



CITY OF EUREKA DEVELOPMENT SERVICES DEPARTMENT

Community Development Division
531 K Street • Eureka, California 95501-1146
Ph (707) 441-4160 • planning@ci.eureka.ca.gov
Monday through Friday 8:30 a.m. to 4:00 p.m. except holidays

Coastal Development Permit

Overview

The Coastal Act of 1976 established detailed policies for land use within the Coastal zone, and charged local governments with the responsibility to incorporate these policies into their planning and zoning regulations. Generally, the Coastal Act sets forth regulations which require the City to process Coastal Development Permits for all proposed development in the Coastal Zone. The Coastal Act, as well as the City's Local Coastal Program, provides for exemptions and exclusions for certain types of projects. A planner can help you determine if your project qualifies for either an exemption or exclusion, and if not, how to begin the Coastal Development permit process.

How to Apply

Coastal Development Permit applications are available at the Development Services Department, 3rd floor, City Hall, and application forms are available on the Department's website at www.ci.eureka.ca.gov. Staff can assist you with determining which supplemental materials are needed for a complete application packet. Once you have compiled all the required materials, submit one copy of the application packet and application fee to the Department for processing. Submittal by e-mail or USB/CD is preferred, but a hardcopy will be accepted.

The Process

Step 1: Application Acceptance, Department Review

Once your application packet and fee have been submitted, Staff will perform a preliminary review to determine if the application is complete. If the application is incomplete, you or your agent, if designated, will be advised what items must be submitted before processing can continue. You have 120 days from the date of the contact to submit the requested material, or the review of your project will expire unless an extension is granted prior to the expiration. Once expired, a new, complete application, including all supplemental material and a full fee is required to re-initiate the review process.

Step 2: Referrals

Once the application is deemed complete, copies of your application materials will be sent to other City departments and public agencies having jurisdiction or authority over your project. If additional information is required or issues are identified that must be resolved prior to the continued processing of your application, the assigned planner will advise you of what is needed.

Step 3: Environmental Review

The project will be reviewed in accordance with the California Environmental Quality Act (CEQA) to determine if the project is statutorily or categorically exempt from CEQA, or if further environmental review is required. If the project is exempt from CEQA, then Step 3 is complete. If the project is not exempt from CEQA, then the required environmental document must be prepared and circulated for agency and public comment.

Step 4: Staff Review and Reporting

Staff will prepare a written report discussing the required legal findings and staff's recommendations. The findings will determine if your proposed project will: cause serious public health, safety or welfare problems; adversely impact coastal resources; or conflict with the policies of the City's Local Coastal Program. A copy of the staff report will be sent to you.

Step 5: Public Notice and Hearing

The Director of Development Services, the Planning Commission, and the City Council have the authority to approve, approve with conditions, or deny a Coastal Development Permit. A public hearing before one of these review authorities will be scheduled, and a Notice of the Public Hearing will be mailed to all property owners and residents within 300 feet of your property. The notice will be mailed at least 10 calendar days prior to the hearing, and will state the date, time, and place for the public hearing. In addition, a public hearing notice sign must be posted on your property. The City will provide the sign. You and/or your agent are encouraged to attend the Public Hearings. At the public hearings, any person may present verbal and/or written testimony for or against the project.

Step 6: Appeals

You as the applicant, any aggrieved person, or the City Council may appeal decisions of a lower review authority. The appeal must be filed with the City Clerk within 10 calendar days of the Director's decision. Appeals must be submitted in writing on forms provided by the City Clerk and be accompanied with the required fees.

Unless the project is in a State appeal area, decisions of the City Council are final. If the development is within a State appeal area the decision of the City Council may be appealed to the State Coastal Commission. Appeals to the Coastal Commission must be filed with the Coastal Commission on their forms within 10 working days of the City Council's decision. For more information please contact the State Coastal Commission at (707) 445-7833.

Lapse of Permits

A Coastal Development Permit is vested if construction or implementation of the permit is commenced within two years from the date of the final action on the permit; otherwise, the permit will lapse. You may request a one year extension of your permit by submitting an application for extension before the permit lapses. Extensions may only be granted when the circumstances and conditions of the original approval have not changed.

