administer the Zoning Code.

Table 404-1: Review and Decision-Making Authority

Type of Action	Zoning Code Section	Role of Authority			
		Director/ Department	Design Review Committee	Planning Commission	City Council
Legislative Actions					
Zoning Code and General Plan Amendment	155.432	Recommend	-	Recommend	Decision
Use Permits					
Conditional Use Permit	155.412.110	Recommend	-	Decision	Appeal
Minor Use Permit	155.412.110	Decision	-	Appeal	Appeal
Flexibility and Relief					
Administrative Adjustment	155.412.030	Decision	-	Appeal	Appeal
Infill Incentive Permit, Major	155.412.060	Recommend	-	Decision	Appeal
Infill Incentive Permit, Minor	155.412.060	Decision	-	Appeal	Appeal
Minor Modification	155.412.070	Decision	-	Appeal	Appeal
Reasonable Accommodation	155.412.080	Decision	-	Appeal	Appeal
Variance, Major	155.412.120	Recommend	-	Decision	Appeal
Variance, Minor	155.412.120	Decision	-	Appeal	Appeal
Sign Permits					
Administrative Sign Permits	155.338.060.B	Decision [1]	Appeal	Appeal	Appeal
Creative Sign Permits	155.338.060.D	Recommend	Decision	Appeal	Appeal
Master Sign Permits	155.338.060.C	Recommend	Decision	Appeal	Appeal
Other Permits and Approvals					
Design Review	155.412.040	Recommend	Decision [2]	Appeal	Appeal
Home Occupation Approval	155.302.070	Decision [1]	-	Appeal	Appeal
Tree Permit	155.302.140	Decision [1]	-	Appeal	Appeal
Zoning Clearance	155.412.130	Decision [1]	-	Appeal	Appeal
Notes: [1] The Director may delegate review authority to Department staff on ministerial permits and approvals. [2] The Historic Preservation Commission conducts Design Review for projects that alter a designated historic resource as provided in Municipal Code Chapter 157. If a project subject to Design Review also requires a permit from the Planning Commission, the Planning Commission conducts Design Review.					

155.404.040 – Development Services Director**A. Responsibilities and Powers.** The Director:

1. Serves as the review and decision-making authority as shown in Table 404-1;
2. Makes official interpretations of the Zoning Code in accordance with 155.108.030 (Official Interpretations);
3. Enforces the Zoning Code in accordance with 155.428 (Enforcement and Penalties);
4. Assumes responsibilities described in Municipal Code Section 33.071 (Director of Development Services);
5. Performs other duties as necessary to administer the Zoning Code and as assigned by the City Council; and
6. Serves as the secretary to the Design Review Committee, Historic Preservation Commission, and Planning Commission.

B. Duties as Secretary to DRC, HPC, and PC. As secretary to the Design Review Committee (DRC), Historic Preservation Commission (HPC), and Planning Commission (PC), the Director:

1. Prepares staff reports on permit applications and other requested approvals;
2. Presents applications at public hearings;
3. Maintains a record of DRC, HPC, and PC proceedings and decisions;
4. Advises the DRC, HPC, and PC on the meaning and applicability of the Zoning Code; and
5. Provides support and technical assistance to the DRC, HPC, and PC as needed.

C. Delegation to Staff. The Director may designate one or more Department staff to perform the duties described in 155.404.040.A (Responsibilities and Powers).**155.404.050 – Planning Commission****A. Established.** The City must maintain a Planning Commission to review and act on proposed development projects and to assist in the development and application of land use policy and regulations in Eureka.**B. Composition.**

1. **Number of Members.** The Planning Commission consists of five members.
2. **Member Experience.** Persons appointed to the Planning Commissioner must have an interest and/or experience in city planning, land development, land use law,

architecture, urban design, natural resource protection, real estate, transportation planning, economic development, or other relevant planning-related fields.

3. Planning Commission members must be appointed and vacancies on the Commission filled in accordance with Municipal Code Section 33.001 et seq. (Boards and Commissions Created by Council)

C. Responsibilities and Powers. The Planning Commission:

1. Serves as the review and decision-making authority on applications as shown in Table 404-1;
2. Hears appeals on decisions in accordance with 155.416 (Appeals and Reviews);
3. Makes recommendations to the City Council on Zoning Code amendments and other legislative matters;
4. Makes recommendations to the City Council on General Plan amendments and specific plans and other special-purpose land use plans; and
5. Assumes responsibilities described in Municipal Code Section 152.01 (Planning Commission);

D. Meetings and Procedures. The Planning Commission operates according to Municipal Code Chapter 33 (Other Departments, Boards and Commissions), Chapter 152 (Planning and Zoning Administration), and any official rules of procedure or bylaws adopted by the Planning Commission.

155.404.060 – Design Review Committee

A. Established. The Design Review Committee (DRC) is established to review and approve the design of proposed development projects.

B. Composition.

1. **Number of Members.** The DRC consists of five members.
2. **Member Experience.** Persons appointed to the DRC must have professional experience in the fields of architecture, land development, city planning, real estate, landscape architecture, or other relevant design-related profession.
3. **Appointment.** DRC members must be appointed and vacancies filled according to Municipal Code Section 33.001 et seq. (Boards and Commissions Created by Council).
4. **Architect.** If the DRC membership does not include an architect, the DRC may, by unanimous agreement, invite an architect, who may or may not be a resident of the city, to serve in an advisory capacity.

C. Responsibilities and Powers.

1. The DRC Serves as the review and decision-making authority as shown in Table 404-1;
2. The DRC may assume other responsibilities as requested by the Director, Planning Commission, or City Council.

D. Meetings and Procedures. The DRC operates according to Municipal Code Chapter 33 (Other Departments, Boards and Commissions) and any official rules of procedures or bylaws adopted by the DRC.

155.404.070 – Historic Preservation Commission

The purpose and function of the Historic Preservation Commission (HPC) is stated in Municipal Code Chapter 157 (Historic Preservation). In the administration of the Zoning Code, the HPC conducts Design Review for projects that alter a designated historic resource as provided in Municipal Code Chapter 157.

155.404.080 – City Council

The City Council:

- A.** Takes action on proposed Zoning Code and General Plan amendments;
- B.** Hears appeals on decisions in accordance with 155.420 (Appeals and Reviews); and
- C.** Assumes other responsibilities and takes action on other matters related to the Zoning Code according to the Municipal Code and state and federal laws.

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Section 155.408 – PERMIT PROCEDURES

Subsections:

- 155.408.010 – Purpose and Applicability
- 155.408.020 – Application Preparation and Filing
- 155.408.030 – Application Fees
- 155.408.040 – Application Review
- 155.408.050 – Multiple Permit Applications
- 155.408.060 – Environmental Review
- 155.408.070 – Applications Deemed Withdrawn
- 155.408.080 – Notice of Public Hearing
- 155.408.090 – Notice of Pending Action
- 155.408.100 – Public Hearings
- 155.408.110 – Conditions of Approval

155.408.010 – Purpose and Applicability

This section establishes procedures for the preparation, filing, and processing of permit applications required by the Zoning Code. Procedures and requirements that apply after an application is approved are found in 155.420 (Post-Approval Procedures).

155.408.020 – Application Preparation and Filing

A. Pre-Application Conference.

1. Applicants are encouraged to request a pre-application conference with the Department before completing and filing a permit application.
2. The purpose of this conference is to:
 - a. Review the applicant's project concepts, preliminary project descriptions, and/or rough site plans;
 - b. Inform the applicant of Zoning Code and Department requirements that apply to the proposed project;
 - c. Inform the applicant of requirements from other departments (such as Building, Public Works, Police, and Fire) and other governmental agencies (such as the Coastal Commission) that may apply to the proposed project;
 - d. Inform the applicant of the City's review processes;
 - e. Identify information and materials the City will require with the application, and any necessary technical studies and information relating to the environmental review of the project;

- f. Provide guidance to the applicant of possible project alternatives or modifications; and
 - g. Assign Department staff to serve as the project liaison with whom the applicant should communicate as the application is processed.
3. The pre-application conference and any information provided by City staff must not be construed as a recommendation for approval or denial of an application.
 4. Failure by City staff to identify all permit requirements does not constitute a waiver of those requirements.

B. Application Contents.

1. Applications must be made in writing on a form provided by the Department.
2. Applications must be filed along with all fees, information, and materials required by the Department.

C. Eligibility for Filing.

1. An application may be filed only by:
 - a. The property owner;
 - b. A property tenant;
 - c. An authorized agent of the property owner or tenant; or
 - d. A person under contract or with an exclusive option to purchase the property.
2. The application must be either:
 - a. Signed by the property owner, the property owner's authorized agent, or a person under contract or with an exclusive option to buy the property; or
 - b. Accompanied by a written letter signed by the property owner or the property owner's authorized agent consenting to the application.

D. Application Acceptance.

1. The Department may accept an application for processing only if the submittal contains all fees, information, and materials required by the Department.
2. Accepting an application for processing does not indicate Department support for the proposed project or that the application is complete pursuant to 155.408.040 (Application Review).

155.408.030 – Application Fees

- A. **Fee Schedule.** Fees required to process permit applications are identified in the Development Services Department Fee Schedule adopted by the City Council.

B. Payment Required.

1. The Department may accept and begin processing an application only after all required fees are paid.
2. Failure to pay any required fees may be a basis for denial or revocation of a permit.

C. Refunds and Withdrawals.

1. If an application is withdrawn in writing by the applicant, the Director may authorize a partial refund based upon the pro-rated costs to the date of withdrawal and the status of the application at the time of withdrawal.
2. The Department will not refund fees for denied applications, unless directed to do so by City Council.

155.408.040 – Application Review

- A. Initial Review.** The Department must review each application for completeness and accuracy before it is accepted as complete and officially filed.
- B. Basis for Determination.** The Department's completeness determination is based on the Department's list of required application content and any additional written instructions provided to the applicant at a pre-application conference, and/or during the application review period.
- C. Applicant Notification.** Within 30 days of application filing, the Department must inform the applicant in writing that the application is complete and has been accepted for processing, or that the application is incomplete and additional information is required.
- D. Appeal of Determination.** When the Department determines that an application is incomplete, and the applicant believes that the application is complete or that the information requested by the Department is not required, the applicant may appeal the Department's determination in compliance with 155.416 (Appeals and Reviews).
- E. Submittal of Additional Information.**
1. When the Department determines that an application is incomplete, the applicant must submit additional required information in writing.
 2. Resubmitted information is subject to a new 30-day period of review for completeness.
 3. Requested information must be submitted within the timeframe identified in 155.408.070.A (Response Required).
- F. Environmental Information.** After determining that an application is complete pursuant to 155.408.040.C (Applicant Notification), the Department may require the applicant to

submit additional information for the environmental review of the project, in compliance with the California Environmental Quality Act (CEQA).

155.408.050 – Multiple Permit Applications

- A. Concurrent Filing.** If a project requires more than one permit or approval (e.g., a Zoning Map Amendment and a Conditional Use Permit), the applicant must apply for all permits and approvals concurrently, unless the concurrent filing requirement is waived by the Director. The Department may accept a single application form for all required permits and approvals.
- B. Concurrent Processing and Review.**
 - 1. The Department must process multiple applications for the same project concurrently.
 - 2. Projects requiring multiple permit applications must be reviewed and acted upon by the highest review authority designated by the Zoning Code for any of the applications (e.g., a project requiring a Zoning Map Amendment and a Conditional Use Permit will have both applications decided by the City Council, instead of the Planning Commission acting on the Conditional Use Permit).

155.408.060 – Environmental Review

- A. CEQA Review.**
 - 1. After accepting a complete application, the Department must review the project in compliance with the California Environmental Quality Act (CEQA) and any adopted City CEQA guidelines.
 - 2. The Department will determine the required level of environmental review (e.g., exemption, Negative Declaration) within 30 days of finding the application complete.
- B. Special Studies Required.** The Department may require the applicant to prepare special studies and/or submit additional information to supplement the Department's CEQA compliance review.
- C. Action on CEQA Document.** The review authority that approves an application must take final action on the CEQA document prepared for the proposed project. Final action on the CEQA document must occur prior to or concurrent with action on required permits. Pursuant to CEQA Guidelines Section 15270(b), the City is not required to take final action on a CEQA documents for a denied application.

155.408.070 – Applications Deemed Withdrawn**A. Response Required.**

1. When an applicant has been informed by letter that an application is incomplete in accordance with 155.408.040 (Application Review), the applicant must pay required supplemental fees and/or provide requested information within 120 days following the date of the letter, or within a different timeframe as determined by the Department and communicated to the applicant in writing.
2. If an applicant does not respond within the required response timeframe, the application expires and is deemed withdrawn without any further action by the Department.

B. Resubmittal. After an application expires, future Departmental consideration of the project requires an applicant to submit a new complete application and associated fees.

155.408.080 – Notice of Public Hearing

A. General. When the Zoning Code requires a noticed public hearing, the Department must provide notice of the hearing in conformance with Government Code Section 65090 et. seq. and as described in this subsection.

B. Content of Notice. Notice of public hearing must include all of the following information, as applicable:

1. **Hearing Information.** The date, time, and place of the hearing; the name of the hearing body; and the phone number, email address, and Department location where an interested person can obtain additional information.
2. **Project Information.** The applicant's name, the application file number, a general description of the project, the location of the subject property.
3. **Statement on Environmental Document.** The required level of environmental review for the proposed project (e.g., exemption, Negative Declaration); a statement that the hearing body will consider approval of the project CEQA determination or document, if applicable.
4. **Statement Limiting Issues on Appeal or in Court Actions.** The following statement: "If you challenge any decision made by a review authority through administrative appeal or in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the review authority at, or prior to, the public hearing."

C. Method of Notice Distribution. Notice of a public hearing must be given not more than 30 and nor less than 10 days before the hearing date using the methods required by Government Code Section 65091 and as follows:

1. **Mailing.**
 - a. Notice is complete upon mailing and must be mailed or delivered at least ten days before the scheduled hearing to the following recipients:
 - (1) The owners of the subject property or the owner's authorized agent, and the applicant.
 - (2) The owners of the real property located within a radius of 300 feet from the exterior boundaries of the subject property. The Department may mail or deliver notices to properties within a larger radius of the subject property if deemed necessary by the Director.
 - (3) Each local agency expected to provide roads, schools, sewerage, streets, water, power, or other essential facilities or services to the subject property, whose ability to provide those facilities and services may be significantly affected.
 - (4) Any person who has filed a written request for notice of the hearing with the Department or City Clerk.
 - b. If the number of property owners to whom notice would be mailed in compliance this paragraph is more than 1,000, the Department may provide notice by placing a display advertisement of at least one-eighth page in a local newspaper of general circulation at least ten days prior to the hearing.
2. **Posting.** Notice must be posted on the project site and two other public places at least ten days before the hearing, one of which will always be City Hall.
3. **Publication.**
 - a. Notice of a public hearing for a General Plan, Zoning Code Amendment, subdivision, and other projects required to do so by State law must be published in a local newspaper of general circulation at least ten days before the hearing.
 - b. For any other project requiring a public hearing, the Director may determine that enhanced public notice is necessary and/or desirable and require notice publication in a newspaper of general circulation at least ten days before the hearing.
4. **Drive-Thru Facilities.** For projects involving a new or modified drive-thru facility, the Department shall provide notice to local organizations identified by the Department as serving Eureka's blind, aged, and/or disabled community.
5. **Additional Notice.** In addition to the types of notice required above, the Department may require or provide additional notice as determined necessary or desirable by the Department.

- D. Failure to Receive Notice.** The validity of the hearing is not affected by the failure of any resident, property owner, or community member to receive a mailed or other notice.

155.408.090 – Notice of Pending Action

When the Zoning Code requires a notice of a pending action for applications acted on by the Director, public notice must be given in accordance with 155.404.080 (Notice of Public Hearing), except as follows:

A. Notice Contents.

1. The notice must state that the Director is considering the application and will hold a public hearing on the application on a date identified in the notice only upon receiving written request for a hearing by a specified date.
2. In cases of anticipated public interest in or concern with an application, the Director may bypass the notice of pending action and hold a noticed public hearing on the application without first receiving a request for a public hearing.

B. Hearing only on Request.

1. If the Department receives a request for a public hearing by the specified date, the Director must hold a public hearing on the date identified in the notice.
2. If no request for a public hearing is received by the specified date, the Director may act on the application without a public hearing.

155.408.100 – Public Hearings

- A. General.** Hearings will be conducted in a manner consistent with any procedures adopted or endorsed by the review authority.
- B. Notice of Public Hearing.** Notice of the public hearing must be provided in accordance with 155.408.080 (Notice of Public Hearing)
- C. Time and Place of Hearing.** A hearing must be held at the date, time, and place for which notice was given, unless the required quorum of hearing body members is not present or the hearing is continued pursuant to 155.408.100.E (Continued Hearing).
- D. Public Comment.** All hearings must be open to the public with opportunity to provide comment and/or testimony in accordance with established procedures.
- E. Continued Hearing.**
1. A hearing may be continued without further notice, provided that the review authority chair announces the date, time, and place to which the hearing will be continued before the hearing adjournment or recess.

2. The Director may continue a hearing without further notice when a quorum of the review authority is not present at the public hearing. The Director must announce the date, time, and place to which the hearing will be continued.

F. Decision. After the close of a public hearing, the review authority may:

1. Approve, approve with conditions, or deny the application; or
2. Make a recommendation to another review authority if the review authority does not make the final decision on the application.

155.408.110 – Conditions of Approval

A. Discretionary Permits.

1. The review authority may attach conditions to a discretionary approval as needed to:
 - a. Achieve consistency with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council;
 - b. Mitigate any project impacts; and
 - c. Ensure compliance with any applicable City requirement or regulation.
2. A decision to impose a condition on a discretionary approval may involve the subjective judgement of the review authority to determine how a project may best meet a City policy or regulation.

B. Ministerial Permits.

1. The Director may attach conditions to a ministerial approval as needed to bring the project into compliance with an objective standard or requirement.
2. Conditions attached to ministerial permits must also be ministerial and may not involve subjective judgment.

Section 155.412 – SPECIFIC PERMITS AND APPROVALS

Subsections:

- 155.412.010 – Purpose
- 155.412.020 – Review Authority; Appeals
- 155.412.030 – Administrative Adjustments
- 155.412.040 – Design Review
- 155.412.050 – Home Occupation Approvals
- 155.412.060 – Infill Incentive Permits
- 155.412.070 – Minor Modifications
- 155.412.080 – Reasonable Accommodations
- 155.412.090 – Sign Permits
- 155.412.100 – Tree Permits
- 155.412.110 – Use Permits
- 155.412.120 – Variances
- 155.412.130 – Zoning Clearances

155.412.010 –Purpose

- A. General.** This section identifies procedures for specific types of permits and approvals required by the Zoning Code.
- B. Modifications to Standards.**
 - 1. The following permits and approvals may be used to allow deviations from Zoning Code standards:
 - a. Administrative Adjustments.
 - b. Infill Incentive Permits.
 - c. Minor Modifications.
 - d. Reasonable Accommodations.
 - e. Variances.
 - 2. The City may change standards that apply to a property through a Zoning Code text or map amendment as provided in 155.432 (Zoning Code and General Plan Amendments).
 - 3. The City may also change standards that apply to a property through a specific plan and/or development agreement as provided in Government Code Sections 65450 et seq. and 65864 et seq., respectively.

155.412.020 – Review Authority; Appeals

- A. Projects Requiring Multiple Permits.** Projects requiring multiple permit applications must be reviewed and acted upon by the highest review authority designated by the Zoning Code for any of the applications (e.g., a project requiring a Zoning Map Amendment and a Conditional Use Permit will have both applications decided by the City Council, instead of the Planning Commission acting on the Conditional Use Permit).
- B. Appeals.** All decisions on permits and approvals in this section may be appealed in accordance with 155.416 (Appeals and Reviews).

155.412.030 – Administrative Adjustments

- A. Purpose.** An Administrative Adjustment is a discretionary process to determine if a project is eligible for a modified or relaxed standard.
- B. When Allowed.** Standards that may be modified with an Administrative Adjustment are identified in Zoning Code Article 2 (Zoning Districts) and Article 3 (Citywide Standards).
- C. Review Authority.** The Director reviews and takes action on Administrative Adjustment requests.
- D. Applications.** An applicant must request an Administrative Adjustment using an official Department form accompanied by all fees, information, and materials required by the Department.
- E. Public Notice and Hearing.** None required.
- F. Findings for Approval.**
 - 1. To approve an Administrative Adjustment application, the Director must make all of the following findings:
 - a. The adjustment is consistent with the purpose of the zoning district, the General Plan, and any applicable specific plan or area plan adopted by the City Council.
 - b. The adjustment will not deprive neighboring property owner of the reasonable economic use and enjoyment of their property.
 - c. The adjustment will not be materially detrimental to the public health, safety, or welfare.
 - 2. The Director must also make any additional findings required for the specific modification as identified where the original standard appears in Zoning Code Article 2 (Zoning Districts) and/or Article 3 (Citywide Standards).

155.412.040 – Design Review

- A. Purpose.** Design Review is a discretionary process to ensure that the street-facing facades of proposed developments exhibit high quality design, complement neighboring properties, and contribute to Eureka’s distinctive identity and unique sense of place.
- B. When Required.**
1. The following types of projects require Design Review:
 - a. Additions adding 30 percent or more floor area to the total existing floor area of a building in the R2 or R3 zoning districts or in a mixed-use zoning district.
 - b. New buildings that are 500 square feet or more in the R2 or R3 zoning districts or in a mixed-use zoning district.
 - c. Any exterior modification to a street-facing building façade located on a Pedestrian-focused Frontage (See Figure 208-4 in 155.208 (Mixed Use Zoning District)).
 - d. Wireless Telecommunication Facilities See Municipal Code Chapter 159 (Wireless Telecommunications Facilities)).
 2. As used in Paragraph (1) of this division, “commercial land use” means any land use listed in 155.504.030.B (Commercial – Sales) or 155.504.030.C (Commercial – Service and Office). An “industrial or storage” land use means any land use listed in 155.504.030.D (Industrial and Storage).
- C. Exemptions.** The following projects are exempt from Design Review:
1. Single-family homes and accessory dwelling units.
 2. Modifications and additions to existing structures where the modification or addition is not facing an adjacent public street.
 3. Buildings occupied by the following use categories, as identified in 155.504 (Land Use Classifications):
 - a. Agricultural and natural resource uses.
 - b. Civic and recreation uses.
 - c. Infrastructure and utility uses.
 4. Projects or project features to serve a person with disabilities under the Americans with Disabilities Act (ADA).
- D. Signs.** The Design Review Committee serves as the review authority for signs that require a Master Sign Permit or Creative Sign Permit. However, these sign permit applications are not subject to the Design Review process required by this section. To approve a sign permit, the Design Review Committee uses exclusively the review and approval criteria in 155.338

(Signs). The Design Review Committee does not consider the Design Review criteria in 155.412.040.I (Design Review Criteria) when acting on a sign permit.

E. Review Authority.

1. The Design Review Committee conducts Design Review for all projects except as follows:
 - a. If the project also requires review by the Historic Preservation Commission (HPC) as provided in Municipal Code Chapter 157 (Historic Preservation), the HPC conducts Design Review.
 - b. If the project also requires a permit from the Planning Commission, the Planning Commission conducts Design Review.
 - c. If the project also requires City Council approval, the City Council conducts Design Review.
2. When the Planning Commission or City Council conducts Design Review, the Department may request informal input from individual Design Review Committee members prior to Planning Commission action on the project. The Design Review Committee does not hold a formal meeting on the proposed project prior to Planning Commission or City Council review.

F. Application Submittal and Review. Design Review applications must be submitted and reviewed in compliance with 155.408 (Permit Procedures).

G. Public Notice and Hearing. The review authority must review and act on a Design Review application at a noticed public hearing in compliance with 155.408.100 (Public Hearings).

H. Scope of Design Review.

1. When acting on a Design Review application, the review authority must consider only those project features directly related to the Design Criteria described in 155.412.040.I (Design Review Criteria).
2. The review authority may not consider exterior building colors or other color choices included as part of a proposed project.
3. When conducting Design Review, the review authority may not require a modification to a project feature that complies with mandatory development standards in the Zoning Code. For example, if a project complies with the minimum setback requirement, the review authority may not require an increased setback as a condition of Design Review approval. Design Review is intended to address only aesthetic considerations not otherwise regulated by the Zoning Code.
4. Design Review may not require project changes to improve the economic viability of a business as perceived by the review authority.

- I. Design Review Criteria.** To approve a Design Review application, the Review Authority must find that the proposed project complies with all of the following Design Review criteria to the extent they apply.
1. **Community Character.** The overall project design enhances Eureka’s unique character and distinctive sense of place. A variety of building types and styles respects Eureka’s architectural heritage and embraces forward-looking creative expression.
 2. **Surrounding Context.** The overall project and associated buildings enhance the design quality of the area where they are located. New buildings may “fit in” with traditional architecture that matches or compliments the surrounding context or “stand out” with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible.
 3. **Pedestrian Environment.** Buildings incorporate design features that support an active public realm and an inviting pedestrian environment.
 4. **Architectural Style.** Buildings demonstrate a coherent and successfully executed architectural style. Building architecture may be traditional or modern. Buildings are not required to conform to any dominant architectural style or local vernacular. Creative architectural and artistic expression is encouraged.
 5. **Articulation and Visual Interest.** Building facades are distinctive, create visual interest, and relate to the human scale through vertical and horizontal articulation, varied building planes, distinctive building elements, and/or noticeable architectural details. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as articulation, trim, eaves, window boxes, and brackets contribute to the visual interest of the building.
 6. **Materials.** Building facades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.
 7. **Safety.** The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility, and features that promote a sense of ownership of outdoor space.
 8. **Landscaping.** Landscaping features low-water-use plants appropriate for the local climate and does not include any invasive species that would be harmful to native plants and habitat, in compliance with 155.320.050.D (Invasive Plants).
- J. Findings.** To approve a Design Review application, the review authority must make all of the following findings:

1. The proposed project is consistent with the General Plan, any applicable specific plan or area plan, and other design policies and regulations adopted by the City Council.
2. The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code.
3. The proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.
4. The proposed project complies with all applicable Design Review criteria in 155.412.040.I (Design Review Criteria).

K. Building Permits.

1. For projects subject to Design Review, the Building Department may not accept a Building Permit application until after Design Review approval.
2. The Building Department may issue a certificate of occupancy or other final Building Permit sign-off only after the Department has physically inspected the project site and verified that the as-built project conforms with Design Review approved plans and conditions of approval.

155.412.050 – Home Occupation Approvals

See 155.302.070.B (Permits Required).

155.412.060 – Infill Incentive Permits

- A. Purpose.** An Infill Incentive Permit allows deviations from development standards for projects that provide community benefits and/or public amenities. Infill Incentive Permits are discretionary actions intended to encourage high-quality infill development and/or the adaptive reuse of properties suitable for redevelopment.
- B. Where Allowed.** An Infill Incentive Permit is available for projects in the residential, mixed-use, and industrial zoning districts.
- C. Types of Infill Incentive Permits.** The Zoning Code establishes two types of Infill Incentive Permits: Minor Infill Incentive Permits and Major Infill Incentive Permits.
- D. Review Authority.**
1. **Minor Infill Incentive Permits.** The Director reviews and takes action on Minor Infill Incentive Permit applications.
 2. **Major Infill Incentive Permits.** The Planning Commission reviews and takes action on Major Infill Incentive Permit applications.
- E. Required Benefits.** The review authority may approve an Infill Incentive Permit for projects that provide at least two of the following community benefits:

1. **Architectural Features.** The project incorporates four of the architectural features described in 155.306.050 (Architectural Features).
2. **Vertical Mixed Use.** The project creates two or more new upper-story residential units as a part of a vertical mixed-use development within 900 feet of a public transit bus stop where the average interval of time between buses is 90 minutes or less (90-minute headways) during weekday daytime hours. Mixed-use development must be permitted in the applicable zoning district to qualify as a benefit.
3. **Historic Preservation.** The project renovates a designated historic resource in compliance with Chapter 157 (Historic Preservation).
4. **Environmental Remediation.** The project remediates contaminated soil or water.
5. **Green Building.** The project will be a LEED-certified green building.
6. **Blight/Nuisance Abatement.** The project eliminates blight, a public nuisance, or a public health or safety hazard.
7. **Child Care.** The project includes an on-site childcare facility.
8. **Electric Vehicle Charging Stations.** The project provides an electrical vehicle charging station for each parking space that serves a residential unit and/or for at least 25 percent of spaces that serve a non-residential use. For EV-equipped parking spaces beyond the minimum required by 155.316.050.C (Electric Vehicle Charging), EV-equipped parking spaces that serve a residential unit may be used by non-electric vehicles.
9. **Materials and Building Elements.** The project incorporates exterior materials or building elements of a higher quality than conventional construction. Examples include:
 - a. Siding: All exterior walls are sided with wood shake, ornamental metal, tile, brick, stone, or stained wood.
 - b. Doors and Windows: All doors and windows are solid wood and/or feature shutters, stained glass, or true divided muntins.
 - c. Roofing Materials: All roof surfaces feature wood shingle or shake, standing seam metal, clay or concrete tile, slate shingles, or a green/living roof.
 - d. Fixtures: High grade fixtures on all building walls visible from a public street or sidewalk that add significantly to the architectural character of the building such as light fixtures, door hinges and handles, decorative hanging sign or awning brackets.
10. **Community Amenities.** The project creates or preserves a cultural, recreational, employment, or other amenity that the adds significantly to the quality of life of the

neighborhood or the community. The community amenity must be an allowed use in the applicable zoning district to qualify as a benefit.

F. Incentives.

1. **Available Incentives.** An Infill Incentive Permit may allow deviations to development standards as shown in Table 412-1.

Table 412-1: Allowed Deviations through Infill Incentive Permit

Standards	Allowed Deviation	
	Minor Infill Incentive Permit	Major Infill Incentive Permit
Increase Maximum Building Height		
Residential Zoning Districts	15%	25%
Mixed-Use and Industrial Zoning Districts	20%	35%
Increase Maximum Floor Area Ratio		
Residential Zoning Districts	15%	25%
Mixed-use and Industrial Zoning Districts	20%	35%
Increase Maximum Residential Density [1]		
R1 Zoning District [2]	N/A	1 additional unit
R2 [3]	1 additional unit	33 percent increase
R3 Zoning Districts [3]	2 additional units	33 percent increase
Hinge Zoning District	1 additional unit	33 percent increase
Reduce Minimum Lot Line Setbacks		
Residential Zoning Districts	25%	50%
Increase Maximum Site Coverage		
Residential Zoning Districts	15%	25%
Reduce Minimum On-Site Parking Spaces		
R1, R2, and R3 Zoning Districts	20%	50%
Mixed-use and Industrial Zoning Districts	20%	50%
Notes:		
[1] See 155.412.050.G (Increased Density Requirements).		
[2] Minimum lot area of 5,000 square feet required for increased density.		
[3] Minimum lot area of 6,000 square feet required for increased density.		

2. **Number of Incentives.** The maximum number of standards which may be modified through an Infill Incentive Permit is as follows:
 - a. Minor Infill Incentive Permits: One deviation to development standards as shown in Table 412-1.
 - b. Major Infill Incentive Permit: Two deviations to development standards as shown in Table 412-1.
- G. Increased Density Requirements.** To be eligible for increased residential density as provided in Table 412-1, a project must meet the following criteria:
1. **Adjacency to High Volume Streets.** The project is on a lot within 250 feet from a street designated as a major arterial, minor arterial, or a major collector in the General Plan Figure M-1 Circulation Diagram.
 2. **Factors Supporting Higher Density.** The lot containing the project satisfies one or more of the following requirements:
 - a. Any portion of the lot is within 900 feet of a community park as defined in the General Plan.
 - b. Any portion of the lot is within 600 feet of a bus stop.
 - c. Any portion of the lot is within 600 feet of a school.
 - d. Any portion of the lot is within 900 feet of a mixed-use zoning district or a residential zoning district with a higher allowed density.
 - e. The lot has been unimproved (containing no buildings) for ten years or longer.
 - f. The Neighborhood Market (NMO) overlay zone applies to the lot.
 3. **Reduced Unit Size and Affordability.** The project satisfies one or more of the following requirements:
 - a. All of the additional units allowed through the increased density are 500 square feet or less.
 - b. For market-rate projects where the majority of units are not income-restricted, a minimum of one unit or 10 percent of units (whichever is more) are deed restricted to households earning 50 percent or less of the Humboldt County median income.
 - c. For affordable housing projects where all units are income-restricted, a minimum of one unit or 60 percent of units (whichever is more) are deed restricted to households earning 50 percent or less of the Humboldt County median income.
- H. Application Submittal and Review.** Infill Incentive Permit applications must be submitted and reviewed in compliance with 155.408 (Permit Procedures).

I. Public Notice and Hearing.

1. **Minor Infill Incentive Permits.** Public notice of the Director's pending decision on a Minor Infill Incentive Permit application will be provided in compliance with 155.408.090 (Notice of Pending Action). The Director will hold a public hearing only after receiving a written request for a public hearing, or upon determining a public hearing is necessary.
2. **Major Infill Incentive Permits.** The Planning Commission must review and act on a Major Infill Incentive Permit application at a noticed public hearing in compliance with 155.408.100 (Public Hearing).

J. Findings for Approval. To approve an Infill Incentive Permit, the review authority must make all of the following findings:

1. The proposed project substantially advances General Plan objectives to prioritize development of vacant and underutilized infill properties and/or revitalize existing properties.
2. The community benefits provided by the project are of a sufficient value to justify the deviations to development standards allowed by the permit.
3. The adjustment will not deprive neighboring property owners of the reasonable economic use and enjoyment of their property.
4. The adjustment will not be materially detrimental to the public health, safety, or welfare.

155.412.070 – Minor Modifications

A. Purpose. A Minor Modification allows for small deviations from development standards to accommodate projects that are compatible with and appropriate for the area where they are located.

B. When Allowed.

1. **Permitted Modifications.**
 - a. The Director may approve a Minor Modification to allow deviation from a physical development standard that applies to the subject property. Examples of physical development standards include lot area, site coverage, building height, setbacks, fence and wall height, floor area ratio (FAR), and on-site parking space dimensions.
 - b. The maximum deviation allowed with a Minor Modification is 10 percent of the standard, except that fence and wall height deviation may be increased by up to 20 percent with a Minor Modification.

