NOTICE OF PUBLIC HEARING
EUREKA PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the proposed development described below is within the Coastal Zone and a Coastal Development Permit and Design Review are scheduled for a public hearing before the Planning Commission on **Monday, October 11, 2021**, at 5:30 p.m., or as soon thereafter as the matter can be heard. Please be advised that to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, City Hall will not be open for the meeting.

<table>
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<th>Subject:</th>
<th>Englund Marine Design Review AA-21-0006 and Coastal Development Permit CDP-21-0007</th>
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<td>Categorical Exemption (Infill - §15332)</td>
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<td>Staff Contact:</td>
<td>Lisa Savage, Senior Planner</td>
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<td>Recommendation:</td>
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The public is invited to participate in the following manner:
1. You can view the Planning Commission meetings live on the City of Eureka’s website at www.ci.eureka.ca.gov or on Cable Channel 10. To view from the website, select Agendas, Meeting and Videos on the home page.
2. If you wish to speak and be heard during the hearing or oral communications, please submit your name, phone number and name of the item you would like to comment on by e-mail to planning@ci.eureka.ca.gov or leave a message at 707-441-4160 on or before Monday, October 11, 2021 at 4:00 p.m. A Development Services staff member will call you during the public hearing for the item.
3. If you don’t want to participate during the meeting but want to submit comment on the project, please submit your comment via mail to Development Services – Planning, 531 K Street, Eureka, CA 95501, email to planning@ci.eureka.ca.gov or drop off written comments in the City Hall lobby prior to Monday, October 11, 2021 at 12:00 noon to ensure that the Commission receives your comment before the meeting. All comments received by email or mail will be part of the public record for consideration but may not be read aloud during the meeting.
Appeals to the City Council of the action of the Planning Commission, may be made within 10 calendar days of the action by filing a written Notice of Appeal, along with the filing fees as set by the City Council, with the City Clerk. The City’s final action is 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 or written correspondence received during or prior to the public hearing. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. If you have questions regarding the project or this notice, or would like to make an appointment to review the project file, please contact Development Services - Planning at planning@ci.eureka.ca.gov or (707) 441-4160.
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<td>“I move the Planning Commission adopt a resolution to conditionally approve the Englund Marine retail store on APN 003-062-027 in the CW Waterfront Commercial zone district.”</td>
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PROJECT SUMMARY
The applicant, Englund Marine & Industrial Supply, is requesting approval of Design Review and a Coastal Development Permit to construct an approximately 15,800-square-foot marine supply store with associated parking and landscaping on property leased from the City of Eureka. The property is a 2.85-acre undeveloped lot at the west corner of Waterfront Drive and Marina Way in the Waterfront Commercial (CW) zone district. Marina Way is located between the subject parcel and Humboldt Bay on the northwest, and the Wharfinger Building on the northeast. The Eureka Public Marina is located along the Humboldt Bay shoreline further to the northeast, and undeveloped City- and privately-owned parcels (zoned Coastal Dependent Industrial – MC) are located to the southwest of the site. The “Balloon Track” (zoned Public – P) is located across Waterfront Drive to the south and east. The proposed project will occupy the inland portion (approximately 1.5 acres) of the subject parcel, with the bayside portion of the parcel remaining undeveloped.

The City Council authorized the City Manager to execute an Exclusive Right to Negotiate with Englund Marine for lease of a portion of the subject parcel in July of 2019. Englund Marine has outgrown their current marine supply store located in a portion of a City-owned building at 2 Commercial Street (approximately 2,000 feet northeast of the project site) where they have operated since 1995. The company will continue to operate the City’s fuel dock at the foot of Commercial Street.
The proposed store will sell marine supplies and fishing gear and will include 6,370 square feet of retail space and 7,123 square feet of warehouse space, as well as miscellaneous office, storage, breakroom, and restroom spaces of approximately 2,321 square feet. The building will have a maximum height of 32 feet. An 18.6-square-foot sign, consisting of the company name and logo, will be located above the main entrance facing Waterfront Drive, and a 36.4-square-foot version of the same sign will be located on the side of the building facing the Wharfinger Building. Lighting will be minimal and confined to the building.

The area around the new marine supply store will be developed with 3,215 square feet of new sidewalks\(^1\) as well as 40,649 square feet of new asphalt concrete paving with 48 parking spaces, two of which are ADA-accessible spaces, and bicycle parking. The proposed parking lot will also include 6,940 square feet of pervious area including landscaping and bioretention areas to attenuate and treat stormwater prior to discharging to the City’s storm drain system. Access to the parking lot will be provided by means of driveways off Waterfront Drive and Marina Way (the segment of Marina Way running perpendicular to the waterfront). Utilities will be connected to existing lines under and adjacent to Waterfront Drive.

**DESIGN REVIEW ANALYSIS**

The proposed project requires Design Review, including Site Plan, Architectural, and Sign Review, and in this case, the Planning Commission has authority over the Design Review.

\(^1\) The new internal sidewalks are in addition to existing perimeter sidewalks along Waterfront Drive and Marina Way.
process. To approve a Design Review application, the Planning Commission must consider all of the following:

Site Plan review is intended to:
1) Preserve the natural beauty of the City’s site;
2) Prevent the indiscriminate clearing of property and the destruction of trees and shrubs;
3) Prevent excessive grading of hillsides and creation of drainage hazards;
4) Ensure that structures are properly related to their sites and to surrounding sites and structures and to traffic circulation in the vicinity; and
5) Ensure that parking areas, walkways, and landscaping are arranged to accomplish the objectives of the zoning code (Eureka Municipal Code [EMC] §10.5.1801.1).

Architectural review is intended to prevent the erection of structures or signs that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity (EMC §10.5.1801.2).

The Planning Commission must also determine compliance with the following criteria for the proposed signs:

a. The signs comply with the regulations contained in EMC §10.5.1704 (Sign Regulations).
b. The signs are desirable for the applicant's enjoyment of substantial trade and property rights, and do not constitute needless repetition, redundancy or proliferation of signing.
c. The signs are consistent with the purposes and scope of Article 17 (Signs) as set forth in EMC §10.5.1701.
d. The signs do not constitute a detriment to public health, safety and welfare.
e. The location and design of the proposed signs do not obscure the view of, or unduly detract from, existing adjacent signs.

I. Site Plan and Architectural Review
The Planning Commission should determine whether the proposed marine supply store and associated parking and landscaping will be inharmonious with the surroundings or will have an adverse effect on the value of property or improvements in the vicinity. Pursuant to EMC §10.5.1801 et seq., the ugly, the inharmonious, the monotonous, and the hazardous shall be barred. The Commission’s review includes exterior design, materials, textures, and colors but does not include elements of the design that do not affect exterior appearance. The Planning Commission must recommend disapproval of drawings for a structure or a sign that would be inharmonious with surrounding development, but the Commission cannot require new structures duplicate an historic architectural style as a condition of approval.

The proposed development includes a 15,814-square-foot concrete-tilt building oriented towards Waterfront Drive, with sidewalks, parking, and landscaping on three sides. The primary walls will be cast-in-place concrete and the roof will be metal. The main entrance will have wood siding with wooden trellises added for architectural interest. The windows facing Marina Way on the northeasterly side of the building (facing the Wharfinger Building) will also have wooden trellis
features. Building elevations with exterior color, lighting, and signage details are included in the attached site plans (See Attachment 2, Section 1, Plan Sheets A2.1 and A2.2). The applicant has also provided photographs of representative stores built in Crescent City, Oregon, and Washington over the past several years (See Attachment 2, Section 5).

The project site is located in the CW zone district. Pursuant to EMC §10-5.201, the CW zone district has no minimum front, side, or rear yard setback requirements, a maximum height limit of 100 feet, and a 250% maximum floor area ratio (FAR). The proposed building fits well within these parameters, with large setbacks (ranging from approximately 56 feet to 237 feet), a maximum building height of 32 feet, and a 12.7% FAR.

