



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Rob Holmlund, AICP, Director

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NOTICE OF PUBLIC HEARING

DIRECTOR OF DEVELOPMENT SERVICES

NOTICE IS HEREBY GIVEN that the proposed development described below is within the coastal zone and, pursuant to the Eureka Local Coastal Program the Coastal Development Permit is scheduled for a public hearing before the Director of Development Services on Tuesday, May 21, 2019, at 10:00 AM in Room 207, Eureka City Hall, 531 “K” Street, Eureka, California.

Project Title: *Residential Addition and Accessory Dwelling Unit (ADU) Addition and Remodel Coastal Development Permit*

Project Applicant: Christian Gouthier **Case No:** CDP-17-0008

Project Location: 1264 Bay Street; APN 002-182-006

Zoning and General Plan Designations: One-Family Residential (RS-6000)/Low Density Residential (LDR)

Project Description: The applicant proposes a 442 SF addition to a 1,650 SF single family residence and an 84 SF addition to an ADU that will be renovated.

Pursuant to Section 10-5.29303 of the Eureka Municipal Code and Title 14, Section 13250 (b)(4) of the California Administrative Code, a Coastal Development Permit is required for the above project. Based on the location of the project, the Director’s decision is not appealable.

Date of Project Application: November 8, 2017

All interested persons are invited to comment on the project either in person at the scheduled public hearing, or in writing. Written comments on the project may be submitted at the hearing, or prior to the hearing by mailing or delivering them to the Development Services Department, address above. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. Appeals to the City Council of the action of the Director on the project may be made within 10 calendar days of the action by filing a written Notice of Appeal, along with filing fees as set by the City Council, with the City Clerk. The City’s final action is not appealable to the California Coastal Commission. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written

correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The project file is available for review at the Development Services Department, Third Floor, City Hall. If you have questions regarding the project or this notice, please contact Lisa Savage, Project Manager, phone: (707) 441-4186; e-mail: lsavage@ci.eureka.ca.gov



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DIRECTOR OF DEVELOPMENT SERVICES

ADMINISTRATIVE STAFF REPORT

May 21, 2019

Project Title: *Residential Addition and Accessory Dwelling Unit (ADU) Remodel Coastal Development Permit*

Project Applicant: Christian Gouthier

Case No: CDP-17-0008

Project Location: 1264 Bay Street; APN 002-182-006

Zoning and General Plan Designations: One-Family Residential (RS-6000)/Low Density Residential (LDR)

Project Description: The applicant proposes a 442 SF addition to a 1,650 SF single family residence and an 84 SF addition and remodel to a 231 SF Accessory Dwelling Unit (ADU).

The property is located in the Coastal Zone and pursuant to Section 10-5.29303 of the Eureka Municipal Code a Coastal Development Permit is required.

Date of Project Application: November 8, 2017

Recommendation: Adopt “A Resolution of the Development Services Director of the City of Eureka approving a coastal development permit for a 442 SF addition to a 1,650 SF single family residence and an 84 SF addition to a 231 SF Accessory Dwelling Unit (ADU) that will be renovated located at 1264 Bay Street, Eureka.”

Recommended Motion: “I hereby take action to adopt “A Resolution of the Development Services Director of the City of Eureka, approving a coastal development permit for a 442 SF addition to a 1,650 SF single family residence and an 84 SF addition to a 231 SF Accessory Dwelling Unit (ADU) that will be renovated located at 1264 Bay Street, Eureka.”

Background: The site is presently developed with a single-family residence, Accessory Dwelling Unit (ADU), and an over-sized three car detached garage.

Analysis: The project site is located in the California Coastal Zone and a Coastal Development Permit is required. The City of Eureka has permit jurisdiction for issuing the Coastal Development Permit, and the project is not appealable to the state Coastal Commission. Staff has reviewed the adopted Local Coastal Program (LCP) and found that the project is consistent with the goals and policies of the LCP.

The property is zoned One-Family Residential (RS-6000), and has a General Plan Designation of Low Density Residential (LDR).

EMC §10-5.29156.107 specifies that a coastal development permit shall only be approved upon making the finding that the proposed development conforms to the policies of the certified coastal program (LCP).

(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and human-created resources.

The project will not have an effect on the coastal environment as new development will occur in areas already impacted with existing development and outside the ESHA setback.