2. **Calculating Allowed Deviations.** The maximum deviation allowed with a Minor Modification is calculated as 10 percent of the amount, distance, or area required by the standard. For example, if the maximum permitted height is 30 feet, up to three additional feet (10 percent of 30 feet) may be allowed with a Minor Modification.
 3. **Modifications Not Allowed.** A Minor Modification may not be granted to allow deviation from:
 - a. The General Plan;
 - b. Increased residential density;
 - c. Required parking spaces; and
 - d. Design standards with no quantified standard (e.g., building entries facing the street)
- C. Review Authority.** The Director reviews and takes action on Minor Modification applications.
- D. Applications.** An application is not required for a Minor Modification. Department staff will review the project information submitted for a Building Permit or other required City approvals when acting on the Zoning Clearance or discretionary approval.
- E. Public Notice and Hearing.** None required.
- F. Findings for Approval.** To approve a Minor Modification application, the Director must make all of the following findings:
1. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.
 2. The modification is consistent with the purpose of the zoning district, the General Plan, and any applicable specific plan or area plan adopted by the City Council.
 3. The adjustment will not deprive neighboring property owners of the reasonable economic use and/or enjoyment of their property.
 4. The adjustment will not be materially detrimental to the public health, safety, or welfare.
- G. Effect of Decision.** A Director decision on a Minor Modification is based on the merits of an individual application. Approval of a Minor Modification does not establish a precedent for future similar applications.

155.412.080 – Reasonable Accommodations

- A. Purpose.** This subsection establishes a procedure for requesting reasonable accommodation in land use, zoning, and building regulations to provide persons with disabilities equal access to housing consistent with the Federal Fair Housing Act (42 U.S.C.

Section 3601 et seq.) and the California Fair Employment and Housing Act (Government Code Section 12955 et seq.). A reasonable accommodation is typically a ministerial adjustment to physical design standards to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.

B. When Allowed.

1. **Eligible Applicants.** A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of the Zoning Code or other land use or building regulation, policy, or practice acts as a barrier to fair housing opportunities.
2. **Definition.** A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment.
3. **Eligible Request.** A request for reasonable accommodation may include a request for a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers.

C. Review Authority. The Director takes action on all reasonable accommodation applications.

D. Application Requirements. A request for reasonable accommodation must be submitted in compliance with 155.408 (Permit Procedures).

E. Application Review.

1. The Director must make a written determination to either grant, grant with modifications, or deny a request for reasonable accommodation.
2. If necessary to reach a determination on the request for reasonable accommodation, the Director may request further information from the applicant consistent with fair housing laws.

F. Criteria for Decision. To approve a Reasonable Accommodation request, the Director must make all of the following findings:

1. The housing subject to the request will be used by an individual with disabilities protected under fair housing law.
2. The request for reasonable accommodation is necessary to make housing available to an individual with disabilities protected under fair housing law.
3. Potential impacts on surrounding uses are acceptable.

4. Physical attributes of the property and structures reasonably allow for the accommodation.
5. Availability of other reasonable accommodations that may provide an equivalent level of benefit have been assessed.

G. Conditions of Approval.

1. In approving a request for reasonable accommodation, the Director may impose conditions of approval to minimize impacts on surrounding uses and ensure consistency with the purpose of the zoning district, the General Plan, and any applicable specific plan or area plan adopted by the City Council.
2. A reasonable accommodation approval may be conditioned to provide for its automatic expiration and/or removal under appropriate circumstance (e.g., the disabled resident vacates the property).

155.412.090 – Sign Permits

See 155.338.060 (Sign Permits).

155.412.100 – Tree Permits

See 155.302.140.C (Tree Permit Required).

155.412.110 – Use Permits

- A. Purpose.** Use Permits are required for land uses that are generally appropriate within a zoning district, but where the potential impacts of the use on a site and its surroundings must be evaluated, and where conditions of approval may be needed. Use Permits are discretionary actions that enable the City to ensure that a proposed use is consistent with the General Plan and will not create negative impacts to adjacent properties or the general public.
- B. Types of Use Permits.** The Zoning Code establishes two types of Use Permits: Minor Use Permits and Conditional Use Permits.
- C. Review Authority.**
1. **Minor Use Permits.** The Director reviews and takes action on Minor Use Permit applications.
 2. **Conditional Use Permits.** The Planning Commission reviews and takes action on Conditional Use Permit applications.
- D. When Required.** Land uses that require a Use Permit are shown in the land use regulation tables for each zoning district found in Article 2 (Zoning Districts).

E. Public Notice and Hearing.

1. **Minor Use Permits.** Public notice of the Director's pending decision on a Minor Use Permit application must be provided in compliance with 155.408.090 (Notice of Pending Action). The Director will hold a public hearing only after receiving a written request for a public hearing or upon determining that a public hearing is necessary.
2. **Conditional Use Permits.** The Planning Commission must review and act on a Conditional Use Permit application at a noticed public hearing in compliance with 155.408.100 (Public Hearing).

F. Findings for Approval. To approve a Use Permit, the review authority must make all of the following findings:

1. The proposed use is consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council.
2. The site is suitable for the size, design, and operating characteristics of the proposed use.
3. The proposed use will be compatible with existing and planned land uses in the vicinity of the property.
4. The proposed use will not be detrimental to the public health, safety, and welfare.
5. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.

G. Permits to Run with the Land. See 155.420.120 (Permits to Run with the Land).**H. Expiration of Use Permits.** See 155.420.090.C (Discontinued Uses).**155.412.120 – Variances**

A. Purpose. A Variance is a discretionary approval that allows for deviation from physical development standards in the Zoning Code. The City may grant a Variance only when the strict application of development standards creates a unique hardship due to unusual circumstances associated with the property.

B. When Allowed.

1. **Allowable Variances.** The City may grant a Variance to allow for deviation from any physical development standard that applies to the subject property. Examples of physical development standards include height, setbacks, open space, floor area ratio (FAR), and off-street parking requirements.
2. **Variances Not Allowed.** A Variance may not be granted to:
 - a. Permit a use other than a use permitted in the zoning district as specified in Part 2 (Zoning District Standards);

- b. Allow deviation from a requirement of the General Plan (e.g., maximum residential density in zoning district); and
 - c. Allow deviations to Zoning Code standards to reduce construction costs.
- C. Types of Variances.** The Zoning Code establishes two types of variances: Major Variances and Minor Variances.
 1. **Minor Variance.** A Minor Variance allows a deviation from a standard by 20 percent or less.
 2. **Major Variances.** A Major Variance allows a deviation from a standard by more than 20 percent.
- D. Calculating Deviations.** A deviation allowed with a Variance is calculated as a percentage of the distance or area required by the standard. For example, if the minimum required setback is 20 feet, the setback may be reduced by four feet to 16 feet (a four-foot reduction is 20 percent of 20 feet). The same setback may be reduced to any distance less than 16 feet with a Major Variance.
- E. Review Authority.**
 1. **Minor Variance.** The Director reviews and takes action on Minor Variance applications.
 2. **Major Variances.** The Planning Commission reviews and takes action on Major Variance applications.
- F. Application Submittal and Review.** Variance applications must be submitted and reviewed in compliance with 155.408 (Permit Requirements).
- G. Public Notice and Hearing.**
 1. **Minor Variance.** Public notice of the Director's pending decision on a Minor Variance Permit application will be provided in compliance with 155.408.090 (Notice of Pending Action). The Director must hold a public hearing only after receiving a written request for a public hearing or upon determining that a public hearing is necessary.
 2. **Major Variance.** The Planning Commission must review and act on a Major Variance application at a noticed public hearing in compliance with 155.408.100 (Public Hearing).
- H. Findings for Approval.** To approve a Variance, the review authority must make all of the following findings:
 1. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zoning district as the subject property.

2. The strict application of the Zoning Code regulation would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zoning district as the subject property.
 3. The Variance is necessary to preserve a substantial property right possessed by other properties in the vicinity or in the same zoning district as the subject property.
 4. The Variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zoning district as the subject property.
 5. The Variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zoning district as the subject property.
- I. **Precedent.** The approval of a Variance does not set a precedent for the granting of any future Variance. Each application must be considered only on its individual merits.

155.412.130 – Zoning Clearances

- A. **Purpose.** A Zoning Clearance is a ministerial process to confirm that a proposed structure or land use complies with the Zoning Code.
- B. **When Required.** A Zoning Clearance is required before:
1. An applicant establishes a land use permitted by right in the zoning district;
 2. The City issues a new or modified business license; or
 3. The City issues a building permit, grading permit, or other construction-related permit to:
 - a. Establish a new structure or use;
 - b. Move or reconstruct an existing structure;
 - c. Modify an existing structure to accommodate a change in use; or
 - d. Enlarge or expand an existing structure.
- C. **Relationship to Discretionary Permits.** When a project requires a discretionary action, a discretionary approval serves as the equivalent of a Zoning Clearance.
- D. **Applicant Requests.** A property or business owner may request a Zoning Clearance to provide documentation that an existing structure or use complies with the Zoning Code.
- E. **Review Authority.** A Zoning Clearance is approved by Department staff. Controversial and complex projects will be referred to the Director for review and approval.

- F. Applications.** An application is not required for a Zoning Clearance. Department staff will review the project information submitted for a Building Permit or other required City approvals when acting on the Zoning Clearance.
- G. Review and Action.**
1. Department staff will review the project information to verify compliance with the Zoning Code. If the project complies with all applicable requirements, the Department staff must approve the Zoning Clearance.
 2. Zoning Clearance approval may be in the form of a stamp, signature, or other official notation on approved plans, a letter to the applicant, or other similar certification or form.

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Section 155.416 – APPEALS AND REVIEWS

Subsections:

155.416.010 –Purpose

155.416.020 – Appeal Subjects and Jurisdiction

155.416.030 – Filing and Processing of Appeals

155.416.040 – Calls for Review

155.416.050 – Judicial Review

155.416.010 –Purpose

This section establishes procedures for the appeal and review of decisions made on ministerial and discretionary actions.

155.416.020 – Appeal Subjects and Jurisdiction

A. Appealable Decisions.

1. Table 404-1 in 155.404 (Administrative Responsibilities) identifies decisions that may be appealed and the body that hears the appeal.
2. In addition to the permits and decisions in Table 404-1, any discretionary decision made by the Director when administering the Zoning Code may be appealed to the Planning Commission, and any discretionary decision by the Planning Commission may be appealed to the City Council.
3. Ministerial actions of the Department, Director, and other City staff when administering the Zoning Code may be appealed to the Planning Commission.

155.416.030 – Filing and Processing of Appeals

A. Eligibility.

1. Any aggrieved person may submit an appeal of decisions shown in Table 404-1 in 155.404 (Administrative Responsibilities).
2. For decisions made at a public hearing, an appeal may only be filed by a person who:
 - a. Submitted written concerns about specific aspects of the project for consideration by the review authority at the public hearing; or
 - b. Verbally expressed concerns about specific aspects of the project during the public comment period for the public hearing; or
 - c. Submitted written comments to the Department prior to the public hearing expressing concerns about specific aspects of the project.

3. City staff may file an appeal only as an aggrieved person separate from their official powers and duties. If a City staff person or a City official files an appeal as an aggrieved person, then that City staff person or City official may not advise the decision-making body for that appeal in their official capacity but may participate as a citizen.
 4. City Council members may request City Council review of a decision as provided in 155.416.040 (Calls for Review).
- B. **Timing of Appeal.** An appeal must be filed within ten days following the date of the decision, unless a longer appeal period is specified as part of the project approval.
- C. **Form of Appeal.**
1. An appeal must be submitted in writing on a form provided by the City with all required fees. Appeals must be submitted to:
 - a. The Department for appeals of Director and Design Review Committee decisions; and
 - b. The City Clerk for appeals of Planning Commission decisions.
 2. The appeal must state the pertinent facts and the basis for the appeal.
 3. The whole decision or part of the decision may be appealed. If an appellant chooses, an appeal may be taken solely from any finding, action, or condition.
 4. For decisions made at a public hearing, an appeal is limited to:
 - a. Issues raised at or prior to the hearing, either through public comment or in writing; or
 - b. Information that was not known by the review authority when the decision was made.
 - c. Decisions resulting from the review authority's abuse of discretion.
- D. **Effect of Appeal.** Once an appeal is filed, any action on the associated project is suspended until the appeal is processed and a final decision is rendered by the appeal body.
- E. **Report and Scheduling of Hearing.**
1. When an appeal has been filed, the Department will prepare a report on the matter, including all of the application materials in question.
 2. The Department must schedule the matter for a public hearing by the appeal body within 60 days of the filing of the appeal.
 3. Notice of the hearing will be provided and the hearing must be conducted in compliance with 155.408.100 (Public Hearings).
 4. Any interested person may appear and be heard regarding the appeal.

5. All appeals on a single project must be considered together at the same hearing, including any continuation thereof.

F. Hearing and Decision.

1. During the appeal hearing, the appeal body may take action on the subject of the appeal or any aspect of the appealed project (de novo review). The appeal body must make its own decision supported by findings.
2. The appeal body's decision may:
 - a. Affirm, modify, or reverse the action that is the subject of the appeal;
 - b. Adopt additional conditions of approval that address the matter appealed;
 - c. Remand the appeal for further review, recommendation, or action to the previous review authority; or
 - d. In the case of appeals heard by the Planning Commission, forward the appeal to the City Council for review and decision.
3. The appeal body's action must be based on findings of fact about the particular case. The findings must identify the reasons for the appeal body's action and verify the compliance of the subject of the appeal with the Zoning Code.
4. A matter being heard on appeal may be continued for good cause (e.g., additional California Environmental Quality Act (CEQA) review is required).
5. If the appeal body is unable to reach a decision on the matter appealed, the appeal is denied and the decision of the previous review authority remains in effect.

G. Effective Date of Appeal Decision.

1. **City Council Decision.** A decision of the City Council on an appeal is final and effective on the date the decision is rendered.
2. **Other Decisions.** A decision of the Planning Commission or Design Review Committee is final and effective ten days after the decision is made, unless an appeal or call for review has been filed in compliance with this section.

155.416.040 – Calls for Review

- A. **City Council Review.** The City Council may review and take final action on any discretionary decision or ministerial action by the Director, Design Review Committee, Historic Preservation Commission, or Planning Commission.

B. Initiation.

1. A call for review is initiated when the Director, the Chief Building Official, or two City Council members file written requests for review with the City Clerk within ten days following the date of the decision.
2. The project applicant must be notified within ten days of initiating a call for review.

C. Effect of Calls for Review.

1. Once a call for review is initiated, any action or appeal on the associated project is suspended until the City Council makes a final decision on the matter.
2. The filing of a call for review does not extend the time in which an appeal of a decision may be filed; the normal appeal period will continue to run.
3. Where a call for review only applies to a limited issue, an aggrieved person may still appeal all or another part of a decision.
4. If a decision is both appealed and called for review, the City Council will act on the appeal simultaneously with the matter called for review.

D. Report and Scheduling of Hearing.

1. When a call for review has been initiated, the Department will prepare a report on the matter, including the application and all materials used to support the original action.
2. The Department must schedule the matter for a public hearing before the City Council within 60 days of the call for review.
3. Notice of the hearing will be provided, and the hearing will be conducted in compliance with 155.408.100 (Public Hearings).
4. Any interested person may appear and be heard regarding the call for review.

E. Hearing and Decision.

1. During the public hearing, the City Council may consider any issue involving the matter called for review, in addition to the specific grounds for the call for review. The City Council may:
 - a. Affirm, affirm in part, or reverse the action that is the subject of the call for review; or
 - b. Adopt additional conditions of approval that may address issues or concerns.
2. The City Council's action must be based on findings of fact about the particular case. The findings must identify the reasons for the action on the matter called for review, and verify the compliance of the matter with the Zoning Code.

3. Within 60 days of the initial public hearing on the call for review, the City Council must make a decision on the matter, unless it is continued for good cause (e.g., additional CEQA review is required).
 4. If the City Council is unable to reach a decision on the matter under review, the decision of the previous review authority remains in effect.
- F. **Effective Date of Review Decision.** A decision of the City Council is final and becomes effective on the date the decision is made.

155.416.050 – Judicial Review

No person has standing to seek judicial review of a City decision on a permit or other matter under the Zoning Code unless and until all appeals have been exhausted.

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Section 155.420 – POST-APPROVAL PROVISIONS

Subsections:

- 155.420.010 – Purpose
- 155.420.020 – Notice of Decision
- 155.420.030 – Effective Date of Decision
- 155.420.040 – Issuance of Permits
- 155.420.050 – Conformance to Approved Plans
- 155.420.060 – Certificates of Occupancy
- 155.420.070 – Performance Guarantees
- 155.420.080 – Changes to an Approved Project
- 155.420.090 – Permit Expiration
- 155.420.100 – Extension of Time
- 155.420.110 – Resubmittals Following Denial or Revocation
- 155.420.120 – Permits to Run with the Land

155.420.010 – Purpose

This section establishes permit procedures and requirements that apply after an application is approved.

155.420.020 – Notice of Decision

- A. Notice Given.** Within two business days following the review authority’s decision on a permit application, the Department will provide notice of the decision to the applicant and to any person who specifically requested notice of the decision.
- B. Notice Contents.** Notice of a final decision must contain applicable findings, conditions of approval, reporting and monitoring requirements, and appeal procedures.

155.420.030 – Effective Date of Decision

- A. City Council Decisions.**
 - 1. A City Council decision on a Zoning Code Amendment is final and becomes effective 30 days after the decision is made.
 - 2. A City Council decision on permits, appeals, General Plan Amendments adopted by resolution, and other non-legislative matters is final and effective on the date the decision is made, unless otherwise stated in the approving resolution.
- B. Other Decisions.** The following applies to decisions of the Director, Design Review Committee, and Planning Commission:

1. If an appealable decision is not appealed or called for review in compliance with 155.416 (Appeals and Reviews), the decision is final and effective ten days after the decision is made.
2. For decisions appealed to the Planning Commission, the decision is final and effective ten days after the Planning Commission decision unless an appeal of the decision to the City Council is filed in compliance with 155.416 (Appeals and Reviews).
3. For decisions appealed to or reviewed by the City Council, the decision is final when the City Council makes a final decision on the appeal
4. A non-appealable decision is final and effective on the date the decision is made.

155.420.040 – Issuance of Permits

Permits may not be issued until the effective date.

155.420.050 – Conformance to Approved Plans

- A. **Compliance.** All work performed under an approved permit must be in compliance with the approved plans and any conditions of approval and/or mitigation measures.
- B. **Changes.** Changes to an approved project must be submitted and processed in compliance with 155.420.080 (Changes to an Approved Project).

155.420.060 – Certificates of Occupancy

The Building Department may issue a certificate of occupancy or other final permit sign-off only after the Department verifies that the project conforms to the approved plans and any conditions of approval.

155.420.070 – Performance Guarantees

- A. **Security Required.** The City may require an applicant to provide adequate security to guarantee the proper completion of approved work or compliance with conditions of approval.
- B. **Form of Security.** The security must be in the form of cash, a certified or cashier's check, or a performance bond executed by the applicant and a corporate surety authorized to do business in California and approved by the Department.
- C. **Amount of Security.** The Department will determine the amount of the security necessary to ensure proper completion of the approved work or compliance with conditions of approval.

- D. **Duration of Security.** The security must remain in effect until all work has been completed and conditions fulfilled to the satisfaction of the Department or until a specified warranty period has elapsed.
- E. **Release of Security.** The Department must release the security upon completion of the approved work or compliance with conditions of approval.
- F. **Failure to Comply.**
 - 1. Upon failure to complete work or comply with conditions, the Department may complete the work or fulfill the conditions and may collect from the applicant or surety all costs incurred, including administrative, engineering, legal, and inspection costs.
 - 2. The Department must refund any unused portion of the security to the funding source.

155.420.080 – Changes to an Approved Project

This subsection establishes procedures for an applicant to request a change to an approved project.

- A. **Request for a Change.** An applicant must request changes in writing, with appropriate supporting materials and an explanation for the request.
- B. **Major Changes.** A major change to an approved project means any change that does not qualify as a minor change under 155.420.080.C (Minor Changes). Major changes must be approved by the same review authority as the original approval. The same public notice and hearing requirements that applied to the original approval also apply to the requested major change.
- C. **Minor Changes.**
 - 1. The Director may authorize minor changes to an approved project if the changes:
 - a. Are consistent with the Zoning Code;
 - b. Are consistent with the spirit and intent of the original approval;
 - c. Do not involve a feature of the project that was a mitigation measure or a basis for findings in a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report for the project;
 - d. Do not involve a feature of the project that was a basis for conditions of approval for the project;
 - e. Do not involve a feature of the project that was a specific consideration by the review authority in granting the approval; and
 - f. Do not involve any expansion, intensification, or increase in size of the land use or structure beyond the original approval.

2. The Director may approve minor changes without a noticed public hearing.

155.420.090 – Permit Expiration

- A. **General.** As provided in this subsection, approved permits automatically expire without further action by the City unless:
 1. An extension of time is approved under 155.420.100 (Extension of Time); or
 2. An alternative timeframe is established by the review authority in accordance with 155.420.100 (Extension of Time).
- B. **Time Limits.**
 1. A permit expires two years after approval if it is not exercised. A permit is exercised when:
 - a. A building permit is issued and construction has commenced;
 - b. A certificate of occupancy is issued; or
 - c. The land use is established.
 2. After a permit is exercised, the permit expires if, prior to occupancy, construction stops for three years.
- C. **Discontinued Uses.**
 1. Approved use permits do not expire and remain in effect indefinitely unless the City revokes the permit as provided in 155.428.080 (Permit Revocation).
 2. If a land use authorized by a use permit ceases operations for any period of time, the use permit remains valid and the land use may be re-established without the need for a new use permit. A re-established use must comply with all conditions of approval attached to the original permit.
 3. If a legally established land use without a required use permit ceases operations for any period of time, the land use may be re-established only after obtaining City approval of the required use permit.
- D. **Effect of Expiration.**
 1. An expired permit is void and of no further force and effect. An applicant retains no rights previously granted under an expired permit.
 2. To establish a use or structure allowed by an expired permit, an applicant must apply for and receive City approval of a new permit.

155.420.100 – Extension of Time**A. General.**

1. An applicant may request an extension of a permit set to expire under 155.420.090 (Permit Expiration) in accordance with this subsection.
2. An applicant may request two types of extensions:
 - a. A one-year extension approved by the Director; and/or
 - b. A two-year extension approved by the original permit review authority.

B. All Extension Requests. All extension requests must comply with the following:

1. The applicant must submit to the Department a written extension request no later than ten days before the permit expiration date. The request must be accompanied by all fees, information, and materials required by the Department.
2. Filing a written extension request suspends the permit expiration until the review authority acts on the request. Building, grading, or other construction-related permits associated with the permit may not be issued during the suspension period.
3. The review authority may extend the permit if the applicant has proceeded in good faith and has exercised due diligence in efforts to exercise the permit in a timely manner.
4. The burden of proof is on the applicant to demonstrate that the permit should be extended.
5. If the Director is the review authority for the extension request, the Director may choose to refer the request to the Planning Commission for review and final decision.

C. One-Year Extension.

1. The Director may approve a one-year extension to a permit in accordance with 155.420.100.B (All Extension Requests).
2. A noticed public hearing is not required.

D. Two-Year Extensions.

1. The review authority that originally approved the permit may approve a two-year extension to a permit in accordance with 155.420.100.B (All Extension Requests).
2. The same public notice and hearing requirement that applied to the original permit also applies to the two-year extension request.
3. The two-year extension may be in addition to a one-year extension previously approved by the Director, for a total permit extension of three years.

155.420.110 – Resubmittals Following Denial or Revocation

- A. **Resubmittals Prohibited.** For a period of twelve months following the denial or revocation of a permit, the Department may not accept an application for the same or substantially similar permit for the same site, unless the denial or revocation was made without prejudice, and so stated in the record.
- B. **Determination.** The Director determines whether an application is for a permit that is the same or substantially similar to the previously denied or revoked permit.
- C. **Appeals.** The determination of the Director may be appealed to the Planning Commission in compliance with 155.416 (Appeals and Reviews).

155.420.120 – Permits to Run with the Land

Permits issued in compliance with the Zoning Code remain valid upon change of ownership of the site, structure, or land use that is the subject of the approved permit.

Section 155.424 – NONCONFORMITIES

Subsections:

- 155.424.010 – Purpose
- 155.424.020 – Applicability
- 155.424.030 – Nonconforming Site Features
- 155.424.040 – Nonconforming Buildings
- 155.424.050 – Nonconforming Signs
- 155.424.060 – Nonconforming Uses
- 155.424.070 – Nonconforming Lots
- 155.424.080 – Findings

155.424.010 – Purpose

This section establishes regulations for nonconforming site features, buildings, uses, and lots. These regulations are intended to:

- A. Recognize that some nonconforming uses and structures may contribute in a positive manner to Eureka’s unique sense of place and quality of life;
- B. Allow for the continued operation of nonconforming uses that are compatible with neighboring properties;
- C. Allow for the continued use of, and improvement to, some nonconforming structures;
- D. Require nonconforming site features to be brought into conformance with the Zoning Code when reasonable to do so; and
- E. Allow for the development and use of legal nonconforming lots.

155.424.020 – Applicability

- A. **Legal Nonconformities Only.** This section applies to legally established site features, buildings, uses, and lots that do not conform to the regulations of the zoning district in which they are located.
- B. **Not Applicable to Violations.**
 - 1. This section does not apply to nonconformities established in violation of the Zoning Code, or the regulation in effect at the time the nonconformity was established.
 - 2. A nonconformity that was illegally established is considered a violation of the Zoning Code subject to 155.428 (Enforcement and Penalties).

C. Burden of Proof.

1. Any person asserting a right to a nonconformity has the burden of proof to demonstrate, to the satisfaction of the Director, that the nonconformity was legally established. The Director is not responsible to prove the absence of a legal nonconformity.
2. The Director's decision on the legal status of a nonconformity may be appealed in accordance with 155.416 (Appeals and Reviews).

155.424.030 – Nonconforming Site Features

- A. Applicability.** This subsection applies to existing physical improvements on a developed lot that do not conform to the Zoning Code, excluding buildings and signs. See 155.424.040 (Nonconforming Buildings) for rules that apply to houses, garages, and other primary buildings on a lot, and 155.424.050 (Nonconforming Signs) for rules that apply to signs.
- B. Required Compliance.** If a development project requires a Building Permit where the total construction value is \$50,000 or more, the following nonconforming site features must be brought into compliance with the Zoning Code:
1. **Landscaping.** Landscaping required by 155.320.040 (Required Landscape Areas) and 155.320.050 (General Landscape Requirements).
 2. **Parking Lot Landscaping.** Parking lot landscaping required by 155.316.080 (Parking Lot Landscaping) to the extent possible given the configuration of existing development and physical site constraints. For example, if the existing parking lot configuration and striping pattern can only accommodate a two-foot perimeter buffer instead of the required four-foot buffer, the two-foot buffer is allowed.
 3. **Parking Lot Striping.** Parking lot striping as required by City specifications.
 4. **Outdoor Lighting.** Outdoor lighting required by 155.304.050 (Outdoor Lighting).
 5. **Outdoor Storage.** Outdoor storage as required by 155.302.110 (Outdoor Storage).
 6. **Vision Clearance Area.** Any site feature that conflicts with 155.304.040 (Vision Clearance Area).
 7. **Waste Storage.** Solid waste/recyclable material storage areas required by 155.304.070 (Solid Waste/Recyclable Material Storage).
 8. **Screening.** Screening for adjacent residential uses required by 155.304.060 (Screening for Residential Zoning Districts).
- C. Annual Adjustment.** The \$50,000 project valuation threshold in 155.424.030.A (Required Compliance) will be increased for inflation by 3 percent annually, using 2019 as the base year.

D. Exceptions.

1. The following nonconforming site features may continue and are not subject to 155.424.030.B (Required Compliance):
 - a. Fences and walls (155.312);
 - b. Number of required on-site parking spaces (155.316.030);
 - c. Bicycle parking (155.316.070);
 - d. Parking design and development standards (155.316.060); and
 - e. Other site features not specifically identified in 155.424.030.B (Required Compliance).
2. Exempt site features may be repaired or replaced provided the project does not increase or exacerbate the nonconforming aspect of the site feature.

E. Repairs and Modifications.

1. If a nonconforming site feature identified in 155.424.030.B (Required Compliance) is repaired or modified, the site feature must be brought into compliance with the Zoning Code.
2. A nonconforming site feature identified in 155.424.030.D (Exceptions) may be repaired or modified if the project does not increase or exacerbate the nonconforming aspect of the site feature. For example, a fence that exceeds the maximum height allowed by 155.312 (Fences and Walls) may be repaired or replaced if the fence height is not increased.
3. A project that increases or exacerbates the nonconforming aspect of any nonconforming site feature is subject to the permit requirements for Variances and Minor Modifications in 155.412 (Specific Permits and Approvals). For example, increasing the height of a nonconforming fence that exceeds the maximum height allowed by 155.312 (Fences and Walls) requires a Minor Modification or Variance. See 155.412 (Specific Permit Requirements).

155.424.040 – Nonconforming Buildings

A. Applicability. This subsection applies to nonconforming houses, garages, and other buildings as defined in 155.508 (Glossary). See 155.424.030 (Nonconforming Site Features) for rules that apply to other types of nonconforming structures.

B. Permitted Modifications.

1. A nonconforming building may be repaired, modified, or enlarged if the project does not increase or exacerbate the nonconforming aspect of the building. For example, a remodel of a home that exceeds the height standard but that doesn't increase the

home’s height is allowed with a Zoning Clearance; no other Department permits are required.

2. Unless otherwise allowed by this section, a project that increases or exacerbates the nonconforming aspect of a building requires either a Minor Modification or Variance depending on the nature of the modification. For example, a remodel that increases the height of a home exceeding the maximum building height standard requires a Minor Modification or Variance. See 155.412 (Specific Permit Requirements).
- C. Expansions of Use.** An increase in floor area occupied by a permitted use in a nonconforming building is allowed subject to the limitations in 155.424.040.B (Permitted Modifications).
- D. Established Side Setbacks for Building Additions.** See 155.204.030.E (Established Setbacks for Building Additions).
- E. Damage, Destruction, and Demolition**
1. **Reconstruction Defined.** “Reconstructed” means rebuilding a damaged or destroyed building in a manner similar but not identical to the original structure. A reconstructed building generally recreates the original building footprint, mass, and height, but may deviate from design details such as architectural design and the arrangement of doors, windows, and rooflines.
 2. **Involuntary Damage and Destruction.** If a nonconforming building is damaged or destroyed by earthquake, fire, flood, or other calamity, the building may be reconstructed and continued as a legal nonconforming building. Reconstruction of a single-family home is allowed with a Zoning Clearance. Design Review is required for the reconstruction of a multi-family, mixed-use, and commercial buildings.
 3. **Voluntary Demolition.**
 - a. If a nonconforming building is voluntarily demolished, the building may be reconstructed as shown in Table 420-1.

Table 420-1: Permits Required to Reconstruct Voluntarily Demolished Non-Conforming Buildings

Linear footage of the interior and exterior building walls demolished or removed	Permit required
Less than 50 percent	By-Right
50 percent or more	MUP
<p><u>Note:</u> Removal of roof, foundation, or exterior sheathing is not included in demolition calculation. Interior wall coverings (such as sheet rock) are not considered walls.</p>	

- b. For reconstruction requiring a Minor Use Permit, the Director may attach conditions of approval as necessary to protect public health, safety and welfare, including requirements to reduce or eliminate previously existing nonconformities.
 4. **No New or Increased Nonconformities.** Reconstruction of damaged, destroyed or voluntarily demolished buildings may not increase or exacerbate previously existing nonconformities or create new nonconformities.
 5. **Design Review and Standards.** Reconstructed non-residential, mixed-use, and multi-family buildings require Design Review and must comply with the design standards in 155.208.040 (Pedestrian-Focused Street Frontages), and 155.306 (Design Standards).
 6. **Property Line Trespass.** A reconstructed building may not trespass across a property line and may not extend over or be located within the public right-of-way.
 7. **Timing of Construction.** The construction of the replacement building must begin within two years of the date the structure was damaged or destroyed.
 8. **Buildings Not Reconstructed.** If a damaged or destroyed nonconforming building is replaced with a new building that does not meet the definition of reconstruction, the new building must comply with all standards of the applicable zoning district or obtain a Variance (155.412.120) or Minor Modification (155.412.070) depending on the nature of the deviations from applicable standards.
- F. **Relocated Buildings.** A nonconforming building that is moved to a new location must conform to all standards of the applicable zoning district.

155.424.050 – Nonconforming Signs

- A. **Continuation.** Except as otherwise required by this subsection, a nonconforming sign may continue its use as a sign if it was legally established in compliance with all applicable regulations in effect at the time the sign was installed. It is the applicant's responsibility to demonstrate that the sign was legally established.
- B. **Allowed Changes.**
 1. Changes to sign copy/face and repainting of legal nonconforming signs is permitted as long as there is no alteration to the physical structure or support elements of the sign.
 2. A legal-nonconforming sign that sustains less than 50-percent damage to its structure may be repaired to its original pre-damaged condition, provided that such repair is completed within 180 days after the date of the damage.
- C. **Required Compliance.**
 1. **Sign Installed on or after January 1, 2000.** A nonconforming sign installed on or after January 1, 2000 must be removed or brought into compliance with this section when:

- a. The sign is damaged or requires maintenance and the cost of repair exceeds 50 percent of the replacement value;
 - b. The sign is relocated to a different lot or building; or
 - c. The Director determines the sign has become a public nuisance or hazard due to inadequate maintenance or dilapidation in accordance with 155.338.080.E (Maintenance).
2. **Sign Installed before January 1, 2000.** A legal nonconforming sign installed before January 1, 2000 must be removed or brought into compliance with this section when:
- a. The sign is associated with a development project requires a Building Permit where the total construction value is \$50,000 or more (increased for inflation by three percent annually, using 2019 as the base year);
 - b. A new use occupies the tenant space served by the sign;
 - c. The sign is located on a remodeled building façade;
 - d. The building containing the use advertised by the sign is enlarged by 10 percent or more;
 - e. The sign is damaged or requires maintenance and the cost of repair exceeds 50 percent of the replacement value;
 - f. The sign is relocated to a different lot or building; or
 - g. The Director determines the sign has become a public nuisance or hazard due to inadequate maintenance or dilapidation in accordance with 155.338.080.D (Maintenance).