The proposed project includes 48 parking spaces, two of which are ADA-accessible, and one loading berth; this meets the required number of off-street parking and loading spaces. The dimensions of the parking drive aisles and loading berth meet minimum requirements, but the parking spaces do not meet the minimum length standard of 19 feet. Condition 1 has been added requiring final site plans to include parking spaces that meet the minimum dimensions outlined in EMC §10-5.1504(a).

Regarding landscaping, EMC §10-5.2930.4 requires (1) that landscaping cover a minimum of 2% of the interior of the parking lot, with landscaped areas distributed throughout the parking area; and (2) that a landscaped area not less than two feet in depth be located at the property lines.

2 36 off-street parking spaces and 1 off-street loading space are required pursuant to EMC §§10-5.1503.2 and 10-5.1603, respectively. Pursuant to EMC §10-5.1503.5, two of the parking spaces must be ADA compliant.

3 Pursuant to EMC §10-5.1604(b), the loading berth must be a minimum of 45 feet in length and 12 feet in width; the proposed loading berth is 51 feet by 28.5 feet. Pursuant to EMC §10-5.1504, the minimum parking aisle width is 25 feet, and the applicant proposes a 29-foot-wide aisle.
adjoining the street frontages except for necessary drives and walks. The proposed landscaping meets these requirements with landscaped areas distributed among the parking stalls and strips of landscaping along the property lines adjoining streets.

Staff believes the proposed development will be harmonious with its surroundings and will have a positive effect on the value of properties within the vicinity. As a result, Staff believes the necessary findings, as mentioned above, can be made to approve the Site Plan and Architectural Review.

2. **Sign Permit**

In the CW zone district, two square feet of signage is allowed for every foot of a parcel’s street frontage. The project site is a corner lot, with approximately 640 linear feet of frontage which allows a total of 1,280 square feet of signage on the property. The proposed wall signs total 55 square feet and will be located above the main entrance facing Waterfront Drive and on the northeastern side of the building facing Marina Way and the Wharfinger Building. The signs will be illuminated by overhanging, shielded lights (See Attachment 2, Section 1, Plan Sheets A2.1 and A2.2).

The proposed signage meets the size and siting limitations contained in EMC §10-5.1704. Given that one small wall sign is proposed on each of the two sides of the building fronting roadways, the proposed signage is the minimum necessary for store identification and does not constitute needless repetition, redundancy, or proliferation of signage. The signage enables people to identify the store without degrading the quality of the City’s appearance, consistent with the purpose and scope of the sign regulations of the zoning code. Referrals were sent to agencies and City departments with interest or jurisdiction over the proposed project and no comments were received that indicate the signage would be detrimental to the public health, safety, or welfare. Currently there are no other signs in the project vicinity so the proposed signage will not obscure the view of, or unduly detract from, existing adjacent signs. As a result, Staff believes the necessary findings, as mentioned above, can be made to approve the Sign Review.

**COASTAL DEVELOPMENT PERMIT ANALYSIS**

Pursuant to EMC §10-5.29310.1, to approve a coastal development permit, the Planning Commission must find that the proposed development conforms to the policies of the certified Local Coastal Program.

The Local Coastal Program is the foundational policy document for areas of the City located in the coastal zone. It establishes farsighted policy that forms the basis for and defines the framework by which the City’s physical and economic resources in the coastal zone are to be developed, managed and utilized. The Local Coastal Program is divided into two components: the first component is the Land Use Plan (LUP), which is the General Plan specific to land in the coastal zone. It outlines the existing conditions, permitted uses, and policies needed to achieve the goals of the Coastal Act and includes the land use plan map. The second component of the Local Coastal Program is the Implementation Plan (IP), which includes zoning regulations and the zoning map for land in the coastal zone, as well as specific coastal zone ordinances necessary to implement the policies of the LUP.
I. Land Use Plan (LUP) Analysis

The project site is designated WFC – Waterfront Commercial. The purpose of the WFC land use designation is to protect and provide for nearshore development of recreational, visitor-serving, and commercial fishing industry uses that relate to the presence of coastal resources. The designation provides for a variety of primary commercial uses to promote coastal-related establishments catering to visitors, including markets, boat landings, fishing-related activities, restaurants, and tourist accommodations. The proposed store will focus on retail sales of marine supplies and fishing gear, along with a warehouse to support those activities. This is a coastal-related commercial use that will serve visitors to the coast, as well as recreational boating and fishing, and the commercial fishing industry, consistent with the purpose of the WFC designation.

Below are LUP goals and policies applicable to the project, followed by a brief discussion of how the project conforms to each goal or policy.

Goal 1.A. To establish and maintain a land use pattern and mix of development in the Eureka area that protects residential neighborhoods, promotes economic choices and expansion, facilitates logical and cost-effective service extensions, and protects valuable natural and ecological resources.

The proposed project will be located in a commercial-industrial area away from residential neighborhoods. The project will allow the relocation and expansion of an existing marine supply store, allowing for economic growth. This infill development will not require new service extensions and will result in reuse of vacant, long-underutilized urban land where there has otherwise been no recent development interest. The project site was created through fill of Humboldt Bay tidelands and was historically the site of a lumber yard. As a result, the project footprint is covered in compacted sand and gravel fill with ruderal grasses and no valuable natural or ecological resources. As discussed under Goal 6.A. and Policy 6.A.5, the proposed project as conditioned will be sited and designed to avoid impacts to nearby wetlands and bay waters. For all these reasons, the proposed project as conditioned is consistent with Goal 1.A.

Policy 1.A.5 Within the coastal zone, the City shall ensure that coastal-dependent developments have priority over other developments on or near the shoreline. Except as provided elsewhere in this General Plan, coastal-dependent development shall not be sited in a wetland. Coastal-related developments shall generally be accommodated proximate to the coastal-dependent uses they support.

To be coastal dependent, a use must require a location on or adjacent to the sea to be able to function at all. The proposed commercial store does not require a location on or adjacent to the sea to function (marine supplies can be sold from inland locations), and is therefore not coastal dependent. However, the proposed use is consistent with Policy 1.A.5 because the use will not displace shoreline lands needed for coastal-dependent uses. The parcel where the project is proposed has been undeveloped for over four decades and is separated from the shoreline by Marina Way, pull-in public parking, and a public walkway. The proposed project footprint will be located on the inland half of the subject parcel, a minimum of 227 feet away from the Humboldt Bay shoreline. The City’s coastal-dependent uses, including commercial fishing, forest products shipping, and bulk fuel delivery, are accommodated elsewhere along the Eureka shoreline with significant waterfront land remaining vacant and underutilized, including significant land designated and zoned primarily for coastal-dependent industry. The subject parcel is designated and

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zoned Waterfront Commercial which is a classification that prioritizes not just coastal-dependent development, but also coastal-related and visitor-serving uses.

The proposed use is coastal-related because it is dependent on coastal-dependent uses. Without commercial fishing, recreational boating, and other coastal-dependent uses, this marine supply store would not be economical. This coastal-related store will be located proximate to the coastal-dependent uses it supports, including the Eureka Public Marina and the cluster of commercial fishing facilities between the marina and C Street. Therefore, the proposed project is consistent with Policy 1.A.5.

Goal 1.M To ensure an adequate supply of industrial land for and promote the development of industrial uses to meet the present and future needs of Eureka and to maintain economic vitality.
See discussion under Policy 1.M.5 below.

Policy 1.M.4 The City shall promote the development of a modern multiple-purpose dock at Dock B that would combine a cruise ship terminal with a break-bulk/container cargo terminal and fishing facilities.
See discussion under Policy 1.M.5 below.

