



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT

531 K Street • Eureka, California 95501-1146
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CITY OF EUREKA

NOTICE OF AVAILABILITY OF DRAFT
LOCAL COASTAL PROGRAM AMENDMENT
and
Notice of Planning Commission Public Hearing

NOTICE IS HEREBY GIVEN that the City is providing “Notice of Availability of draft Local Coastal Program amendment.” The draft Local Coastal Program (LCP) Amendment is available for review and includes an amendment to both the Land Use Plan and the Implementation Plan maps.

Project Title: Crowley Site Local Coastal Program Amendment - Revised

Project Applicant: City of Eureka Case Nos.: LCP-19-0001

Project Description: The City of Eureka is revising the Land Use Plan Map and the Implementation Plan Map Amendment of the Local Coastal Program (LCP) to add a Qualified (Q) combining district designation to parcel 019-271-004. The “Q” designation will specify the principally allowed uses and limitations on uses for the site as follows:

- Multi-family/multi-unit single-story residential uses permitted under permitted uses in the RM Districts, for not more than 40 individual persons.
- Public utility and public service infrastructure, including but not limited to pumping stations, power stations, equipment buildings and installations, drainageways and structures, storage tanks and transmission lines.
- Storage yards for commercial vehicles.
- Temporary/seasonal uses, such as Christmas Tree lots.
- Towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility subject to the provisions of Article 31 (Wireless Telecommunication Facilities)
- Wireless telecommunication facilities located more than 150 feet from an R District, subject to wireless telecommunication facility permit issued pursuant to Article 31 of this chapter (Wireless Telecommunication Facilities).

The limitations on the uses are as follows:

- All structures will comply with the Flood Hazard Area Regulations contained in the Eureka Municipal Code.
- Structures will be constructed to allow relocation or removal, if necessary.

- Prior to commencement of any use, including future uses, the owner/manager of each use will develop, implement and enforce a Tsunami Evacuation Plan. A copy of the Tsunami Evacuation Plan, and any new or updated Evacuation Plans must be provided to any and all tenants and employees on the site of the use, and to the Development Services Department.

FURTHER, NOTICE IS HEREBY GIVEN the Eureka City Planning Commission will hold a public hearing on Wednesday, November 13, 2019, at 5:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider and make recommendation to the City Council on the draft Local Coastal Program amendment.

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

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

Environmental: Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission’s review and development process for LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by the California Environmental Quality Act (CEQA). Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments. Therefore, based on the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the *Crowley Site LCP Amendment – Revised*.

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

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

Notes: If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The draft amendment is available for review at the Development Services Department Community Development Division, Third Floor, City Hall. If you have questions regarding the draft amendment to the Local Coastal Program or this notice, please contact Swan Asbury, Associate Planner, phone: (707) 268-1830; e-mail: sasbury@ci.eureka.ca.gov



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EUREKA CITY PLANNING COMMISSION

STAFF REPORT

November 13, 2019

Project Title: Crowley Site Local Coastal Program Amendment

Project Applicant: City of Eureka

Case No.: LCP-19-0001

Applicability: Parcel located on Hilfiker Lane, between the Eureka Wastewater Treatment Plant and the Humboldt Bay Fire Training Facility; APN: 019-271-004

Project Description: The City of Eureka is revising the Land Use Plan Map and the Implementation Plan Map Amendment of the Local Coastal Program (LCP) to add a Qualified (Q) combining district designation to parcel 019-271-004. The “Q” designation will specify the principally allowed uses and limitations on uses for the site.

Staff Contact Person: Swan Asbury, Associate Planner, City of Eureka, Development Services Department, Community Development Division; 531 “K” Street, Eureka, CA 95501-1165; phone: (707) 268-1830, email: sasbury@ci.eureka.ca.gov

Environmental: Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission’s review and development process for LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by the California Environmental Quality Act (CEQA). Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments. Therefore, based on the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the *Crowley Site LCP Amendment – Revised*.

Staff Recommendation and Suggested Motion:

Adopt a Resolution transmitting the Planning Commission’s recommendation of approval of the Implementation Plan portion of the Crowley Site Local Coastal Program Amendment to the City Council

“I move the Planning Commission adopt a Resolution transmitting to the City Council the Commission’s recommendation of approval of the Crowley Site LCP Amendment.”

Purpose of LCP Amendment: On October 14, 2019, the Planning Commission recommended Council approve an LCP Amendment for the subject parcel. The amendment would change the Coastal Dependent Industrial (MC) zone designation and the land use designation of Public/Quasi-Public (PQP) on the south Crowley property to CS (Service Commercial) zoning and GSC (General Service Commercial) land use.