155.424.060 – Nonconforming Uses

- A. Continuation Allowed.** A nonconforming use may continue subject to the requirements of this section.
- B. Intensification of Use.** A Minor Use Permit is required to increase the floor or site area occupied by a nonconforming use and/or intensify the operation of a nonconforming use in any way.
- C. Change in Ownership, Tenancy, or Management.** A change in ownership, tenancy, or management of a nonconforming use does not affect its legal nonconforming status.
- D. Uses Without Required Permits.** A legally established use that is allowed in a zoning district but which lacks a required permit (e.g., Conditional Use Permit) is considered a nonconforming use until the use receives the permit(s) required by the Zoning Code.
- E. Expiration of Legal Non-Conforming Status.** A legally established non-conforming use that ceases to operate for a period of six consecutive months or more is no longer considered

legal non-conforming and the use may not be re-established. A use ceases to operate when a site is vacant or when a use is non-operational for any reason other than a natural disaster or illness/death of an owner/immediate family member.

155.424.070 – Nonconforming Lots

- A. Development Permitted.** Legally established lots nonconforming to minimum lot area standards are permitted all development rights of the zoning district in which it is located.
- B. Conformance with Standards.** Development on legal nonconforming lots must comply with all setback, building coverage, parking, and other standards of the applicable zoning district.
- C. Boundary Adjustments.** The boundaries of a lot nonconforming to minimum area standards may not be adjusted to decrease the lot area except when necessary to remedy a situation where a structure or use improperly projects or extends over a lot line.

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Section 155.428 – ENFORCEMENT AND PENALTIES

Subsections:

- 155.428.010 – Purpose
- 155.428.020 – Violations
- 155.428.030 – Permits and Approvals
- 155.428.040 – Enforcement Authority
- 155.428.050 – Inspections, Access, and Entry
- 155.428.060 – Remedies
- 155.428.070 – Remedies are Cumulative
- 155.428.080 – Permit Revocation
- 155.428.090 – Signs

155.428.010 – Purpose

This section establishes procedures to ensure compliance with the Zoning Code, correct violations of the Zoning Code, and impose penalties for violations. These procedures supplement code enforcement provisions in Municipal Code Section 10.35 (Administrative Citations) et seq.

155.428.020 – Violations

Any use, structure, sign, or activity that is established or maintained contrary to the Zoning Code is unlawful and a violation of the Zoning Code, constitutes a public nuisance, and is subject to the remedies and penalties provided for in this section.

155.428.030 – Permits and Approvals

- A. Compliance Required.** All City departments, officials, and employees assigned the authority to issue permits or other forms of authorization must comply with the Zoning Code.
- B. Permits in Conflict with the Zoning Code.** Permits and other approvals that conflict with the Zoning Code will not be issued.

155.428.040 – Enforcement Authority

- A. Director.**
 - 1. The Director has the primary responsibility to enforce the Zoning Code, in partnership with the Enforcement Officer as provided in Municipal Code Section 10.35 (Administrative Citations) et seq.

2. The Director will coordinate enforcement of the Zoning Code as needed with the City Manager, Police Chief, City Attorney, Building Official, Public Works Director, and/or any other City official(s) as appropriate.
- B. City Attorney.** The City Attorney may institute any necessary legal proceedings to enforce the Zoning Code as described in this section or allowed by law.

155.428.050 – Inspections, Access, and Entry

A. Pre-Approval Inspections, Access, and Entry.

1. An applicant requesting a permit or other approval must allow City staff to access the property subject to the application.
2. An owner's or owner's authorized agent's signature on the application form authorizes City staff to enter the subject property to evaluate a proposed project.

- B. Post Approval inspections, Access, and Entry.** After an application is approved, the owner or applicant must allow City staff to access the property to determine continued compliance with the approved permit, conditions of approval, and/or mitigation measures.

155.428.060 – Remedies

The City may take any one or all of the following legal actions, in addition to all other remedies available, to correct and/or abate a Zoning Code violation:

- A. Revoke Permit.** The City may revoke a permit or other form of authorization consistent with 155.428.080 (Permit Revocation).
- B. Withhold Permit.** The City may deny or withhold additional permits and approvals for the property subject to the violation.
- C. Approve Permit with Conditions.** The City may approve a permit or approval subject to the condition that the violation be corrected.
- D. Stop Work.** With or without revoking permits, the City may stop work, in whole or in part, on any building, structure, lot, or use.
- E. Civil Penalties and Fines.** The City may issue administrative citations and impose civil penalties and fines as provided in Municipal Code Section 10.35 (Administrative Citations) et seq.
- F. Termination of Utility Service.** The City may terminate utility service or services to the building, structure, lot, or use.
- G. Other Remedies.** The City may exercise any and all other remedies and enforcement powers granted by law.

155.428.070 – Remedies are Cumulative

The remedies and enforcement powers established in this section are cumulative, and the City may exercise them in any order or combination and at any time.

155.428.080 – Permit Revocation

Any discretionary permit may be revoked as provided for in this section.

A. Review Authority.

1. A permit may be revoked by the review authority that originally approved the permit.
2. In instances where the Director was the original review authority, the Director may refer an action to revoke a permit to the Planning Commission for review and final decision.

B. Property Owner Notification. Prior to initiating proceedings to revoke a permit, the Department must notify the property owner of the permit violations, identify necessary corrections, and establish a reasonable period within which the property owner must correct the violations. If the property owner has not corrected the violation within the specified period of time, the Department may proceed with the process to revoke the permit.

C. Public Notice and Hearing. Public notice and hearing for any action to revoke a permit must be provided in compliance with 155.408.100 (Public Hearings).

D. Findings. The review authority may revoke a permit only if one or more of the following findings can be made:

1. The applicant or property owner has altered the circumstances under which the permit was granted to a degree that one or more of the findings required to grant the original permit can no longer be made.
2. Permit issuance was based on misrepresentation by the applicant, either through the omission or embellishment of a material statement in the application, or in public hearing testimony.
3. One or more conditions of approval or mitigation measures have been violated, or have not been complied with or fulfilled.
4. The applicant or property owner has failed or refused to allow inspections for compliance.
5. Improvements authorized by the permit are in violation of the Zoning Code or any law, ordinance, regulation, or statute.
6. The use or structure is being operated or maintained in a manner which constitutes a nuisance.

E. Appeals.

1. A decision to revoke a permit by any other review authority may be appealed to the City Council in accordance with 155.416 (Appeals and Reviews).
2. A decision of the City Council to revoke a permit is final and may not be appealed.

F. Effect of Revocation.

1. The revocation of a permit has the effect of terminating the approval and denying the privileges granted by the permit.
2. The prior holder of a revoked permit may not apply for a new permit for the same or substantially similar use on the property within one year of the permit revocation.

155.428.090 – Signs

A. **Illegal Signs.** It is unlawful for any person to install, place, construct, repair, maintain, alter or move a sign in a manner that does not comply with the requirements of this section.

B. **Enforcement - General.** The Department may enforce the requirements of this section and undertake legal action to correct violations in accordance with 155.428 (Enforcement and Penalties) and Municipal Code Section 10.35 (Administrative Citations) et seq.

C. Removal of Hazardous and Illegal Signs.

1. The Director may immediately remove or cause the removal of any sign that places the public in immediate peril or that is located within the public right-of-way.
2. For illegal signs that do not place the public in immediate peril and are located on private property, the Director must send the business owner or person responsible for the sign a written notice by certified mail that:
 - a. Describes the physical characteristics of the subject sign.
 - b. Explains the nature of the violation.
 - c. States that the sign must be removed or brought into compliance with this section within 30 days after the notice is served.
 - d. States that the City may remove the sign if the business owner or person responsible for the sign does not correct the violation within 30 days after the notice is served.
 - e. States that the City may destroy the illegal sign if it is not retrieved within 30 days after removal by the City.
 - f. States that the business owner is responsible for all costs associated with the removal, storage, and destruction of the sign.

3. If an illegal sign is not removed or brought into compliance within 30 days after a notice is served, the Director may issue a citation to the business owner or person responsible for the sign as provided in Municipal Code Section 10.35 (Administrative Citations) et seq and may remove or cause the removal of the sign.
 4. Any accessory structures, foundations, or mounting materials associated with the sign and that are unsightly or a danger to the public health, safety, and welfare may be removed at the time of the sign removal.
- D. A sign removed by the City will be stored for a minimum of 30 days. If the sign is not retrieved by the business owner or person responsible for the sign within this 30-day period, the City may thereafter destroy the sign.

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Section 155.432 – ZONING CODE AND GENERAL PLAN AMENDMENTS

Subsections:

- 155.432.010 – Purpose
- 155.432.020 – Initiation
- 155.432.030 – General Plan Amendment Petition
- 155.432.040 – Application
- 155.432.050 – Planning Commission Hearing and Action
- 155.432.060 – City Council Hearing and Action
- 155.432.070 – Findings for Approval
- 155.432.080 – Limitations on Resubmittals after Denial

155.432.010 – Purpose

- A. **General.** This section establishes procedures for amending the Zoning Code and General Plan.
- B. **Government Code Requirements.** All amendments must be processed as specified in this section and as set forth in:
 - 1. Government Code Section 65853 et seq. for Zoning Code Amendments; and
 - 2. Government Code Section 65350 et seq. for General Plan Amendments, as these may be amended from time to time.

155.432.020 – Initiation

- A. **Map Amendments.** A request for an amendment to the Zoning Map and/or General Plan Land Use Map may be initiated by:
 - 1. The City Council;
 - 2. The Planning Commission;
 - 3. The Director; or
 - 4. One or more owners of the property for which the amendment is sought.
- B. **Text Amendments.** A request for an amendment to the text of the Zoning Code and/or General Plan may be initiated by:
 - 1. The City Council;
 - 2. The Planning Commission;
 - 3. The Director; or

4. Any resident, property owner, or business owner in the city.
- C. **General Plan Amendment Petition Required.** For General Plan Amendments, a property owner, resident, or business owner may submit an application only after the City Council approves a General Plan Amendment petition in accordance with 155.432.030 (General Plan Amendment Petition).
- D. **Frequency of General Plan Amendment.** A mandatory element of the General Plan may be amended no more than four times during any calendar year as set forth in Government Code Section 65358.

155.432.030 – General Plan Amendment Petition

- A. **Petition Required.** The City Council must first approve a General Plan Amendment petition before a resident, property owner, or business owner may apply for a General Plan Amendment.
- B. **Petition Form and Contents.** A General Plan Amendment petition may be submitted to the Department using an official Department form accompanied by all fees, information, and materials required by the Department.
- C. **City Council Hearing and Action.**
1. The City Council must hold a public hearing on the petition in compliance with 155.408.100 (Public Hearings).
 2. The City Council may approve the petition and allow the applicant to submit the General Plan Amendment application upon finding that the proposed amendment has the potential to serve the public interest.
 3. Petition approval is not a tacit, implied, or guarantee of approval of the General Plan amendment, nor does it bind the current or future City Council with regard to the proposed General Plan amendment.

155.432.040 – Application

An application for a Zoning Code and/or General Plan Amendment must be filed and reviewed in compliance with 155.408 (Permit Procedures). The application must include the information and materials required by the Department, together with all required application fees. For amendments submitted by a resident, property owner, or business owner, it is the responsibility of the applicant to provide evidence in support of the findings required by 155.432.070 (Findings for Approval).

155.432.050 – Planning Commission Hearing and Action

- A. **General.** The Planning Commission must hold a public hearing on a proposed amendment in compliance with 155.408.100 (Public Hearings) for the purpose of recommending action to the City Council.
- B. **Recommendation of Approval.**
1. The Planning Commission may recommend to the City Council the approval or conditional approval of the proposed amendment based upon the findings specified in 155.432.070 (Findings for Approval).
 2. The Planning Commission must adopt a resolution recommending approval of the proposed amendment within 60 days after the date the hearing was closed to the public.
- C. **Denial.**
1. The Planning Commission may recommend denial of the proposed amendment based upon the findings specified in 155.432.070 (Findings for Approval).
 2. For a Zoning Map Amendment, if the action of the Planning Commission is to recommend denial, the City Council is not required to take further action on the proposed amendment unless an interested party requests a hearing in writing with the City Clerk. The request for hearing must be filed within five days after the Planning Commission recommendation is filed with the City Council. Such a request is not considered an appeal subject to the requirements in 155.416 (Appeals and Reviews). The City Council may also review and take action on the proposed amendment without a hearing request if the City Council determines to do so.
- D. **Failure to Act.** If the Planning Commission takes no action within 60 days after the date the hearing was closed to the public, the City Council will consider the proposed amendment without a Planning Commission recommendation.

155.432.060 – City Council Hearing and Action

- A. **General.** After receipt of the Planning Commission's recommendation on a proposed amendment, the City Council will hold a public hearing on the proposal in compliance with 155.408.100 (Public Hearings), except that no hearing is required for recommendations of denial in accordance with 155.432.050.C (Denial).
- B. **Approval or Denial.** The City Council may approve, approve with modification, or deny the proposed amendment based upon the findings specified in 155.432.070 (Findings for Approval).
- C. **Finality of Action.** The action by the City Council is final and conclusive.

- D. **Referral to Planning Commission.** If the City Council proposes to adopt a substantial modification to an amendment not previously considered by the Planning Commission, the proposed modification must be first referred to the Planning Commission for its recommendation before action is taken by the City Council.
- E. **Failure to Report.** The failure of the Planning Commission to report back to the City Council within 40 days after the reference, or within the time set by the City Council, will be treated as a recommendation of approval.

155.432.070 – Findings for Approval

- A. **Zoning Code Amendments.** The City Council may approve a Zoning Code Amendment only if all of the following findings are made.
 - 1. **Findings Required for all Zoning Code and Map Amendments.**
 - a. The proposed amendment is consistent with the General Plan and any applicable specific plan or area plan.
 - b. The proposed amendment is internally consistent with other provisions of the Zoning Code.
 - c. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare.
 - 2. **Additional Finding for Zoning Map Amendments.** The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the Zoning Code and General Plan and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.
- B. **General Plan Amendments.** The City Council may approve a General Plan Amendment only if all of the following findings are made.
 - 1. **Findings for all General Plan Amendments.**
 - a. The proposed amendment is in the public interest.
 - b. The proposed amendment is internally consistent with all other provisions of the General Plan.
 - c. The proposed amendment complies with State law applicable to the General Plan as established in Government Code Section 65300 et seq.
 - 2. **Additional Finding for Land Use Map Amendments.** The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the General Plan and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.

155.432.080 – Limitations on Resubmittals after Denial

If the City denies a Zoning Code or General Plan Amendment, within one year of the denial, the Department may not accept a new application for the same or substantially similar amendment, except in the following cases:

- A. Upon initiation by the City Council or Planning Commission;
- B. The applicant requests a reclassification to a different zoning district and/or General Plan land use designation than previously requested; or
- C. When a previous Zoning Code Amendment application was denied because the proposed amendment would not conform with the General Plan, and the General Plan has subsequently been amended in a manner which will allow the proposed amendment.

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ARTICLE 5 – Glossary

Section 155.504 – Land Use Classifications

155.504.010 – Purpose

155.504.020 – Primary and Second Uses

155.504.030 – Land Use Classifications

Section 155.508 – Defined Terms

155.508.010 – Purpose

155.508.020 – Definitions

Section 155.504 – LAND USE CLASSIFICATIONS

Subsections:

155.504.010 – Purpose

155.504.020 – Primary and Second Uses

155.504.030 – Land Use Classifications

155.504.010 – Purpose

Land use classifications describe one or more uses of land having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Director will determine whether a specific use is within one or more use classifications, based on whether its characteristics are substantially incompatible with those typical of uses named within the classification.

155.504.020 – Primary and Second Uses

This section describes land use classifications classified as either a primary use or a second use. See 155.108.050.C (Types of Uses) for requirements that apply generally to primary and second uses.

155.504.030 – Land Use Classifications

A. Residential Uses.

1. **Accessory Dwelling Unit (ADU).** An attached or a detached residential dwelling unit with complete independent living facilities for one or more persons. An ADU includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated and meets the standards of 155.308 (Accessory Dwelling Units). An accessory dwelling unit also includes:
 - a. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code;
 - b. Junior accessory dwelling units as defined in Government Code Section 65852.22 and
 - c. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
2. **Bed and Breakfast.** See Residential Lodging.
3. **Farmworker Housing.** Housing for transient labor, such as labor cabins or camps, incidental to a permitted agricultural use.
4. **Hospice.** See Medical Care Housing.
5. **Hostel.** See Residential Lodging.

6. **Medical Care Housing.** A residential facility, licensed as a skilled nursing facility by the State of California, that provides twenty-four-hour medical, convalescent or chronic care to individuals who are unable to care for themselves by reason of advanced age, chronic illness, or infirmity. Excludes facilities providing non-medical social and personal care to residents (see “Non-medical Care Housing”).
7. **Micro/Shared Housing.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent to permanent or semi-transient residents for long-term occupancy (30 days or more). Includes rooming and boarding houses, single-room occupancy housing, dormitories, convents and monasteries, and other types of organizational housing. Excludes hotels, motels, bed and breakfast inns, and vacation rentals (see “Commercial Lodging” and “Residential Lodging”) and State-licensed facilities providing social and personal care to residents (see “Non-medical Care Housing”).
8. **Mobile Home Park.** An area of land where two or more mobile home spaces are rented, or held out for rent, to accommodate mobile homes for more than 30 consecutive calendar days.
9. **Multi-family Dwellings.** Two or more residential units located on a single lot. Includes units side-by-side or stacked vertically. Excludes detached single-family homes with an accessory dwelling unit in compliance with 155.308 (see “Accessory Dwelling Units”).
10. **Non-medical Care Housing.** A state-licensed residential facility that provides non-medical social and personal care for residents. Includes community care facilities as defined in California Health and Safety Code (H&SC) Section 1500 et seq, residential care facilities for the elderly (H&SC Section 1569 et seq.), facilities for the mentally disordered or otherwise handicapped (California Welfare and Institutions Code Section 5000 et seq.), alcoholism or drug abuse recovery or treatment facilities (H&SC Section 11834.02), supportive housing (California Government Code Section 65582), transitional housing (California Government Code Section 65582), and other similar facilities.
 - a. **Non-medical Care Housing, Large.** A non-medical care facility for 7 or more persons.
 - b. **Non-medical Care Housing, Small.** A non-medical care facility for 6 or fewer persons.
11. **Nursing Home.** See Medical Care Housing.
12. **Single-Family Home.** A residential structure designed for occupancy by one household. A single-family dwelling provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

- a. **Single-Family Attached Home (Townhome).** Two or more single-family dwelling units connected by common walls along the side property lines, sometimes called a townhouse or row house.
 - b. **Single-Family Detached Home.** A detached building that contains one single-family dwelling. Includes individual mobile homes and manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code and meeting the standards of 155.302.080 (Manufactured Housing) A detached single family home with an attached ADU remains a single-family home and is not considered a multi-family dwelling.
13. **Single Room Occupancy (SRO).** See Non-Medical Care Housing.
14. **Supportive Housing.** See Non-Medical Care Housing.
Transitional Housing. See Non-Medical Care Housing.
- B. Commercial – Sales.**
 1. **Automobile Sales/Repair.** See Vehicle Sales and Services.
 2. **Bars and Nightclubs.** Businesses devoted to serving alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of such beverages. Includes cocktail lounges, taverns, dance clubs, and other similar uses. Excludes tasting rooms ancillary to breweries, wineries, and other alcoholic beverage production uses.
 3. **Drive-Thru Facility.** A facility where motorists may purchase products or obtain services without leaving their vehicles. Drive-thru facilities are a second use that must be associated with a primary use. Excludes vehicle fueling stations (see “Fuel and Service Stations”).
 - a. **Food-Serving Drive-Thru Facility.** A drive-thru facility associated with a “restaurants, cafes, and beverage sales” use.
 - b. **Non-food Serving Drive Thru Facility.** A drive-thru facility associated with another use (such as General Retail Indoor) that is not a “Food-Serving Drive-Thru Facility.”
 4. **Car Dealership.** See Vehicle Sales and Services.
 5. **Food Truck.** See Mobile Vendor.
 6. **Fuel and Service Stations.** A retail business supplying fuels, oil, and minor accessories for vehicles. Includes establishments supplying gasoline, hydrogen, and electric vehicle charging as a primary land use. Includes incidental food and beverage sales (maximum 3,500 square feet of convenience market), car wash facilities, and minor automotive repair and service. Excludes towing service (see “Vehicle Towing and Impound”) and body and fender work, painting, and other major automotive repairs (see “Vehicle

Repair”). Excludes electric vehicle charging stations installed in parking spaces and/or parking lots.

7. **Gas Station.** See Fuel and Service Station.
8. **General Retail.** Stores and shops selling merchandise to the general public, and which may include related services. Includes antique shops, art galleries, automotive supply stores, book stores, clothing stores, convenience markets, gift shops, furniture stores, drug stores, florists, liquor stores, pet shops, retail bakeries, supermarkets, garden supply stores, lumber yards, and other similar retail-based establishments.
 - a. **General Retail – Indoor.** A general retail establishment where merchandise is stored and displayed indoors. Includes the temporary outdoor display of merchandise under covered-entryways, such as produce at grocery stores. Also includes temporary sidewalk displays of merchandise (which may require an Encroachment Permit and other permits). Excludes the prominent display/storage of merchandise in an outdoor setting as a part of regular business operations, which is a second use subject to separate limitations (see “General Retail – Outdoor”). General Retail – Indoor falls into three categories:
 - i. **Very Large General Retail – Indoor.** A general retail indoor facility that is larger than 50,000 square feet in total floor area.
 - ii. **Large General Retail – Indoor.** A general retail indoor facility that is between 20,000 square feet and 50,000 square feet.
 - iii. **Small General Retail – Indoor.** A general retail indoor facility that is less than 20,000 square feet in total floor area.
 - b. **General Retail – Outdoor.** A supplemental outdoor area associated with a primary use (such as General Retail – Indoor) where merchandise is prominently stored and/or displayed for sale outdoors in a designated outdoor area as a regular part of business operations. General Retail – Outdoor is a second use that must be combined with another use (such as General Retail – Indoor or Heavy Equipment Sales and Service) and must include a building on-site that hosts the primary use, such as “Business Services and Heavy Commercial” or “General Retail – Indoor.” General Retail – Outdoor includes boat/trailer sales, plant nurseries, garden supplies, lumberyards, statuary stores, headstone sales, and other similar establishments. Includes the outdoor sales of automobiles and large vehicle sales. Excludes purely indoor car dealerships (see “Vehicle Sales and Rental (Indoor)”) and purely indoor large vehicle sales (see “Heavy Equipment Sales and Services”). A car sales business with both indoor sales rooms and outdoor sales lots requires approval of both uses (“Vehicle Sales and Rental (Indoor)” and “General Retail – Outdoor”) and is subject to the regulations that apply to both uses. Excludes the temporary outdoor display of merchandise under covered-entryways, such as

produce at grocery stores. Excludes the temporary sidewalk displays of merchandise (which may require an Encroachment Permit or other permits).

9. **Heavy Equipment Sales and Service.** Indoor retail establishments selling or renting industrial, construction, farm, or other heavy equipment for commercial use, including cranes, earth moving equipment, tractors, tractor trailers, combines, and heavy trucks. Outdoor display, storage, and sales is a second use subject to separate regulations and restrictions (see “General Retail – Outdoor”).
10. **Mobile Vendor.** Any vehicle from which a product is made, sold, or distributed at retail.
11. **Restaurants, Cafes, and Beverage Sales.** A business selling prepared food and/or beverages for on- or off-premise consumption. Includes full service, fast-food and carry-out restaurants, cafes, coffee shops, juice/smoothie bars, retail bakeries, and other similar eating and drinking establishments. Includes outdoor seating/service areas which are permitted by right. Excludes businesses primarily selling alcoholic beverages for on-site consumption (see “Bars and Nightclubs”). Excludes grocery stores and alcohol sales for off-site consumption (see “General Retail – Indoor”).
12. **Vehicle Sales and Rental (Indoor).** The indoor sale or rental of new or used automobiles, motorcycles, light trucks, recreational vehicles, boats, and other similar vehicles. Includes the sale of vehicle parts and vehicle repair, provided that these activities are incidental to the sale of vehicles. Excludes the sale and rental of tractor trailers and construction equipment (see “Heavy Equipment Sales and Service”) and vehicle salvage and wrecking (see “Recycling Processing Facilities”). Outdoor display, storage, and sales is a second use subject to separate regulations and restrictions (see “General Retail – Outdoors”).

C. Commercial – Service and Office.

1. **Adult Entertainment.** See 155.302.030 (Adult Entertainment).
2. **Business Services and Heavy Commercial.** Indoor commercial establishments providing goods and services to other businesses and/or engaged in heavy commercial activities that could impact neighboring properties. Includes contractor supply businesses, building contractors, large equipment repair, pipe yards, commercial dry-cleaning/laundry services, security services, custodial services, business-serving printers, taxi and delivery services, private ambulance dispatch services, property maintenance contractors, plumbing supply stores, and other similar businesses. Products and services may be provided to the general public only on a limited, secondary basis. Outdoor display, storage, and sales is a second use and is subject to separate regulations and restrictions (see General Retail – Outdoor).
3. **Car Share Facility.** A formal or informal membership organization that owns motor vehicles that are parked on-site or in off-site areas. Members use the motor vehicles under the terms of their membership.

4. **Check Cashing.** A retail business owned or operated by a "check casher" as that term is defined in California Civil Code section 1789.31.
5. **Commercial Lodging.** A commercial establishment in a non-residential zoning district providing overnight accommodations to guests for 30 consecutive calendar days or less. Commercial lodging establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests and the general public. Includes hotels, motels, hostels, and other similar commercial establishments. Also includes dwelling units or portions thereof located in a non-residential zoning district rented to guests for 30 consecutive calendar days or less.
6. **Day Care Facility.** A facility that provides nonmedical care and supervision of children or adults for periods of less than 24 hours. Includes nursery schools, day nurseries, child care centers, infant day care centers, cooperative day care centers, adult day programs, and similar uses. Day care facilities may be operated in conjunction with a school or church facility, or as an independent land use.
7. **Family Day Care Home.** A state-licensed facility that regularly provides care, protection, and supervision for children, in the provider's own home, for periods less than 24 hours per day, while the children's parents or guardians are away. Family day care homes are a second use that must be associated with a primary use.
 - a. **Large Family Day Care Home.** A home that provides family day care for 9 to 14 children as defined in California Health and Safety Code Section 1597.465.
 - b. **Small Family Day Care Home.** A home that provides family day care for up to eight children as defined in California Health and Safety Code Section 1597.44.
8. **Fitness, Dance, or Health Facility.** An indoor fitness center, gymnasium, athletic club, dance studio, yoga studio, or other similar use.
 - a. **Large Fitness, Dance, or Health Facility.** A facility with a floor area of 8,000 square feet or more.
 - b. **Small Fitness, Dance, or Health Facility.** A facility with a floor area of less than 8,000 square feet.
9. **General Services.** An indoor commercial establishment that provides services to the general public, involves frequent visits by customers, and which may involve limited product sales related to the service provided. Includes banks, funeral parlors, indoor commercial recreation establishments that do not sell alcohol (e.g., video arcades, indoor mini-golf, indoor batting cages), laundromats, photocopy stores, customer-serving dry cleaners, household item repairs, veterinary clinics, tattoo/piercing parlors, customer-serving printers, animal grooming with no overnight boarding, recording studios, and other similar uses that provide on-site services to customers. Excludes places of employment that do not provide on-site services directly to customers (see

“offices”) and facilities that provide medical services (see “Medical Care Services”). Excludes establishments that provide body-care related services (see “Personal Services”) and fitness-related establishments (see “Fitness, Dance, or Health Facility”). For alcohol-serving indoor commercial recreation establishments, see “Bars and Nightclubs” or “Restaurants, Cafes, and Beverage Sales.”

10. **Hospital.** Facilities providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. May include facilities for the takeoff and landing of helicopters.
11. **Hotel.** See Commercial Lodging.
12. **kennel-Animal Boarding.** A commercial facility for the keeping, boarding, training, breeding or maintaining of four or more dogs (four months of age or older), cats, or other household pet not owned by the facility owner or operator. Includes kennels, pet day care, and animal shelters. Excludes household pets for sale in pet shops (see “General Retail”) and veterinary clinics (see “General Services”).
13. **Medical Offices and Clinics.** Facilities where medical, mental, dental, vision, or other personal health services are provided on an outpatient basis using specialized equipment. Includes offices for physicians, dentists, physical therapists, optometrists, diagnostic centers, blood banks and plasma centers, and emergency medical clinics offered exclusively on an out-patient basis. Includes mental health services such as marriage/family therapists, counselors, psychologists, psychiatrists, and other similar uses. Also includes alternative medicine facilities such as acupuncture, chiropractors, state-licensed therapeutic massage, nutritional consultation, herbalists, and other similar facilities. May include educational aspects such as medical instruction and/or training as well as house a laboratory, radiology/imaging, pharmacy, rehabilitation and other similar services as accessory uses.
14. **Motel.** See Commercial Lodging.
15. **Offices.** A place of employment occupied by businesses providing professional services. Includes offices for accountants, architects, insurance agents, attorneys, engineers, real estate agents, travel agents, artist studios, and other similar professions. Excludes businesses that provide regular service to frequent walk-in customers (see “General Services”), medical offices (see “Medical Offices and Clinics”), governmental offices (see “Governmental Facility”), and art galleries that are primarily intended to display saleable art and attract retail sales (see “General Retail – Indoor”). Internal office space that is incidental to a different primary use is not considered an “office” use. For example, a manager’s office at a manufacturing facility and the office of an inventory specialist at a grocery store are not considered separate or stand-alone office uses.

16. **Outdoor Commercial Recreation.** A privately-owned commercial facility providing outdoor recreation, amusement, and entertainment services. Includes commercial batting cages, outdoor swimming pools, go-cart tracks, driving ranges, tennis courts, golf courses, miniature golf, and other similar uses. Excludes municipal parks and non-commercial recreational facilities (see “Parks and Recreational Facilities”).
17. **Parking Lots and Structures.** Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering parking to the public for a fee when such use is the primary use on the lot and not incidental to another on-site activity.
18. **Personal Services.** An indoor commercial establishment that typically provides one-on-one body-care related services that involve frequent visits by customers and that are typically scheduled on an appointment-basis. May involve limited product sales related to the service provided. Includes hair salons, nail salons, make-up application studios, skincare treatment salons, non-therapeutic massage, health spas, and other similar non-medical personal service uses. For therapeutic massage and other clinical-health-related uses, see “Medical Offices and Clinics.”
19. **Residential Lodging.** A dwelling unit or portions thereof located in a residential zoning district that is rented to guests for 30 consecutive calendar days or less. Includes three types of residential lodging (single-room, multiple-room, and full unit) as defined in 155.302.130 (Residential Lodging).
20. **Vehicle Repair.** An establishment for the repair, alteration, restoration, or finishing of any vehicle, including body repair, collision repair, painting, tire and battery sales and installation, motor rebuilding, tire recapping and retreading, and towing. Excludes repair shops that are incidental to a vehicle sales or rental establishment on the same site (see “Vehicle Sales and Rentals”). Excludes the sales of vehicles (see “Vehicle Sales and Rentals (Indoor)” and “General Retail – Outdoor”).
21. **Vehicle Towing and Impound.** Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance, and the on-site storage of towed vehicle. May provide incidental services, such as vehicle storage and emergency road repair services.

D. Industrial and Storage.

1. **Manufacturing, Artisan.** Artistic, artisan, craft-oriented, and small-scale manufacturing businesses engaged in the on-site assembly of individually fabricated parts or the fabrication of custom/craft goods, and the incidental direct sale to consumers of primarily those goods produced on site. The facilities are compatible with a general retail and mixed-use setting. Goods are predominantly manufactured and fabricated involving the use of hand tools or small-scaled mechanical equipment and kilns that do not generate noise, odors, or vibration detectable beyond the interior walls of the

facility. Typical uses include craft food and beverage, ceramic studios, fabrics, inlays, tile work, weaving, leather work, limited woodwork, limited metal or glass work, candle making, custom tailors, custom wedding dress production, custom jewelry, and other similar uses. May include limited tasting-rooms ancillary to the craft production of alcoholic beverage production uses.

2. **Manufacturing, Light.** The manufacture of products in a manner that produces little or no noise, odor, fumes, dust, smoke, dirt, refuse, vibration, glare, and/or air or water pollution detectable beyond the interior walls of the facility and is unlikely to cause significant impacts on surrounding land uses. Products are commonly produced from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products. Does not produce or utilize toxic, hazardous, or explosive materials as an integral part of the manufacturing process. Includes the manufacture and production of clothing; mass-produced food and beverage products; electronic, optical, and instrumentation products; electronic equipment and appliances; ice. Excludes the processing of harvested crops (see "Agricultural Processing"). May include tasting rooms ancillary to the craft production of alcoholic beverage production uses.
3. **Manufacturing, Heavy.** A facility accommodating manufacturing processes that involve or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, or transportation equipment, and where the use may cause significant impacts on surrounding land uses. Includes manufacturing of chemical products; concrete, gypsum, and plaster products; paving and roofing materials; plastics and other synthetics, and rubber products; lumber and other wood products; tires; mass-produced food and beverage products, paving and petroleum-based roofing materials; lime products; glass products. Also includes petroleum refining and related industries, oil and gas processing facilities, and ready-mix concrete batch plants. Excludes sales of ready-mix concrete incidental retail establishment (see "General Retail, Outdoor"), artisan and craftsman type operations (see "Manufacturing, Artisan, and recapping and retreading of automobile tires (see "Vehicle Repair"). May involve the use of toxic, hazardous, or explosive materials. May include limited tasting rooms ancillary to the craft production of alcoholic beverage production uses.
4. **Mini-Storage.** One or more building in a controlled access and fully enclosed compound that contains separate self-storage spaces of varying size for the storage of customers' goods and possessions.
5. **Outdoor Storage, Non-Retail.** Non-retail storage of commercial goods in open lots as either a primary or second use. Excludes storage of merchandise for sale as part of a retail establishment (see "General Retail, Outdoor").
6. **Warehousing, Wholesale, and Distribution.** A use engaged in storage, wholesale and distribution of manufactured products, supplies, and equipment to retailers; to

industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products.