Policy 1.M.5 If efforts to develop a multi-purpose terminal at Dock B are unsuccessful, the City will support the development of a non-coastal industrial park in the Dock B area, including the “balloon track” and the Wright-Schuchart site. In developing such an industrial park, the City would retain the Dock A area for possible long-term cargo terminal development.
Dock B is located across Marina Way from the undeveloped City-owned parcel adjacent to and southwest of the project site (APN 003-062-019), and the Dock A area is located further south along the shoreline. Policies 1.M.4 and 1.M.5 are under the “Industrial Development” section of the General Plan. While the adjacent City-owned parcel across Marina Way from Dock B is designated and zoned for coastal-dependent industrial use, the subject parcel is designated and zoned for commercial development. Therefore, City staff does not believe these policies are intended to apply to the subject parcel (or the adjacent Wharfinger Building parcel).5

Nevertheless, the proposed development will only occupy the inland portion of the subject parcel, leaving the bayward portion of the parcel (approximately 1.3 acres) and the adjacent City-owned parcel to the southwest (approximately three acres) available for the coastal-dependent uses contemplated by Policy 1.M.4 if demand ever arose for such uses. The Port of Humboldt Bay

5 The subject parcel was already designated and zoned for commercial development at the time these LUP policies were certified by the Coastal Commission in 1999.
Englund Marine Design Review and Coastal Development Permit
Case No: AA-21-0006/CDP-21-0007

Harbor Revitalization Plan (February 2003)\(^6\) indicates that a cruise ship terminal requires 100-800 linear feet of waterfront and three to five acres of backland. Thus, the adjacent City-owned parcel across Marina Way from Dock B could independently support a cruise ship terminal (it is 300 feet long and three acres in size).

Efforts over the past two-plus decades to develop a multi-purpose terminal at Dock B have been unsuccessful, and the development of the adjacent Balloon Track has also been stalled. In approving the Exclusive Right to Negotiate with Englund Marine in 2019, the City Council expressed their intent to use this development to stimulate further investment in the area. Given the lack of demand for industrial development on the subject parcel and given that the proposed development will invest in the area and is consistent with the parcel’s commercial zoning, the development is consistent with the overarching goal of the Goal 1.M policies to meet demand for industrial development and maintain economic vitality. Therefore, the proposed project is consistent with Goal 1.M and Policies 1.M.4 and 1.M.5.

**Goal 4.A To ensure the effective and efficient provision of public facilities and services for existing and new development.**

The proposed project involves the relocation and expansion of an existing marine supply store and therefore will result in a nominal increase in demand for City services. In addition, by accommodating growth through infill of a previously developed but long-unused property, the proposed project will minimize the public cost of any increase in demand for City facilities and services. The proposed project will connect to existing water, sewer, electrical, and gas lines that are located along Waterfront Drive in close proximity to the project site. As a result, the proposed project will ensure the effective and efficient provision of public facilities and services consistent with Goal 4.A and associated policies.

**Goal 5.B To provide public open space and shoreline accessways throughout the Coastal Zone, consistent with protecting environmentally sensitive habitats and other coastal priority land uses.**

The project site is bounded on two sides by Marina Way which provides access to and along the shoreline in the immediate project vicinity. There are also pull-in public parking spaces and a public walkway along the waterfront, bayward of Marina Way and the project site. The public walkway connects to the Wharfinger Building and Eureka Public Marina to the northwest. In addition, the Eureka Waterfront Trail (a segment of the California Coastal Trail) is located south, across Waterfront Drive from the project site and is part of a continuous 6.3-mile-long (and growing) waterfront trail route spanning the extent of City limits.

The proposed project will support use of the adjacent Eureka Public Marina and other nearby City fishing and boating facilities and will have no significant adverse impact on the existing, ample public access in the project vicinity. The proposed project includes more than adequate off-street parking and loading facilities to serve the marine supply store (including 12 more parking spaces than required by the zoning code), and will not result in any overflow parking in the public parking spaces along Marina Way.

There are existing sidewalks along the southeastern and northeastern sides of the subject parcel along Waterfront Drive and Marina Way. Construction of the project is anticipated to take approximately

seven months, with up to one month overall of selective short-term closures of sidewalk and right-of-way frontage for the construction of the two proposed driveway approaches. To ensure temporary construction impacts on public access near the waterfront are minimized, **Condition 2** clarifies that all work in the right-of-way will require prior authorization (an encroachment permit) from the Public Works Department.

For all the reasons mentioned above, the project as conditioned will not interfere with the provision of public open space and shoreline accessways consistent with Goal 5.B and associated public access policies of the certified LUP.

**Policy 5.B.1** The City shall provide public open space and shoreline access through the Coastal Zone, particularly along the waterfront and First Street, through all of the following:

…d. Consider and protect the scenic and visual qualities of coastal areas that are visible from scenic public vista points and waterfront walkways…

The project will be visible from the Eureka Waterfront Trail, Waterfront Drive, Marina Way, waterfront walkways associated with the Wharfinger Building and Eureka Public Marina, and the shoreline of Humboldt Bay, but will not degrade the scenic and visual qualities of the area from these public vantage points. The area of the City where the project is proposed is industrial in nature, with active industrial operations as well as signs of past industrial use, including a large brownfield (the Balloon Track), a deteriorating City dock (Dock B), and remnants of dolphins and timber pilings along the shoreline.

The project site was previously developed with a lumber yard and is currently covered with sand and gravel fill as well as mostly non-native grasses and forbs. There is currently a chain link fence along the southeastern property boundary adjacent to Waterfront Drive that is proposed to be removed, and a landscaped strip along the northeastern property boundary adjacent to Marina Way that will be retained. The removal of the chain link fence and proposed installation of parking lot landscaping and vegetated bioretention areas will improve the visual appearance of the parcel. The proposed large, one-story, concrete-tilt building will be compatible with the industrial aesthetic of the surrounding area. Furthermore, the proposed project is subject to design review as outlined earlier in this report.

Humboldt Bay is currently visible from Waterfront Drive across the project site, and the proposed building will block a portion of this blue-water view. However, views will remain available on either side of the building and from Marina Way, which provides public access along Humboldt Bay bayward of the subject parcel. No freestanding signs, light posts, or fencing are proposed that could further block views of the bay. The marine supply store will be oriented towards Waterfront Drive and will not take advantage of bay views from the project site, but the store will be located on the inland portion of the subject parcel, allowing ample space for another use to locate on the bayside portion of the parcel and take advantage of shoreline views.

As a result, the proposed project protects the scenic and visual qualities of the area consistent with Policy 5.B.1.

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7 Waterfront Drive is low-lying so the view is limited.
Policy 5.B.3 The City shall promote the maintenance of and, where feasible, shall provide, restore, or enhance facilities serving commercial and recreational boating, including party or charter fishing boats. The proposed project allows for the expansion of a marine supply store, enhancing a facility that serves commercial and recreational boating consistent with Policy 5.B.3.

Policy 5.B.4 The City of Eureka shall protect and enhance the public’s rights of access to and along the shoreline, consistent with protecting environmentally sensitive habitats, by:...Allowing only such development as will not interfere with the public’s right of access to the sea, where such right was acquired through use or legislative authorization. The proposed development will not interfere with existing public access in the project vicinity consistent with Policy 5.B.4. See discussion under Goal 5.B.

Policy 5.B.5 For new development between the first public road and the sea, the City shall require the dedication of a vertical access easement to the mean high tide line unless:

a. Another more suitable public access corridor is available within 500 feet of the site; or

b. Access at the site would be inconsistent with other General Plan coastal policies, including existing, expanded, or new coastal-dependent industry, agricultural operations, or the protection of environmentally sensitive habitat areas; or,

c. Access at the site is inconsistent with public safety, environmental protection, or military security needs.

The project is proposed between the first public road and the sea, but Marina Way provides vertical access to the shoreline directly adjacent to the project site. Therefore, the proposed project is consistent with Policy 5.B.5 without dedication of a vertical access easement across the project site.

Policy 5.B.6 For new development between the first public road and the sea, the City shall require a lateral access easement along the shoreline unless: Lateral access at the site would be inconsistent with other General Plan coastal policies, including existing expanded, or new coastal dependent industry, agricultural operations, or the protection of environmentally sensitive habitat areas; or, Access is inconsistent with public safety or military security needs.