However, based in part on the written comments received prior to the meeting from Humboldt Baykeeper, and a conversation with the local Coastal Commission Staff, the City is now proposing to add a “Q” Qualifying combining district designation to the site.

The “Q” combining district is intended to be site specific and is combined with any base zone in situations where sound and orderly planning indicate that specified principally permitted uses or conditional uses otherwise allowed under the base zone should be restricted. The “Q” combining district cannot add uses not otherwise allowed under the base zone. The special qualifications for each property zoned with a “Q” combining district will be specified in the adopted ordinance that rezones the property to add the “Q” combining district.



The “Q” zone proposes to limit the types of development, and the conditions under which they may be operated, as follows:

Principally Permitted Uses:

- Multi-family/multi-unit single-story residential uses permitted under permitted uses in the RM Districts, for not more than 40 individual persons.
- Public utility and public service infrastructure, including but not limited to pumping stations, power stations, equipment buildings and installations, drainageways and structures, storage tanks and transmission lines.

- Storage yards for commercial vehicles.
- Temporary/seasonal uses, such as Christmas Tree lots.
- Towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility subject to the provisions of Article 31 (Wireless Telecommunication Facilities)
- Wireless telecommunication facilities located more than 150 feet from an R District, subject to wireless telecommunication facility permit issued pursuant to Article 31 of this chapter (Wireless Telecommunication Facilities).

Limitations on the permitted uses are as follows:

- All structures will comply with the Flood Hazard Area Regulations contained in the Eureka Municipal Code.
- Structures will be constructed to allow relocation or removal, if necessary.
- Prior to commencement of any use, including future uses, the owner/manager of each use will develop, implement and enforce a Tsunami Evacuation Plan. A copy of the Tsunami Evacuation Plan, and any new or updated Evacuation Plans must be provided to any and all tenants and employees on the site of the use, and to the Development Services Department.

The uses listed above are the only uses that will be allowed on the site, and only when the uses comply with the limitations for this site, and any conditions of approval resulting from required Coastal Development Permits. No other principal or conditional uses allowed by the coastal CS zone will be allowed on the site.

Staff believes these uses and limitations are responsive to the concerns expressed by the Coastal Commission and by Baykeeper.

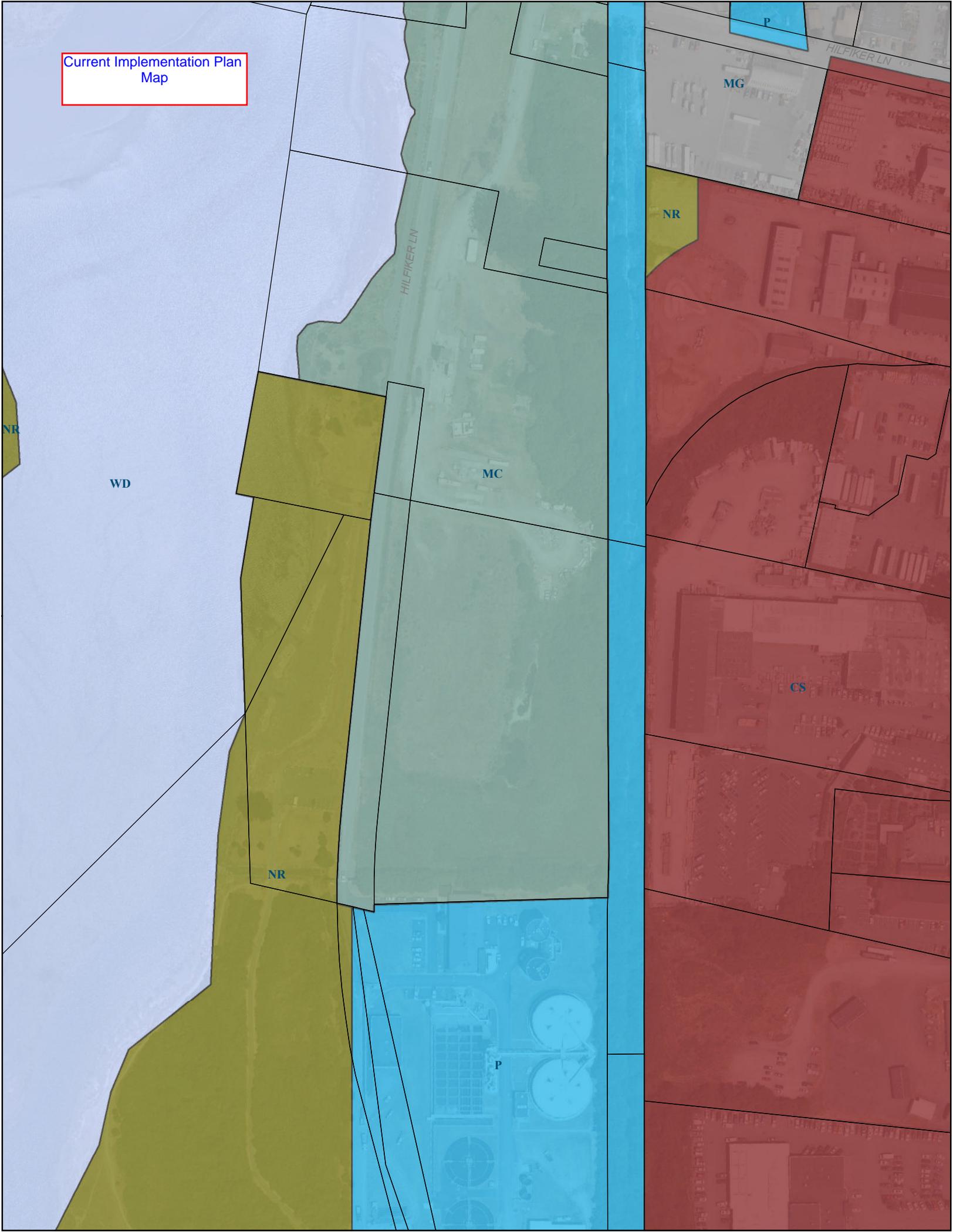
Application of the “Q” zone will provide the Betty Kwan Chinn Foundation (BKC) the ability to locate the eleven donated construction trailers they received in November 2017 to this site. The BKC identified a strategy for utilizing the trailers in collaboration with Housing Humboldt to provide housing using a “Housing First” model in an effort to help alleviate the City’s declared shelter crisis. There will be no negative impacts to coastal resources as a result of application of the “Q” Qualifying zone, because the types and intensity of the uses allowed on the site will be limited.