Other Permits and Reviews

In addition to completing the Coastal Development Permit process, you may be required to obtain additional permits or reviews prior to proceeding with your project, such as Design Review, Historic Preservation Review, Building permits, Encroachment permits, and/or permits from Caltrans, Department of Fish and Wildlife, or other agencies. The referral process should identify these additional requirements, and Development Services Department Staff can discuss with you what additional permits or reviews may or will be required.

How to Get Help

Call, e-mail or visit the Development Services Department; our contact information is at the top of page 1. We look forward to discussing your project with you. You may also wish to hire a consultant, such as an architect, engineer, land surveyor, or professional planner to assist you; qualified professionals can be found online.

Supplemental Application Form
Request for Reduced Buffer

Development in the coastal zone is required to be located at least 100 feet from an Environmentally Sensitive Habitat Zone and/or wetlands. To request a reduction in the 100 foot buffer, please complete the information below by checking the appropriate boxes and attaching additional sheets for the supplemental information as necessary. If you have questions regarding this Supplemental Application Form, the application process, or general planning questions, please do not hesitate to contact the Community Development Division at the address and phone number shown above. Office hours are Monday - Friday 8:30 a.m. – 4:00 p.m.

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 environmentally 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.”

A buffer area provides essential open space between the proposed development and adjacent ESHA. The existence of the open space ensures that the type and scale of development proposed will not significantly degrade the habitat area. A buffer area is not itself a part of the ESHA, but a “buffer” or “screen” that protects the ESHA from potential adverse environmental impacts caused by the development. For a wetland, the buffer area is measured from the landward edge of the wetland (riparian woodlands are considered wetland habitats under the LCP). For a stream or river, the buffer area is measured landward from the landward edge of riparian vegetation or from the top edge of the bank.

An application for a Coastal Development Permit for proposed development within the Coastal zone that includes a reduced buffer width (i.e., less than 100 feet) must include maps and the following supplemental information that demonstrates that a reduced buffer width is consistent with the LCP.

	Done
<p>1. <u>Biological Significance of Adjacent Lands.</u></p> <p>Lands adjacent to a wetland, stream, or riparian habitat area vary in the degree to which they are functionally related to these habitat areas. That is, functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance would depend upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding or resting). This determination requires the expertise of an ecologist, wildlife biologist, ornithologist or botanist who is familiar with the particular type of habitat involved. Where a significant functional relationship exists, the land supporting this relationship should also be considered to be part of the environmentally sensitive habitat area, and the buffer area should be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer should be extended from the edge of the wetland, stream or riparian habitat (for example) which is adjacent to the proposed development (as opposed to the adjacent area which is significantly related ecologically).</p>	<input type="checkbox"/>

Done	
2. <u>Sensitivity of Species to Disturbance.</u>	<input type="checkbox"/>
<p>The width of the buffer area should be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination should be based on the following:</p> <ul style="list-style-type: none">(a) Nesting, feeding, breeding, resting or other habitat requirements of both resident and migratory fish and wildlife species.(b) An assessment of the short-term and long-term adaptability of various species to human disturbance.	
3. <u>Susceptibility of Parcel to Erosion.</u>	<input type="checkbox"/>
<p>The width of the buffer area should be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, and vegetative cover of the parcel and to what degree the development will change the potential for erosion. A sufficient buffer to allow for interception of any additional material eroded as a result of the proposed development should be provided.</p>	
4. <u>Use of Natural Topographic Features to Locate Development.</u>	<input type="checkbox"/>
<p>Hills and bluffs adjacent to environmentally sensitive habitat areas should be used, where feasible, to buffer habitat areas. Where otherwise permitted, development should be located on the sides of hills away from environmentally sensitive habitat areas. Similarly, bluff faces should not be developed, but should be included in the buffer area.</p>	
5. <u>Use of Existing Cultural Features to Locate Buffer Zones.</u>	<input type="checkbox"/>
<p>Cultural features (e.g., roads and dikes) should be used, where feasible, to buffer habitat areas. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area.</p>	
6. <u>Lot Configuration and Location of Existing Development.</u>	<input type="checkbox"/>
<p>Where an existing subdivision or other development is largely built-out and the buildings are a uniform distance from a habitat area, at least that same distance will be required as a buffer area for any new development permitted. However, if that distance is less than 100 feet, additional mitigation measures (e.g., planting of native vegetation which grows locally) should be provided to ensure additional protection. Where development is proposed in an area which is largely undeveloped, the widest and most protective buffer area feasible should be required.</p>	
7. <u>Type and Scale of Development Proposed.</u>	<input type="checkbox"/>
<p>The type and scale of the proposed development will, to a large degree, determine the size of the buffer area necessary to protect the environmentally sensitive habitat area. For example, due to domestic pets, human use and vandalism, residential developments may not be as compatible as light industrial developments adjacent to wetlands, and may therefore require wider buffer areas. However, such evaluations should be made on a case-by-case basis, depending upon the resources involved, and the type and density of development on adjacent lands.</p>	