(b) Assure orderly, balanced utilization and conservation of coastal zone resources, taking into account the social and economic needs of the people of this city, the region, state, and nation.

The property already contains a single family home and an ADU. The use of the property will not change and all new development will occur in areas already impacted with existing development and outside the ESHA setback.

(c) Maximize public access to and along the Humboldt Bay shoreline, and maximize public recreational opportunities in the coastal zone, consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

Although the site is located along the shoreline of Second Slough, the project will not affect coastal access as there is no existing or historical public access at this location. The nearest public access to the Slough is available via a boat launch and trail system behind Target, which is located approximately one mile away at 2525 4th Street.

(d) Assure priority for coastal-dependent and coastal-related development over other developments on the shoreline.

The proposed project is located in a One-Family Residential Zone on a property that is presently developed with a single family residence, ADU, and detached garage, and the proposed development is appropriate for the Zone. One-Family Residential Zoning is not appropriate for coast-dependent and coastal-related development.

(e) Provide a definite plan for development so as to guide the future growth of the city within the coastal zone.

The Local Coastal Plan provides for the development and growth of the City within the Coastal Zone and the proposed development conforms to the policies of the certified local coastal program (LCP).

(f) Protect the social and economic character and stability of residential, commercial, agricultural and industrial areas within the City.

The proposed project is located in a One-Family Residential Zone and therefore, will not impact any commercial, agricultural or industrial areas. The development of the property with an addition to the single-family residence and an addition and rehabilitation of the ADU is appropriate for a One-Family Residential Zone.

The City of Eureka's adopted Local Coastal Program (LCP) requires that Environmentally Sensitive Habitat Areas (ESHA), including wetlands, be protected. Specifically, LCP Policy 6.A.19 states:

"The City shall require establishment of a buffer for permitted development adjacent to all environmentally sensitive areas. The minimum width of a buffer shall be 100 feet, unless the applicant for the development demonstrates on the basis of site specific information, the type and size of the proposed development, and/or proposed mitigation (such as planting of vegetation) that will achieve the purpose(s) of the buffer, that a smaller buffer will protect the resources of the habitat area. As necessary to protect the environmentally sensitive area, the City may require a buffer greater than 100 feet. The Buffer shall be measured horizontally from the edge of the environmental sensitive area nearest the proposed development to the edge of the development nearest to the environmentally sensitive area. Maps and supplemental information submitted as part of the application shall be used to specifically define these boundaries."

The project site is located more than 100 feet from any area that could be considered an ESHA, as shown on the attached Plot Plan, and as described in a biological report prepared by Mad River Properties, Inc. and Hohman and Associates in August 2017.

Referrals were sent to agencies and City departments with interest or jurisdiction over the property or the intended use of the property. No comments were received that indicated the proposed project would be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

Referrals were sent to the local Native American Tribes and a cursory field inspection of the property was conducted by the Blue Lake Rancheria Tribal Historic Preservation Officer (THPO). The three local THPOs then requested Inadvertent Archaeological Discovery protocol as a condition of approval.

Staff believes that a finding can be made that the project as conditioned would not impact the public health, safety or welfare.

California Environmental Quality Act: Pursuant to the California Environmental Quality Act (CEQA), Categorical Exemption 15301.(e)(1) exempts additions to existing structures provided the addition will not result in an increase of more than 50% of the

floor area of the structure before the addition, or not exceed 2,500 square feet in floor area, or whatever is less, provided the Planning Commission, as it did, can make the finding that the proposed project is in compliance with the Local Coastal Plan.

Summary: The project site is located in the California Coastal Zone and a Coastal Development Permit is required. The City of Eureka has permit jurisdiction for issuing the Coastal Development Permit, and the project is not appealable to the state Coastal Commission. Staff has reviewed the adopted Local Coastal Program (LCP) and found that the project is consistent with the goals and policies of the LCP.

Support Material:

Exhibit “A” Resolution No. 2019-XX page 5-7
Attachment 1: Project Location Map
Attachment 2: Plot Plan

Lisa Savage
Project Manager

Rob Holmlund, AICP
Director of Development Services

DEVELOPMENT SERVICES DIRECTOR RESOLUTION NO. 2019-

A RESOLUTION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF EUREKA APPROVING A COASTAL DEVELOPMENT PERMIT FOR A RESIDENTIAL ADDITION AT 1264 BAY STREET, EUREKA.