Attachments:

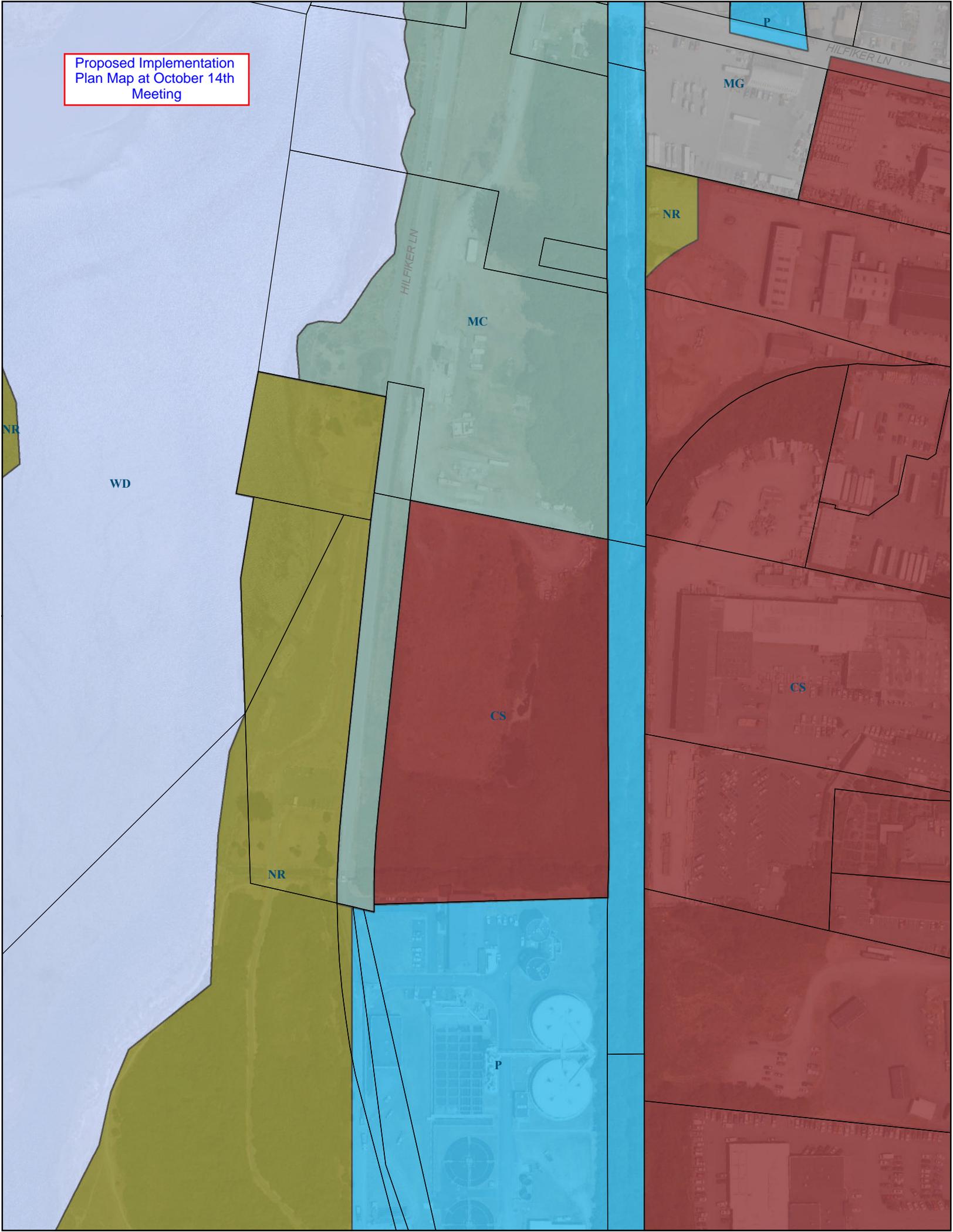
Attachment 1	Current and Proposed Implementation Plan Map page 5-7
Attachment 2	Implementation Plan Resolution 19-____ page 8-10