E. Agricultural and Natural Resources.

1. **Agricultural Processing.** The processing of harvested crops to prepare them for onsite marketing, off-site sale, or processing and packaging elsewhere. Includes alfalfa cubing; corn shelling; grist mills; milling of flour, feed and grain; grain cleaning and grinding; hay baling and cubing; pre-cooling and packaging of fresh or dried fruits or vegetables; tree nut hulling and shelling; farm product warehousing and storage; drying of corn, rice, hay; and sorting, grading and packing fruits and vegetables. Includes the processing of crops grown off-site. Excludes manufacturing of food and products ready for sale to consumers (see “Manufacturing, Artisan” and Manufacturing, Light”).
2. **Agriculture.** The use of the land for commercial farming, crop production, horticulture, floriculture, viticulture, and animal raising and production, including dairies. May include accessory uses for packing, processing, treating, and storing crops grown on site provided such accessory uses are secondary to crop production activities. Excludes the processing and packaging of agricultural products (see “Agricultura Processing”), slaughterhouses and animal product processing uses (see Animal Processing”), cannabis cultivation (see Municipal Code Chapter 158), community gardens (see “Parks and Recreational Facilities”), and the harvesting of plants and animals in an aquatic environment (see “Aquaculture”).
3. **Aquaculture.** Facilities or areas for the cultivation of marine or freshwater fish, shellfish, or plants under controlled conditions. Includes aquaponics that integrates aquaculture with hydroponics by recycling the waste products from fish to fertilize hydroponically growing plants. Includes cultured oyster beds and similar uses.
4. **Animal Processing.** A facility where the slaughtering and/or processing of animals raised off-site takes place, including rendering plants and meat cutting and packing uses. Excludes manufacturing of consumer foods from animal products (see “Manufacturing, Heavy”).
5. **Commercial Fishing.** The activity of catching fish and other seafood for commercial profit, mostly from wild fisheries. Includes ancillary fish and seafood processing; fish and seafood storage and distribution; and fish and seafood sales. Excludes cultivation of fish and seafood under controlled conditions (see “Aquaculture”).
6. **Resource Protection and Restoration.** Lands and management activities dedicated to the protection and conservation of natural resources, such as aquatic environments,

wetland and sensitive riparian habitat, water recharge areas, and rare or endangered plant or animal habitat.

7. **Timber Production and Harvesting.** The cutting and removal of timber or other solid wood forest products for commercial purposes together with all of the work incidental to the harvest including construction and maintenance of roads, fuel breaks, fire breaks, stream crossings, landings, skid trails, beds for the falling of trees, and fire hazard abatement. Excludes cutting or removal of timber for creating building pads and access to a legal building site when such cutting or removal is approved as a part of the building and/or encroachment permit. Also excludes removal of up to five commercial tree species in residential zoning districts in conformance with 155.336.140 (Tree Removal).

F. Civic and Recreation.

1. **Civic Institution.** Public or non-profit institutions that support and contribute to the cultural development of the community and provide community-serving programs and services on-site. Includes libraries, museums, performing art centers (primarily non-retail), aquariums, zoos, environmental education centers, non-profit art centers and galleries, botanical gardens, and other similar uses. Excludes public and private schools, colleges and trade schools, and other similar educational facilities (See: "Educational Facilities").
2. **Colleges and Trade Schools.** Institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees or certificates. Includes junior colleges, business and computer schools, management training, vocational education, and technical and trade schools.
3. **Government Facilities.** A facility operated by a governmental agency providing services to the general public. Includes governmental offices, public recreational facilities, community centers, public meeting spaces, civic auditoriums, fire stations, police stations, dispatch facilities, vehicle storage, and other similar facilities. Excludes schools (see "Schools, Public and Private"), facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (see "Public Agency Corporation Yard"), parks and playgrounds (see "Parks and Playgrounds"), public utilities (see "Public Utility"), facilities providing group-services to persons in need (see "Social Services") and homeless shelters (see "Emergency Shelters").
4. **Emergency Shelters.** Housing with minimal supportive services for homeless persons that is limited to occupancy of one year or less. No individual or household may be denied emergency shelter because of an inability to pay. Includes drop-in centers that provide food, showers, and laundry facilities, and other services to the homeless.
5. **Instructional Services.** Establishments that offer specialized programs in personal growth and development. Includes music studios/schools, drama schools, dance

academies dedicated primarily to instruction, art schools, tutoring schools, and instruction in other cultural and academic pursuits.

6. **Non-Commercial Places of Assembly.** Facilities that provides space for public or private meetings or gatherings. Includes places of worship, fraternal lodges, meeting space for clubs and other membership organizations, social halls, union halls, non-profit banquet centers, and other similar facilities.
7. **Parks and Playgrounds.** Parks and playgrounds as the primary use on the site that provides open space and/or outdoor recreational opportunities to the public. Includes athletic fields, picnic areas, tennis courts, tot lots, community gardens, cemeteries, and other similar outdoor facilities. Excludes indoor recreation centers (see “Government Facilities”).
8. **Recreational Vehicle Parks.** An establishment designed, established, or used for exclusive occupancy by two or more recreational vehicles. Recreational vehicle parks are owned by a single owner or organizations where RV spaces are temporarily rented or leased to a person occupying a recreational vehicle.
9. **Schools, Public and Private.** Educational institutions providing instruction to minors as required by the California Education Code. Includes public and private elementary, junior high, and high schools.
10. **Social Services.** Establishments providing group outpatient assistance and aid to those persons requiring counseling, services, activities, and/or treatment for psychological problems, addictions, learning disabilities, elderly, and physical disabilities. Includes welfare offices, child/adult protective services, service centers for disabled individuals, counseling centers for individuals with substance abuse disorder, and veteran services. Excludes homeless shelters (see “Emergency Shelters”), transitional and supportive housing (see “Non-medical Care Housing”), establishments providing individual (non-group) services (see “Medical Office”), after-school programs (see “Non-Commercial Places of Assembly”) and adult day care centers (see “Day Care Facility”).

G. Infrastructure and Utilities.

1. **Airport.** Facilities for the takeoff and landing of airplanes, including runways, aircraft storage buildings, public terminal building and parking, air freight terminal, baggage handling facilities, aircraft hangars, and related support activities.
2. **Freight Terminals and Transfer.** Facilities for transfer and movement of freight, courier, and postal services by truck, rail, or sea.
3. **Public Agency Corporation Yard.** Governmental facilities that primarily provide storage, maintenance and repair of vehicles, equipment, and supplies.
4. **Public Utility.** A permanent structure or facility providing a utility service to the general public. Includes generating plants, electric substations, solid waste collection, solid

waste treatment and disposal, water or wastewater treatment plants, and similar facilities. Excludes electrical distribution lines, underground water/sewer lines, and similar utilities.

5. **Recycling Collection Facility.** An incidental use that serves as a drop-off point for the temporary storage of recyclable materials but where the processing and sorting of such items is not conducted on site.
6. **Recycling Processing Facility.** A facility that receives and processes recyclable materials. Processing means preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Includes salvage yards, upcycling, and vehicle salvage and wrecking.

H. Other Uses.

1. **Accessory Use.** A land use that is incidental and subordinate to a primary land use located on the same lot.
2. **Animal Keeping.** The keeping of animals for personal use as provided in Municipal Code Chapter 91 (Animal Keeping).
3. **Cannabis Uses.** See Municipal Code Chapter 158 (Medical Cannabis: Cultivation, Processing and Distribution).
4. **Home Occupation.** A business within a dwelling unit or residential site, with the business activity being subordinate to the residential use of the property.
5. **Neighborhood-Serving Retail and Service.** Retail and service establishments that primarily serve residents and employees within the immediate neighborhood. See 155.224.030 (Neighborhood Market Overlay).
6. **Tree Removal in Residential Zones.** The cutting and removal of timber or other solid wood forest products for commercial purposes in conformance with 155.302.140 (Tree Removal).
7. **Wireless Communication Facility.** See Municipal Code Chapter 159.

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Section 155.508 – DEFINED TERMS

Subsections:

155.508.010 – Purpose

155.508.020 – Definitions

155.508.010 – Purpose

This section defines terms and phrases used in the Zoning Code that are technical or specialized, or which may not reflect common usage. If any definitions in this section conflict with others in the Municipal Code, these definitions control in the Zoning Code. If a word is not defined in the Zoning Code, the Director determines the appropriate definition.

155.508.020 – Definitions

A. “A” Terms.

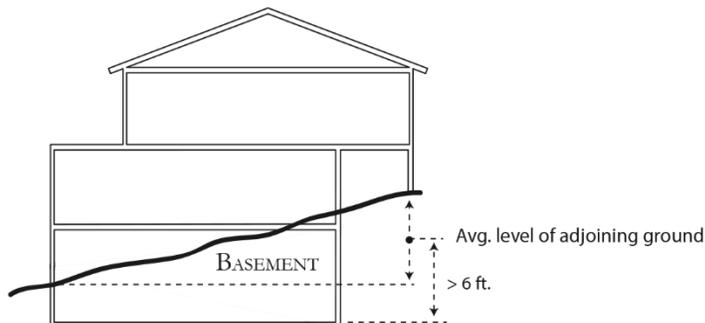
1. **Accessory Building.** A building occupied by an accessory use. Includes detached garages, storage buildings, and sheds.
2. **Accessory Structure.** A structure secondary and subordinate to the primary building on the same lot.
3. **Accessory Use.** A use that is subordinate to and dependent on the primary use on the same lot.
4. **Adaptive Reuse.** The reuse of an existing building or site for a purpose other than the original use.
5. **Addition.** Any development or construction activity that expands the footprint or increases the habitable floor area of a building.
6. **Adjacent Lots.** Lots that share an interior side lot line.
7. **Adult Entertainment.** See 155.302.030.C (Definitions).
8. **Alley.** A public or private roadway, not more than 30 feet wide, providing only secondary means of access to abutting property.
9. **Allowed Land Use.** A land use permitted in a zoning district or overlay zone, either by right or with a Use Permit.
10. **Allowed Use Tables.** Tables in Article 2 (Zoning District Standards) that identify allowed land uses and required permits within each zoning district.
11. **Alteration.** See “Modification.”

12. **Ancillary Use.** A use subordinate to the principal use on the same lot and serving a purpose incidental to the principal use.
13. **Applicant.** Any person, firm, partnership, association, joint venture, corporation, or an entity or combination of entities which seek City permits and approvals.
14. **Attic.** The space within a building between the ceiling beams at the top story and the roof rafters.
15. **Average Ground Slope.** See 155.112.090 (Slope) for rule of measurement.
16. **Awning.** An overhang used as shelter attached to and projecting from an exterior building wall.

B. **“B” Terms.**

1. **Balcony.** A platform that projects from the wall of a building that is surrounded by a railing or balustrade and may or may not require separate understructure for support.
2. **Basement.** A story or space in a building whose floor is more than six feet below the average level of the adjoining ground. See Figure 508-1.

Figure 508-1: Basement Definition



3. **Base Zoning District.** The primary zoning district, as distinguished from an overlay zone, that applies to a parcel of land as shown on the Zoning Map.
4. **Beacon.** A beam of light designed to draw attention to a particular location.
5. **Building.** A structure having a solid roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. Includes “manufactured homes” and “mobile homes.”
6. **Building Height.** See 155.112.070 (Height) for rules of measurement.
7. **By-Right.** Permitted without any form of discretionary approval.

C. **“C” Terms.**

1. **California Environmental Quality Act (CEQA).** California State law (Public Resources Code Section 2100 et seq.) requiring government agencies to consider the

environmental consequences of their actions before taking action on a proposed project.

2. **Caretaker Unit.** A residential dwelling unit for one or more persons employed to provide oversight services on the site where the caretaker unit is located.
3. **Carport.** An accessory structure open on two, three or four sides and attached to, or detached from, a building and established for the loading or unloading of passengers or the storage or parking of an automobile.
4. **Coastal Land Use Plan.** See “Land Use Plan.”
5. **Coastal Zone.** The area of land and water extending from the state’s outer seaward limit of jurisdiction inland to the boundary as shown in Eureka’s Local Coastal Program (LCP) as certified by the California Coastal Commission.
6. **Coastal Zoning Districts.** See “Zoning Districts, Coastal.”
7. **Covered Parking Space.** An area designated for parking within a garage, carport or other enclosed building or structure.
8. **Change of Use.** Conversion from one use classification to a different use classification as identified in 155.504 (Land Use Classifications). The establishment of a different use within the same use classification as the existing use is not a “change of use.” For example, establishing a book store (classified as “General Retail”) in a space previously occupied by a bank (classified as “General Services”) is considered a “change of use.” Replacing the bank with a new laundromat (also classified as “General Services”) is not a “change of use.”
9. **Chase Lighting.** A series of adjacent light bulbs that cycle on and off frequently to give the illusion of movement.
10. **City.** The City of Eureka.
11. **Core Area.** As identified in the General Plan, the traditional business center and cultural hub of Eureka, including Downtown, Old Town, the Library District, and Bayfront Commercial.
12. **Courtyard.** An unroofed area enclosed on two or more sides by building walls.
13. **Covered Entry.** A building entrance covered by a roof, rigid canopy awning, marquee awning, or other similar overhanging feature where the covering is attached to the building wall and is not supported by columns, walls, or other vertical structural elements that extend to the ground. Excludes building entry areas that are enclosed on exterior-facing sides and/or where walls, columns, or vertical structural elements support the roof (see “porch”).

D. **“D” Terms.**

1. **Dark Sky Compliant.** A lighting fixture that meets the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light.
 2. **Deck.** A platform, either freestanding or attached to a building, that is supported by pillars or posts.
 3. **Density.** The number of dwelling units on a lot. See 155.112.030 (Density) for rules of measurement.
 4. **Department.** The City of Eureka Development Services Department.
 5. **Development.** Any human-caused change to land or a structure that requires a permit or approval from the City.
 6. **Development Standard.** A physical or dimensional standard that applies to a development project or land use. Includes lot area, building height, setbacks from lot lines, floor area ratio, residential density, site coverage, and other similar requirements.
 7. **Development Agreement.** An agreement entered into between the City of Eureka and a property owner for the development of a property in accordance with Government Code Section 65864 et. seq.
 8. **Director.** The City of Eureka Director of Development Services.
 9. **Discretionary Action.** An action by the City that requires the exercise of individual/independent judgment or deliberation as a basis to approve or deny a project.
 10. **Driveway.** A permanently surfaced area on a lot designed and required to provide direct access for vehicles between a street and a private garage, carport or other parking space, parking area, or loading area.
 11. **Dwelling Unit.** A building or a portion of a building containing one or more habitable rooms used or designed for occupancy by one family for living and sleeping purposes, including kitchen and bath facilities.
- E. **"E" Terms.**
1. **Existing.** Constructed or established as of [effective date of Zoning Code].
- F. **"F" Terms.**
1. **Feather Banner.** A temporary sign in the form of a vertical banner made of flexible materials, (e.g., cloth, paper, or plastic), the longer dimension of which is typically attached to a pole or rod that is driven into the ground or supported by an individual stand.
 2. **Family.** See "household."
 3. **Fence.** A structure made of wood, metal, masonry or other material used as a screen or enclosure for a field, yard, or lot. Excludes shrubs, trees, and other vegetation.

4. **Flags.** Fabric, textile, or material with colors and/or patterns which display a symbol of a nation, state, company, or idea.
 5. **Floor Area.** The enclosed area of all floors of a building. See 155.112.050 (Floor Area and Floor Area Ratio) for rules of measurement.
 6. **Floor Area Ratio.** An intensity measurement calculated by dividing the total floor area on a lot by the lot area.
 7. **Front Street.** The street with the highest annual average daily traffic (AADT) relative to the other streets abutting the site.
 8. **Frontage, Building.** The linear measurement of a building wall that is parallel to a street or that abuts a parking lot or pedestrian walkway.
 9. **Frontage, Site.** The portion of a site that abuts a street.
- G. **“G” Terms.**
1. **Garage.** An enclosed structure or a part of a building designed or used for the storage of automobiles and other motor vehicles.
 2. **General Plan.** The General Plan of the City of Eureka prepared in accordance with Government Code Section 65300 et seq.
 3. **Grade, Finished.** The level of the ground after completion of site preparation, grading, earthwork, or construction associated with a development project.
 4. **Grade, Natural.** The level of the ground prior to the start of any current or proposed site preparation, grading, earthwork, or construction.
 5. **Grading.** Any and all activities involving earthwork, including placement or fill and/or excavation.
 6. **Ground Floor.** The first level of a building, other than a cellar or basement, that is closest to finished grade.
- H. **“H” Terms.**
1. **Habitable Space.** An area within a building that is conditioned (heated or cooled) with a finished floor and a ceiling height averaging at least seven feet six inches. Excludes unfinished attics, cellars, crawl spaces, and other similar utility areas.
 2. **Hearing Body.** A review authority that conducts a public hearing.
 3. **Home Occupation.** A business conducted within a dwelling unit or from a residential site, with the business activity being subordinate to the residential use of the property.
 4. **Household.** One or more persons living together in a single residential unit, with common access to, and common use of, all living areas and all areas and facilities for

the preparation and storage of food and who maintain no more than four separate rental agreements for the single residential unit.

I. **“I” Terms.**

1. **Implementation Plan.** The coastal zoning code, codified in Chapter 156 (Coastal Zoning) of the Eureka Municipal Code, and certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.
2. **Intensity.** The amount or magnitude of development or use on a lot, typically measured as floor area ratio (FAR).

J. **“J” Terms.** None.

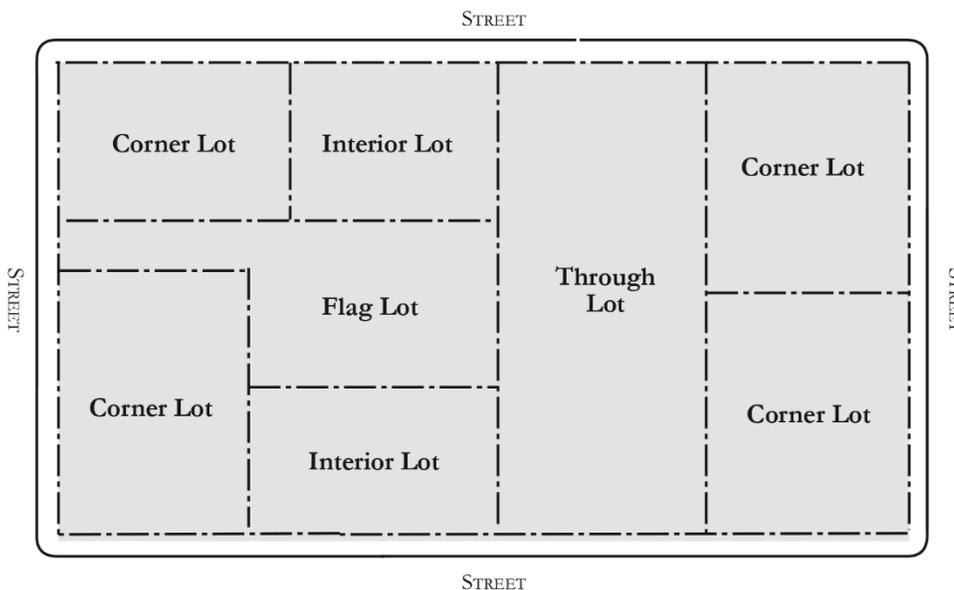
K. **“K” Terms.** None.

L. **“L” Terms.**

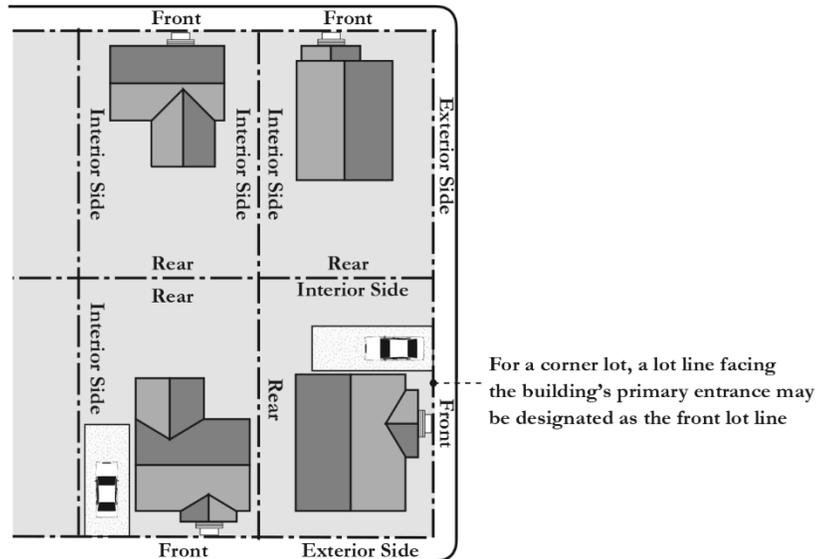
1. **Landscaping.** The planting and maintenance of living plant material, including the installation, use, and maintenance of any irrigation system for the plant material, as well as nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).
2. **Land Use.** An activity conducted on a site or in a structure, or the purpose for which a site or structure is designed, arranged, occupied, or maintained. The meaning of the term “use” is identical to “land use.”
3. **Land Use Plan (Coastal Land Use Plan).** The component of the City of Eureka’s Local Coastal Program (LPC) establishing the vision, goals, and policies for the coastal zone in accordance with the California Coastal Act of 1976.
4. **Land Use Regulation.** A regulation in the Zoning Code that primarily relates to the operation or placement of a use on a site as opposed to the physical form of the structures on the site (see “Development Standards”).
5. **Live/Work Unit.** A building or space within a building that is used jointly for commercial and residential uses.
6. **Local Coastal Program (LCP).** The City of Eureka’s Land Use Plan, Implementation Plan, maps, and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.
7. **Local Emergency.** An event, situation, or state of emergency that threatens the safety of persons and property in Eureka declared by the City Council in accordance with the California Emergency Services Act (Government Code Section 8550 et seq).
8. **Lot Area.** The total horizontal area within the lines of a lot. See 155.112.020 (Lot Area) for rules of measurement.

9. **Lot.** A parcel, site, tract, or area of land whose boundaries have been established by a legal instrument such as a deed or map recorded with the County of Humboldt, and which is recognized as a separate legal entity for purposes of transfer of title. The meaning of “parcel” is identical to “lot.” See Figure 508-2 for types of lots.
- Lot, Corner.** A lot abutting two or more streets at their intersection.
 - Lot, Interior.** A lot with only one front lot line.
 - Lot, Flag.** A lot where the main portion of the lot area does not have access to a street other than by means of a corridor less than 20 feet wide.
 - Lot, Through.** A lot which has two or more front lot lines which do not intersect.

Figure 508-2: Lot Types



10. **Lot, Legally Established.** A lot established in compliance with the California Subdivision Map Act (Government Code Section 66410 et. seq.).
11. **Lot Line.** The lines bounding a lot. The meaning of “property line” is identical to “lot line.” See Figure 508-3 for types of lot lines.

Figure 508-3: Lot Lines

- a. **Lot Line, Exterior Side.** A lot line other than a front lot line on a corner lot abutting a street.
- b. **Lot Line, Front.**
 - (1) For an interior lot, the lot line abutting a street.
 - (2) For a through lot, both lot lines abutting a street.
 - (3) For a corner lot, either the shorter lot line facing the street, the lot line facing the primary street as defined in this section, the lot line facing the building's primary entrance, or another lot line as determined by the Director based on the existing and/or proposed layout and function of the lot.
- c. **Lot Line, Interior Side.** A lot line other than a rear line lot shared with another lot.
- d. **Lot Line, Rear.** The lot line opposite and most distant from the front lot line, where such lot line is not also a street-facing lot line, unless determined otherwise by the Director based on the existing and/or proposed layout and function of the lot.

M. "M" Terms.

1. **Manufactured Home.** A single-family home built to the National Manufactured Housing Construction and Safety Standards Act of 1974. Includes structures known as manufactured housing or modular homes.
2. **Ministerial Action.** A City action (approval or denial) that involves only the use of fixed standards or objective measurements and does not require the exercise of discretionary or subjective personal judgement.

3. **Mixed-Use.** Two or more different land uses located in one building or on one lot or development site.
4. **Mixed-Use Zoning Districts.** The zoning districts listed in 155.208 (Mixed-Use Zoning Districts).
5. **Mobile Home.** A type of "trailer," "trailer coach," or "semi-trailer" as defined in the California Vehicle Code, and has the same meaning as "mobile home," as defined in the California Health and Safety Code. Excludes modular or manufactured dwellings intended for assembly on-site on permanent foundations and not designed for subsequent or repeated relocation. Excludes recreational vehicles as defined in this section.
6. **Modification.** Any construction or physical change in the internal arrangement of rooms, supporting members of a structure, or external appearance of any structure, not including painting.
7. **Multi-Family Residential Zoning Districts.** The Residential Medium (R2) and Residential High (R3) zoning districts.

N. **"N" Terms.**

1. **Natural Grade.** See "Grade, Natural."
2. **Nonconformity.** A lot, land use, site feature, or structure that does not comply with the Zoning Code but was legally established under previous regulations
 - a. **Nonconforming Lot.** A legally established lot that does not comply with the Zoning Code.
 - b. **Nonconforming Use.** A legally established land use that does not comply with the Zoning Code.
 - c. **Nonconforming Structure.** A legally established structure that does not comply with the Zoning Code.
 - d. **Nonconforming Site Feature.** A legally established site feature that does not comply with the Zoning Code.

O. **"O" Terms.**

1. **Overlay Zone.** A secondary zoning designation that imposes additional regulations, allowances, limitations, and/or special provisions beyond what is required and allowed by the underlying zoning district

P. **"P" Terms.**

1. **Parcel.** See "lot."
2. **Parking Assessment District.** Outside of the coastal zone, the area shown in Figure 508-4.

Figure 508-4: Parking Assessment District – Inland Area

3. **Parking Indenture.** A covenant record filed with the County Recorder guaranteeing that off-site parking will be maintained exclusively for a use for the duration of the use.
4. **Parking Lot.** An area on a lot or within a structure used for or designed for temporary parking for more than four motor vehicles and available for public use, whether free, for compensation, or as an accommodation for clients, employees, visitors, or customers.
5. **Parking Space.** Land or space privately owned, covered or uncovered, laid out for, surfaced, and used or designed to be used for temporary parking or storage of standard motor vehicles.
6. **Pedestrian-Focused Frontage.** See 155.208.040 (Pedestrian-Focused Street Frontages) and Figure 208-4.
7. **Permit.** A City approval required by the Zoning Code as listed in Table 404-1 in 155.404 (Administrative Responsibilities).
8. **Planning Commission.** The City of Eureka Planning Commission.
9. **Porch.** A covered projecting platform that extends from the main wall of a building where the covering is supported by columns, walls, or other vertical structural

elements. A porch may be enclosed or unenclosed. Enclosed porches must be at least 60 percent transparent on each exterior-facing side.

10. **Primary Building.** The building or structure that accommodates the primary use of the site.
 11. **Primary Dwelling.** On a lot with an accessory dwelling unit (ADU), the detached single-family home established either before or concurrently with the ADU.
 12. **Primary Use.** The main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.
 13. **Private Agreement.** An easement, covenant, deed restriction or other agreement entered into between private property owners.
 14. **Privately-Owned Public Space.** An outdoor area on private property which may be used by customers and/or the general public.
 15. **Property line.** See "lot line."
 16. **Public Facilities Zoning Districts.** The zoning districts listed in 155.216 (Public Facilities Zoning Districts).
 17. **Public Nuisance.** Any violation of the Municipal Code defined as such by the Eureka Municipal Code or that is, causes, or creates a condition of public nuisance as defined in Civil Code Sections 3479 and 3480.
 18. **Public Utility.** A permanent structure or facility operated by a governmental agency providing a utility service to the general public. Includes facilities for the production, generation, storage, treatment, or transmission of water; facilities for the production, generation, transmission, or distribution of electrical energy; facilities for the collection, treatment and disposal of solid waste and wastewater, and other similar facilities.
- Q. **"Q" Terms.** None.
- R. **"R" Terms.**
1. **Recreational Vehicle (RV).** A vehicular-type unit designed for temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The term "recreational vehicle" includes, but is not limited to:
 - a. Motor homes constructed as an integral part of a self-propelled vehicle.
 - b. Travel trailers built on a chassis and drawn by a motorized vehicle.
 - c. Campers mounted on a truck chassis.
 - d. Camping trailers and similar folding structures mounted on wheels.

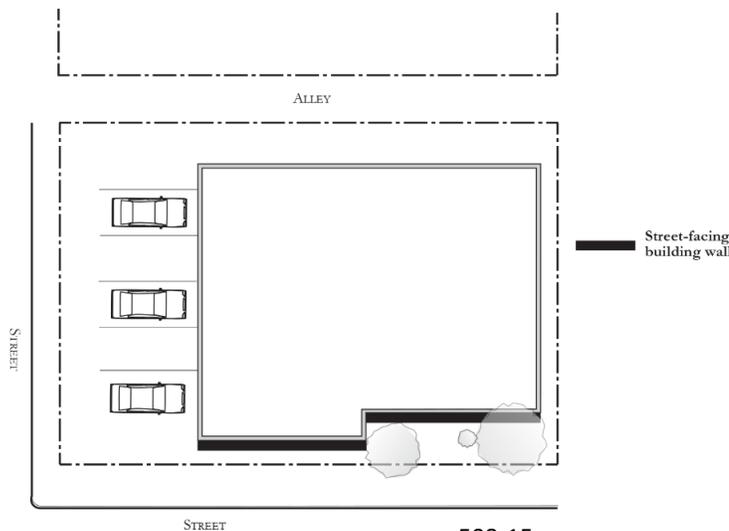
- e. Park trailers built on a single chassis, mounted on wheels, with a gross trailer area not exceeding 400 square feet in the setup mode, and certified by the manufacturer as complying with ANSI A119.5.
 2. **Remodel.** A change or alteration in a building that does not increase the building's square footage.
 3. **Reconstruction.** See 155.424.040.E (Damage, Destruction, and Demolition).
 4. **Residential Zoning Districts.** The zoning districts listed in 155.204 (Residential Zoning Districts).
 5. **Resource-Related Zoning Districts.** The zoning districts listed in 155.220 (Resource-Related Zoning Districts).
 6. **Review Authority.** The City official or body responsible for approving or denying a permit application or other form of requested approval under the Zoning Code.
- S. **"S" Terms.**
1. **Second Use.** A use subject to separate permit requirements and allowed only if combined with a primary use.
 2. **Setback.** The required distance of a structure from a lot line or other feature. See 155.112.040 (Setback) for rules of measurement.
 3. **Setback Area.** The two-dimensional area on a lot subject to the minimum setback requirement.
 4. **Side Street.** The street with a lower annual average daily traffic (AADT) relative to the other streets fronting the site or as defined by the Public Works Director.
 5. **Sign.** Any structure, object, or device that uses letters, numbers, graphics, colors or other means of communication to advertise, announce, or communicate information of any kind to the public.
 6. **Sign, Animated.** A sign which physically moves, rotates, revolves or has visibly moving or rotating parts of any kind.
 7. **Sign, Awning.** A sign incorporated into, attached to, or painted on the face or valance of an awning.
 8. **Sign, Banner.** A temporary sign made of flexible vinyl, fabric, or any non-rigid material with no enclosing framework on which a message or image is painted or otherwise affixed.
 9. **Sign, Box.** A sign that contains all copy within a single enclosed cabinet that is mounted to a wall or other structure. Box signs, also referred to as can signs, typically use slide-in panels to display messages.

10. **Sign, Canopy.** A sign attached to a fixed overhead shelter used as a roof, which may or may not be attached to a building.
11. **Sign Copy.** The area of a sign occupied by letters, numbers, graphics, or other content intended to communicate information.
12. **Sign, Detached.** Any pole sign, monument sign, or other types of sign not attached to a building.
13. **Signs, Digital.** A sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs) or their functional equivalent where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.
14. **Sign, Digitally Printed.** Any of the following:
 - a. A sign where the entire sign copy is digitally printed onto wood, aluminum or other material and then trimmed as needed to complete the sign.
 - b. A sign where the entire sign copy is digitally printed onto an adhesive material which is attached to a plastic panel and inserted into a box sign cabinet.
 - c. A sign where a single material is used for the sign copy and sign face (e.g., a pan face sign with an injected molded plastic).
15. **Signs, Directional.** A sign that provides directions to a place, structure, or use, excluding signs installed by a public agency.
16. **Sign, Directory.** A sign which lists and identifies the location of the occupants of a multi-tenant building or site. Excludes "property identification signs."
17. **Sign Face.** The area of a sign where sign copy is placed.
18. **Sign, Inflatable Balloon.** A temporary sign consisting of a flexible envelope of nonporous materials that gains its shape from inserted air or other gas.
19. **Signs, Human Directional and Advertising.** A sign that is held by or attached to a human being in any manner. Includes individuals dressed in costume intended to attract attention as human signs to a business for advertising purposes.
20. **Sign, Internally Illuminated Window.** A sign placed in a window with individually illuminated letter, numbers, or graphic not exceeding 12 square feet. Includes illuminated "open" signs and signs illuminated with LEDs, neon, or other fluorescing gas.
21. **Sign, Marquee.** A sign with changeable copy that advertises an event, performance, seminar, conference, or show.