WHEREAS, the applicant is proposing a 442 SF addition to a 1,650 SF single family residence and an 84 SF addition to a 231 SF Accessory Dwelling Unit (ADU) that will be renovated; and

WHEREAS, the project site is located in the California Coastal Zone and a Coastal Development Permit is required; and

WHEREAS, the City of Eureka has permit jurisdiction for issuing the Coastal Development Permit, and the project is not appealable to the State Coastal Commission; and

WHEREAS, the Director of Development Services of the City of Eureka did hold a duly noticed Public Hearing at City Hall in the City of Eureka on May 21, 2019 at 10:00 AM, in Room 207; and

WHEREAS, the Director of Development Services of the City of Eureka has reviewed the subject application in accordance with the LCP, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the following facts:

1. The site is presently developed with a single-family residence, ADU, and detached garage
2. The property is zoned One-Family Residential (RS-6000), and has a General Plan Designation of Low Density Residential (LDR).
3. The City of Eureka has permit jurisdiction for issuing the Coastal Development Permit, and the project is not appealable to the State Coastal Commission; and
4. The Coastal Development Permit is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA).
5. The project qualifies for a Class 1 exemption from CEQA which exempts additions to existing structures provided the addition will not result in an increase of more than 50% of the floor area of the structures before the addition.
6. The project site is located more than 100 feet from any area that could be considered an ESHA.
7. The project will not affect coastal access or recreational opportunities.

8. The project will not be detrimental to the public health, safety or welfare.
9. The project will comply with the applicable provisions of the LCP.
10. The (LCP) and found that the project is consistent with the goals and policies of the adopted Local Coastal Program.

WHEREAS, in the opinion of the Director of Development Services of the City of Eureka, the proposed application should be approved subject to the following conditions:

1. If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structure remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

2. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.

3. In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code Section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.98. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human

remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.

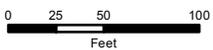
NOW THEREFORE, BE IT RESOLVED that the Development Services Director of the City of Eureka does hereby approve the project, subject to the conditions listed above.

PASSED, APPROVED AND ADOPTED by the Development Services Director of the City of Eureka in the County of Humboldt, State of California, on the 21st day of May, 2019.

Rob Holmlund, AICP
Development Services Director



Scale: 1" = 100'



 Project Location

Project Location Map
1264 Bay Street



Figure 1

Date: 5/10/2019

Created By: rtopolewski



PROJECT NOTES

1. The map illustrate proposed construction on APN 002-182-006 of an addition onto the main structure and renovation of an existing permitted secondary dwelling unit.
2. The parcel is zoned Residential Single Family, 6000 square foot minimum parcel size, and has a General Plan designation of Low Density Residential (LDR) in the City of Eureka General Plan. Adjacent properties south,north and east are similarly zoned and planned.
3. The upland portion of the subject property is shown on official maps as Zone X, areas of minimal flood hazard (FIRM Community Panel No. 06023C 0845 G).
4. No hazardous areas, historic buildings, or archaeological sites are known to exist on or immediately adjacent to the property.
5. Parcel creation: Remainder parcel of Stern et. al. after conveyance of North 52 feet of Lot 40 of Huntoon Tract by Book 132 of Deeds, Page 218.
6. Boundary lines and existing easements of record are based on a Preliminary Title Report prepared by Fidelity National Title Company, Order No. FFHO-FTO170272H-KP, dated 3/13/2017. Boundary lines are based on ties to record monuments shown on Book 51 of Surveys, Page 64.
7. Topography is shown at 1 foot intervals on the subject parcel and the adjacent portion of Bay Street based on a field survey performed by Points West Surveying in February 2017. Adjacent parcels have contour data shown from the City of Eureka Aerial Survey performed in 2014.
8. The parcel is be served by community water and sewer by the City of Eureka. PG&E provides electricity and gas and AT&T provides telephone services. The nearest fire hydrant is located 130'± northerly of subject parcel on the west side of Bay Street.
9. The westerly boundary of the subject parcel is the centerline of Second Slough. Parcel sizes shown hereon are taken to the east bank of the slough. 100 foot setback line shown hereon is taken from the east bank of the slough.
10. A biological report for the subject parcel was prepared Mad River Properties, Inc. and Hohman & Associates in August 2017. Said report identifies "no significant impact to the environmentally sensitive habitats on the parcel" as long as "a buffer zone exceeding 100 feet and the use of environmentally sensitive construction practices to control erosion" are utilized.
11. Best management practices will be utilized in construction of improvements. Construction activities will be planned and scheduled to reduce amount and duration of soil exposed to erosion by wind, rain, runoff, and vehicle tracking. Mulch will be used to protect bare soil from rainfall impact, to increase infiltration, and reduce runoff. Stabilized construction entrances will be maintained to reduce tracking of sediment and debris from the project site to roadways. Stockpile management and storage procedures such as suitable cover and perimeter control will be used to reduce or eliminate air and stormwater pollution.