Lateral access already exists along the shoreline, bayward of the project site along Marina Way and a public walkway. Therefore, the proposed project is consistent with Policy 5.B.6.

Goal 6.A To protect and enhance the natural qualities of the Eureka area’s aquatic resources and to preserve the area’s valuable marine, wetland, and riparian habitat.

The development is proposed in an upland area consisting of fill material with areas of sparse predominantly non-native grassy vegetation and bare ground. Nearby marine and wetland habitat includes Humboldt Bay across Marina Way to the northwest and wetlands on the Balloon Track across Waterfront Drive to the southeast. The proposed development footprint will be over 200 feet from the Humboldt Bay shoreline, separated from the bay by the remainder of the undeveloped lot, a road, a walkway, and rock slope protection. The proposed development footprint will be approximately 60 feet from the Clark Slough rock-lined drainage ditch on the Balloon Track, separated from the wetland by a
road. There is also a potential wetland on the bayward side of the subject parcel, where hydrophytic vegetation may be dominant within the highly compacted, former industrial lot. This potential wetland area is outside of the development footprint, but as close as five feet to the edge of the proposed development.

Development components that have the potential to impact the nearby bay and wetlands include noise, lighting, landscaping, and runoff. However, operation of the marine supply store will generate minimal noise compared to the nearby forest products operation and marina, and the applicant anticipates the store will be open during daytime hours only. The proposed exterior lighting is confined to the building and consists of wall-mounted LED lights that are cast downward. A site lighting plan has been provided demonstrating the proposed exterior lighting will not shine beyond the project footprint and will only illuminate the space directly around the proposed building, the minimum necessary for security purposes (the lighting plan is included in Attachment 2). In response to the City’s project referral, California Department of Fish and Wildlife (CDFW) staff recommended that exterior lighting be conditioned to use LEDs with color temperatures less than 3000 Kelvins, as well as avoidance of “trespass of light” (i.e., illumination outside of the target areas). CDFW’s exterior lighting recommendations have been included as Condition 3.

Regarding landscaping, the applicant has submitted landscaping plans that indicate that no plant species that are problematic or invasive will be planted at the project site. To ensure all proposed plantings do not adversely impact nearby sensitive habitat, Condition 4 has been added prohibiting planting of invasive and problematic plant species, and prohibiting use of rodenticides containing any anticoagulant compounds.

Finally, as discussed further under Policy 6.A.3, the applicant has submitted a drainage plan indicating that all runoff from the project footprint will be directed towards one of three bioretention areas lining the parking lot that have been sized and designed to attenuate and treat the site’s stormwater runoff. Condition 5 has been added requiring a Stormwater Management Plan to ensure the bioretention areas are implemented as proposed and managed to avoid any negative water quality or hydrologic impacts of the new impervious surface areas on nearby wetlands and bay waters.

Project construction could also result in biological impacts. As discussed in greater detail under Policy 6.A.3, Condition 6 has been added requiring adherence to various construction-phase best-management practices (BMPs), and Condition 7 has been added requiring preparation of a SWPPP for the review and approval of the Public Works Department to ensure BMPs are properly implemented. Also, to prevent nighttime lighting impacts, Condition 8 has been added requiring that project construction be limited to the hours of 7 a.m. and 7 p.m., with exceptions for good cause with prior approval from Development Services – Planning.

Therefore, the proposed project as conditioned will protect aquatic resources and preserve nearby marine and wetland habitat consistent with Goal 6.A and associated policies.

Policy 6.A.3 The City shall maintain and, where feasible, restore biological productivity and the quality of coastal waters, streams, wetlands, and estuaries appropriate to maintain optimum populations of aquatic organisms and for the protection of human health through, among other means, minimizing adverse effects of wastewater and stormwater discharges and entrainment, controlling the quantity and quality of runoff, preventing depletion of groundwater supplies and
substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The subject parcel is currently a vacant, open field, vegetated with mostly non-native grasses and forbs. The proposed project will result in 59,678 square feet of new impervious surface on the inland portion of the parcel. The applicant has submitted a preliminary Stormwater Control Plan that proposes to design the new roof, parking lot, and other impervious surfaces to drain away from Humboldt Bay towards one of three new bioretention areas that will be constructed at the front and sides of the lot. The bioretention areas will be tied into existing storm drain lines and drain inlets on Waterfront Drive and Marina Way, and will attenuate and treat stormwater prior to discharging to the City’s storm drain system. The bioretention areas will be approximately 2,950 square feet in area, with an additional 3,990 square feet of the project footprint dedicated to landscaping (for a total permeable area of 6,940 square feet, plus the approximately 57,600-square-foot area of the parcel to remain undeveloped). To ensure the bioretention areas are adequately sized, designed, and managed to avoid any negative water quality or hydrologic impacts of the new impervious areas on nearby wetlands and bay waters, **Condition 5** has been added requiring the applicant to submit a Stormwater Management Plan prior to commencement of construction to the satisfaction of the Public Works Department. Among other provisions, **Condition 5** requires: 1) the bioretention areas to be sized to infiltrate, evapotranspire, and biotreat anticipated project runoff consistent with the sizing criteria in the City’s MS4 permit; and 2) a plan for long-term operation and maintenance of the bioretention areas.

Construction activities could also result in sediment, debris, and other pollutants entering nearby wetlands and Humboldt Bay and impacting water quality. The applicant has not yet proposed any construction BMPs. **Condition 6** has been added requiring adherence to a number of construction-related requirements regarding erosion, runoff, and sediment control, hazardous material management, and debris disposal. In addition, **Condition 7** has been added requiring the submission of a Stormwater Pollution Prevention Plan (SWPPP) prior to commencement of construction for review and approval by the Public Works Department demonstrating compliance with the Construction General Permit and the provisions of **Condition 6**. **Condition 7** requires the plan to contain a narrative description of the specific BMPs to be implemented, a map identifying the location of BMPs, and a schedule for the management of all BMPs.

Thus, the proposed project as conditioned avoids any adverse impacts to the biological productivity and quality of nearby wetlands and bay waters, including through controlling the quantity and quality of runoff, consistent with Policy 6.A.3.

**Policy 6.A.5** The City shall permit revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes only when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion.

Policy 6.A.5 only allows the City to permit armoring when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger of erosion. The proposed project is not a coastal-dependent use and does not involve an existing structure. Therefore, even though the site is currently protected from bay tidelands by rock slope protection (as well as a walkway and roadway), the proposed development should not be developed with any assumption of future reliance on shoreline protective devices. **Condition 9** has been added to make clear that the proposed project has no right to shoreline armoring.
**Policy 6.A.7** Within the Coastal Zone, the City shall ensure that environmentally sensitive habitat areas are protected against any significant disruption of habitat values, and that only uses dependent on such resources shall be allowed within such areas. The City shall require that development in areas adjacent to environmentally sensitive habitat areas be sited and designed to prevent impacts which would significantly degrade such areas, and be compatible with the continuance of such habitat areas.

The proposed project is entirely located within a previously filled and disturbed area that delineates as uplands, and all proposed site accessways and utility connections avoid environmentally sensitive habitat area (ESHA). Pursuant to Policy 6.A.6, the wetlands and coastal waters in the project vicinity constitute ESHA, including potential wetlands on the subject parcel outside of the project footprint, the waters of Humboldt Bay across Marina Way, and the remnant of Clark Slough on the Balloon Track.