- a. **Attached Marquee Sign.** A marquee sign displayed on a permanent roof-like structure or canopy made of rigid materials supported by and extending from the facade of a building.
 - b. **Detached Marquee Sign.** A freestanding marquee sign not attached to a building.
22. **Sign, Monument.** A sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”
23. **Sign, Neon.** A sign that features exposed small diameter tubing illuminated by neon or other fluorescing gas. Excludes signs with LEDs intended to simulate the appearance of neon and “internally illuminated window signs.”
24. **Sign, Off-Premise.** A sign advertising a land use, business, product, or service not located or available on the site where the sign is located.
25. **Sign, Pole.** A sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face. Monument signs with supporting poles where the poles are incased to incorporate design features are not considered pole signs.
26. **Sign, Post.** A temporary sign suspended from a horizontal swingpost or bracket that is attached to a vertical post mounted in the ground. Includes on-site real estate sales and rental signs.
27. **Sign, Projecting.** A sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.
28. **Sign, Roof.** A sign erected upon or directly above a roof and the parapet of a building.
29. **Sign, Sandwich Board.** A portable sign with two opposing flat faces designed to be self-supporting on the ground, typically displayed on a sidewalk or in a parking lot.
30. **Sign, Suspended.** A sign which is suspended under an awning, canopy, fascia or similar structure. Includes signs oriented parallel to the building façade suspended over a recessed entry.
31. **Sign, Ticker.** An electronic reader board sign consisting of one or more lines of scrolling LED text.
32. **Sign, Wall.** A sign attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall. Includes signs attached to but not extending above a fascia or parapet.

- 33. **Sign, Window.** A sign posted, painted, placed, or affixed in or on a window exposed to public view. Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.
- 34. **Sign, Yard.** A temporary freestanding sign with an “H”-shaped frame inserted into the ground within a street-facing yard. Includes political campaign signs displayed prior to elections.
- 35. **Site.** A lot with any adjoining lots that are under single ownership or single control, and that are considered a unit for the purpose of development or other use.
- 36. **Site Coverage.** The total horizontal area of all buildings on a lot divided by the lot area. See 155.112.060 (Site Coverage) for rules of measurement.
- 37. **Site Features.** Physical improvements and modifications to a site excluding permanent buildings to serve on-site development and uses. Includes at grade flatwork, steps, ramps, retaining walls, planter boxes, decorative ornamental features, ground-mounted mechanical equipment, swimming pools, and other similar improvements.
- 38. **Specific Plan.** Any specific plan of the City of Eureka adopted in accordance with Government Code Section 65450 et seq.
- 39. **Story.** The portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.
- 40. **Street.** A travel way more than 20 feet in width which affords a primary or principal means of access to abutting property. “Streets” includes private roads and highways.
- 41. **Street-Facing Building Wall.** A building wall that is 1) parallel or substantially parallel to a street; and 2) directly across a front or exterior side lot line. This definition excludes building walls where another building or parking lot is located between the building wall and the lot line. See Figure 508-5.

Figure 508-5: Street-Facing Building Walls.



42. **Structure.** Anything constructed or erected that requires attachment to the ground, or attachment to something located on the ground. Excludes objects temporarily attached to the ground, or which are easily moved, including dog houses, picnic tables, patio furniture, and children's play structures.
43. **Structural Alterations.** Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor, ceiling or roof joists and roof rafters, or a change in roof exterior lines which would prolong the life of the supporting members of a building.
44. **Subdivision.** The division of land as defined in Government Code Sections 66410 to 66499 (Subdivision Map Act). Includes condominium and community apartment projects.

T. **"T" Terms.**

1. **Tandem Parking.** An arrangement of parking spaces such that one or more spaces must be driven across in order to access another space or spaces.
2. **Temporary Structure.** A structure that is erected for a limited period of time and that does not permanently alter the character or physical facilities of a property.
3. **Temporary Use.** A short-term activity that occurs for a limited period of time and does not permanently alter the character or physical facilities of a property.
4. **Tenant Space.** A defined area within a building rented or occupied by a business or other non-residential land
5. **Townhome.** Two or more single-family dwelling units connected by common walls along the sides with either shared or unshared foundations.

U. **"U" Terms.**

1. **Uncovered Parking Space.** A parking space in an open area not enclosed in a garage, carport or other structure.
2. **Use.** See "Land Use."
3. **Use Permit.** Either a Conditional Use Permit or a Minor Use Permit.

V. **"V" Terms.**

1. **Vision Clearance Area.** See 155.304.040 (Vision Clearance Area).

W. **"W" Terms.**

1. **Wall.** A permanent upright linear structure made of wood, stone, concrete, masonry, or other similar material.

2. **Weeds.** Plants that were not included in an approved landscape plan for the property, are not valued where they are growing, are of vigorous growth relative to other plants within a landscape area, and overgrow and choke out other plants within a landscape area.
- X. **“X” Terms.** None.
- Y. **“Y” Terms.** None.
- Z. **“Z” Terms.**
1. **Zoning Code.** Chapter 155 of the City of Eureka Municipal Code.
 2. **Zoning District.** A defined area within the City of Eureka where uniform land use and development standards apply in accordance with the Zoning Code.
 3. **Zoning District, Coastal.** A zoning district in the coastal zone regulated under Municipal Code Chapter 156 (Coastal Zoning).
 4. **Zoning District, Inland.** A zoning district outside of the coastal zone regulated under the Zoning Code.
 5. **Zoning Maps.** The official maps adopted by the City Council identifying the boundaries of the zoning districts within the City of Eureka.
 6. **Zoning Map, Coastal.** The official adopted and certified zoning map identifying the location of coastal zoning districts, incorporated by reference into Municipal Code Chapter 156 (Coastal Zoning).
 7. **Zoning Map, Inland.** The official adopted zoning map identifying the location of zoning districts outside of the coastal zone, incorporated by reference into the Zoning Code.

DRAFT ADDENDUM TO THE EUREKA 2040 GENERAL PLAN EIR

Zoning Code Update

City of Eureka

MARCH 13, 2019



Prepared by
EMC Planning Group

ADDENDUM TO EUREKA 2040 GENERAL PLAN EIR

ZONING CODE

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1.0 Introduction

1.1 PURPOSE

This document is an Addendum to the *Environmental Impact Report for the City of Eureka 2040 General Plan*, State Clearinghouse No. 2016102025, certified on October 15, 2018 (General Plan EIR). The project analyzed in the General Plan EIR and adopted by the City of Eureka is the *City of Eureka 2040 General Plan* (2018) (General Plan). The subject addressed by this addendum (hereinafter “Addendum”) is the City’s comprehensive update to the Zoning Code (referred to interchangeably as “Draft Zoning Code” or “proposed project”), with the environmental analysis herein prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15164.

1.2 BACKGROUND

On October 15, 2018, the Eureka City Council adopted the project findings and Statement of Overriding Considerations, certified the Environmental Impact Report, and adopted the City of Eureka 2040 General Plan. The General Plan increases the development densities of the City and creates a framework to plan for and guide residential and non-residential growth and conservation in Eureka from now until 2040. This framework is based on a set of comprehensive goals and policies that expand existing land use patterns and focus new growth in undeveloped and underutilized areas of the City. Buildout of the General Plan land use designations will increase the City’s residential development capacity by up to 1,886 dwelling units, which will house approximately 3,683 residents and provides for a total of up to 1.6 million square feet of non-residential uses.

The City’s General Plan land use policies provide for strategic growth and change that preserve existing neighborhoods and target new development primarily to infill areas that are vacant or underutilized. The General Plan EIR assessed the environmental impacts that could result from implementation of the General Plan. California Government Code Section 65860(a) requires a City’s zoning ordinance to be consistent with its General Plan. CEQA requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on them. The Draft Zoning Code has been prepared to ensure that the development intensities and uses identified in the Zoning Code and Zoning Map are consistent with and conform to the General Plan.

Since the General Plan EIR was certified, amendments to the California Environmental Quality Act (CEQA) Guidelines have been adopted by the state, including changes to the Guidelines Appendix G (Environmental Checklist). The amendments to Appendix G include new discussion topics of vehicle miles traveled (VMT) for transportation issues (in response to SB 743), and the addition of wildfire, energy, and new, expanded, or relocated natural gas, electric power, and telecommunications facilities as separate topics to address.

1.3 ENVIRONMENTAL PROCEDURES

Pursuant to Section 21166 of CEQA and Section 15162 of the CEQA Guidelines, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR or negative declaration shall be prepared for the project unless the lead agency determines that one or more of the following conditions are met:

1. Substantial project changes are proposed that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes would occur with respect to the circumstances under which the project is undertaken that require major revisions to the previous EIR or negative declaration 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 that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the negative declaration was adopted shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration.
 - b. Significant effects previously examined will be substantially more severe than identified in the previous EIR.
 - 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 proponent declines to adopt the mitigation measures or alternatives.
 - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

When an EIR has been certified for a project, no subsequent EIR is required if none of the conditions specified in Section 21166 are present (CEQA Guidelines Section 15162(a)). An Addendum is appropriate where some changes or additions to the previously certified EIR are necessary, but none of the conditions specified in Section 21166 have occurred (CEQA Guidelines Section 15164(a)).

The decision to prepare an Addendum is supported by Section 3, Environmental Analysis, which addresses each of the environmental issues included in the CEQA Guidelines, Appendix G. The Addendum reviews the changes proposed by the proposed project and examines whether, as a result of any changes or new information, any new or worsened impacts could occur that were not identified in the certified EIR. In accordance with the CEQA Guidelines, the City has determined that an Addendum to the certified General Plan EIR is an appropriate environmental document for the proposed project.

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2.0 Project Information

2.1 PROJECT LOCATION AND SETTING

The City of Eureka is located along the northern coast of California in Humboldt County approximately 300 miles north of San Francisco and 100 miles south of the Oregon border. Eureka's city limits extend into Humboldt Bay to the north and west, and include Woodley Island, and portions of Indian Island and Daby Island. Northern and western portions of the City are within the California Coastal Zone under the regulation of the California Coastal Act. The City is in the process of updating its Local Coastal Program Land Use Plan and is developing implementing ordinances for development within the Coastal Zone. [Figure 2-1, Regional Location](#), shows the City's regional location.

The City limit encompasses the land over which the City of Eureka has jurisdictional authority and where the City's Zoning Code applies. Other planning boundaries that the City uses in its growth planning include: Sphere of Influence (SOI) and the Coastal Zone. The City's planning boundaries are shown in [Figure 2-2, Planning Boundaries](#). However, the Zoning Code applies only to lands within City of Eureka city limit. All Figures are located at the end of this section.

2.2 PROJECT DESCRIPTION

The proposed project is an update to the City's existing Zoning Code which is codified as Chapter 155 of the Eureka Municipal Code. The Draft Zoning Code implements policies of the General Plan. The Zoning Map will also be updated as necessary to reflect the zoning districts and standards of the new code. An update to the Zoning Code is necessary to ensure the allowable uses and development standards within the City limit are consistent with the General Plan. The Zoning Code applies to all of Eureka, but does not include regulations that are unique to the portion of Eureka located within the coastal zone. These coastal zoning regulations are established in a separate Local Coastal Program Implementation Program (IP) found in Eureka Municipal Code Article 29 of Chapter 5, commencing with Section 10-5.29-1. The IP must be certified by the California Coastal Commission as required by the California Coastal Act. The City is currently preparing the updated IP and aims to circulate the draft IP later this year.

Upon adoption, the Draft Zoning Code will replace the existing Zoning Code (Chapter 155) in its entirety, by updating zoning districts, allowed uses within each zoning district, supplemental use regulations, review and administrative processes by which permits are granted, and development and design standards. Outside of the coastal zone, the Draft Zoning Code will apply in its entirety. Within the coastal zone, Draft Zoning Code content that is not specifically addressed in the IP will apply in the coastal zone (e.g., permit procedures other than coastal development permits). Draft Zoning Code topics also addressed in the certified IP (e.g., parking requirements) will not apply in the coastal zone. For these topics, the IP will continue to govern in the coastal zone.

The Draft Zoning Code will provide detailed development regulations for sites already designated for urban uses by the General Plan. Although project-specific development is not proposed, the types of land uses, amount of development, and land use patterns allowed under the Draft Zoning Code will be consistent with the General Plan. Future development that conforms the Draft Zoning Code standards could contribute to the impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed.

The Draft Zoning Code is included in [Appendix A](#). The existing Zoning Map is presented in [Figure 2-3, Existing Zoning Map](#). The proposed zoning map illustrates new or renamed zoning districts and zoning district overlays, excluding the coastal zone, and is presented in [Figure 2-4, Proposed Zoning Map](#). All figures are located at the end of this section.

Updated zoning districts and their respective General Plan land use designations are summarized in [Table 2-1, Zoning Districts](#).

Table 2-1 Zoning Districts

Zoning District Symbol	Name of Zoning District (Previous Zoning District, If Applicable)	Zoning Density/FAR	General Plan Land Use Designations
Residential Zoning Districts			
RE	Residential Estate (Formerly RS-12,000, Single-family Residential)	4 du per acre/None	Estate Residential (ER)
R1	Residential Low (Formerly RS-6,000, Single-family Residential) ⁴	8.5 du per acre/None	Low Density Residential (LDR)
R2	Residential Medium (Formerly RM-2,500, Multifamily Residential) ⁴	22 du per acre/0.55-1.0	Medium Density Residential (MDR)
R3	Residential High (Formerly RM-1,000, Multifamily Residential) ⁴	44 du per acre/0.7-1.15	High Density Residential (HDR)
Mixed Use Zoning Districts			
DT	Downtown	None/6.0	

Zoning District Symbol	Name of Zoning District (Previous Zoning District, If Applicable)	Zoning Density/FAR	General Plan Land Use Designations
	(Formerly OR, Office Residential or CC, Central Commercial)		Downtown Commercial (DC)
DW	Downtown West: (Formerly CS, Service Commercial)	None/6.0	
NC	Neighborhood Commercial (Same, but formerly denoted as CN)	None/3.0	Neighborhood Commercial (NC)
HC	Henderson Center (Formerly CN, Neighborhood Commercial)	None/2.5	
WA	Wabash Avenue (Formerly CN, Neighborhood Commercial)	None/3.0	
OR	Office Residential (Same)	None/2.5	Professional Office (PO)
HM	Hospital Medical (Same)	None/2.5	
SC	Service Commercial (Formerly denoted as CS, or CP, Planned Commercial)	None/2.5	General Commercial (GC)
Industrial			
HN	Hinge Industrial (Formerly ML, Limited Industrial)	44 units acre/2.0	Light Industrial (LI)
LI	Light Industrial (Formerly ML, Limited Industrial)	None/2.0	
HI	Heavy Industrial: One Acre (Formerly MG, General Industrial)	None/2.0	General Industrial (GI)
Public			
PF	Public Facilities (Formerly P, Public)	None/4.0	Public/Quasi-Public (PQP) Parks and Recreation (PR)
P	Parks (Formerly P, Public)	None/4.0	
Resource-Related			
A	Agriculture (Same)	20 acres/None	Agriculture (A)
NR	Natural Resources	-	Natural Resource (NR)

SOURCE: Ben Noble 2019, City of Eureka 2019, EMC Planning Group 2019

A comparison of existing and proposed allowed uses by zone district is presented in [Appendix B](#). A comparison of existing and proposed basic development standards are presented in [Appendix C](#). [Table 2-2 Summary of Proposed Changes to Zoning District Uses and Standards](#) describes changes to allowed uses and development standards within specific zoning districts that may have an impact on the physical environment.

Table 2-2 Summary of Proposed Changes to Zoning District Uses and Standards

Article/Section	Description
Article 2 – Zoning District Standards	
155.204 – Residential Zoning Districts	Civic and recreational uses (155.204.020) added to list of allowed uses in RE, R1, R2, and R3 zoning districts. ¹ Changes to basic development standards including reduction in minimum lot area, increased density, and modifications to minimum required setbacks in all residential districts; increased floor area ratio (FAR), and new maximum permitted site coverage in R1, R2, R3 zoning districts. ²
155.208 – Mixed-Use Zoning Districts (Formerly Commercial)	Adds new uses to list of allowed uses (155.208.020) in DT, OR, HM, HC, NC, WA, SC, and DW, zoning districts. ¹ Changes to basic development standards including elimination of minimum lot area in all districts, elimination of density standard in the OT, DT, and HM zoning districts; increase FAR in all zoning districts except OR; increase maximum building height in all zoning districts except OR and DT; modify minimum required setbacks in DT, OR, and SC zoning districts (155.208.030). ²
155.212 – Industrial Zoning Districts	Adds residential and office uses to list of allowed uses in the Hinge (HG) zoning district (155.212.030). ¹ Changes to basic development standards including elimination of minimum lot area in HG and LI, add maximum residential density in HG, increase FAR in HG and LI, increase height in HG and LI, reduce front setbacks to zero (155.212.030). ²
155.216 – Public Facilities Zoning Districts	No changes that may impact the physical environment
155.220 – Resource-Related Zoning Districts	No changes that may impact the physical environment
155.224 – Overlay Zones	Creates ability to establish neighborhood-serving commercial uses in a Neighborhood Commercial Overlay (NCO) zone. This overlay allows for the continuation, re-establishment, or creation of new neighborhood-serving commercial uses in residential zoning districts (155.224.030). ³ Creates ability to deviate from zoning standards through a Special Considerations Overlay (SCO) zone on any property within the City, provided that the change is consistent with the General Plan. This overlay zone is intended to promote creativity in building design, flexibility in permitted land uses, and innovation in development concepts and to provide the City with enhanced flexibility to address unique site characteristics for projects that will provide public benefits for residents, employees, and visitors (155.224.040). ³

SOURCE: Ben Noble, 2019; EMC Planning Group 2019

NOTES:

1. Additional detail provided in the Allowed Use Comparison Table (Appendix B).
2. Additional detail provided in the Existing and New Proposed Basic Development Standards Table (Appendix C).
3. Refer also to Draft Zoning Code, Section 155.224.030 (Appendix A).

The proposed project also modifies general development standards, use regulations, and permits and administrative provisions proposed in Chapter 155, Article 3 and Article 4, which are applicable to development on a citywide basis regardless of zoning district.

Proposed changes to Citywide zoning standards are summarized in [Table 2-3, Summary of Proposed Changes to Citywide Development Standards and General Provisions](#).

Table 2-3 Summary of Proposed Changes to Citywide Development Standards and General Provisions

Article/Section	Description
Article 3 – Citywide Standards	
155.302 – Supplemental Use Regulations	Creates ability to deviate from home occupation standards with a Minor Use Permit (155.302.070). ¹ Creates ability to remove up to 5 commercial tree species in residential zoning districts (155.302.140). ¹
155.304 – General Standards	Create ability for buildings to locate in vision clearance areas (155.304.040). ¹
155.306 – Design Standards ²	Establishes new building design standards that applies to new multi-family and non-residential development in the residential and mixed-use zoning districts.
155.308 – Accessory Dwelling Units	Changes development standards for accessory dwelling units including increased maximum unit size and no setback requirement for units built above a garage (155.308). ¹
155.312 – Fences and Walls	Allows 6-foot solid fencing to be placed on exterior side lot line behind the front of a house (155.312.040.A). ¹
155.316 – Parking	Identifies development exempt from on-site parking requirements (155.316.020). ¹ Reduces parking ratios (155.316.030). ¹ Identifies opportunities and required findings for further reductions in required parking through the provision of alternatives including in-lieu fees, shared parking, off-site parking, proximity to transit, or other circumstances (155.316.040). ¹
155.324 – Residential Subdivision Alternatives	Provides ability to create small lot subdivisions in R2 and R3 multifamily residential zoning districts and sets forth standards and provisions (155.324.020). ¹ Relaxes development standards for conservation subdivisions to preserve open space and accommodate development on lots constrained by natural features (155.324.030). ¹
155.338 – Signs	Provides ability to deviate from sign standards through discretionary sign permit process (155.338.060). ¹
Article 4 – Permits and Administration	
155.412 – Specific Permits and Approvals	New procedural mechanisms to deviate from standards with administrative adjustments, infill incentive permits, and minor modifications (155.412.020, 050, 060). ¹ New ability to increase residential density through infill incentive permit process (155.412.050.G). ¹
155.424 – Nonconformities	Increases ability to expand and intensify nonconforming buildings and uses subject to certain provisions (155.424.030). ¹

SOURCE: Ben Noble, 2019, City of Eureka 2019, EMC Planning Group 2019

NOTE:

1. Additional details are provided in relevant sections of the Draft Zoning Code (Appendix A).

In addition to the Zoning Code amendments described above and in Appendix B and Appendix C, the proposed project will include site-specific rezoning consistent with the

2.0 Project Information

proposed Zoning Map. A list of parcels that will be rezoned is included in [Appendix D](#) and their locations are presented graphically in [Figure 5, Parcels with a Zoning Change](#). None of the changes in zoning will apply urban (e.g., residential, commercial, mixed-use, or industrial) zoning districts to sites that were previously zoned for non-urban (e.g., open space) uses.



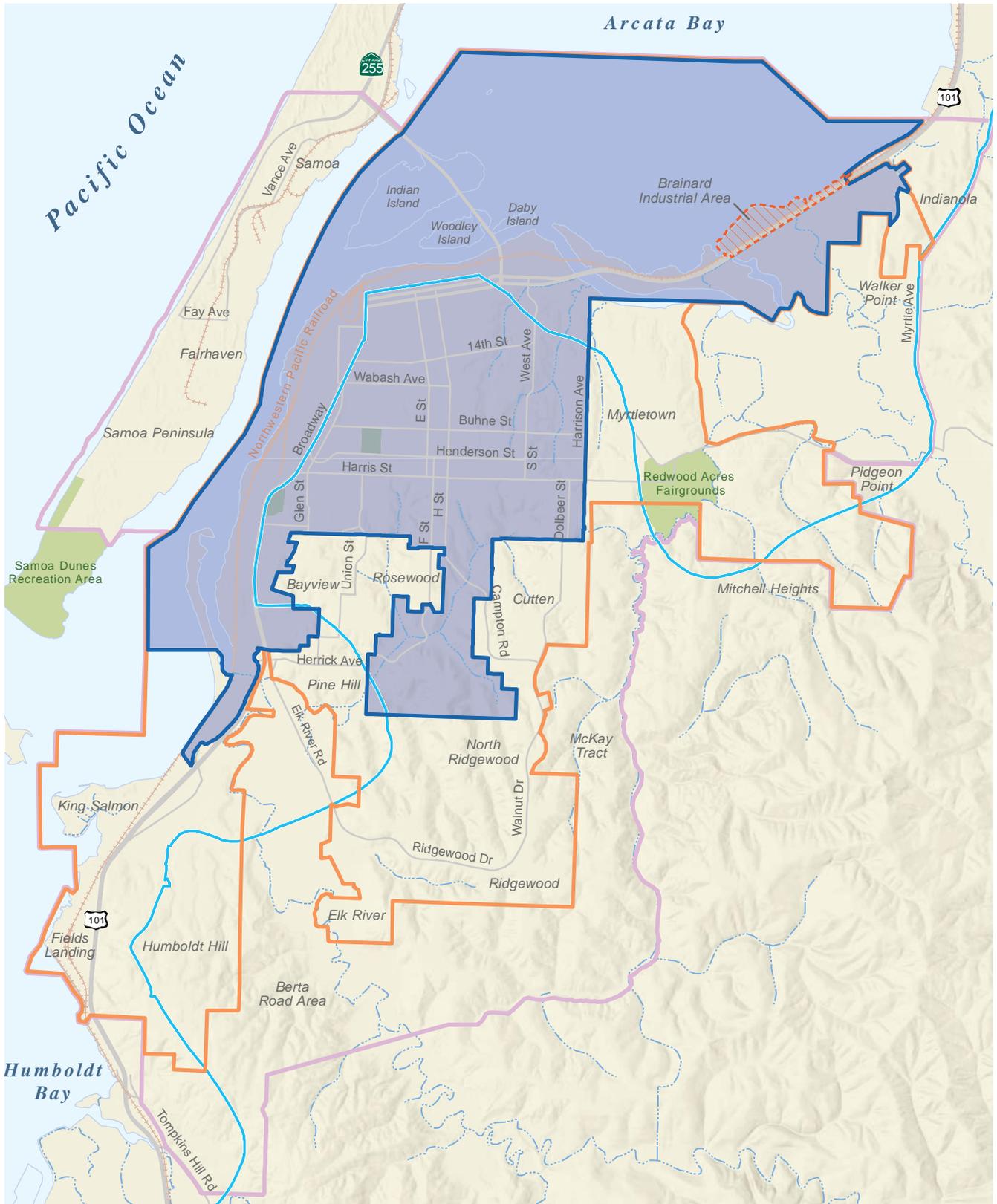
 Eureka City Limits

Source: City of Eureka, 2018; ESA, 2018



Figure 2-1
Regional Location

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Source: City of Eureka 2018; ESA, 2018



- Eureka City Limits
- Current Sphere of Influence
- Study Area
- Currently Undergoing Annexation
- Coastal Zone Boundary

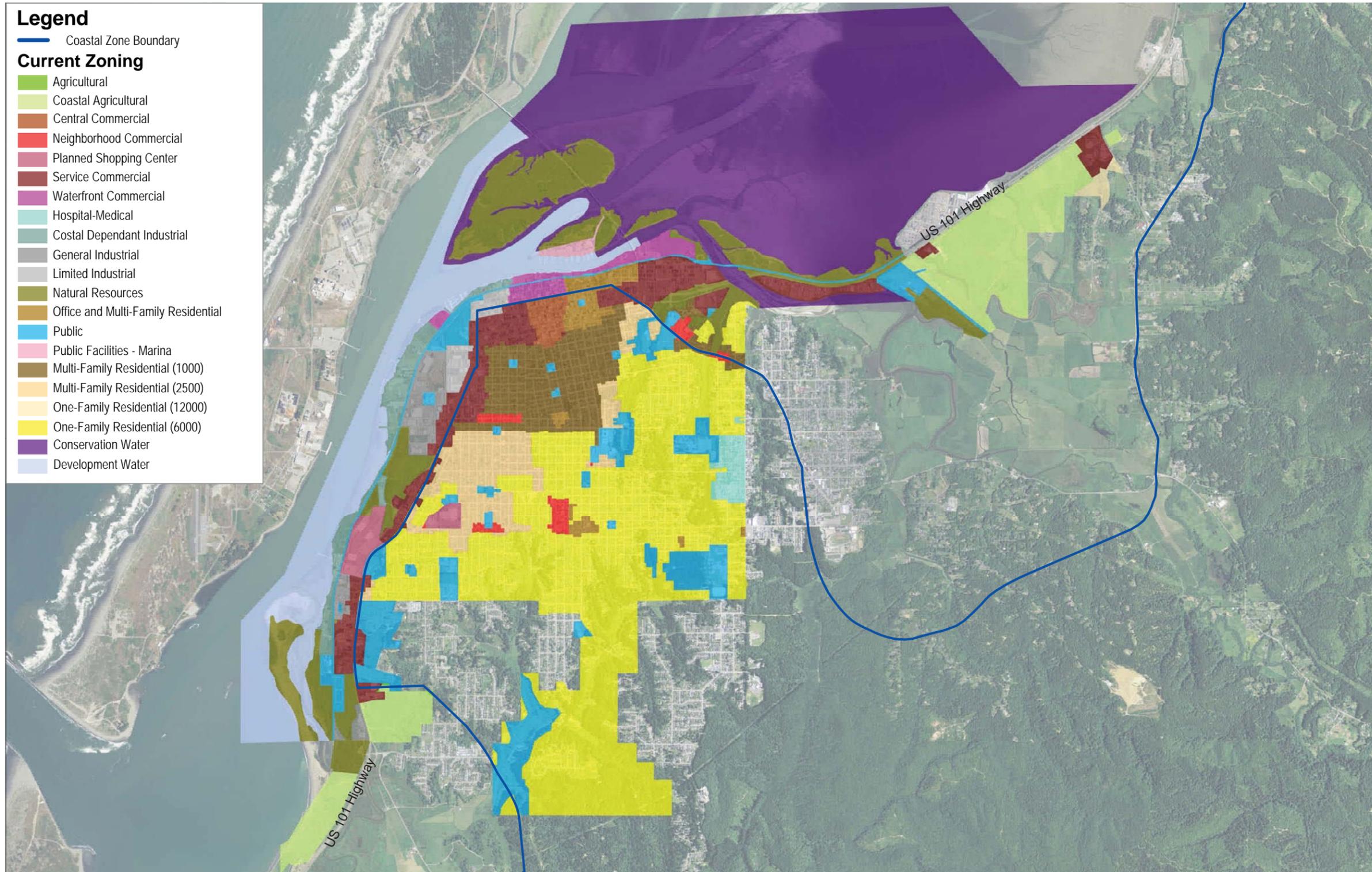
Figure 2-2

Planning Boundaries



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- Legend**
- Coastal Zone Boundary
 - Current Zoning**
 - Agricultural
 - Coastal Agricultural
 - Central Commercial
 - Neighborhood Commercial
 - Planned Shopping Center
 - Service Commercial
 - Waterfront Commercial
 - Hospital-Medical
 - Coastal Dependant Industrial
 - General Industrial
 - Limited Industrial
 - Natural Resources
 - Office and Multi-Family Residential
 - Public
 - Public Facilities - Marina
 - Multi-Family Residential (1000)
 - Multi-Family Residential (2500)
 - One-Family Residential (12000)
 - One-Family Residential (6000)
 - Conservation Water
 - Development Water



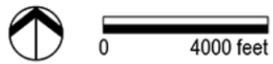
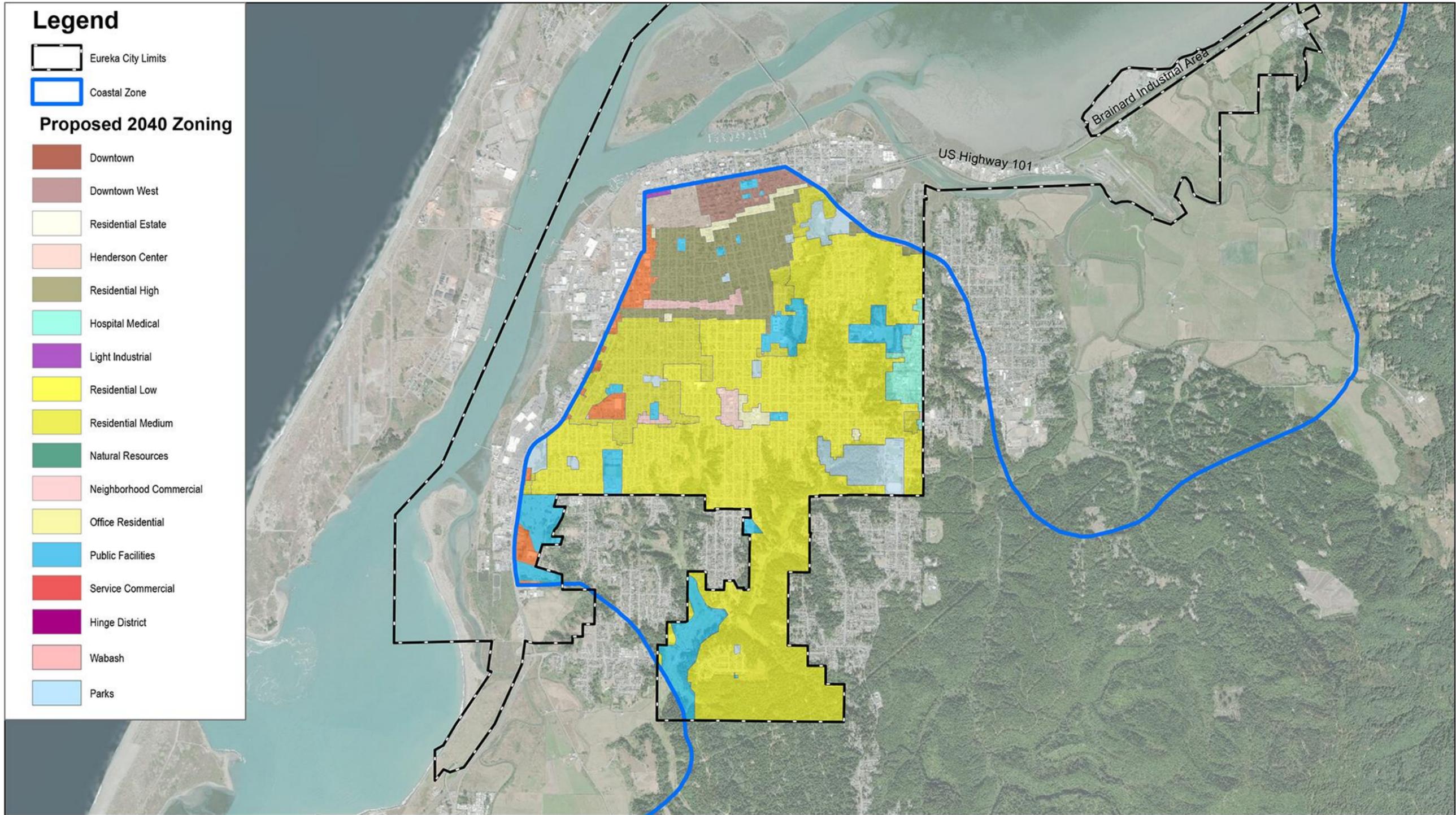
Source: City of Eureka 2018



Figure 2-3
Existing Zoning Map

Addendum to the Eureka 2040 General Plan EIR

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Note: Zoning District in Coastal Zone is to remain unchanged and is not analyzed as a part of this project.