LEGEND

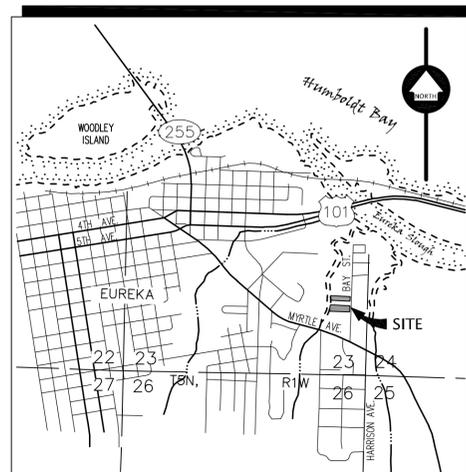
- SUBJECT PROPERTY LINES
- - - PROPOSED PROPERTY LINES
- ADJACENT PROPERTY LINES
- RIGHT-OF-WAY CENTERLINE
- SETBACK LINES
- EDGES OF PAVEMENT
- EDGES OF GRAVEL DRIVE
- FENCE LINE
- OHE OVERHEAD ELECTRIC LINE
- OHET&C OVERHEAD ELECTRIC, TELEPHONE & CABLE TV
- 4"SS SANITARY SEWER LINE
- SD STORM DRAIN CULVERT
- W WATER LINE
- AREA LIGHT
- UTILITY POLE WITH GUY ANCHOR
- JOINT UTILITY POLE
- EP ELECTRIC POWER POLE
- TP TELEPHONE SERVICE POLE
- WV WATER VALVE
- OSSCO SANITARY SEWER CLEANOUT
- PROPOSED PARKING SPACE

Map prepared by: Michael Pulley
Mailing Address: Points West Surveying Company
 5201 Carlson Park Drive Suite 3
 Arcata CA 95521
Phone: 707.840.9510
Fax: 707.840.9542
Email: Pulley@PointsWestSurveying.com

Owner / Applicant: Christian & Ashley Gouthier
Contact Person: Christian Gouthier
APN: 002-182-006
Site Address: 1264 Bay Street
 Eureka, CA 95501
Mailing Address: 1264 Bay Street
 Eureka, CA 95501
Phone: 707.845.3334

General Plan: RL1 (Residential Low Density)
Zoning: RS-6000

Building Setbacks: Front: 15', 20' for Garage
 Side: 5' Corner Lot
 Rear: 25' Corner Lot



VICINITY MAP
 SCALE: 1" = 2,000'

PARCEL INFORMATION

Current Parcel Area: 0.88 acres
 38278 square feet

SURVEYOR'S STATEMENT

This map was prepared by me, or under my direction, and is based upon a field survey.

SIGNED _____

DATED _____

Michael D. Pulley
 L.S. No. 7793
 Expiration: 12/31/2019

APN 002-182-006
PLOT PLAN

for
CHRISTIAN GOUTHIER
1264 BAY STREET
SECTION 23 T 5 N R 1 W
HUMBOLDT MERIDIAN

IN THE CITY LIMITS OF EUREKA,
 HUMBOLDT COUNTY, STATE OF CALIFORNIA
 OCTOBER 2018
 LAST REVISED JANUARY 2019

SCALE: 1" = 20' SHEET 1 OF 1

POINTS WEST SURVEYING CO.
 5201 Carlson Park Dr., Suite 3 - Arcata, CA 95521
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