As detailed above under Goal 6.A and Policy 6.A.3, the proposed development as conditioned includes siting and design measures to avoid degradation of surrounding wetlands and disruption of habitat value, including:

- **Physical buffers:** The project will maintain a buffer of over 200 feet from the Humboldt Bay shoreline, 60 feet from the Clark Slough rock-lined drainage ditch on the Balloon Track, and a minimum of five feet from potential wetlands on the bayward portion of the subject parcel. The adequacy of these proposed buffers to protect the habitat areas has been analyzed by a qualified biologist and is discussed under Policy 6.A.19 below.
- **Post-construction lighting limitations:** A lighting plan has been submitted proposing limited, downcast exterior lighting that does not extend into any potential wetland area, and **Condition 3** has been added, consistent with the recommendations of CDFW staff, to further ensure that there are no lighting impacts on nearby habitats;
- **Post-construction landscaping limitations:** To ensure the landscaping does not adversely impact surrounding habitat, **Condition 4** has been added prohibiting planting of invasive and problematic plant species, and prohibiting use of rodenticides containing any anticoagulant compounds.
- **Post-construction stormwater management:** The applicant proposes to direct all runoff from the project footprint towards three new bioretention areas, and **Condition 5** has been added requiring the bioretention areas to be implemented as proposed, and sized, designed, and managed to attenuate and treat anticipated runoff;
- **Construction-phase SWPPP:** Project construction will avoid water quality and hydrologic impacts to nearby ESHA through implementation of 1) a SWPPP required by **Condition 7**; and 2) other construction responsibilities required by **Condition 6**.

The proposed project will pave a disturbed area covered in fill that currently harbors non-native vegetation. The proposed development is limited in intensity compared to other industrial development in the vicinity, and will only cover 1.5 acres of the subject parcel, leaving approximately 1.3 acres undeveloped. Given the current condition of the project site, the limited scale of the development, and the proposed buffers and mitigation measures to further limit and shield potential disturbances, the proposed development will prevent impacts which would significantly degrade nearby ESHA, and will be compatible with the continuance of such habitat areas consistent with Policy 6.A.7.

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8 Policy 6.A.6 states, in part, “The City declares the following to be environmentally sensitive habitat areas within the Coastal Zone:...sloughs...wetlands and estuaries...”
Policy 6.A.19 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 footprint is located approximately 60 feet from the Clark Slough rock-lined drainage ditch on the Balloon Track and over 200 feet from Humboldt Bay, both of which are considered ESHA. In addition, in response to the City’s project referral, an Environmental Scientist with CDFW visited the project site in late August and observed an area of possible wetlands on the subject parcel bayward of the proposed project footprint. The CDFW scientist provided a map outlining a large area that might contain wetlands because of potential dominance by pennyroyal (Mentha pulegium; wetland obligate species) and/or areas of surface cracks in soil (a wetland hydrology indicator). In response to CDFW’s comment, the applicant’s botanist visited the site and dug an informal test pit and checked the vegetation. The botanist found no soil indicators, but found vegetation in wheel ruts (from vehicles crossing the site) that was too close to call without a formal delineation. Given that the time of year is not ideal for wetland delineations, the applicant has chosen to assume the area delineated by CDFW is wetlands. Consistent with Policy 6.A.19, a reduced buffer analysis has been prepared by a qualified biologist for the proposed buffers under 100 feet in width that demonstrates the proposed buffers are adequate to protect the resources of the habitats (the reduced buffer analysis is included in Attachment 2, Section 6).

The potential wetland on the bayward side of the subject parcel is sparsely covered in predominately non-native vegetation and is severely degraded due to ongoing, regular disturbance from people walking and driving across the site. According to the reduced buffer analysis, no sensitive species are expected to utilize this area due to lack of suitable habitat and ongoing regular disturbance. The subject parcel is covered in rocky/gravelly fill, and, according to the reduced buffer analysis, if rutted areas are supporting a predominance of wetland vegetation, this is likely a reflection of disturbance patterns rather than wetland conditions. The proposed project will be comparable in scale and intensity to surrounding development, and will be sloped away from the potential wetland towards proposed bioretention basins that will detain and treat all runoff from the paved project footprint. Given that the project footprint is currently covered in highly compacted fill, the proposed project’s stormwater management upgrades will reduce the risk of erosion and polluted runoff reaching surrounding wetlands and coastal waters. As a result of the degraded-quality of the potential wetland and the proposed and conditioned measures to avoid impacts from project lighting, landscaping, and runoff discussed in detail under Goal 6.A and Policies 6.A.3 and 6.A.7 above, a reduced buffer of a minimum of five feet from the edge of the potential wetland feature will protect the resources of the habitat area consistent with Policy 6.A.19.
Goal 7.B To minimize loss of life, injury, and property damage due to geological hazards.

The project site is within a seismically active area in which large earthquakes are expected to occur during the lifespan of the development. The project site was historically part of Humboldt Bay before the site and surrounding intertidal mudflats were filled to create a maritime lumber loading facility and shipping dock sometime in the 1930s or 1940s. The current elevation of the site is approximately 12 feet (North American Vertical Datum, 1988 [NAVD88]), varying between approximately 11 and 14 feet.

A geotechnical investigation was conducted for the proposed project in 2020, including the analysis of four soil borings sampled from the general location of the four corners of the proposed building. The borings indicate that the site contains approximately 10 feet of unengineered fill material on top of native bay mud. Groundwater measurements were also taken at the boring locations which indicate the groundwater table is approximately 5 to 6 feet below the existing ground surface. Fluctuations of a few feet or more in the groundwater elevation are expected to occur daily and seasonally in response to tidal fluctuations and seasonal rainfall, respectively.

The geotechnical analysis indicates that the soft silts and non-cohesive granular soils below the groundwater surface and between the depths of about 5 to 20 feet have a moderate to high likelihood of liquefying during the design earthquake (a 2,475-year return period event), which could result in liquefaction-induced settlement (potentially up to three inches across the building footprint) and resulting partial loss of bearing support. As a result, the geotechnical investigation report recommends deep foundation support for the proposed building, but also indicates that a mat slab foundation on a geogrid-reinforced structural fill mat could be used instead for a foundation support. The applicant has opted to proceed with the mat slab foundation option in lieu of the piles, and is anticipating an 18-inch-thick concrete mat slab over three feet of compacted crushed rock. All recommendations in the geotechnical report will be incorporated into the final plans and specifications for the project, and will be implemented during construction. 

Condition 1 has been added to ensure the applicant is aware of the need for building permit review and approval prior to commencement of construction, to ensure City review of final building plans for consistency with geotechnical recommendations.

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9 A map from 1933 shows tidelands and a historic aerial image from 1948 shows a log deck, indicating that the fill occurred sometime in the 1930s or 40s.

10 All elevations in this document are referenced to NAVD88.


12 The fill material consists of a mix of sand and fine gravel with abundant shell fragments, suggesting it is dredged spoils removed from the adjacent shipping channel or elsewhere on Humboldt Bay. Drill cuttings indicate the bottom fill layer is supported by approximately two feet of wood, which likely consists of multiple layers of logs. The fill is underlain by recent to historical soft bay mud sediments that are about 10 feet thick (10-20-feet below ground surface) and are in turn underlain by pre-Humboldt Bay beach and dune deposits (20-35-feet below ground surface), marine deposits (35-60 feet), older bay muds (60-68 feet), and, finally, Hookton Formation sediments (68-71.5 feet).
The project site is located within the mapped tsunami inundation area on the Tsunami Inundation Map for Emergency Planning (Figure 5; California Geological Survey, August 13, 2020) and is at risk of tsunami inundation from waves generated from a variety of local and distant sources. If the region were to suffer a major earthquake along the Cascadia Subduction Zone, a local tsunami could hit the Humboldt Bay shoreline within minutes and tsunami run-up could affect the project site.

The tsunamis risk can best be minimized through timely evacuation from the tsunami inundation zone. Therefore, Condition 10 has been added requiring the applicant to submit a “Tsunami Safety Plan” for review and approval by Development Services – Planning. The plan is required to demonstrate that 1) the tsunami threat and evacuation route will be adequately communicated to customers and employees, 2) procedures will be in place for the safe evacuation of all occupants in the event of a tsunami, and 3) staff will be adequately trained to carry out the plan. The plan is required to include 1) a map of the evacuation route; 2) hazard risk notification procedures, including information on where tsunami evacuation information will be conspicuously posted; and 3) training procedures for staff to ensure the plan is effectively implemented for the life of the development.