Source: City of Eureka 2018

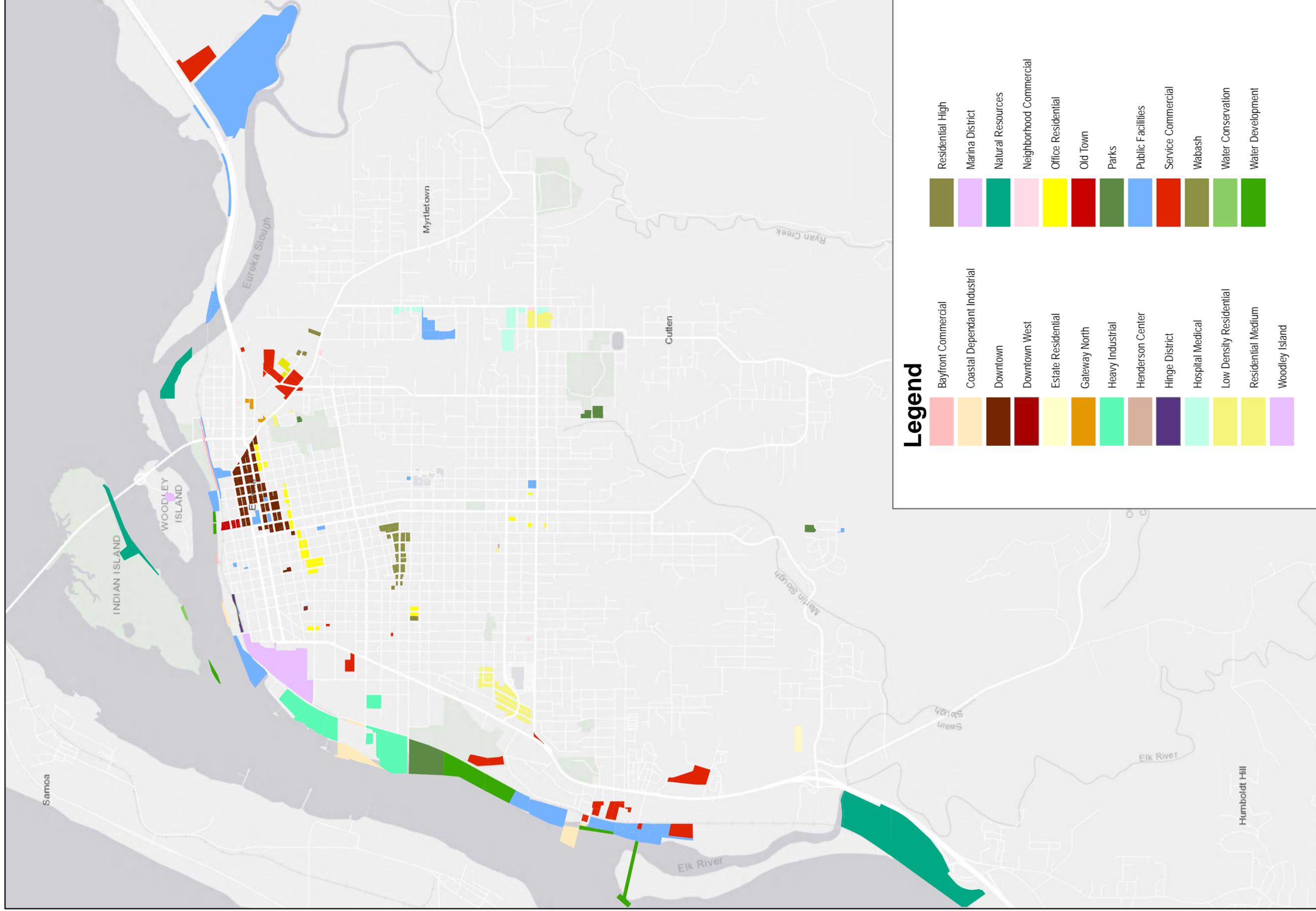
Figure 2-4

Proposed Zoning Map

Addendum to the Eureka 2040 General Plan EIR



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Source: City of Eureka 2019

Figure 2-5
Parcels With a Zoning Change
 Addendum to the Eureka 2040 General Plan EIR



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Environmental Analysis

3.1 AESTHETICS

Impacts to aesthetic resources resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.1, based on the criteria adapted from the CEQA Guidelines Appendix G, which has since been updated to address changes in visual character and quality in urbanized and non-urbanized areas (item c, below). The proposed project may result in a significant impact if it will:

- a. Have a substantial adverse effect on a scenic vista;
- b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway;
- c. In non-urbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings, or in urbanized areas conflict with applicable zoning and other regulations governing scenic quality; or
- d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Analysis

General Plan EIR Determination

The General Plan EIR describes impacts to aesthetic resources that may result from development consistent with the General Plan land use designations. There are no officially designated scenic highways in the City and therefore, buildout of the General Plan will have no impact to resources within a state scenic highway (City of Eureka, page 3.1-7). A review of the California Department of Transportation Scenic Highway Mapping System (Caltrans 2018) confirms that there are no designated scenic highways within the City of Eureka General Plan planning area. As reported by the General Plan EIR, impacts to scenic vistas, the aesthetic value of the City's visual character, and impacts from an increase in light and glare associated with buildout of the General Plan will be less than significant with implementation of General Plan policies and through compliance with the City's design review process.

Draft Zoning Code Analysis

The Draft Zoning Code provides development and design standards for compact infill development at the urban core of the City. Consistent with General Plan land use designations, the Draft Zoning Code increases allowable residential densities by reducing lot sizes, building setbacks, and increasing floor area ratio (FAR) for residential and mixed use zoning districts (refer to Table 2-2). Maximum building height limits in the High Density Residential and Heavy Industrial zoning districts are reduced. These changes will result in a change to the overall visual character of the City by concentrating urban development toward the city center, which is already urbanized. The Draft Zoning Code is consistent with the analysis of the General Plan EIR. As illustrated by Table 2-1, the Draft Zoning Code is consistent with the General Plan development density and intensities and upon adoption will not conflict with the General Plan polices for urbanized or non-urbanized areas and will not result in, either directly or cumulatively, additional impacts or increase the severity of impacts to aesthetic resources beyond those identified and addressed in the General Plan EIR. Therefore, adoption of the Draft Zoning Code will not interfere with General Plan policies intended to protect the scenic quality of the City's urban and nonurban aesthetic resources and the impact will be less than significant.

3.2 AGRICULTURE AND TIMBER RESOURCES

Impacts to agricultural and timber resources resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.2 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts to agriculture and timber resources. A significant impact may occur if the proposed project will:

- a. Result in conversion of Important Farmland to non-agricultural use;
- b. Convert aquaculture-supporting land uses to non-aquaculture-supporting uses;
- c. Convert forest land to non-forest use;
- d. Conflict with a Williamson Act contract;
- e. Conflict with zoning for agriculture or aquaculture-supporting uses;
- f. Conflict with zoning for forest land or timber land;
- g. Indirectly result in the conversion of farmland to non-agricultural use;
- h. Indirectly result in the conversion of aquaculture-supporting land uses to non-aquaculture-supporting land uses; or
- i. Indirectly result in the conversion of forest land to non-forest use.

Analysis

General Plan EIR Determination

The General Plan EIR identified less than significant impacts to important farmland and farmland zoning resulting from buildout of the General Plan. The General Plan includes designating approximately 94 acres of agricultural land near the southwestern edge of the City to a Natural Resource land use to enable its restoration from agricultural and grazing use to a salt marsh habitat, and changes in land use designations elsewhere adjacent to or in proximity to lands designated as Agriculture; however, as noted in the General Plan, the change in land use will not preclude grazing on the site for the immediate future and will be consistent with nearby land uses. The General Plan EIR determined that implementation of General Plan Natural Resources policies for the protection of open space, including farmland, will reduce potential conflicts from incompatible land uses and the direct conversion of farmland development to less than significant. No additional mitigation was required.

Draft Zoning Code Analysis

The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses in the General Plan and will not result in the conversion of any new lands to urban uses. The Draft Zoning Code does not change the zoning on agricultural, forest land, timber land or aquaculture-supporting uses or agricultural uses in addition to the 94-acres identified in the General Plan. The Draft Zoning Code is consistent with the General Plan and will not result in additional impacts or increase the severity of impacts to agriculture, aquaculture, forestry and timber resources beyond those identified in the General Plan EIR. Adoption of the Draft Zoning Code will not interfere with General Plan policies intended to protect agriculture, aquaculture, forestry and timber resources and the impact will be less than significant.

3.3 AIR QUALITY

Impacts to air quality resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.3 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating air quality impacts. A significant impact to air quality may occur if the project will:

- a. Conflict with or obstruct implementation of the applicable air quality plan;
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation;

3.0 Environmental Analysis

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors);
- d. Expose sensitive receptors to substantial pollutant concentrations; or
- e. Create objectionable odors affecting a substantial number of people.

Analysis

General Plan EIR Determination

Significant air quality impacts resulting from the construction and operation of existing and future development associated with buildout of the General Plan were identified in the General Plan EIR. All development under the General Plan will be required to comply with all North Coast Unified Air Quality Management District (air district) rules and regulations and applicable General Plan policies, reducing the impacts to air quality from emissions generated by buildout of the General Plan land uses (construction activities, sensitive receptor exposures, and objectionable odors) to a less-than-significant level.

However, the General Plan EIR also determined that build-out of the General Plan will have the potential to contribute to continuing violations of air district standards for particulate (PM₁₀) emissions from an increase in mobile-source emissions, fireplaces and woodstoves. The General Plan EIR also identified significant impacts due to the increase in PM₁₀ emissions for which the region is in non-attainment. Both impacts are identified in the General Plan EIR as a significant operational and cumulatively considerable air quality impact. Compliance with air district rules and regulations and implementation of General Plan policies will reduce operational and/or cumulative impacts that might otherwise be greater, but not to a less-than-significant level. Therefore, the General Plan EIR concluded that operational and/or cumulative impacts to air quality will be significant and unavoidable (City of Eureka, pages 3.3-45 and 3.3-46).

Draft Zoning Code Analysis

The Draft Zoning Code will not increase traffic congestion or change the land use patterns in ways that were not analyzed in the General Plan EIR. The types of land uses and land use patterns allowed under the Draft Zoning Code will be consistent with the land use designations and development intensities analyzed in the General Plan EIR (see also Table 2-1). The Draft Zoning Code will provide detailed development regulations for sites already designated for urban uses by the General Plan. Future development in conformance to the Draft Zoning Code standards, and anticipated in the General Plan, will contribute to the construction and operational emissions impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be further analyzed at the time specific development projects are proposed. All development is required to comply with General

Plan policies, including Policy AQ-1.3, which requires new discretionary developments to incorporate mitigation measures that utilize best management practices and reduce emissions from both construction and operational activities, consistent with the North Coast Unified Air Quality Management District requirements and state regulations. Development in conformance with the Draft Zoning Code will contribute to the significant cumulative impacts to air quality but will not result in more development than called for in the General Plan and will not result in any new or more severe impacts to air quality than those already identified and addressed in the General Plan EIR. Adoption of the Draft Zoning Code will not interfere with General Plan policies intended to minimize air quality impacts.

3.4 BIOLOGICAL RESOURCES

Impacts to biological resources resulting from buildout of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.4 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts to biological resources. Implementation of the proposed project would have a significant impact on biological resources if it will:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- c. Have a substantial adverse effect on federally protected wetlands, as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means;
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis

General Plan EIR Determination

The General Plan EIR analysis considered locations where potential development consistent with the land use designations of the General Plan could occur in known habitat types or in locations where species have been recorded to occur, and assessed the potential for impacts from permitted activities on species' persistence or activities (foraging, nesting, estivating, or movement), or impacts to their habitats. The General Plan EIR analysis determined that implementation of the General Plan will not result in significant impacts, either directly or cumulatively, due to conflicts with adopted plans identified in criterion f (City of Eureka 2018, page 3.4-41). The General Plan EIR did not identify significant impacts, either directly or cumulatively, to protected species or their habitat, wetlands, riparian habitat, or other sensitive natural communities, wildlife migratory corridors that could not be mitigated to a less-than-significant level through compliance with General Plan Natural Resource Element policies in addition to required agency consultation, including National Marine Fisheries Service, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.

Draft Zoning Code Analysis

The Draft Zoning Code implements the General Plan policies and does not expand areas identified for development that were studied in the General Plan EIR. The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses by the General Plan and will not result in the conversion of any new lands to urban uses. As shown in Table 2-1, the Draft Zoning Code is consistent with the development densities and intensity anticipated by the General Plan. Although no development is currently proposed, future development in conformance to the Draft Zoning Code standards could contribute to the impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. All development is required to comply with General Plan policies for the protection of biological resources and to adhere to state and federal requirements. The Draft Zoning Code will not result in any new or more severe impacts than those already analyzed in the General Plan EIR, and the impact is less than significant.

3.5 CULTURAL RESOURCES

Impacts to historic and cultural resources, including tribal cultural resources, resulting from buildout of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.5 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the

recommended discussion topics for evaluating impacts to cultural and tribal cultural resources. Implementation of the proposed project would result in a significant impact if it will:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in the CEQA Guidelines Section 15064.5;
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to the CEQA Guidelines Section 15064.5;
- c. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
 - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.
- d. Disturb any human remains, including those interred outside of dedicated cemeteries.

Analysis

General Plan EIR Determination

The General Plan EIR identified potentially significant impacts to cultural resources, including historical, archaeological, and tribal cultural resources (site, features, places, and cultural landscapes that are geographically defined as noted in criterion c, above) that will occur with buildout of the General Plan. The General Plan EIR analysis included the results of consultation efforts with local tribal representatives, who participated in the development of General Plan policies for the treatment of tribal cultural resources. The City and tribal representatives agreed that the tribes will be kept informed regarding development of the General Plan Update and that additional consultation will be conducted as needed (City of Eureka 2018, page 3.5-16). For example, Policy HCP-2.9 facilitates ongoing consultation with local tribes, governments, and landowners to protect tribal cultural resources in open spaces, under conservation easements, and/or restricted development recorded on deeds, and to consider zoning changes, conservation easements, and acquisition programs as a means of

preserving in place significant archaeological and cultural resources (page 3.5-22). The General Plan EIR analysis determined that, despite implementation of General Plan policies for their protection (HCP 1.1 – HCP 2.9), construction and ground-disturbing activities associated with development consistent with General Plan land use designations will result in potentially significant and unavoidable direct and cumulative impacts to historic resources from site-specific demolition found to be unavoidable, and to archaeological resources, tribal cultural resources, and human remains due to incidental disruption or damage during future development activities (City of Eureka 2018, pages 3.5-22 - 3.5-24).

Draft Zoning Code Analysis

The Draft Zoning Code implements the General Plan policies and does not expand areas identified for future development that were studied in the General Plan EIR. The Draft Zoning Code is consistent with the development densities and intensity anticipated by the General Plan (refer also to Table 2-1). Although no development is currently proposed, future development in conformance to the Draft Zoning Code standards could contribute to the potentially significant impacts to historic, archaeological and tribal cultural resources that were identified in the General Plan EIR dependent on site-specific circumstances, which are currently unknown but will be assessed and analyzed at the time project-specific development is proposed in compliance with the General Plan. All development is required to comply with General Plan policies for the protection of significant historic, archaeological, and tribal cultural resources. Adoption of the Draft Zoning Code will not result in new impacts or impacts more severe than those identified and addressed in the General Plan EIR.

3.6 ENERGY

Impacts related to increased energy demand from buildout of the land uses identified in the General Plan are discussed in the General Plan EIR Section 3.3 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G have established a stand-alone discussion topic within Appendix G, but did not change the scope of recommended discussion topics for evaluating impacts to energy resources. Implementation of the proposed project may result in a significant impact if it will:

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Analysis

General Plan EIR Determination

The General Plan EIR did not identify any significant impacts related to energy consumption or use of energy resources associated with buildout of the General Plan that will not be reduced to a less-than-significant level with implementation of General Plan policies. Energy resources (diesel and gasoline fuel) will be used during construction of projects anticipated in the General Plan. Energy will also be consumed to provide lighting, heating, and cooling for development under the General Plan. The General Plan includes numerous policies to promote energy conservation and increase energy efficiency throughout the City. These policies are consistent with statewide goals to increase renewable energy production and improve energy efficiency and are identified on page 3.3-40 of the General Plan EIR.

Draft Zoning Code Analysis

Future development in conformance with the Draft Zoning Code standards will contribute to the impacts to energy resources identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses in the General Plan and will not result in more development than identified in the General Plan and analyzed in the General Plan EIR. The Draft Zoning Code is consistent with the land uses and development intensities and density analyzed in the General Plan EIR (see also Table 2-1) and will not interfere with measures or General Plan policies intended to increase renewable energy provision, promote energy conservation, and increase overall energy efficiency throughout the City. Adoption of the Draft Zoning Code will not result in any new or more severe energy impacts than those already analyzed in the General Plan EIR.

3.7 GEOLOGY, SOILS, MINERAL RESOURCES, AND PALEONTOLOGICAL RESOURCES

Impacts to geology, soils, mineral resources, and paleontological resources resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.6 using the following significance criteria, which are adapted from Appendix G of the CEQA Guidelines. The 2019 amendments to Appendix G did not change the recommended discussion topics for evaluating impacts to geology, soils, mineral resources, or paleontological resources. Implementation of the proposed project will result in a significant impact to geology, soils, seismicity, and mineral or paleontological resources if it will:

3.0 Environmental Analysis

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
 2. Strong seismic ground shaking;
 3. Seismic-related ground failure, including liquefaction; or
 4. Landslides.
- b. Result in substantial soil erosion or the loss of topsoil;
- c. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence (i.e., settlement), liquefaction, or collapse;
- d. Be located on expansive soil creating direct or indirect substantial risks to life or property;
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative reclaimed water disposal systems where sewers are not available for the disposal of reclaimed water;
- f. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state;
- g. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local General Plan, specific plan, or other land-use plan; or
- h. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Analysis

General Plan EIR Determination

This analysis assumes compliance with applicable federal, state, and local laws and regulations, and local and state agencies will be expected to continue to enforce applicable requirements to the extent that they do so now. The General Plan EIR determined that no impacts to mineral resources will result from buildout of the General Plan. The General Plan EIR identified less-than-significant impacts related to increased risks of human harm and property damage from seismic ground shaking, liquefaction, landslides, unstable soils, damage to property from expansive soils, loss of topsoil from soil erosion, and damage to paleontological resources. All development consistent with the General Plan land use designations is subject to compliance with General Plan policies, required geotechnical

design recommendations, compliance with building codes and other regulatory requirements intended to reduce the risks of human harm and property damage from seismic events and unstable soils.

Draft Zoning Code Analysis

The Draft Zoning Code will provide detailed development regulations for sites already designated for urban uses in the General Plan and will not result in the conversion of any new lands to urban uses that were not already identified in the General Plan EIR. New development in the City under the Draft Zoning Code is subject to compliance with all applicable regulations intended to reduce hazards associated with seismicity, liquefaction, soil erosion, unstable soils, expansive soils, and will not interfere with General Plan policies intended to reduce these hazards. Additionally, Policy HS-1.7 requires future development to comply with applicable regulations and procedures protecting paleontological resources in the event that they are discovered. The uses allowed by the Draft Zoning Code are consistent with the General Plan land use designations (see Table 2-1). The Draft Zoning Code does not increase the level of development beyond that already addressed in the General Plan EIR. Therefore, the Draft Zoning Code will not result in any new or more severe impacts than those already analyzed in the General Plan EIR.

3.8 GREENHOUSE GASES

Impacts to greenhouse gases resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.3 using the following significance criteria, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts of greenhouse gas emissions. Implementation of the proposed project may result in a significant impact related to greenhouse gas emissions if it will:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Analysis

General Plan EIR Determination

The General Plan EIR did not identify any significant impacts related to construction and operational GHG emission volumes generated by buildout of the General Plan that will not be reduced to a less-than significant level with implementation of General Plan policies. Direct sources of emissions include mobile sources, combustion of natural gas, and landscaping activities. Indirect emissions include electricity consumption, solid waste disposal, and water and wastewater treatment. The General Plan includes numerous policies

to reduce GHG emissions from construction and operation of development. These policies are consistent with statewide goals to increase renewable energy production, reduce building energy consumption, and improve energy efficiency and are identified on page 3.3-51 of the General Plan EIR. The General Plan EIR determined that construction and operation of projects proposed under the General Plan will be required to comply with the policies of the General Plan, North Coast Unified Air Quality Management District requirements, and state regulations.

Draft Zoning Code Analysis

Future development in conformance with the Draft Zoning Code standards will contribute to the construction and operational emissions impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. All development is required to comply with General Plan policies, including policies aimed at reducing vehicle miles travelled, policies that require increased energy efficiencies and in particular, Policy AQ-1.3, which requires new discretionary developments to incorporate mitigation measures that utilize best management practices and reduce emissions from both construction and operational activities, consistent with the North Coast Unified Air Quality Management District requirements and state regulations. The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses in the General Plan and will not result in more development than identified in the General Plan and analyzed in the General Plan EIR. The Draft Zoning Code is consistent with the land uses and development intensities and density analyzed in the General Plan EIR (see also Table 2-1) and will not interfere with measures or General Plan policies intended to reduce GHG emissions. Adoption of the Draft Zoning Code will not result in any new or more severe GHG impacts than those already analyzed in the General Plan EIR.

3.9 HAZARDS AND HAZARDOUS MATERIALS

Increased risks of exposure to hazards and hazardous materials resulting from build-out of the General Plan were analyzed in the General Plan EIR Section 3.7 using the following significance criteria, which are based on the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts related to hazards and hazardous materials. Implementation of the proposed project will result in a significant impact relative to hazards and hazardous materials if it will:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard for people residing or working in the project area;
- f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Analysis

General Plan EIR Determination

As noted in the General Plan EIR (page 3.7-19), General Plan implementation will be regulated by various federal, state, and local laws, regulations, and policies summarized in the General Plan EIR Section 3.7.

The General Plan EIR did not identify significant impacts related to increased risk of exposure to hazards or hazardous materials, or increased exposures to airport runway zones or wildland fire hazards resulting from buildout of the General Plan land uses, that will not be reduced to less than significant through compliance with General Plan policies and with applicable federal, state and local laws governing transportation, use, handling, and disposal of hazardous materials.

Draft Zoning Code Analysis

The Draft Zoning Code will not increase development potential in areas of the City within identified hazard zones, including airport runway zones or airport land use compatibility zones beyond that discussed and addressed in the General Plan EIR. Likewise compliance with applicable federal, state, and local laws and regulations is assumed in this analysis, and

local and state agencies will be expected to continue to enforce applicable requirements, many of which are permit requirements.

The Draft Zoning Code does not create new uses or intensify uses that will be expected to use hazardous materials or be located in an identified hazard zone. The development density and intensities allowed under the Draft Zoning Code are consistent with those analyzed in the General Plan EIR (see Table 2-1) and existing and new development will be required to comply with all applicable regulations related to hazardous materials. Adoption of the Draft Zoning Code will not result in any new or more severe impacts from hazards and hazardous materials than those already analyzed in the General Plan EIR.

3.10 HYDROLOGY AND WATER QUALITY

Environmental impacts to hydrology and water quality resulting from buildout of the Eureka General Plan were studied in the General Plan EIR Section 3.8 using the thresholds of significance listed below, which are adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not change the recommended discussion topics for evaluating impacts to hydrology and water quality. A significant impact may result if implementation of the Draft Zoning Code results in any of the following:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality;
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- c. Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;
- d. Create or substantially contribute to runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- e. Place housing or other improvements within a 100-year flood hazard zone as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard map or impede or redirect flood flows;
- f. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or

- g. Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.

Analysis

General Plan EIR Determination

As noted in the General Plan EIR, future development in the City will increase the overall amount of impervious surfaces, which could affect drainage patterns, reduce groundwater recharge creating changes to storm water flows and water quality. Although much of the development permitted under the General Plan will be located on sites that have already been developed, future development under the General Plan will increase impervious surfaces over existing conditions due to infill development on undeveloped sites and development in areas that are currently sparsely developed. With respect to the environmental topics for significance criteria a-d, the General Plan EIR did not identify significant impacts that will not be reduced to less than significant through compliance with General Plan policies, municipal code requirements, and conformance with applicable state and federal permitting requirements designed to protect water quality, including requirements of the National Pollutant Discharge Elimination System and the California Construction Stormwater Permit. Conformance with these policies and regulatory programs require implementation of site design measures, low-impact development (LID) methods, and best management practices (BMPs), which include infiltration features such as detention and retention basins, that will contribute to groundwater recharge and minimize storm water runoff. There are no dams located within or upstream of the City, and the Draft Zoning Code will not place development within any inundation zones identified by Humboldt County (City of Eureka 2018a, page 3.8-19).

The General Plan EIR also did not identify significant impacts from the placement of new, or exposure of existing, development within designated Federal Emergency Management Agency (FEMA) designated 100-year flood plains (see General Plan EIR Figure 3.8-1), or from an increase in risks of loss, injury or death from flooding due to increased exposure to levee failure, sea level rise, or inundation by seiche or tsunami, that could not be reduced by compliance with General Plan policies and conformance to development standards.

Draft Zoning Code Analysis

The types of land uses and development densities and intensities allowed under the Draft Zoning Code will be consistent with the General Plan land uses analyzed in the General Plan EIR. The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses by the General Plan and will not result in the conversion of any new lands to urban uses that will increase the severity of impacts already analyzed in the General Plan EIR or result in new environmental impacts. The Draft Zoning Code is

consistent with the development densities and intensity anticipated by the General Plan (refer to Table 2-1). The details of project-specific impacts of future development in conformance to the Draft Zoning Code standards are unknown at this time, but could contribute to the impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. All development is subject to compliance with the requirements of the City's Municipal Code Chapter 54, Urban Storm Water Quality Management and Discharge Control, which remains unchanged by the Draft Zoning Code. Additionally, any future proposed project will be required to comply with General Plan Policies, applicable state and federal regulations, and permitting requirements intended to reduce and control runoff and water quality impacts.

Although implementation of the Draft Zoning Code will result in physical changes within the City, adherence to policies and regulations identified above will result in preventing new housing from being placed within the 100-year floodplain unless it is elevated above base flood elevation. Development under the General Plan will be subject to the City's development review process, which will help ensure that no structures are placed within the 100-year floodplain that could interfere with flood flows.

The Draft Zoning Code will not result in any new or more severe impacts than those already analyzed in the General Plan EIR. The impact is less than significant.

3.11 LAND USE, POPULATION AND HOUSING

Impacts to land use, population and housing resulting from build-out of the land uses identified in the General Plan were analyzed in the General Plan EIR Section 3.9, using the following significance criteria, which are based on Appendix G of the CEQA Guidelines. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts to Land Use, Population, and Housing. A significant impact may occur if the proposed project will:

- a. Physically divide an established community;
- b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- c. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure); or

- d. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Analysis

General Plan EIR Determination

The General Plan EIR analyzed land use, population and housing issues that may arise with implementation of the General Plan. The General Plan Land Use Element policies provide for a pattern of mixed land uses at densities/intensities consistent with the development patterns Eureka experienced from the 1870s to the 1940s and at densities/intensities that are higher than were allowed in the past three General Plans. The Land Use Element goals include focusing the pattern of land uses to radiate out from the City's core, employment areas, commercial corridors, and commercial centers to make efficient use of the City's limited remaining developable lands and to promote walkability and urban growth, while preserving existing viable neighborhoods (City of Eureka 2018a, page 3.9-23).

The General Plan includes policies designed to ensure its implementation is consistent and compatible with applicable land use plans, policies, and regulations of agencies with jurisdictional authority in unincorporated areas identified in the General Plan planning boundary (refer to Figure 2-6) and adjacent lands. The General Plan EIR analysis did not identify significant impacts related to land use, population, and housing that could not be reduced to a less-than-significant level through compliance with policies included in the General Plan Land Use Element. The General Plan EIR determined that traffic volumes generated by development consistent with the General Plan land use designations will not conflict with the Humboldt County Association of Governments Regional Transportation Plan; but will not meet state requirements for reductions in VMT (refer to the related discussion in Section 3.13, Transportation). Otherwise, no impacts were identified indicating a significant conflict with other applicable land use plans, policies, and regulations of agencies with jurisdictional authority in unincorporated areas identified in the General Plan planning boundary and adjacent areas.

General Plan Policy LU-5.3 encourages increased development of high-density housing to balance the City's housing inventory and enhance affordability. General Plan Policy LU-5.4 encourages the location of high density housing in proximity to commercial and community services, employment opportunities, major transportation corridors, and where City infrastructure can accommodate increased densities. Policy LU-6.2 promotes the development of vacant infill properties and redevelopment/reuse of economically underutilized sites and buildings to accommodate new growth and internal densification.

Draft Zoning Code Analysis

The Draft Zoning Code is consistent with the land uses and development density and intensities of the General Plan (refer to Table 2-1) and will not change the land use patterns

or amount of allowed development that was analyzed in the General Plan EIR. The Draft Zoning Code, which applies only within City limits, will provide detailed development regulations for sites already designated for urban uses in the General Plan and will not result in the conversion of any new lands to urban uses (refer to Table 2-2, and Table 2-3). In addition, the General Plan polices intended to promote cohesive and compatible neighborhoods and prevent new development from dividing existing uses where different land uses abut one another will remain in effect. The Draft Zoning Code will not alter the number of housing units and non-residential development intensities analyzed in the General Plan EIR. No changes to the conclusions of the General Plan EIR will occur with implementation of the Draft Zoning Code. The Draft Zoning Code will not result in any new or more severe impacts than those already analyzed in the General Plan EIR.

3.12 NOISE AND VIBRATION

Environmental impacts related to an increase in noise and vibration sources resulting from buildout of the Eureka General Plan were studied in the General Plan EIR Section 3.10 using the following significance criteria adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating noise impacts. A significant impact may occur if implementation of the proposed project will result in any of the following:

- a. Exposure of persons to, or generation of, noise levels in excess of the standards established in the City's existing General Plan or applicable standards of other agencies;
- b. Exposure of persons to, or generation of, excessive airborne noise levels or groundborne vibration;
- c. A substantial permanent increase in noise levels relative to ambient noise levels in the project area;
- d. A substantial temporary or periodic increase in noise levels relative to ambient noise levels in the project area;
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2-miles of a public airport or public use airport, where the project would expose people residing or working in the area to excessive noise levels; or
- f. For a project within the vicinity of a private airstrip, where the project would expose people residing or working in the project area to excessive noise levels.

Analysis

General Plan EIR Determination

The General Plan EIR did not identify significant impacts related to permanent increases in groundborne vibration and groundborne noise levels resulting from implementation of the General Plan. Operations of future planned development within the City will not involve equipment that will produce groundborne vibration (i.e., underground railways) and therefore, no impacts related to the exposure of people or structures to these sources of vibration will occur (City of Eureka 2018a, pages 3.10-17 – 3.10-18). Construction activity is identified as the primary source of significant noise impacts within the City. The General Plan EIR did not identify any direct or cumulative significant impacts related to the generation of or exposure to unacceptable noise levels or increases in short term or ambient noise levels that could not be mitigated to a less than significant level through compliance with General Plan Policies. The General Plan Noise Element (City of Eureka 2018b) contains policies that minimize the generation of and exposures to unacceptable noise. These policies include requirements for the preparation of project-specific acoustical analysis, construction vibration assessments, placement of noise-sensitive uses and equipment, new stationary noise sources, days and hours of construction, and performance thresholds for new roadways.

Draft Zoning Code Analysis

The Draft Zoning Code implements the General Plan Land Use Element policies and does not expand areas identified for development beyond those studied in the General Plan EIR. The Draft Zoning Code is consistent with the development densities and intensity anticipated by the General Plan (refer to Table 2-1) and analyzed in the General Plan EIR. The Draft Zoning Code provides detailed development regulations for sites already designated for urban uses by the General Plan and will not result in the conversion of any new lands to urban uses that will increase the severity of impacts already analyzed or result in new significant environmental impacts. Although no development is proposed, future development in conformance to the Draft Zoning Code standards will contribute to the impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. It is possible that certain construction activities associated with future development may, in some cases, lead to substantial temporary or periodic increases to ambient noise levels. With appropriate noise reduction and shielding measures, temporary or periodic increases to the ambient noise level could be substantially reduced. All development is subject to compliance with the General Plan Noise Element policies and requirements of the City's Municipal Code Chapter 94, Health and Sanitation, which identifies and regulates unlawful noises, and Chapter 134, Abatement of Chronic Nuisance Properties, which identifies chronic noise as a potential nuisance.

The Draft Zoning Code does not include any changes to the noise-related regulations in the Municipal Code Chapter 94 or Chapter 134, and will not interfere with General Plan policies intended to prevent and reduce noise-related impacts. Although implementation of the proposed project will result in physical changes within the City, future development is subject to compliance with the noise standards identified in the General Plan and with other policies and regulations identified above, which will minimize the generation of and exposures to unacceptable levels of noise. The Draft Zoning Code will not result in new or exacerbated noise impacts that are not already addressed in the General Plan EIR.

3.13 PUBLIC SERVICES AND RECREATION

Environmental impacts to public services and recreation that will result from buildout of the General Plan Land Uses were studied in the General Plan EIR Section 3.11 using the following significance criteria adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G did not alter the recommended discussion topics for evaluating impacts to public services and recreation. A significant impact may occur if implementation of the proposed project will result in any of the following:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, or other public facilities;
- b. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- c. Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Analysis

General Plan EIR Determination

The General Plan EIR determined that implementation of the General Plan will result in gradual physical development over a 20-year planning horizon, which will increase demand for public services and recreational facility needs. The General Plan EIR did not identify significant impacts to the City's ability to provide fire protection, law enforcement, schools, parks and recreation, and other community services that could not be reduced with implementation of General Plan policies.

Draft Zoning Code Analysis

The types and patterns of land use development intensities and density allowed under the Draft Zoning Code are consistent with the General Plan land use designations (see also Table 2-1) and with the level of development analyzed in the General Plan EIR. Implementation of the Draft Zoning Code will not generate an increase in population and subsequent increased demands for public services beyond the level of increased service demand analyzed in the General Plan EIR. In addition, future development will be required to pay all required impact fees and will be subject to General Plan policies intended to ensure adequate service provision. The proposed project will not result in additional impacts or increase the impacts on public services beyond those identified in the General Plan EIR. The Draft Zoning Code will not increase demands for parks and recreational facilities beyond those analyzed in the General Plan EIR and will not increase the use of parks and recreational facilities such that these facilities will physically deteriorate beyond levels discussed in the General Plan EIR. In addition, General Plan policies intended to ensure that parkland goals are met will remain in effect. Therefore, the Draft Zoning Code will not increase the severity of or result in new impacts to an extent greater than that already identified in the General Plan EIR.