Plan Drawings for All Applications

All projects involving construction, alteration, conversion, or other modification to a building, structure or site must submit **one electronic copy (preferred)**, which may be sent via email, or **one hard copy** of a Site Plan, Floor Plan and Elevations, unless otherwise stated in the Supplemental Application Form(s) for the application you are submitting. If you are unsure which drawings you need to submit, please contact the Department. Office hours are Monday-Friday, 8:30 a.m. to 4:00 p.m.

All plan drawings must be drawn to a standard engineer or architect scale.

The following items must be included in the title block on EACH plan page:

✓ Title	✓ North Arrow	✓ Assessor Parcel number
✓ Scale	✓ Property Address	✓ Date
Contact information for the applicant, agent, and/or contractor		
1. <i>The Site Plan should show:</i>	Done	N/A
(a) All property lines, with dimensions	<input type="checkbox"/>	<input type="checkbox"/>
(b) Existing or proposed easements/rights-of-way/legal encumbrances		
(c) Sidewalk area as measured from the face-of-curb to the property line	<input type="checkbox"/>	<input type="checkbox"/>
(d) Distance from each property line to the wall of all existing and proposed structures, the door of a garage, and/or the bottom step of a porch (a.k.a. setback dimensions)	<input type="checkbox"/>	<input type="checkbox"/>
(e) Square footage and use of all existing and proposed structures, measured exterior wall to exterior wall. Indicate if any existing structures will be demolished or relocated.	<input type="checkbox"/>	<input type="checkbox"/>
(f) Total construction value.	<input type="checkbox"/>	<input type="checkbox"/>
(g) Size, location, and surfacing material of all existing and proposed off-street parking spaces, walkways, and driveways.	<input type="checkbox"/>	<input type="checkbox"/>
(h) Existing and proposed landscaping, trees, and/or vegetated screening, including area of the planter(s), plant material, and size (e.g., 5 gallon tree). Indicate if any existing landscaping/trees will be removed. (EMC 155.308 and 155.328) Native plants are strongly encouraged.	<input type="checkbox"/>	<input type="checkbox"/>
(i) Natural resource areas (e.g., wetlands, riparian areas, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
(j) Existing and proposed solid waste/recyclable material storage (EMC 155.308.070)	<input type="checkbox"/>	<input type="checkbox"/>
(k) Vision clearance areas (EMC 155.308.040)	<input type="checkbox"/>	<input type="checkbox"/>
(l) Bicycle parking (or show on floor plan), including dimensions (EMC 155.324.070)	<input type="checkbox"/>	<input type="checkbox"/>
(m) Area of illumination of proposed outdoor lighting fixtures (EMC 155.308.040)	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Note: Eaves, structures to be removed/demolished, and upper floors may be shown in dashed outline and labeled (e.g., “Shed to be removed”, “New second floor”)</i></p> <p>Continued on reverse</p>		

<p>2. <i>The Floor Plan should show:</i></p> <p>(a) Interior/exterior walls (distinguish between walls to remain, walls to be removed, and new walls); include doors, windows, stairs, porches, decks, etc.</p> <p>(b) Room function (e.g., bedroom, kitchen, shed, garage, office, warehouse, etc.)</p> <p>(c) Structure dimensions</p> <p>(d) Square footage of each room, or for each use in a multi-use building</p> <p>(e) For new multi-family construction, laundry facilities (see 155.304.100)</p>	Done	N/A
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. <i>The Elevation Drawings should show:</i></p> <p>(a) Building or structure (including signs) height</p> <p>(b) Walls, roofs, overhangs, windows, doors and other architectural features</p> <p>(c) Slope of natural grade and cut/fill lines</p> <p>(d) Exterior building materials</p> <p>(e) Exterior lighting fixtures</p> <p>(f) Height of proposed fences/walls</p>	Done	N/A
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Project Worksheet