For all the reasons discussed above, the project as conditioned will minimize risk to life and property from geologic hazards consistent with Goal 7.B and associated policies.

**Policy 7.B.2** The City shall ensure that development on or near the shoreline of Elk River, Humboldt Bay, and Eureka Slough neither contributes significantly to, nor is subject to, high risk of damage from shoreline erosion over the life span of the development.

The project footprint is over 200 feet from the shoreline of Humboldt Bay and is separated from the shoreline by the undeveloped portion of the subject parcel, Marina Way, pull-in public parking, and a public walkway. The area is flat and low-lying without bluffs or cliffs that could potentially have slope stability issues, and the shoreline is armored with rock slope protection. Although sea level rise may result in retreat of the shoreline over time, as discussed in detail under Goal 7.D, the proposed development is anticipated to be safe from tidal flooding for its design life, even if the intervening armoring and public facilities were removed. Thus, the proposed project will be safe from damage from shoreline erosion over its lifespan, consistent with Policy 7.B.2.

**Policy 7.B.3** Within the Coastal Zone the City shall prohibit alteration of cliffs, bluff tops, and gulch faces or bases by excavation or other means except to protect existing structures. Permitted development shall not require the construction of protective devices that would substantially alter natural landforms.
The shoreline in the project vicinity is low-lying and flat and therefore there is no potential for alteration of a cliff, bluff top, or gulch face. The shoreline is also currently armored with rock slope protection and is manmade, constructed from filling tidelands with dredged spoils. As a result, there is no potential for alteration of natural landforms. Therefore, the proposed development is consistent with Policy 7.B.3.

**Goal 7.D To minimize the risk of loss of life, injury, damage to property and economic and social dislocations resulting from flood hazards.**

The project site is located over 200 feet from the Humboldt Bay shoreline outside of the FEMA mapped floodplain. The current elevation of the site ranges from approximately 11 to 14 feet, and the applicant proposes to grade the site to provide a finished floor elevation of 14 feet for the new building. Although the proposed project is safe given current flood levels, flooding is expected to increase in frequency and severity in the future with sea level rise. The current mean monthly maximum water (MMMWW) elevation on Humboldt Bay is 7.74 feet (as measured at NOAA’s North Spit Tide Gage), and the mean annual maximum water (MAMWW; i.e., average king tide) elevation is 8.8 feet. The proposed finished floor elevation of 14 feet is 6.26 feet above current MMMWW and 5.2 feet above current MAMWW.

Current sea level rise projections anticipate 5.2 feet of sea level rise to occur between 2080 and 2090 under a medium-high risk aversion scenario, and after 2100 under a low risk aversion scenario. It is likely that the existing rock slope protection armoring of the shoreline in the project vicinity will be fortified or some other action will be taken to address sea level rise to protect the public walkway, public parking, roadway, and buried water distribution line located bayward of the project site. However, if no action is taken to protect the intervening public facilities, the proposed new building will still be safe from any direct flooding from average king tides for at least 59 years under a medium-high risk aversion scenario and 79 years under a low-risk aversion scenario.

| Table 1. Sea Level Rise Projections (in feet) for Humboldt Bay |
|------------------|------------------|
| **Low Risk Aversion (ft.)** | **Medium-High Risk Aversion (ft.)** |
| 2040 | 1.1 | 1.6 |
| 2050 | 1.5 | 2.3 |
| 2060 | 1.7-1.9 | 2.8-3.1 |
| 2070 | 2-2.4 | 3.5-4 |
| 2080 | 2.4-2.9 | 4.4-5.1 |
| 2090 | 2.7-3.5 | 5.3-6.2 |
| 2100 | 3.1-4.1 | 6.3-7.6 |

The appropriate time horizon to use to evaluate sea level rise depends on the anticipated duration of development, after which such development is expected to be removed, replaced or redeveloped. Commercial buildings are typically given a 75-year design life; however, this particular building is being

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13 The surrounding roadways (Marina Way and Waterfront Drive) are also outside of the floodplain.

14 Projections in this table are from the Ocean Protection Council (OPC)’s State of California Sea-Level Rise Guidance 2018 Update for the Humboldt Bay North Spit tide gage (considered by the California Coastal Commission as the current best available science). The projections for relative sea level rise on Humboldt Bay consider the combined effects of regional eustatic sea level rise and vertical land motion (tectonic uplift and subsidence). The low-risk aversion scenario has an approximately 17% chance of being exceeded, and the medium-high risk aversion scenario has a 1 in 200 chance, or a 0.5%, chance of being exceeded.
developed subject to a lease agreement with the City with a 19-year lease term with the option for six renewal terms of five years each (for a total potential term of 49 years). The lease specifies that the lessee’s property must be removed and the premises restored after the lease expires, or if property is not removed, the City may demolish and remove the lessee’s property and the lessee must pay the City the reasonable and actual cost of the work. The lease also specifies that in the event of damage or total destruction, if the lessee elects not to repair or rebuild any damaged portion of the improvements, the lessee is required to promptly remove the building and restore the property to a safe condition. Thus, in this case, a 49-year design life is appropriate (through 2070). Given that a maximum of four feet of sea level rise is anticipated by 2070 under a medium-high risk aversion scenario and the building will be elevated 5.2 above current MAMW, the building is anticipated to be safe from tidal flooding for its design life under a medium-high risk aversion scenario. As a result, the proposed development minimizes flood hazard risk consistent with Goal 7.D and associated policies.

2. Implementation Plan (IP) Analysis
The coastal development permit must be found to conform with the entire Local Coastal Program, including the IP. The IP includes zoning regulations and the zoning map for land in the coastal zone, as well as specific coastal zone ordinances necessary to implement the policies of the LUP.

Purposes of the Zone District
The project site is zoned CW. The purposes of the CW zone district and a discussion of the project’s consistency with the district’s purposes is provided below:

(a) To encourage, protect and maintain coastal-dependent and coastal-related uses;
The proposed project will be located on an undeveloped parcel and thus will not displace any existing coastal-dependent or related uses. Based on historic aerial imagery dating back to 1980, the site has been unused since 1980, and possibly earlier, but at least four decades. In addition, the proposed project will allow for the expansion of an existing coastal-related use, a marine supply store. This store is dependent on fishing, boating, and other water-oriented uses for its customer base, and encourages these coastal-dependent uses by selling related supplies in convenient proximity to such uses. Thus, the proposed project will encourage, protect and maintain coastal-dependent and coastal-related uses consistent with this purpose statement.

(b) To encourage development of recreational and visitor-serving uses;
The proposed marine supply store will support recreational fishing and boating (through the provision of boating and fishing supplies), including recreational fishing and boating tourism. Thus, the proposed development encourages recreational and visitor-serving uses consistent with this purpose statement.

(c) To provide appropriately located areas for retail stores, offices, service establishments, amusement establishments, and wholesale businesses offering commodities and services required by residents of the city and its surrounding market area;
The proposed project will add a retail store to the CW zone district that will not only cater to tourists but also serve residents of the City and its surrounding market area, consistent with this purpose statement.
(d) To provide opportunities for retail stores, offices, service establishments, amusement establishments, and wholesale businesses to concentrate for the convenience of the public and in mutually beneficial relationships to each other; The project site and the adjacent Wharfinger Building site are the only CW lands in the vicinity and therefore there is little opportunity for commercial uses to concentrate in this area. However, a marine supply store will have a mutually beneficial relationship with surrounding coastal-dependent uses including with the Eureka Public Marina to the northeast (through the supply of fishing and other marine-related products). Thus, the proposed project is consistent with the intent of this purpose statement.

(e) To provide space for community facilities and institutions that appropriately may be located in commercial areas; There are many community facilities in the project vicinity, including the Wharfinger Building, Eureka Public Marina, and Eureka Waterfront Trail. The subject parcel is not needed for expansion of these existing facilities, and there is ample vacant and underutilized land in the area to accommodate any future proposed community use. Thus, the proposed project can be found consistent with this purpose statement.