3.14 TRANSPORTATION

Impacts to the local and regional circulation system (refer to General Plan EIR Figure 3.12) that will result from implementation of the General Plan were studied in the General Plan EIR Section 3.12 using the significance criteria below, which are adapted from Appendix G of the CEQA Guidelines. The General Plan EIR includes an analysis of vehicle miles traveled (VMT). The 2019 amendments to Appendix G address vehicle miles traveled (VMT) as a metric for determining the significance of transportation impacts, as codified in the CEQA Guidelines Section 15064.3(b). Implementation of the proposed project may have a significant environmental impact if it will:

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, mass transit, and vehicle miles traveled (VMT), including CEQA Guidelines § 15064.3, subdivision (b) describing specific considerations for evaluating VMT;
- b. Conflict with an applicable congestion management program, including, but not limited to level of services standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;

3.0 Environmental Analysis

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- d. Substantially increase hazards due to a design feature. (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- e. Result in inadequate emergency access; or
- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The City of Eureka's adopted standard of significance for evaluating traffic impacts is Level of Service C (LOS C) on all roadway segments, except for any portion of US-101, where the standard is LOS D. A significant traffic impact or operational deficiency will occur if operations deteriorate from LOS C or better to LOS D or worse. A significant impact will occur to signalized intersections of U.S. Highway 101 if operations decline from LOS D to LOS E or worse.

Analysis

General Plan EIR Determination

The General Plan EIR identified less-than-significant direct and cumulative impacts related to the environmental criteria listed above with the exception of consistency with plans adopted for the reduction of VMT (significance criterion a). In all other instances, the General Plan EIR found that implementation of General Plan policies will reduce potentially significant impacts resulting from buildout of the General Plan to less than significant.

The General Plan EIR determined that traffic volumes generated by development consistent with the General Plan land use designations will not conflict with the Humboldt County Association of Governments Regional Transportation Plan, but will not meet state requirements for reductions in VMT (City of Eureka 2018a, page 3.12-40). Although the General Plan includes a number of policies that call for decreasing per-capita VMT through more efficient transit operations, an increased availability of alternative modes of transportation (walking, biking, etc.), and through the implementation of Transportation Demand Management programs, the largest reductions will result from implementation of Land Use Element policies. These policies provide for increased densification, infill development, and include provisions for housing and employment within the central core of the City. Each of these land use characteristics will contribute to an overall decrease in VMT when compared with more traditional suburban development on the City's fringes (page 3.12-39). The General Plan EIR notes that the effectiveness of these strategies in Eureka is lessened by the existing development patterns of the area and the continued reliance on automobile travel in this rural portion of the state. Despite a more compact development

pattern that relies heavily on infill, the General Plan EIR concluded that compliance with these policies will result in only an incremental reduction in VMT, which is less than the 15 percent reduction recommended by the Governor's Office of Planning and Research. As a result the General Plan EIR concluded that a significant and unavoidable impact will occur.

However, CEQA Guidelines Section 15064.3(b)(1) states that for land use projects, VMT that exceeds an applicable threshold of significance may indicate a significant impact. Projects that are located within one-half mile of existing major transit stops or stops along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact, as should projects that decrease vehicle miles traveled in the project area compared to existing conditions.

Draft Zoning Code Analysis

The types of land uses, amount of development, and land use patterns allowed under the Draft Zoning Code will be consistent with those analyzed in the General Plan EIR.

Development allowed under the proposed project will generate vehicle trips and traffic patterns similar to those analyzed in the General Plan EIR. The Draft Zoning Code will not create any new physical features or changes to the City's circulation system that will conflict with the Humboldt County Association of Governments Regional Transportation Plan or exacerbate the significant and unavoidable conflict with state-recommended VMT reduction targets, and will not conflict with CEQA Guidelines Section 15064.3(b).

General Plan polices require the City to maintain and improve emergency access and response times, and maintain efficient circulation and adequate access at buildout.

Construction and modifications of new and existing roadways will be necessary to support development consistent with General Plan land use designations, and the Draft Zoning Code will provide detailed development regulations for sites already designated for urban uses by the General Plan. Any project associated with the General Plan's implementation will be required to undergo project-specific design review, once specific development is proposed, in conformance with standard City engineering and design requirements, and with other applicable state and federal regulations. Implementation of the Draft Zoning Code will not result in the creation of any physical features that will increase hazards or create hazards not already identified and addressed in the General Plan EIR. The Draft Zoning Code will not increase development potential in areas of the City within identified hazard zones, including airport runway zones or airport land use compatibility zones beyond that discussed and addressed in the General Plan EIR. In addition, the proposed project will not conflict with General Plan policies that provide for an integrated network of bicycle facilities, support an expanded and better connected pedestrian network, and plan for the needs of transit users. The Draft Zoning Code will not result in any new or exacerbated impacts than those already analyzed in the General Plan EIR.

3.15 UTILITIES AND SERVICES SYSTEMS

The General Plan EIR analyzed the impact of buildout of the General Plan land use designations to utilities and service systems in Section 3.13 using significance criteria adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G added electric power, natural gas, and telecommunications infrastructure to the recommended discussion topics for evaluation of impacts to utilities and services systems. These changes are addressed as discussion items j and k, below. A significant impact may result from the proposed project if it will:

- a. Have insufficient water supplies available to serve the City from existing entitlements and resources;
- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- c. Exceed wastewater treatment requirements of the DWR and applicable Regional Water Quality Control Board;
- d. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- e. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- f. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- g. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs;
- h. Not comply with federal, state, and local statutes and regulations related to solid waste;
- i. Land uses or development patterns that cause wasteful, inefficient, or unnecessary consumption of energy;
- j. Land uses that require or result in the construction of new or expanded energy production or transmission facilities, the construction of which could cause significant environmental effects; or

- k. Land uses that require or result in the construction of new or expanded telecommunication networks or facilities, the construction of which could cause significant environmental effects.

Analysis

General Plan EIR Determination

The General Plan EIR analyzed potential impacts from the implementation of the General Plan on utilities and service systems, including electric power, natural gas and telecommunications facilities within the City of Eureka. The General Plan includes policies that identify, protect, and enhance utility resources that are unique to the City related to water, wastewater, storm water, solid waste, energy, and telecommunications systems. The General Plan EIR notes that since the City is largely a built-up urban environment, implementation of the General Plan will likely result in gradual physical changes over the 20-year period of the General Plan. It is also anticipated that these changes will be distributed broadly and incrementally across the City and will not comprise a substantial intensification or concentration of physical development.

The General Plan EIR did not identify significant impacts to the City's utilities and service systems resulting from new development consistent with General Plan land use designations that could not be reduced to less than significant with implementation of General Plan policies. Key policies focus on infill development and development of underutilized and/or vacant sites, storm water best management practices, low impact development, maintenance and improvement of water, wastewater, and storm water facilities and related infrastructure, compliance with federal, state and local regulations, and will increase energy efficiencies.

The General Plan EIR found that sufficient water supplies, wastewater treatment capacity, and solid waste disposal capacity will be available to serve increased demand from buildout of the General Plan land uses and potential new development consistent with the General Plan land use designations. Buildout will not be expected to result in substantial changes to existing and planned improvements to utilities and service system infrastructure within the City and the surrounding area. Development of future land uses to accommodate anticipated growth could result in localized impacts and exceed the capacity of storm drainage facilities, which could result in the need for the construction of new storm water drainage facilities or expansion of existing facilities. The details of future development are unknown at this time and impacts to service systems will be analyzed when site-specific development is proposed. New development will be required to mitigate impacts and be timed to match the capacity of storm drainage facilities. In the meantime, the City will continue to update its storm water master plan, and remain in compliance with the implementation of the existing NPDES

permit. The General Plan EIR notes that future development associated with the buildout of the General Plan will primarily occur in, adjacent to, or in the vicinity of existing developed urban areas. These land use patterns allow for the logical extension and utilization of existing utilities, and public services, and other amenities such as proximity to employment centers, and commercial uses (Eureka 2018a, page 3.13-34). The General Plan EIR concluded that this pattern of physical development combined with implementation of policies will reduce impacts related to energy consumption and increased demand for other utilities and service system to less than significant.

Draft Zoning Code Analysis

The types and patterns of land use development intensities and density allowed under the Draft Zoning Code are consistent with the General Plan land use designations (see also Table 2-1) and with the level of growth analyzed in the General Plan EIR. Implementation of the Draft Zoning Code will not generate an increase in population and subsequent increased demands on utilities and service systems beyond the level of increased service demand analyzed in the General Plan EIR. In addition, the General Plan policies intended to protect and enhance utility resources and infrastructure in the City will remain in effect. The Draft Zoning Code will not result in any impacts that are new or greater in severity than those already analyzed in the General Plan EIR.

3.16 WILDFIRE

The following discussion is based on the 2019 amendments to the CEQA Guidelines Appendix G, which includes the following discussion topics if a project is located in or near a state responsibility area or consists of land classified as a very high fire hazard severity zone. The proposed project may result in a significant impact if it will:

- a. Substantially impair an adopted emergency response plan or emergency evacuation plan;
- b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
- c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Analysis

General Plan EIR Determination

According to the General Plan Figure 3.7-3, the City of Eureka is not located within a state responsibility area, although some portions of the City to the south and east are located within moderate to high fire hazard severity zones. Under the California Fire Plan the City falls under the jurisdiction of CAL FIRE's Humboldt Del-Norte Unit Fire Plan. As noted in Eureka General Plan Community Background Report (City of Eureka 2015) (Background Report), the predominant winds in Eureka are from the north-northwest at an average speed of 8 to 10 miles per hour (page 6-97). Due to the City's location along the coast, downslope from moderate to high fire hazard areas, and the direction of prevailing winds, the potential for air pollutant accumulation from wildland fires is low.

The Background Report also notes that wildland fires are an annual hazard in the City's General Plan Planning Area where natural vegetation on undeveloped lands are considered at risk (page 6-151). The City is also subject to secondary impacts such as increased risks of downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or wildfire-related drainage changes, should a wildfire occur. However, the presence of wildland fire hazards requires development to meet special standards corresponding with each degree of risk. This includes standards as listed in the California Building Code Chapter 7A–Wildland-Urban Interface (WUI) Fire Conformance Checklist, which provides a reasonable level of exterior wildfire exposure protection for buildings in wildland-urban interface fire areas. These development standards address access, road widths, bridges, building construction, vegetation clearing, and hydrant and water systems.

A number of General Plan policies also ensure protection against wildland fires and their aftermath. These are identified in the General Plan EIR pages 3.11-23 – 3.11-24. As reported in Section 3.9, the General Plan EIR did not identify significant impacts related to increased risk of exposure to wildland fire hazards or interference with emergency evacuation routes and plans resulting from buildout of the General Plan land uses, that could not be reduced to less than significant through compliance with General Plan policies and with applicable federal, state and local laws. Conformance with these policies reduces the risks of wildland fire and secondary impacts to less than significant. Further, implementation of the General Plan land use element policies provide for increased densification, infill development, and includes provisions for housing and employment within the central core of the City. As such development consistent with General Plan land use designations that may require the construction or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities is not likely to exacerbate fire risk or

result in any other temporary or ongoing impacts to the environment that have not already been addressed by the analysis in the General Plan EIR.

Draft Zoning Code Analysis

The Draft Zoning Code does not create new uses or intensify uses that will be located in an identified hazard zone. The development density and intensities allowed under the Draft Zoning Code are consistent with those analyzed in the General Plan EIR (see Table 2-1) and existing and new development would be required to comply with all applicable regulations. Adoption of the Draft Zoning Code would not result in any new or more severe impacts from increased exposures to wildfires than those already analyzed in the General Plan EIR. Therefore

3.17 MANDATORY FINDINGS OF SIGNIFICANCE

The General Plan EIR analyzed the impact of buildout of the General Plan land use using significance criteria adapted from the CEQA Guidelines Appendix G. The 2019 amendments to Appendix G have not changed the recommended discussion topics in this section. The proposed Draft Zoning Code would result in a significant impact if it would:

- a. Have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory;
- b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects); or
- c. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

Analysis

As described in this Addendum, new construction or physical changes resulting from future projects consistent with General Plan land use designations and in conformance with the Draft Zoning Code would not result in new or more severe impacts than are addressed in the General Plan EIR. The Draft Zoning Code would provide detailed development regulations for sites already designated for urban uses in the General Plan and would not result in the conversion of any new lands to urban uses. Future development under the proposed project would be required to comply with all applicable regulations protecting the marine and

terrestrial plant and wildlife species, and significant historic, archeological and tribal cultural resources. New development would be subject to compliance with the General Plan policies intended to minimize environmental impacts to biological and cultural resources. The Draft Zoning Code is consistent with the land use densities and patterns identified in the General Plan and analyzed in the General Plan EIR. As a result, the Draft Zoning Code would not degrade the quality of the natural environment to an extent greater than addressed in the General Plan EIR. Implementation of the Draft Zoning Code would not prevent significant and unavoidable impacts to historic resources resulting from unavoidable demolition of significant historic buildings as described herein in Section 3.5 and as identified and addressed in General Plan EIR Section 3.5. However, implementation of the Draft Zoning Code would not result in new or more severe impacts to significant historic resources than those identified and addressed in the General Plan EIR. No further discussion is required.

The Draft Zoning Code provides development standards for sites that are committed to urban use by the General Plan. The types of land uses, amount of development, and land use patterns allowed in conformance to the Draft Zoning Code is consistent with those analyzed in the General Plan EIR. Implementation of the Draft Zoning Code would not result in new or greater in severity cumulatively considerable impacts than were identified and addressed in the General Plan EIR. The proposed project's contribution to cumulative impacts identified in the General Plan EIR is less than significant.

As described in this Addendum, implementation of the Draft Zoning Code would not result in any impacts that are new or greater in severity than those already analyzed in the General Plan EIR. Therefore, the proposed project would not result in a substantial adverse effect, directly or indirectly, on human beings and the Draft Zoning Code would result in a less-than-significant impact. No further discussion is required.

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4.0 Conclusion

Based on the environmental analysis presented in Section 3 of this Addendum, the Draft Zoning Code will bring the code into compliance with the General Plan. As noted in this Addendum, the General Plan EIR identified significant and unavoidable impacts associated with buildout of General Plan land uses as follows:

- Increase in operational PM₁₀ emissions that exceed air district standards, and for which the air basin is in non-attainment;
- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of historic resources;
- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of archaeological and tribal cultural resources, including human remains; and
- Unacceptable increase in vehicle miles travelled (VMT) that does not meet recommended reduction targets.

The environmental analysis herein has not revealed that changes in circumstances have occurred since the General Plan EIR was certified that will lessen certain impacts, and no new information of substantial importance has been identified that indicates the Draft Zoning Code will have new or more severe impacts than were identified in the General Plan EIR. Therefore, the proposed project will not result in new significant impacts or substantially increase the severity of previously identified significant effects.

Correspondingly, there are no mitigation measures or alternatives that were previously found not to be feasible that will in fact be feasible, or that will be considerably different from those analyzed in the General Plan EIR, which will substantially reduce one or more significant impacts.

The Draft Zoning Code is consistent with the General Plan. No changes to the conclusions of the General Plan EIR are necessary and no further environmental review is required.

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5.0 Sources

5.1 REFERENCES

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APPENDIX A

DRAFT ZONING CODE

Provided under separate cover

APPENDIX B

ALLOWED USE COMPARISON TABLE

Appendix B Allowed Use Comparison Table

This table identifies the proposed zoning districts that replace existing zoning districts, and the ways in which land use regulations have become either more restrictive or more permissive under the new zoning districts.

Zoning Districts		More Restrictive Regulations		More Permissive Regulations	
Existing	Proposed New	Allowed → Prohibited	By-Right → Use Permit	Prohibited → Allowed	Use Permit → By-Right
* Indicates an unlisted use that could be allowed if the Director determines the unlisted use is equivalent to a listed allowed use					
A	A	Airports and heliports; Automobile motorcycle racing; stadiums and drag strips; Bulk storage of petroleum products for direct sale to consumers; Charitable institutions and social service and social welfare centers Places of worship; Commercial and private recreation facilities; Drive-in theaters; Farm equipment service and repair establishments; Fertilizer plants and yards; Gas and oil wells* Private Golf courses and golf driving ranges; Hospitals or sanitariums and convalescent facilities; Nursery schools Private schools and colleges; Quarrying and extraction of minerals*; Resorts; Restaurants Slaughterhouses; Timber harvest; Veterinarians' offices			Accessory structures and uses on same site as conditional use
RS	RE, R1	commercial nursery growing grounds; parking facility serving adjacent off-site commercial use; private colleges; agriculture as primary use	Nursing homes; multiple-room and full unit vacation rentals	libraries, museums and other civic institutions; government offices and other public agency facilities; private clubs, fraternal lodges, and other similar non-commercial places of assembly; public parks and playgrounds	Accessory structures and uses on same site as conditional use; municipal golf courses; day care within existing non-residential facility

Appendix B Allowed Use Comparison Table

Zoning Districts		More Restrictive Regulations		More Permissive Regulations	
Existing	Proposed New	Allowed → Prohibited	By-Right → Use Permit	Prohibited → Allowed	Use Permit → By-Right
* Indicates an unlisted use that could be allowed if the Director determines the unlisted use is equivalent to a listed allowed use					
RM	R2 & R3	commercial nursery growing grounds; mobile home parks; new detached single-family homes; parking facility serving adjacent off-site commercial use; private recreation parks and swim clubs as primary use; private colleges; agriculture as primary use	convalescent facilities; nursing homes; multiple-room and full unit vacation rentals	libraries, museums and other civic institutions; government offices and other public agency facilities; public parks and playgrounds	Accessory structures and uses on same site as conditional use; halfway houses; municipal golf courses; day care within existing non-residential facility
OR	DT	New single-family homes; agriculture as primary use; timber harvest; food-serving drive-through facilities	convalescent facilities; nursing homes; parking facility as primary use	Indoor vehicle sales and rentals; fitness and health facilities; all general services; outdoor commercial recreation; vehicle repair; artisan manufacturing; libraries, museums and other civic institutions; all governmental facilities; public parks and playgrounds; public schools and colleges	Accessory structures and uses on same site as conditional use; halfway houses; hotels and motels; nursery schools for more than six children; private noncommercial clubs and lodges; bars and nightclubs; small indoor general retail; restaurants; personal services; general services
	OR	New single-family homes; private schools and colleges; agriculture as primary use; bars and nightclubs; check cashing; timber harvest; drive-through facilities; adult entertainment	convalescent facilities; nursing homes; lodging houses and bed and breakfast inns; parking facility as primary use	fitness and health facilities; all general services; artisan manufacturing; libraries, museums and other civic institutions; all governmental facilities; public schools; public parks and playgrounds	Accessory structures and uses on same site as conditional use; halfway houses; nursery schools for more than six children; private noncommercial clubs and lodges

Appendix B Allowed Use Comparison Table

Zoning Districts		More Restrictive Regulations		More Permissive Regulations	
Existing	Proposed New	Allowed → Prohibited	By-Right → Use Permit	Prohibited → Allowed	Use Permit → By-Right
* Indicates an unlisted use that could be allowed if the Director determines the unlisted use is equivalent to a listed allowed use					
HM	HM	New single-family homes; adult entertainment	parking facility as a primary use; stand-alone prescription pharmacy	employee/patient/visitor-serving general retail, restaurants, fitness studios, personal services, colleges and trade schools, and instructional services; government facilities; non-commercial places of assembly; parks and playgrounds	Accessory structures and uses; day care facilities; small non-medical care housing;
CN	HC, NC, WA	ambulance services; blueprint and photostat shops; business, professional, and trade schools and colleges; food-serving drive-through facilities in HC; all drive-through facilities in NC and WA; food lockers; retail establishments greater than 20,000 sq. ft.; outdoor retail; health clubs greater than 8,000 sq. ft.; fuel and service stations; mobile home parks; new detached single-family homes; agriculture as primary use; check cashing; adult entertainment	parking facility as primary use	meeting halls and private clubs, music and dance studios, and pet stores within 150 feet of a residential zoning district; commercial lodging; pool halls; private museums; theaters and auditoriums; veterinarians; child care facilities; outdoor commercial recreation; artisan manufacturing; parks and playgrounds	Accessory structures and uses on same site as conditional use; places of worship; restaurants within 150 feet of a residential zoning district
CP	SC	adult entertainment	Business, professional, and trade schools and colleges; parking facilities as primary use	Arts and crafts schools and colleges; uses included in the business services and heavy commercial classification; outdoor commercial recreation uses; vehicle sales and rentals; vehicle repair; vehicle washing; uses in general services land use category; uses in the	Accessory structures and uses on same site as conditional use; restaurants within 1450 feet of a residential zoning district; fuel and service stations

Appendix B Allowed Use Comparison Table

Zoning Districts		More Restrictive Regulations		More Permissive Regulations	
Existing	Proposed New	Allowed → Prohibited	By-Right → Use Permit	Prohibited → Allowed	Use Permit → By-Right
* Indicates an unlisted use that could be allowed if the Director determines the unlisted use is equivalent to a listed allowed use					
				warehousing, wholesale, and distribution land use category; heavy equipment sales and services; indoor commercial recreation; non-commercial places of assembly; Drive-through facility, less than 150 feet from an R District; health clubs; commercial lodging; general retail outdoor uses; kennels within 300 feet of a residential zoning district	
CC	DT	ground floor offices and residences on pedestrian-focused frontages; new detached single-family homes; food-serving drive-through facilities; parcel delivery services; printing shops considered a “business services and heavy commercial” use; mini-storage; mobile home parks; agriculture as primary use; general retail 50,000 sq. ft. or more; general retail – outdoor; adult entertainment	outdoor vehicle sales and rentals; parking facilities as primary use; check cashing	Vehicle repair; used car sales; indoor commercial recreation; veterinarians; child care facilities; artisan manufacturing; parks and playgrounds; public and private schools	Accessory structures and uses on same site as conditional use; non-commercial places of assembly
CS	SC, DW	mobile home parks; new detached single-family homes; agriculture as primary use; ground floor offices and residences on pedestrian-focused frontages in DW; adult entertainment	service stations in DW; retail over 50,000 sq. ft.; heavy equipment sales and service; check cashing; ; parking facilities as primary use; vehicle repair in DW; warehousing, wholesale, and distribution	private museums; manufacturing artisan and light; parks and playgrounds; public and private schools	Accessory structures and uses on same site as conditional use; non-food-serving drive-throughs in SC

Appendix B Allowed Use Comparison Table

Zoning Districts		More Restrictive Regulations		More Permissive Regulations	
Existing	Proposed New	Allowed → Prohibited	By-Right → Use Permit	Prohibited → Allowed	Use Permit → By-Right
* Indicates an unlisted use that could be allowed if the Director determines the unlisted use is equivalent to a listed allowed use					
ML	IL, H	new offices where no existing office is present (except mixed use office in H); RV parks; uses included in “manufacturing, Heavy” land use classification	parking facilities as primary use Kennels; adult entertainment; freight terminals	bars in the H; residential in the H; fuel and service stations; mini-storage; government facilities; social service providers	Accessory structures and uses on same site as conditional use; small fitness, dance, or health facility
MG	IG	New offices, retail with single occupant 40,000 sq. ft. or more; veterinarian; airports	parking facilities as primary use	fuel and service stations; mini-storage; government facilities; social service providers	uses included in “manufacturing, Heavy” land use classification
P	PF	non-governmental animal shelters; non-governmental boat harbors and wharves; hospitals; public day care			airports; mobile vendors; public parks and recreation facilities; government facilities; public schools and colleges
	P	airports; non-governmental animal shelters; non-governmental boat harbors and wharves; hospitals; public schools; public day care			mobile vendors; public parks and recreation facilities

APPENDIX C

EXISTING AND PROPOSED BASIC DEVELOPMENT STANDARDS

Appendix C Existing and Proposed Basic Development Standards

- Proposed new standard is more permissive than existing standard
- Proposed new standard is more restrictive than existing standard

Zoning Districts		Lot Area		Density		FAR		Site Coverage		Height		Front Setback		Exterior Side Setback		Interior Side Setback		Rear Setback	
Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New	Existing	Proposed New
A	A	3 acres	20 acres	1/3 acre	1/20 acre	None	None	None	None	35 ft.	35 ft. [20]	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
RS-12,000	RE	12,000 sf	10,000 sf	3.7/ac	4/acre	None	None	None	None	35 ft. [15]	35 ft.	15 ft. [6]	15 ft. [1]	10 ft.	15 ft. [3]	5 ft.	15 ft.	25 ft.	See [4]
RS-6,000	R1	6,000 [5]	5,000 sf.	7.25/ac	8.5/acre	0.5	None	None	60%	35 ft. [15]	35 ft.	15 ft. [6]	10 ft. [2]	10 ft.	15 ft. [3]	5 ft.	5 ft.	25 ft.	See [4]
RM-2,500	R2	6,000 [5]	2,000 sf.	17.25/ac	22/ac	0.5	1.0 [8]	None	70% [8]	35 ft. [15]	35 ft. [8]	15 ft. [6]	10 ft. [2]	10 ft.	5 ft. [3]	5 ft.	5 ft.	20 ft.	See [4]
RM-1,000	R3	6,000 [5]	2,000 sf.	30/ac [7]	44/ac	1.0	1.15 [8]	None	80% [8]	75 ft. [15]	35 ft. [8]	15 ft. [6]	10 ft. [2]	10 ft.	5 ft. [3]	5 ft.	5 ft.	20 ft.	See [4]
OR	DT	6,000	None	44/ac	None	2.5	6.0	None	None	100 ft. [15]	100 ft.	0 ft. [12]	0 ft.	0 ft. [12]	0 ft.	0 ft. [12]	0 ft.	0 ft. [12]	0 ft.
	OR	6,000	None	44/ac	None	2.5	2.5	None	None	100 ft. [15]	45 ft.	0 ft. [12]	10 ft.	0 ft. [12]	10 ft.	0 ft. [12]	5 ft.	0 ft. [12]	See [4]
HM	HM	9,000	None	30/ac [7]	None	1.0	2.5	None	None	25 ft. [9, 15]	45 ft. [16]	15 ft. [13]	10 ft.	10 ft. [13]	0 ft.	10	0 ft.	10 ft.	0 ft.
CN	HC	None	None	None	None	2.0	2.5	None	None	35 ft.	55 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	NC	None	None	None	None	2.0	3.0	None	None	35 ft.	45 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	WA	None	None	None	None	2.0	3.0	None	None	35 ft.	45 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
CP	SC	10 ac	None	N/A	None	0.35	2.5	None	None	35 ft.	55 ft.	50 ft. [14]	0 ft.	50 ft. [14]	0 ft.	50 ft. [14]	0 ft.	50 ft. [14]	0 ft.
CC	DT	None	None	None	None	5.0	6.0	None	None	100 ft.	100 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
CS	SC	6,000	None	None	None	1.2	2.5	None	None	35 ft.	55 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	DW	6,000	None	None	None	1.2	6.0	None	None	35 ft.	80 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
ML	LI	6,000	6,000 sf.	N/A	N/A	1.2	2.0	None	None	35 ft.	50 ft.	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	HG	6,000	None	N/A	44/ac	1.2	2.0	None	None	35 ft.	50 ft.	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
MG	GI	6,000	1 acre	N/A	N/A	2.0	2.0	None	None	100 ft.	50 ft. [17]	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
P	PF	None	None	N/A	N/A	See [10]	4.0	See [10]	None	See [10]	50 ft.	See [11]	0 ft.	See [11]	0 ft.	See [11]	See [18]	See [11]	See [19]
	P	None	None	N/A	N/A	See [10]	4.0	See [10]	None	See [10]	35 ft.	See [11]	0 ft.	See [11]	0 ft.	See [11]	See [18]	See [11]	See [19]

Notes:

- [1] 20 ft. for garage doors
- [2] 5 ft. for porches and stoops; 20 ft. for garage doors
- [3] 0 ft. or 20 ft. or greater for garages in rear 30 ft. of lots; 20 ft. for garage doors
- [4] Alley adjacent: 0 ft. first and second story, 20 ft. third story. No alley: 5 ft. first story, 10 ft. second story, 20 ft. third story.
- [5] 10% greater for corner lots.
- [6] 20 ft. for parking
- [7] plus 1,000 sq. ft. for every unit more than 4.
- [8] Lower FAR, site coverage, and height for lots less than 6,000 sq. ft.
- [9] 75 ft. for hospitals
- [10] As determined by Planning Commission
- [11] No less than adjoining or opposite property.
- [12] For ground floor residential uses, same as RM.
- [13] Min. 25 ft. when adjoining Harrison Avenue, Buhne Street, and Harris Street, min 15 ft. when adjoining H Street and I Street.

[14] Measured from exterior perimeter of the shopping center

[15] Lower height for accessory structures.

[16] 100 ft. for hospital

[17] 100 ft. with a CUP

[18] 10 ft. when abutting a residential zoning district. Otherwise 0 ft.

[19] 20 ft. when abutting a residential zoning district. Otherwise 0 ft.

[20] 50 ft. for non-residential structures

APPENDIX D

PARCELS WITH A ZONE CHANGE

Appendix D Parcels with a Zone Change

APN	Address	Existing Zoning	Proposed Zoning
001011008		WD	Coastal Dependant Industrial - Coastal Zone
001011010		P	Coastal Dependant Industrial - Coastal Zone
001011011		P	Coastal Dependant Industrial - Coastal Zone
001011013		WD	Coastal Dependant Industrial - Coastal Zone
001011015		WD	Coastal Dependant Industrial - Coastal Zone
001012005		WD	Coastal Dependant Industrial - Coastal Zone
001012007		P	Coastal Dependant Industrial - Coastal Zone
001012008		WD	Coastal Dependant Industrial - Coastal Zone
001012010		P	Coastal Dependant Industrial - Coastal Zone
001013011		ML	Public Facilities - Coastal Zone
001014003		P	Hinge District - Coastal Zone
001045009	727 CALIFORNIA ST	RM-1000-AR	Downtown West
001045010	719 CALIFORNIA ST	RM-1000-AR	Downtown West
001047007	226 W WASHINGTON ST	RM-1000-AR	Office Residential
001047008	821 SUMMER ST	RM-1000-AR	Office Residential
001047009	813 SUMMER ST	RM-1000-AR	Office Residential
001047012	801 SUMMER ST	RM-1000-AR	Office Residential
001051005		CW	Public Facilities - Coastal Zone
001051006		CW	Public Facilities - Coastal Zone
001051007	427 W 2ND ST	CW	Public Facilities - Coastal Zone
001092010		CW	Public Facilities - Coastal Zone
001112001		CS-AR-LW	Downtown
001112005	301 7TH ST	CS-AR-LW	Downtown
001121029		WD	Bayfront Commercial - Coastal Zone
001131001	215 I ST	OR	Old Town - Coastal Zone
001131002	812 2ND APTS A-B ST	OR	Old Town - Coastal Zone
001131003	826 2ND ST	OR	Old Town - Coastal Zone
001131004	212 J ST	OR	Old Town - Coastal Zone
001131005	833 3RD ST	OR	Old Town - Coastal Zone
001131006	817 3RD ST	OR	Old Town - Coastal Zone
001131007	805 3RD ST	OR	Old Town - Coastal Zone
001131008	216 J ST	OR	Old Town - Coastal Zone
001134001	804 3RD ST	OR-AR	Downtown
001134002	816 3RD ST	OR-AR	Downtown
001134003		OR-AR	Downtown
001134004	832 3RD ST	OR-AR	Downtown
001134005		OR-AR	Downtown
001134006	803 4TH ST	OR-AR	Downtown
001141004	735 5TH ST	OR-AR	Downtown
001144002	730 5TH ST	OR-AR	Downtown
001144003	734 5TH ST	OR-AR	Downtown
001144004	550 I ST	OR-AR	Downtown
001144005	555 H ST	OR-AR	Downtown
001151004	721 7TH ST	OR-AR	Downtown
001151005	635 H ST	OR-AR	Downtown
001151006	627 H ST	OR-AR	Downtown

Appendix D Parcels with a Zone Change

001151007	615 H ST	OR-AR	Downtown
001154001	707 H ST	OR-AR	Downtown
001154002	716 7TH ST	OR-AR	Downtown
001154003	730 7TH ST	OR-AR	Downtown
001154004	730 I ST	RM-1000-AR	Office Residential
001154005	715 8TH ST	RM-1000-AR	Office Residential
001154006	703 8TH ST	RM-1000-AR	Office Residential
001155003	730 H ST	CS-AR	Downtown
001161015		CW	Public Facilities - Coastal Zone
001161016		WD	Water Development - Coastal Zone
001162004	837 2ND ST	OR	Old Town - Coastal Zone
001162005	829 2ND ST	OR	Old Town - Coastal Zone
001162006	817 2ND ST	OR	Old Town - Coastal Zone
001162007	803 2ND ST	OR	Old Town - Coastal Zone
001162010		WD	Water Development - Coastal Zone
001162011		P	Old Town - Coastal Zone
001162012		OR	Old Town - Coastal Zone
001173001	301 L ST	OR-AR	Downtown
001173002	1128 3RD ST	OR-AR	Downtown
001173003	1134 3RD ST	OR-AR	Downtown
001173004	320 M ST	OR-AR	Downtown
001173005	1125 4TH ST	CS-AR	Downtown
001173006	1119 4TH ST	OR-AR	Downtown
001173007	1117 4TH ST	OR-AR	Downtown
001173010	1101 4TH ST	OR-AR	Downtown
001174001	305 K ST	OR-AR	Downtown
001174002	1014 3RD ST	OR-AR	Downtown
001174003	1026 3RD ST	OR-AR	Downtown
001174004	304 L ST	OR-AR	Downtown
001174005	314 L ST	OR-AR	Downtown
001174006	1031 4TH ST	OR-AR	Downtown
001174007	1023 4TH ST	OR-AR	Downtown
001174008	1017 4TH ST	OR-AR	Downtown
001174009	1001 4TH ST	OR-AR	Downtown
001175001	910 3RD ST	OR-AR	Downtown
001175006	917 4TH ST	OR-AR	Downtown
001175007	903 4TH ST	OR-AR	Downtown
001175009	922 3RD ST	OR-AR	Downtown
001175010	929 4TH ST	OR-AR	Downtown
001175011	933 4TH ST	OR-AR	Downtown
001191002	825 5 TH ST	OR-AR	Public Facilities
001191004	901 5TH ST	OR-AR	Public Facilities
001192001		OR-AR	Downtown
001192004		OR-AR	Downtown
001192005		OR-AR	Public Facilities
001193001	509 J ST	OR-AR	Downtown
001193002	924 5TH ST	OR-AR	Downtown