Attachment 1
Current and Proposed Implementation Plan Maps

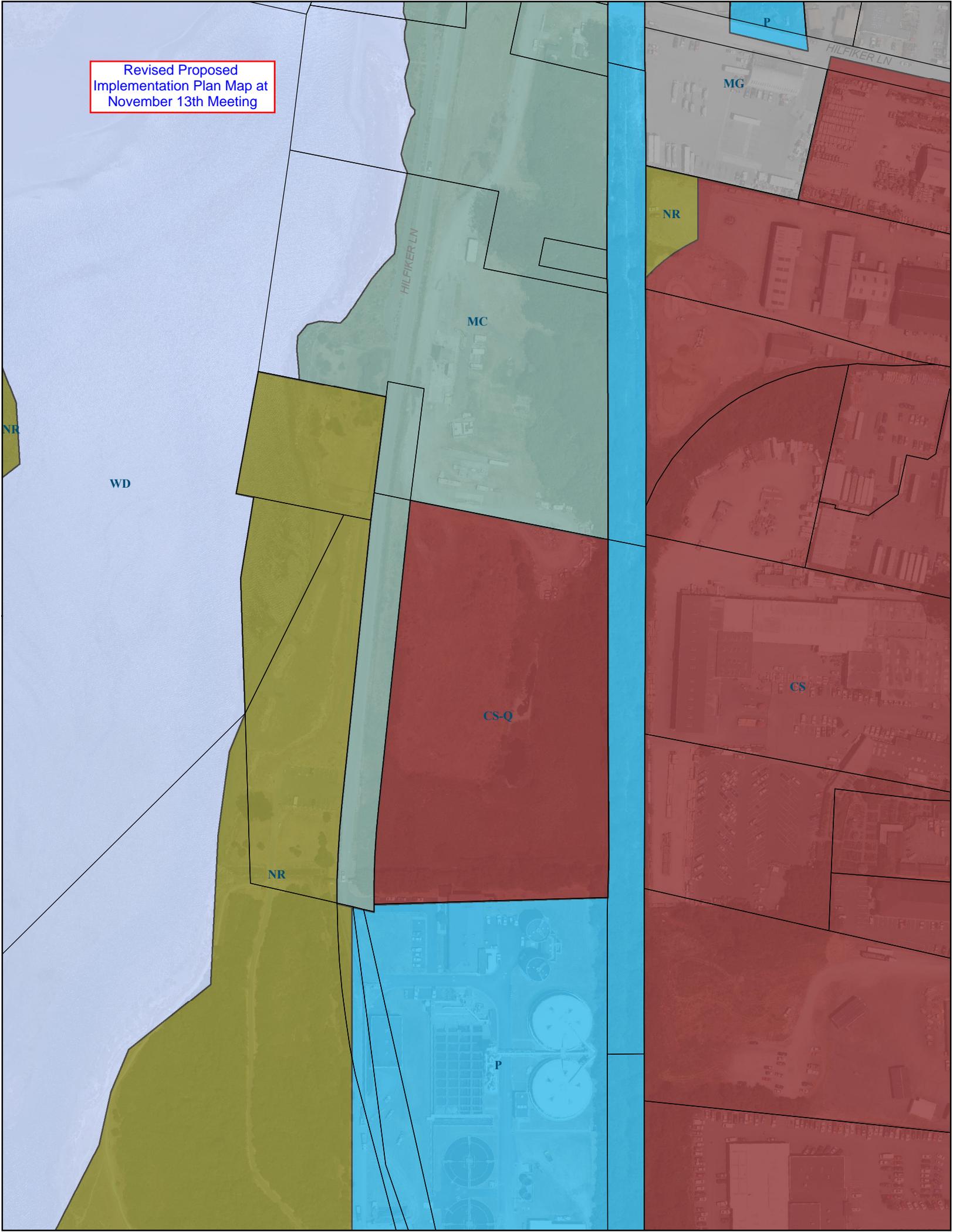
Current Implementation Plan
Map



Proposed Implementation
Plan Map at October 14th
Meeting



Revised Proposed
Implementation Plan Map at
November 13th Meeting



PLANNING COMMISSION RESOLUTION NO. 19-__

**A Resolution of the Planning Commission of the City of Eureka
Transmitting a Recommendation of Approval to the City Council
for the Implementation Plan portion of the Crowley Site LCP
Amendment**

WHEREAS, the Crowley property is currently zoned Coastal Dependent Industrial (MC) and planned Public/Quasi-Public (PQP); and

WHEREAS, On October 14, 2019, the Planning Commission recommended Council approve an LCP Amendment for the subject parcel; and

WHEREAS, the amendment would change the Coastal Dependent Industrial (MC) zone designation and the land use designation of Public/Quasi-Public (PQP) on the south Crowley property to CS (Service Commercial) zoning and GSC (General Service Commercial) land use; and

WHEREAS, the City is now proposing to add a “Q” Qualifying combining district designation to the site; and

WHEREAS, the “Q” combining district is intended to be site specific and is combined with any base zone in situations where sound and orderly planning indicate that specified principally permitted uses or conditional uses otherwise allowed under the base zone should be restricted; and

WHEREAS, the “Q” combining district cannot add uses not otherwise allowed under the base zone; and

WHEREAS, the “Q” zone proposes to limit the types of development, and the conditions under which they may be operated, as follows:

Principally Permitted Uses:

- Multi-family/multi-unit single-story residential uses permitted under permitted uses in the RM Districts, for not more than 40 individual persons.
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The uses listed herein are the only uses that will be allowed on the site, and only when the uses comply with the limitations for this site, and any conditions of approval resulting from required Coastal Development Permits.