(f) To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas; The proposed project includes 48 parking spaces, two of which are ADA-accessible parking spaces, and one loading berth; this meets the minimum required number of off-street parking and loading spaces with 12 additional standard parking spaces (only 36 spaces are required15). The dimensions of the parking drive aisles and loading berth meet minimum requirements, but the parking spaces do not meet the minimum length standard of 19 feet. **Condition 1** has been added requiring final site plans to include parking spaces that meet the minimum dimensions outlined in EMC §10-5.1504(a). The proposed development as conditioned will provide adequate off-street parking and truck loading areas consistent with this purpose statement.

(g) To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them; The proposed warehouse and retail use will not generate significant additional demand for utilities or create traffic congestion. The existing store employs five people and operates Monday through Friday from 8:00 a.m. to 5:30 p.m. and Saturday from 8:00 a.m. to 3:00 p.m.; the store is closed on Sundays. The new store will have similar hours but may expand open hours on the weekends in the future. Occasional special events, such as the annual “dock sale,” will include extended hours. It is anticipated that additional employees will be needed to support the larger store and warehouse, with up to 10 employees total. Operations and traffic will be similar to other retail uses. Large truck deliveries vary by season, but will not average more than one per day, and will more likely occur only a few times per week. UPS will visit twice per day, with other small deliveries occurring sporadically.

15 The proposed 15,814-square-foot building will include 7,123 square feet of warehouse space. Pursuant to EMC §10-5.1503.2(g), 1 parking space is required per 1,000 square feet gross floor area of warehousing (resulting in the need for 7 parking spaces). The remainder of the building is treated as retail space for the purpose of calculating parking requirements, and pursuant to EMC §10-5.1503.2(a), 1 parking space is required per 300 square feet gross floor area of retail space (resulting in the need for 29 spaces).
The City has a prevalence of undeveloped and underutilized sites in the vicinity. As a result, there is adequate available utility and traffic capacity to serve the new development, especially given the development involves the relocation and expansion of an existing store. In addition, the proposed building is well-below the maximum height and FAR for the CW zone district and is small in size in relation to the amount of surrounding land (a 15,814-square-foot building on a 124,101-square-foot parcel). Therefore, the proposed development is not of excessive size and will not significantly impact traffic congestion or overload utilities consistent with this purpose statement.

(h) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses;
The proposed project will not include industrial uses and thus can be found consistent with this purpose statement.

(i) To protect commercial properties from fire, explosion, noxious fumes, and other hazards;
The proposed project will not introduce uses of an industrial nature that could create hazards or nuisances for any nearby commercial properties. Therefore, the proposed project can be found consistent with this purpose statement.

(j) To encourage upgrading of the use of strategically located sites between the central business district and Humboldt Bay by creating an environment suitable for establishments catering to tourists; and
The proposed project will add a marine supply store to an undeveloped, strategically located CW site. The store will provide fishing and marine supplies for recreational boaters, supporting water-oriented tourism. The proposed project will improve the site with a new 15,814-square-foot building, utility connections, parking lot, landscaping, and a bioretention system for stormwater management. These improvements will make the site more marketable for other visitor-serving uses in the future should Englund Marine ever move. Therefore, the proposed project can be found consistent with this purpose statement.

(k) To protect and maintain certain industrial uses that require waterfront locations.
The proposed project footprint will not be located on the waterfront (it will be a minimum of 227 feet from Humboldt Bay), and the proposed project will not interfere with any nearby coastal-dependent industrial waterfront uses. Therefore, coastal-dependent industrial uses that require waterfront locations will be protected and maintained consistent with this purpose statement.

Zone District Standards
Permitted uses in the CW zone district include coastal-dependent and coastal-related uses. The LUP defines a coastal-dependent development or use as “any development or use which requires a site on, or adjacent to, the sea to be able to function at all.” A coastal-related use is defined as “any use that is dependent on a coastal-dependent development or use.” Because the proposed marine supply store is dependent on boating and fishing (coastal-dependent uses), it qualifies as a coastal-related use. Permitted uses in the CW zone district also include visitor-serving facilities and other establishments that offer retail sales and services to visitors, including “sporting goods stores that primarily include rental and sales of equipment, gear, clothing, and other goods, for coastal-dependent or —related recreation activities.” As project operations are focused on retail
sales of marine supplies and fishing gear, the proposed project also falls under this second permitted use.

The proposed project’s consistency with other CW district development requirements is discussed in the Design Review section of this report, including requirements for maximum height, sign area, and FAR; minimum yard space; and provision of off-street parking, off-street loading, and parking lot landscaping.

Coastal Development Standards
In addition to specifying the regulations pertaining to specific zoning districts, the Coastal Zoning Code, §10-5.2940 et. seq., specifies development standards that apply to all development in the coastal zone, including standards for public access, environmental resources, natural hazards, visual resources, public works, and new development. These standards largely reiterate certified LUP policies discussed in the LUP analysis above, and the applicable findings are incorporated as if set forth in full herein. There is one additional standard not covered under the LUP policy analysis above, §10-5.2946.9:

10-5.2946.9 Archaeological areas.
   a) When development is proposed within a known archaeological area, project design shall avoid or minimize impacts to the resource.
   b) When development in archaeological sites cannot be avoided, adequate mitigation measures shall be required. Mitigation shall be designed in accord with guidelines of State Office of Historic Preservation and the State of California Native American Heritage Commission. When, in the course of grading, excavation, or any other development activity, evidence of archaeological artifacts is discovered, all work which could damage or destroy such resources shall cease and the City Planning Director shall be notified immediately of the discovery.
   c) The City Planning Director shall notify the State Historic Preservation Officer and the Sonoma State University Cultural Resources Facility of the find. At the request of the State Historic Preservation Officer, development of the site may be halted until an archaeological survey can be made and appropriate and feasible mitigation measures are developed.

Soil borings from the geotechnical investigation for the project indicate that the site is covered with 10 feet of fill material on top of native bay mud. The applicant has provided a preliminary grading plan depicting the extent of potential ground disturbance which is anticipated to a maximum depth of four feet. Project referrals with this information were sent to the Tribal Historic Preservation Officers (THPOs) of the Wiyot Tribe, the Bear River Band of Rohnerville Rancheria, and the Blue Lake Rancheria on August 17, 2021. The THPOs of the Blue Lake Rancheria and Wiyot Tribe responded and indicated that because ground disturbance is not anticipated to reach below fill material, inadvertent archaeological discovery protocol will be adequate without further mitigation. Consistent with IP §10-5.2946.9, Condition 11 has been added subjecting ground disturbing activities to the City’s standard protocol for inadvertent archaeological discovery.
OTHER AGENCY APPROVALS
There is a public trust easement on the subject parcel and the State Lands Commission must approve the leasing of the property and the lease rate.\(^\text{16}\) State Lands Commission staff anticipates scheduling this project for the Commission’s October meeting. **Condition 12** has been added requiring State Lands Commission approval of the lease prior to issuance of any building permits.

ENVIRONMENTAL ASSESSMENT
The City of Eureka, as Lead Agency, has determined the proposed project is categorically exempt from the provisions of the California Environmental Quality Act, pursuant to §15332, Infill-Development Projects, Class 32 of the CEQA Guidelines, which exempts infill development within urban areas that meet certain criteria. The project meets this exemption because the project is consistent with applicable general plan policies and zoning standards and will not result in significant effects on the environment; and because the project site is within City limits, is less than five acres in size, is substantially surrounded by urban uses, does not contain any wetlands or sensitive habitat, and can be adequately served by all required utilities and public services.

PUBLIC HEARING NOTICE
Public notification consisted of notification by mail of property owners within a 300-foot radius of the site on or before October 1, 2021. In addition, the notice was posted on the City’s website and bulletin boards. A public hearing notice sign was posted on the site on October 1, 2021.