Appendix D Parcels with a Zone Change

001193003		OR-AR	Downtown
001193004	504 K ST	OR-AR	Downtown
001193005	937 6TH ST	OR-AR	Downtown
001193006	925 6TH ST	OR-AR	Downtown
001193007	515 J ST	OR-AR	Downtown
001194001		OR-AR	Downtown
001194002		OR-AR	Public Facilities
001195001		OR-AR	Downtown
001195002	1040 4TH ST	OR-AR	Downtown
001195003	424 L ST	OR-AR	Downtown
001195004		OR-AR	Downtown
001195005		OR-AR	Downtown
001195006		OR-AR	Downtown
001195007		OR-AR	Downtown
001196001	417 L ST	OR-AR	Downtown
001196002	1140 4TH ST	CS-AR	Downtown
001196003	1137 5TH ST	CS-AR	Downtown
001196004	1111 5TH ST	OR-AR	Downtown
001201001	605 K ST #B	OR-AR	Downtown
001201002	1034 6TH ST	OR-AR	Downtown
001201003	1033 7TH ST	OR-AR	Downtown
001201004	1025 7TH ST	OR-AR	Downtown
001201005	625 K ST	OR-AR	Downtown
001202001	930 6TH ST	OR-AR	Downtown
001203002	600 J ST	OR-AR	Downtown
001203003	630 J ST	OR-AR	Downtown
001203004	819 7TH ST	OR-AR	Downtown
001203005	815 7TH ST	OR-AR	Downtown
001203006	805 7TH ST	OR-AR	Downtown
001203007	611 I ST #A	OR-AR	Downtown
001203008	818 6TH ST	OR-AR	Downtown
001204006	1037 8TH ST	RM-1000-AR	Office Residential
001204007	1023 8TH ST	RM-1000-AR	Office Residential
001204008	1015 8TH ST	RM-1000-AR	Office Residential
001204009	1005 8TH ST	RM-1000-AR	Office Residential
001205003	738 K ST	RM-1000-AR	Office Residential
001205004	737 J ST	RM-1000-AR	Office Residential
001206004	726 J ST	RM-1000-AR	Office Residential
001206005	736 J ST	RM-1000-AR	Office Residential
001206006	823 8TH ST	RM-1000-AR	Office Residential
001206007	819 8TH ST	RM-1000-AR	Office Residential
001206008		RM-1000-AR	Office Residential
001206009		RM-1000-AR	Office Residential
001212010		OR	Public Facilities - Coastal Zone
001212012		OR	Public Facilities - Coastal Zone
001212013		OR	Public Facilities - Coastal Zone
001221001	1401 4TH ST	CS-AR	Downtown

Appendix D Parcels with a Zone Change

001222001	307 N ST	OR-AR	Downtown
001222002	1329 4TH ST	CS-AR	Downtown
001222005	1315 4TH ST	CS-AR	Downtown
001223001	305 M ST	OR-AR	Downtown
001223002	1212 3RD ST	OR-AR	Downtown
001223003	1228 3RD ST	OR-AR	Downtown
001223004	304 N ST	OR-AR	Downtown
001223005	1235 4TH ST	CS-AR	Downtown
001223006	1215 4TH ST	CS-AR	Downtown
001224001		CS-AR	Downtown
001224002	1420 4TH ST	CS-AR	Downtown
001224003	1443 5TH ST	CS-AR	Downtown
001224004	1507 5TH ST	CS-AR	Downtown
001224012	1435 5TH ST	CS-AR	Downtown
001224013		CS-AR	Downtown
001224014		CS-AR	Downtown
001224015	1415 5TH ST	CS-AR	Downtown
001224017		CS-AR	Downtown
001224018	1515 5TH ST	CS-AR	Downtown
001225003	1336 4TH ST	CS-AR	Downtown
001225004	1339 5TH ST	CS-AR	Downtown
001225005	1323 5TH ST	CS-AR	Downtown
001225006	1313 5TH ST	CS-AR	Downtown
001225007	431 N ST	CS-AR	Downtown
001225008	1304 4TH ST	CS-AR	Downtown
001226001	1204 4TH ST	CS-AR	Downtown
001226002	1214 4TH ST	CS-AR	Downtown
001226003	420 N ST	CS-AR	Downtown
001226004	430 N ST	CS-AR	Downtown
001226005	1211 5TH ST	CS-AR	Downtown
001226006	417 M ST	CS-AR	Downtown
001231001	1310 5TH ST	CS-AR	Downtown
001231002	1324 5TH ST	CS-AR	Downtown
001231003	510 O ST #A	CS-AR	Downtown
001231006	1315 6TH ST	RM-1000-AR	Office Residential
001231007	1301 6TH ST	RM-1000-AR	Office Residential
001231008		CS-AR	Downtown
001231009	1331 6TH ST	RM-1000-AR	Office Residential
001232010	1232 5TH ST	CS-AR	Downtown
001232011	1208 5TH ST	CS-AR	Downtown
001233001	503 L ST	OR-AR	Downtown
001233002	1112 5TH ST	OR-AR	Downtown
001233003	1122 5TH ST	CS-AR	Downtown
001233004	1134 5TH ST	CS-AR	Downtown
001233005	1136 5TH ST	CS-AR	Downtown
001233006		OR-AR	Downtown
001233007		OR-AR	Downtown

Appendix D Parcels with a Zone Change

001233011	515 L ST	OR-AR	Downtown
001233012	1105 6TH ST	OR-AR	Downtown
001234003	1324 6TH ST	RM-1000-AR	Office Residential
001234004	1330 6TH ST	RM-1000-AR	Office Residential
001234005	1336 6TH ST	RM-1000-AR	Office Residential
001234011	1318 6TH ST	RM-1000-AR	Office Residential
001243006	1115 8TH ST	RM-1000-AR	Office Residential
001243007	1105 8TH ST	RM-1000-AR	Office Residential
001251001	1506 5TH ST	CS-AR	Downtown
001251002	1516 5TH ST	CS-AR	Downtown
001251006		CS	Downtown
001251007	1545 6TH ST	CS	Downtown
001251008	1535 6TH ST	CS	Downtown
001251009	1525 6TH ST	RM-2500-AR	Office Residential
001251010	1521 6TH ST	RM-2500-AR	Office Residential
001251011	1505 6TH ST	RM-2500-AR	Office Residential
001251012		CS-AR	Downtown
001252001	1406 5TH ST	CS-AR	Downtown
001252005	1435 6TH ST	RM-2500-AR	Office Residential
001252006	1431 6TH ST	RM-2500-AR	Office Residential
001252007	1423 6TH ST	RM-2500-AR	Office Residential
001252008	1419 6TH ST	RM-1000-AR	Office Residential
001252009	531 O ST	RM-1000-AR	Office Residential
001252010	1422 5TH ST	CS-AR	Downtown
001261021		P	Residential Medium
001261022		P	Residential Medium
001291001		OR-AR	Downtown
001291002		OR-AR	Downtown
001291003		OR-AR	Downtown
001291004		OR-AR	Downtown
002051002		CS	Public Facilities - Coastal Zone
002111002	530 V ST	NR	Gateway North - Coastal Zone
002111004		NR	Gateway North - Coastal Zone
002114005	665 MYRTLE AVE	NR	Gateway North - Coastal Zone
002171001	2189 TYDD ST	RM-1000	Service Commercial - Coastal Zone
002171010		CN	Service Commercial - Coastal Zone
002191003	1125 SEARLES ST	NR	Residential Low - Coastal Zone
002191014	1075 SEARLES ST	NR	Residential Low - Coastal Zone
002191021	2144 TYDD ST	CN	Service Commercial - Coastal Zone
002191022	2150 TYDD ST	CN	Service Commercial - Coastal Zone
002191023	2140 TYDD ST	CN	Service Commercial - Coastal Zone
002191024	1001 SEARLES ST	CN	Service Commercial - Coastal Zone
002191025		RM-1000	Service Commercial - Coastal Zone
002191026		RM-1000	Service Commercial - Coastal Zone
002191035	2200 TYDD ST	RM-1000	Service Commercial - Coastal Zone
002222009	973 DOWLER DR	RS-6000	Residential High - Coastal Zone
002222010	1265 SEARLES ST	RS-6000	Residential High - Coastal Zone

Appendix D Parcels with a Zone Change

002231012		WC	Natural Resources - Coastal Zone
002231023		P	Bayfront Commercial - Coastal Zone
002241002		OR	Public Facilities - Coastal Zone
002241008		P	Bayfront Commercial - Coastal Zone
002252022	2480 6TH ST	NR	Service Commercial - Coastal Zone
003011001		WD	Public Facilities - Coastal Zone
003021008		P	Marina District - Coastal Zone
003021009		P	Marina District - Coastal Zone
003031002		P	Marina District - Coastal Zone
003031006		P	Marina District - Coastal Zone
003041007		P	Marina District - Coastal Zone
003051001	910 W WASHINGTON ST	P	Marina District - Coastal Zone
003062019		MC	Heavy Industrial - Coastal Zone
003062021		MC	Heavy Industrial - Coastal Zone
003062024	1090 W WATERFRONT DR	MC	Heavy Industrial - Coastal Zone
003062028	990 WATERFRONT DR	MC	Heavy Industrial - Coastal Zone
003072005		WD	Coastal Dependant Industrial - Coastal Zone
003082001		WD	Coastal Dependant Industrial - Coastal Zone
003082007	1206 W 14TH ST	MC	Heavy Industrial - Coastal Zone
003082010	945 W 14TH ST	P	Heavy Industrial - Coastal Zone
003082011		MC	Heavy Industrial - Coastal Zone
003082015		WD	Heavy Industrial - Coastal Zone
003082016		MC	Heavy Industrial - Coastal Zone
003082021		P	Coastal Dependant Industrial - Coastal Zone
003082022		P	Heavy Industrial - Coastal Zone
003131022		ML	Service Commercial - Coastal Zone
004012001	235 W WASHINGTON ST	RM-1000-AR	Office Residential
004012002	225 W WASHINGTON ST	RM-1000-AR	Office Residential
004015002	215 W GRANT ST	RM-1000-AR	Service Commercial
004073005	1630 SUMMER ST	RM-1000	Service Commercial
004084006		P	Residential High
004084008	1910 CALIFORNIA ST	P	Office Residential
004084010		P	Office Residential
004131008	1668 C ST	RM-1000	Wabash
004131013	1651 B ST	CN	Residential High
004141003	1804 C ST	RM-1000	Wabash
004146013	1901 CALIFORNIA ST	RM-2500	Office Residential
004151006	822 E ST	RM-1000-AR	Office Residential
004151007	832 E ST	RM-1000-AR	Office Residential
004151009	902 E ST	RM-1000-AR	Office Residential
004151010	922 E ST	RM-1000-AR	Office Residential
004151011	942 E ST	RM-1000-AR	Office Residential
004151012	325 GRANT ST	RM-1000-AR	Office Residential
004151014	919 D ST	RM-1000-AR	Office Residential
004151015	911 D ST	RM-1000-AR	Office Residential
004151016	903 D ST	RM-1000-AR	Office Residential
004151018	833 D ST	RM-1000-AR	Office Residential

Appendix D Parcels with a Zone Change

004151020	821 D ST	RM-1000-AR	Office Residential
004151024	840 E ST	RM-1000-AR	Office Residential
004151025	923 D ST	RM-1000-AR	Office Residential
004151026	929 D ST #UNIT A	RM-1000-AR	Office Residential
004151027	945 D ST	RM-1000-AR	Office Residential
004152004	800 D ST	RM-1000-AR	Office Residential
004152005		RM-1000-AR	Office Residential
004196006	1620 WILLIAMS ST	RM-1000	Wabash
004196007	241 WABASH AVE	RM-1000	Wabash
004196008	237 WABASH AVE	RM-1000	Wabash
004196009	227 WABASH AVE	RM-1000	Wabash
004196010	225 WABASH AVE	RM-1000	Wabash
004197001	303 WABASH AVE	RM-1000	Wabash
004197002	321 WABASH AVE	OR	Wabash
004198004	1705 WILLIAMS ST	RM-1000	Wabash
004198005	265 WABASH AVE	RM-1000	Wabash
004198006	279 WABASH AVE	RM-1000	Wabash
004198007	271 WABASH AVE	RM-1000	Wabash
004199010	203 WABASH AVE	RM-1000	Wabash
004199011	223 WABASH AVE	RM-1000	Wabash
004201001	256 WABASH AVE	RM-1000	Wabash
004201002	268 WABASH AVE	RM-1000	Wabash
004201003	272 WABASH AVE	RM-1000	Wabash
004201004	1804 D ST	RM-1000	Wabash
004201005	1810 D ST	RM-1000	Wabash
004201006	1816 D ST	RM-1000	Wabash
004201010	1817 WILLIAMS ST	RM-1000	Wabash
004202001	230 WABASH AVE	RM-1000	Wabash
004203001	1803 C ST	RM-1000	Wabash
004203002	220 WABASH AVE	RM-1000	Wabash
004211001	803 F ST	CC-AR	Office Residential
004211002	516 8TH ST	CC-AR	Office Residential
004211003		CC-AR	Office Residential
004211004	537 9TH ST	RM-1000-AR	Office Residential
004211005	831 F ST	CC-AR	Office Residential
004211006	811 F ST	CC-AR	Office Residential
004212001	428 8TH ST	CC-AR	Office Residential
004251014	1604 G ST	RM-1000	Wabash
004251017		OR	Wabash
004251020	1645 F ST	RM-1000	Wabash
004251022	1637 F ST	RM-1000	Wabash
004251024	1646 G ST	RM-1000	Wabash
004253006	1626 F ST	RM-1000	Wabash
004254001	1707 E ST	OR	Wabash
004254002		OR	Wabash
004254003	1735 E ST	OR	Wabash
004262001		OR	Wabash

Appendix D Parcels with a Zone Change

004262002		OR	Wabash
004262004	415 DEL NORTE ST	RM-1000	Wabash
004262005	1835 E ST	OR	Wabash
004262006	1834 F ST	RM-1000	Wabash
004262007	1826 F ST	RM-1000	Wabash
004263002	1806 E ST	OR	Wabash
004263004	326 WABASH AVE	RM-1000	Wabash
004263005	316 WABASH AVE	RM-1000	Wabash
004263006	306 WABASH AVE	RM-1000	Wabash
004263007		OR	Wabash
005013001	606 8TH ST	CC-AR	Office Residential
005013007	815 G ST	CC-AR	Office Residential
005013008	804 H ST	RM-1000-AR	Office Residential
005013009		RM-1000-AR	Office Residential
005023002	1018 H ST	RM-1000-AR	Public Facilities
005133013		RM-2500	Public Facilities
006012016	921 S ST	P	Residential Medium
006021007		RM-2500	Parks
006022002	1040 MYRTLE AVE	CN	Service Commercial
006022003	1016 WEST AVE	CN	Service Commercial
006093019	1017 MYRTLE AVE	CN	Service Commercial - Coastal Zone
006093022	1105 MYRTLE AVE	CN	Service Commercial - Coastal Zone
006093023	1111 MYRTLE AVE	CN	Service Commercial - Coastal Zone
006171003	1270 SEARLES ST	RS-6000	Residential High - Coastal Zone
006181001	1310 MYRTLE AVE	RM-1000	Neighborhood Commercial
006231013	1431 MYRTLE AVE	NR	Residential High - Coastal Zone
006273012	1814 HARRISON AVE	RS-6000	Hospital Medical
006273013	2436 18TH ST	RS-6000	Hospital Medical
006273014	1828 HARRISON AVE	RS-6000	Hospital Medical
006273015	2446 18TH ST	RS-6000	Hospital Medical
006273016	2460 18TH ST	RS-6000	Hospital Medical
006281007	1838 HARRISON AVE	RS-6000	Hospital Medical
006311009	2495 HILLSIDE DR	RS-6000	Hospital Medical
006311010	1874 HARRISON AVE	RS-6000	Hospital Medical
006312001	2480 HILLSIDE DR	RS-6000	Hospital Medical
006312003	1908 HARRISON AVE	RS-6000	Hospital Medical
006312015	1916 HARRISON AVE	RS-6000	Hospital Medical
006312016		RS-6000	Hospital Medical
006312017		RS-6000	Hospital Medical
006312018	1904 HARRISON AVE	RS-6000	Hospital Medical
007031004		WD	Parks - Coastal Zone
007051006		WD	Water Development - Coastal Zone
007051009		MC	Service Commercial - Coastal Zone
007051010		MC	Service Commercial - Coastal Zone
007061005		WD	Water Development - Coastal Zone
007061006		MC	Public Facilities - Coastal Zone
007071013		WD	Coastal Dependant Industrial - Coastal Zone

Appendix D Parcels with a Zone Change

007071014		MC	Public Facilities - Coastal Zone
007081001		WD	Water Development - Coastal Zone
007081002	3420 CHRISTIE ST	WD	Coastal Dependant Industrial - Coastal Zone
007081003		WD	Coastal Dependant Industrial - Coastal Zone
007081004		WD	Coastal Dependant Industrial - Coastal Zone
007081008		MC	Service Commercial - Coastal Zone
007081009		MC	Service Commercial - Coastal Zone
007081010	3431 CHRISTIE ST	MC	Service Commercial - Coastal Zone
007081013		WD	Public Facilities - Coastal Zone
007081014		WD	Public Facilities - Coastal Zone
007081015		WD	Public Facilities - Coastal Zone
007081016	1925 TRUESDALE ST	MC	Public Facilities - Coastal Zone
007081030	2008 TRUESDALE ST	MC	Service Commercial - Coastal Zone
007081031	2024 TRUESDALE ST	MC	Service Commercial - Coastal Zone
007081035		MG	Service Commercial - Coastal Zone
007081036	1911 TRUESDALE AVE	MG	Service Commercial - Coastal Zone
007091001		WD	Water Development - Coastal Zone
007091002		WD	Public Facilities - Coastal Zone
007091003		WD	Public Facilities - Coastal Zone
007091005		WD	Public Facilities - Coastal Zone
007091006		MC	Public Facilities - Coastal Zone
007091007		MC	Public Facilities - Coastal Zone
007091008		MC	Public Facilities - Coastal Zone
007091009		MC	Public Facilities - Coastal Zone
007091011		MC	Public Facilities - Coastal Zone
007091012		MC	Public Facilities - Coastal Zone
007092003	2024 MCCULLENS AVE	MG	Service Commercial - Coastal Zone
007092004		MG	Service Commercial - Coastal Zone
007092009	1804 ALLARD AVE	MG	Service Commercial - Coastal Zone
007092010	1834 ALLARD AVE	MG	Service Commercial - Coastal Zone
008022020	2524 GARLAND ST	RS-6000	Residential Medium
008022021	2534 GARLAND ST	RS-6000	Residential Medium
008022029	730 W CARSON ST	RS-6000	Residential Medium
008022030	720 W CARSON ST	RS-6000	Residential Medium
008032002	740 W CARSON ST	RS-6000	Residential Medium
008032003	2540 SUMMIT ST	RS-6000	Residential Medium
008032004	2604 SUMMIT ST	RS-6000	Residential Medium
008032005	2610 SUMMIT ST	RS-6000	Residential Medium
008032006	2620 SUMMIT ST	RS-6000	Residential Medium
008032007	804 CREIGHTON ST	RS-6000	Residential Medium
008032008	814 CREIGHTON ST	RS-6000	Residential Medium
008032022	748 W CARSON ST	RS-6000	Residential Medium
008033001	2609 SUMMIT ST	RS-6000	Residential Medium
008033002	727 W CARSON ST	RS-6000	Residential Medium
008033003	717 CARSON ST	RS-6000	Residential Medium
008033004	707 W CARSON ST	RS-6000	Residential Medium
008033005	2620 GARLAND ST	RS-6000	Residential Medium

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008033006	2630 GARLAND ST	RS-6000	Residential Medium
008033007	716 CREIGHTON ST	RS-6000	Residential Medium
008033008	726 CREIGHTON ST	RS-6000	Residential Medium
008033009	2629 SUMMIT ST	RS-6000	Residential Medium
008033010	2619 SUMMIT ST	RS-6000	Residential Medium
008041001	2720 FAIRFIELD ST	RS-6000	Residential Medium
008041002	2730 FAIRFIELD ST	RS-6000	Residential Medium
008041003	2738 FAIRFIELD ST	RS-6000	Residential Medium
008041009	2800 FAIRFIELD ST	RS-6000	Residential Medium
008041012	2808 FAIRFIELD ST	RS-6000	Residential Medium
008041013	2818 FAIRFIELD ST	RS-6000	Residential Medium
008041014	2828 FAIRFIELD ST	RS-6000	Residential Medium
008041019	2854 FAIRFIELD ST	RS-6000	Residential Medium
008041020	2860 FAIRFIELD ST	RS-6000	Residential Medium
008041021	2850 FAIRFIELD ST	RS-6000	Residential Medium
008042002	2710 OCEAN AVE	RS-6000	Residential Medium
008042003	2720 OCEAN AVE	RS-6000	Residential Medium
008042004	2730 OCEAN AVE	RS-6000	Residential Medium
008042005	2740 OCEAN AVE	RS-6000	Residential Medium
008042006	2800 OCEAN AVE	RS-6000	Residential Medium
008042007	2810 OCEAN AVE	RS-6000	Residential Medium
008042008	2820 OCEAN AVE	RS-6000	Residential Medium
008042009	2830 OCEAN AVE	RS-6000	Residential Medium
008042010		RS-6000	Residential Medium
008042011	2850 OCEAN AVE	RS-6000	Residential Medium
008042012	2860 OCEAN AVE	RS-6000	Residential Medium
008042014	2861 FAIRFIELD ST	RS-6000	Residential Medium
008042015	2849 FAIRFIELD ST	RS-6000	Residential Medium
008042016	2845 FAIRFIELD ST	RS-6000	Residential Medium
008042017	2837 FAIRFIELD ST	RS-6000	Residential Medium
008042018	2821 FAIRFIELD ST	RS-6000	Residential Medium
008042019	2741 FAIRFIELD ST	RS-6000	Residential Medium
008042020	2733 FAIRFIELD ST	RS-6000	Residential Medium
008042021	2723 FAIRFIELD ST	RS-6000	Residential Medium
008042022	2707 FAIRFIELD ST	RS-6000	Residential Medium
008042023	2870 OCEAN AVE	RS-6000	Residential Medium
008042024	1010 W HENDERSON ST	RS-6000	Residential Medium
008052002	2910 FAIRFIELD ST	RS-6000	Residential Medium
008052003	2914 FAIRFIELD ST	RS-6000	Residential Medium
008052004	2930 FAIRFIELD ST	RS-6000	Residential Medium
008052005	2936 FAIRFIELD ST	RS-6000	Residential Medium
008052006	2944 FAIRFIELD ST	RS-6000	Residential Medium
008052007	3006 FAIRFIELD ST	RS-6000	Residential Medium
008052008	3014 FAIRFIELD ST	RS-6000	Residential Medium
008052013	3024 FAIRFIELD ST	RS-6000	Residential Medium
008053001	1015 W HENDERSON ST	RS-6000	Residential Medium
008053002	2910 OCEAN AVE	RS-6000	Residential Medium

Appendix D Parcels with a Zone Change

008053003	2920 OCEAN AVE	RS-6000	Residential Medium
008053004	3000 OCEAN AVE	RS-6000	Residential Medium
008053006	3010 OCEAN AVE	RS-6000	Residential Medium
008053007	3020 OCEAN AVE	RS-6000	Residential Medium
008053008	3030 OCEAN AVE	RS-6000	Residential Medium
008053011	3021 FAIRFIELD ST	RS-6000	Residential Medium
008053012	3011 FAIRFIELD ST	RS-6000	Residential Medium
008053013	3003 FAIRFIELD ST	RS-6000	Residential Medium
008053014	2945 FAIRFIELD ST	RS-6000	Residential Medium
008053015	2937 FAIRFIELD ST	RS-6000	Residential Medium
008053016	2927 FAIRFIELD ST	RS-6000	Residential Medium
008053017	2919 FAIRFIELD ST	RS-6000	Residential Medium
008053018	2909 FAIRFIELD ST	RS-6000	Residential Medium
008061001		RS-6000	Service Commercial
008161003	828 W HENDERSON ST	RS-6000	Residential Medium
008161004	838 W HENDERSON ST	RS-6000	Residential Medium
008161005	848 W HENDERSON ST	RS-6000	Residential Medium
008161006	858 HENDERSON ST	RS-6000	Residential Medium
008161007	916 W HENDERSON ST	RS-6000	Residential Medium
008161009	2845 OCEAN AVE	RS-6000	Residential Medium
008161010	2835 OCEAN ST	RS-6000	Residential Medium
008161011	2819 OCEAN AVE	RS-6000	Residential Medium
008161012	2807 OCEAN AVE	RS-6000	Residential Medium
008161013	2749 OCEAN AVE	RS-6000	Residential Medium
008161014	2739 OCEAN AVE	RS-6000	Residential Medium
008161015	2729 OCEAN AVE	RS-6000	Residential Medium
008161016	2719 OCEAN AVE	RS-6000	Residential Medium
008161017	2705 OCEAN AVE	RS-6000	Residential Medium
008161018	805 CREIGHTON ST	RS-6000	Residential Medium
008161019	845 CREIGHTON ST	RS-6000	Residential Medium
008161021	806 HENDERSON ST	RS-6000	Residential Medium
008161022	816 W HENDERSON ST	RS-6000	Residential Medium
009031011	2533 GARLAND ST	RS-6000	Residential Medium
009031012	2523 GARLAND ST	RS-6000	Residential Medium
009041001	2605 GARLAND ST	RS-6000	Residential Medium
009041007	624 CREIGHTON ST	RS-6000	Residential Medium
009041008	2631 GARLAND ST	RS-6000	Residential Medium
009041009	2615 GARLAND ST	RS-6000	Residential Medium
009041010	2611 GARLAND ST	RS-6000	Residential Medium
009172022	2979 UNION ST	RM-2500	Neighborhood Commercial
010231007	2732 E ST	RS-6000	Henderson Center
010231011	2725 D ST	CN	Low Density Residential
010253002	2930 G ST	RS-6000	Office Residential
010253003	2934 G ST	RS-6000	Office Residential
010253004	3016 G ST	RS-6000	Office Residential
011051006	615 RUSS ST	RS-6000	Office Residential
011051007	2835 G ST	RS-6000	Office Residential

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011051008	2827 G ST	RS-6000	Office Residential
011051009	2821 G ST	RS-6000	Office Residential
011051010	2817 G ST	RS-6000	Office Residential
011063007	3014 J ST	RS-6000	Office Residential
011071003	3134 G ST	RS-6000	Office Residential
011181001	939 HARRIS ST	RS-6000	Public Facilities
012241002		RS-6000	Parks
012241006		RS-6000	Parks
012251010		RS-6000	Parks
012251011		RS-6000	Parks
012251012		RS-6000	Parks
013101006		HM	Public Facilities
013101007	2020 WATSON DR	HM	Public Facilities
013101009		HM	Public Facilities
013101010	2006 HARRISON AVE	HM	Public Facilities
013111003		HM	Public Facilities
013171007	2491 RUSS ST	RS-6000	Hospital Medical
013171008	2475 RUSS ST	RS-6000	Hospital Medical
013171009	2461 RUSS ST	RS-6000	Hospital Medical
013171010	2445 RUSS ST	RS-6000	Hospital Medical
013171011	2437 RUSS ST	RS-6000	Hospital Medical
013171012	2835 DOLBEER ST	RS-6000	Hospital Medical
013171013	2827 DOLBEER ST	RS-6000	Hospital Medical
013171014	2809 DOLBEER ST	RS-6000	Hospital Medical
013171015	2745 DOLBEER ST	RS-6000	Hospital Medical
013171017	2345 RUSS ST	RS-6000	Hospital Medical
013171022	2720 DOLBEER ST	RS-6000	Hospital Medical
013171035	2730 DOLBEER ST	RS-6000	Hospital Medical
013171039	2806 DOLBEER ST	RS-6000	Hospital Medical
013171040	2802 HARRISON AVE	RS-6000	Hospital Medical
013171041	2812 HARRISON AVE	RS-6000	Hospital Medical
013171042	2808 HARRISON AVE	RS-6000	Hospital Medical
013171043	2806 HARRISON AVE	RS-6000	Hospital Medical
013181006	2482 RUSS ST	RS-6000	Hospital Medical
013181007	2496 RUSS ST	RS-6000	Hospital Medical
013181018	2479 WOOD ST	RS-6000	Hospital Medical
013181019	2493 WOOD ST	RS-6000	Hospital Medical
013182001	3009 DOLBEER ST	RS-6000	Residential Medium
013182002	2420 WOOD ST	RS-6000	Residential Medium
013182004	2450 WOOD ST	RS-6000	Residential Medium
013182005	2458 WOOD ST	RS-6000	Residential Medium
013182006	2476 WOOD ST	RS-6000	Residential Medium
013182011		RS-6000	Neighborhood Commercial
013182012		RS-6000	Neighborhood Commercial
013182013	2440 WOOD ST	RS-6000	Residential Medium
013182014	2428 WOOD ST	RS-6000	Residential Medium
013182016	2425 HARRIS ST	RS-6000	Residential Medium

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013182018	2465 HARRIS ST	RS-6000	Residential Medium
013182020	2431 HARRIS ST	RS-6000	Residential Medium
013182022	2437 HARRIS ST	RS-6000	Residential Medium
013182023	2449 HARRIS ST	RS-6000	Residential Medium
013182024	2453 HARRIS ST	RS-6000	Residential Medium
013182026	2473 HARRIS ST	RS-6000	Residential Medium
013182027		RS-6000	Neighborhood Commercial
013182028	2481 HARRIS ST	RS-6000	Residential Medium
013182029	3031 DOLBEER ST	RS-6000	Residential Medium
013191026	3116 HARRISON AVE	RS-6000	Hospital Medical
013191027		OR-AR	Hospital Medical
013191030	3147 DOLBEER ST #1	RS-6000-PD	Residential Medium
013191031	3147 DOLBEER ST #2	RS-6000-PD	Residential Medium
013191032	3147 DOLBEER ST #3	RS-6000-PD	Residential Medium
013191033	3147 DOLBEER ST #4	RS-6000-PD	Residential Medium
013191034	3147 DOLBEER #5 ST	RS-6000-PD	Residential Medium
013191035	3147 DOLBEER ST #6	RS-6000-PD	Residential Medium
013191036	3147 DOLBEER ST #7	RS-6000-PD	Residential Medium
013191037	3147 DOLBEER ST #8	RS-6000-PD	Residential Medium
013191038	3147 DOLBEER ST #9	RS-6000-PD	Residential Medium
013191039		RS-6000-PD	Residential Medium
013191040	3147 DOLBEER ST #11	RS-6000-PD	Residential Medium
013191041	3147 DOLBEER ST #12	RS-6000-PD	Residential Medium
013191042		RS-6000-PD	Residential Medium
013191043		RS-6000-PD	Residential Medium
013191044	3147 DOLBEER #15 ST	RS-6000-PD	Residential Medium
013191045	3147 DOLBEER ST #16	RS-6000-PD	Residential Medium
013191046	3147 DOLBEER #17 ST	RS-6000-PD	Residential Medium
013191047	3147 DOLBEER ST #18	RS-6000-PD	Residential Medium
013191048	3147 DOLBEER #19 ST	RS-6000-PD	Residential Medium
013191049	3147 DOLBEER ST #20	RS-6000-PD	Residential Medium
013191050	3147 DOLBEER #21 ST	RS-6000-PD	Residential Medium
013191051	3147 DOLBEER #22 ST	RS-6000-PD	Residential Medium
013191052	3147 DOLBEER ST #23	RS-6000-PD	Residential Medium
013191053	3147 DOLBEER #24 ST	RS-6000-PD	Residential Medium
013191054	3147 DOLBEER ST	RS-6000-PD	Residential Medium
013191055	3132 HARRISON AVE	OR-AR	Hospital Medical
013191056	3142 HARRISON AVE	OR-AR	Hospital Medical
013191057	2434 HARRIS ST	RS-6000	Residential Medium
013191058	2440 HARRIS ST	RS-6000	Residential Medium
014031002		NR	Public Facilities - Coastal Zone
014031004		NR	Public Facilities - Coastal Zone
014041002		NR	Public Facilities - Coastal Zone
014071005		NR	Public Facilities - Coastal Zone
014101002		NR	Public Facilities - Coastal Zone
014111003		NR	Public Facilities - Coastal Zone
017102008		NR	Public Facilities - Coastal Zone

Appendix D Parcels with a Zone Change

017102010	4800 ST HWY 101	AC	Service Commercial - Coastal Zone
017102011		NR	Public Facilities - Coastal Zone
019231011	1889 ALLARD AVE	MG	Service Commercial - Coastal Zone
019271004		MC	Service Commercial - Coastal Zone
019321002	2010 HILFIKER LN	MC	Service Commercial - Coastal Zone
019321004		MC	Public Facilities - Coastal Zone
019321005	2400 HILFIKER LN	MC	Public Facilities - Coastal Zone
019321009		WD	Public Facilities - Coastal Zone
019321011		MC	Public Facilities - Coastal Zone
019321012		MC	Public Facilities - Coastal Zone
019321014		WD	Water Development - Coastal Zone
019331002		MC	Public Facilities - Coastal Zone
019341005	1600 SUNSET DR	P	Service Commercial
301271028		RS-6000	Public Facilities
301281001		RS-6000	Parks
302171022		AC	Estate Residential - Coastal Zone
302181039		AC	Natural Resources - Coastal Zone
302181040	5300 TOOBY RD	AC	Natural Resources - Coastal Zone
305181005		AC	Natural Resources - Coastal Zone
402031025		RS-12000	Estate Residential
402031026		RS-12000	Estate Residential
402031027		RS-12000	Estate Residential
402031028		RS-12000	Estate Residential
402032001		RS-12000	Estate Residential
402161005	124 INDIANOLA RD	RS-12000	Estate Residential
405011004		WC	Natural Resources - Coastal Zone
405011005		NR	Water Conservation - Coastal Zone
405011008		WD	Water Development - Coastal Zone
405031011		NR	Woodley Island - Coastal Zone
501261021	105 INDIANOLA RD	RS-12000	Estate Residential