WHEREAS, no other principal or conditional uses allowed by the coastal CS zone will be allowed on the site.

WHEREAS, in order to add the (Q) combining district, the map of the Implementation Plan (IP) of the adopted and certified Local Coastal Program (LCP) must be amended; and

WHEREAS, pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA.

WHEREAS, there will be no negative impacts to coastal resources as a result of application of the "Q" Qualifying zone, because the types and intensity of the uses allowed on the site will be limited.

NOW, THEREFORE, BE IT RESOLVED BY the Planning Commission of the City of Eureka as follows:

Section 1

The Planning Commission hereby exempts the Crowley Site LCP Amendment from CEQA under Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code.

Section 2

The Planning Commission hereby finds the IP portion of the Crowley Site LCP

Amendment is consistent with the LUP as amended, and is not known to create any conflicts or contradictions to adopted Plan policy, nor any inconsistencies within the General Plan itself, and furthermore, is generally found to be consistent with existing Plan objectives to protect the public health, safety, peace, comfort, convenience, prosperity and general welfare in the City of Eureka.

Section 3

The Planning Commission hereby finds that pursuant to Section 30510(a) of the Coastal Act, the Crowley Site LCP Amendment will be carried out in accordance with the Coastal Act.

Section 4

The Planning Commission hereby forwards to the City Council its recommendation of approval of the IP portion of the Crowley Site LCP Amendment.

Section 5

The Planning Commission hereby recommends the City Council direct staff to forward the LCP Amendment to the Coastal Commission.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka, County of Humboldt, State of California, on the 13th day of November, 2019, by the following vote:

- AYES: COMMISSIONERS:
- NOES: COMMISSIONERS:
- ABSENT: COMMISSIONERS:
- ABSTAIN: COMMISSIONERS:

Jeff Ragan, Chairman

ATTEST:

Kristen M. Goetz
Executive Secretary