Please complete the information below by checking the appropriate boxes and attaching additional sheets for the supplemental information as necessary. If you have questions regarding this Project Worksheet, the application process, or general planning questions, please do not hesitate to contact the Department at the address and phone number shown above. Office hours are Monday - Friday 8:30 a.m. to 4:00 p.m.

1. Provide a written description of the project site and the surrounding area as it exists now, include at a minimum, a discussion of land use, topography, soil stability, plants and animals, and any cultural, historical or scenic aspects.				Done <input type="checkbox"/>	N/A <input type="checkbox"/>
2. Lot Coverage (sq ft)	-Existing-	-Proposed-	-Total-	<input type="checkbox"/>	<input type="checkbox"/>
(a) Building coverage	_____	_____	_____		
(b) Paved area	_____	_____	_____		
(c) Landscaped area	_____	_____	_____		
(d) Unimproved area	_____	_____	_____		
3. Submit a written explanation to all items marked "yes" below. Will the project:					
(a) Involve any soil excavation, grading or fill, or other earth moving activities?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
(i) Amount of cut _____ cu yds					
(ii) Amount of fill _____ cu yds					
(iii) Maximum height of fill slope _____ ft					
(iv) Maximum height of cut slope _____ ft					
(v) Amount of fill import or export _____ cu yds					
(vi) Borrow or disposal site location: _____					
(b) Result in an increase in the amount of solid waste or litter?				<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a change in dust, ash, smoke, fumes or odors in the vicinity?				<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in a change in the pattern, scale or character of the general area?				<input type="checkbox"/>	<input type="checkbox"/>
(e) Result in a change in existing noise or vibration levels in the vicinity?				<input type="checkbox"/>	<input type="checkbox"/>
(f) Be sited on filled land or on a slope of 10 percent or more?				<input type="checkbox"/>	<input type="checkbox"/>
(g) Use or dispose of potentially hazardous materials, such as toxic substances, flammables or explosives?				<input type="checkbox"/>	<input type="checkbox"/>
(h) Result in a change in demand for municipal services (i.e., police, fire, water, sewage, etc.)?				<input type="checkbox"/>	<input type="checkbox"/>
(i) Result in an increase in fossil fuel consumption (i.e. electricity, oil, natural gas, etc.)?				<input type="checkbox"/>	<input type="checkbox"/>
(j) Result in the alteration or demolition of a building that may have historical, social or cultural significance and/or a building that qualifies for inclusion on the California Register of Historic Places?				<input type="checkbox"/>	<input type="checkbox"/>
(k) Have any impact on any archeological or paleontological resource?				<input type="checkbox"/>	<input type="checkbox"/>
(l) Be phased? Or, is the project related to a larger project or a series of projects that have already been developed or are planned for the future?				<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Note: If your project is in the Coastal Zone, continue to page 2 of the worksheet. Otherwise, the worksheet is complete.</i></p>					

4. For projects located within the Coastal Zone, submit a written explanation to all items marked “yes” below. Will the project:		
(a) Be visible from: a scenic vista point or designated scenic route, park, beach, or other public recreation area(s) or result in a change in scenic views or vistas?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) Result in a change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a change in ocean, bay, stream or ground water quality or quantity, or result in an alteration of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Be located between the first public road and Humboldt Bay, the Elk River, Eureka Slough, Fay Slough, Cut-off Slough, Freshwater Slough, Cooper Slough, Second Slough, or Third Slough?	<input type="checkbox"/>	<input type="checkbox"/>
(e) Involve diking, filling, dredging, or placing any structures in open coastal waters, sloughs, wetlands, or on agricultural land designated as farmed or grazed wetlands?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Be in or within 250 feet of a sensitive environmental resource area, in a 100-year floodplain, or in a park or recreation area?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Extend onto or adjoin any beach, tidelands, submerged lands, or public trust lands?	<input type="checkbox"/>	<input type="checkbox"/>