CONCLUSION
Based on the Design Review analysis above, the proposed marine supply store and associated parking, landscaping, lighting, and signage will not be ugly, inharmonious, monotonous, hazardous, or detrimental to property or improvements in the vicinity. Based on the Coastal Development Permit analysis above, the proposed project as conditioned will avoid impacts to coastal resources and coastal priority uses, minimize risks to geologic and flood hazards, and be served by adequate services. Overall, the proposed project, as conditioned, complies with the development standards for the CW – Waterfront Commercial zone district and is consistent with the General Plan, Zoning Code, and Local Coastal Program.

STAFF CONTACT
Lisa Savage, Senior Planner, 531 K Street, Eureka, CA 95501; planning@ci.eureka.ca.gov; (707) 441-4160

DOCUMENTS ATTACHED
Attachment 1: Planning Commission Design Review and CDP Resolution.............pages 1-6
Attachment 2: Applicant submitted material..........................................................pages 7-33

\(^\text{16}\) The Public Trust Doctrine protects sovereign public lands as a property right held by the state or its delegated trustee for the benefit of all the people of the state. In reviewing the project for consistency with the Public Trust Doctrine, the State Lands Commission will consider whether 1) the primary use is water-dependent or water-related; 2) the use directly promotes or support uses authorized by the Public Trust Doctrine; and 3) the use accommodates or enhances the statewide public’s enjoyment or benefit from the trust lands and does not merely provide a local or municipal public benefit.
RESOLUTION NO. 2021-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA CONDITIONALLY APPROVING A COASTAL DEVELOPMENT PERMIT (CDP-21-0007) AND DESIGN REVIEW (AA-21-0006) FOR CONSTRUCTION OF A MARINE SUPPLY STORE AND ASSOCIATED DEVELOPMENT ON CITY-OWNED PROPERTY WEST OF THE INTERSECTION OF WATERFRONT DRIVE AND MARINA WAY (APN 003-062-027)

WHEREAS, Englund Marine and Industrial Supply proposes to construct an approximately 15,800-square-foot store with associated parking and landscaping on property leased from the City of Eureka; and

WHEREAS, the project site is zoned Waterfront Commercial (CW), and has a land use designation of Waterfront Commercial (WFC); and

WHEREAS, the proposed project requires Site Plan Review, Architectural Review, and Sign Review (i.e., Design Review) because it involves new construction and signage in the CW zone district; and

WHEREAS, the proposed project is located within the coastal zone and constitutes development requiring a coastal development permit; and

WHEREAS, pursuant to Eureka Municipal Code §10-5.29310.1, a coastal development permit shall be approved only upon making the finding that the proposed development conforms to the policies of the certified Local Coastal Program; and

WHEREAS, the Design Review and coastal development permit approvals are a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on October 11, 2021 at 5:30 p.m. via Zoom in the Council Chamber; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject application in accordance with Eureka Municipal Code (EMC) Title 10, Chapter 5, 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 marine supply store and associated parking, landscaping, lighting, and signage will not be ugly, monotonous, hazardous, or inharmonious with its surroundings, and will have a positive effect on the value of properties within the vicinity.

2. The project as conditioned will avoid impacts to coastal resources and priority uses, will be served by adequate services, and will minimize risks to hazards.
3. The project as conditioned conforms to the policies of the Local Coastal Program.

4. The project qualifies for a Class 32 exemption from CEQA as an infill-development project (§15332 of the CEQA Guidelines).

WHEREAS, in the opinion of the Planning Commission of the City of Eureka, the proposed application should be approved subject to the following conditions:

1. **Building and Fire Department Approvals.** Prior to commencement of construction, the applicant shall obtain all required Building and Fire permits to the satisfaction of Development Services - Building and Humboldt Bay Fire. Final site plans shall demonstrate that standard parking spaces will meet the minimum dimensions outlined in Eureka Municipal Code section 10-5.1504(a) (including a minimum length of 19 feet).

2. **Public Right-of-Way Temporary Encroachment Approvals.** Authorization from the Public Works Department, including an Encroachment Permit, shall be required prior to any work conducted in the right-of-way.

3. **Lighting Restrictions.** To minimize the trespass of artificial light, all outdoor lighting fixtures shall be fully shielded and downward facing and shall meet the International Dark Sky Association’s (IDA) requirements for reducing waste of ambient light (“dark sky compliant”). Outdoor lighting shall consist of LEDs with color temperatures less than 3000 Kelvins.

4. **Landscaping Restrictions.** No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be planted on the project site. Rodenticides containing any anticoagulant compounds, including but not limited to, Bromadiolone, Brodifacoum, or Diphacinone, shall not be used in landscaping.

5. **Post-Construction Stormwater Management Plan.** Prior to the issuance of any building permits, the Permittee shall submit a Stormwater Management Plan to Eureka Public Works - Stormwater for review and approval. The plan shall be prepared by a qualified licensed professional and shall demonstrate that runoff from the developed project site will be directed to the proposed new bioretention areas for onsite retention, infiltration, and treatment. The plan shall include: 1) a site plan, drawn to scale, showing the building and pavement footprints, runoff flow directions, and proposed bioretention areas; 2) specifications and schedule for installation and planting/seeding (with native vegetation) of the proposed bioretention areas; 3) a description and calculations demonstrating that the proposed site design measures and bioretention areas will be adequately sized to infiltrate, evapotranspire, and biotreat anticipated project runoff consistent with the City’s MS4 requirements.
(State Water Board Order No. 2013-0001 DWQ; section E.12.e.ii.c; pg. 53); and 4) plans for the continual operation and maintenance of the bioretention areas to ensure proper functioning for the life of the development. The Permittee shall undertake development in accordance with the approved Post-Construction Stormwater Management Plan and contact Public Works–Engineering for inspections of stormwater site design measures. Any proposed changes shall be reported to Public Works who will determine whether an amendment is legally required.

6. **Construction Responsibilities.** The Permittee shall comply with the following construction-related requirements to the satisfaction of Public Works:

   a. All ground-disturbing activities and paving operations shall occur during dry weather only;

   b. All onsite stockpiles of soil and construction debris shall be contained at all times and covered and secured prior to the onset of precipitation;

   c. Temporary soil stabilization BMPs (such as mulching) shall be implemented on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters;

   d. Suitable sediment control BMPs such as silt fencing or straw waddles shall be installed downgradient of disturbed areas;

   e. Suitable tracking control BMPs shall be implemented to prevent tracking sediment by vehicles leaving the construction area;

   f. Suitable runoff control BMPs (including for groundwater dewatering, concrete washout, etc.) shall be implemented to prevent polluted runoff from being conveyed off-site;

   g. Staging, fueling, and equipment maintenance shall occur in a designated staging area in a location and manner that prevents polluted discharge from reaching any drainage courses or storm drain inlets;

   h. Equipment will be maintained free of oil and fuel leaks at all times and hazardous materials management equipment including absorbent pads shall be kept available and immediately on-hand at the project site. Any accidental spill shall be contained and rapidly cleaned up;

   i. Any excess excavated material and other construction debris resulting from construction activities must be removed immediately upon completion of component construction, and must be disposed of at a legally authorized disposal site outside the coastal zone or within the coastal zone pursuant to a valid Coastal Development Permit; and

   j. Only wildlife-friendly 100% biodegradable erosion control products that will not entrap or harm wildlife shall be used. Erosion control products shall not contain synthetic (that is, plastic or nylon) netting. Photodegradable
synthetic products are not considered biodegradable.

7. **Construction-Phase Erosion and Sediment Control Plan.** Prior to commencement of construction, the applicant shall submit, for the review and approval of Public Works, a Stormwater Pollution Prevention Plan (SWPPP) demonstrating compliance with the Construction General Permit and the provisions of Condition 5. The plan shall include, at a minimum, the following required components:
   
a. A description of the BMPs that will be implemented to minimize erosion and sedimentation, control runoff and minimize the discharge of other pollutants resulting from construction activities;
   
b. A construction site map delineating the construction site and the location of all temporary construction-phase BMPs; and
   
c. A schedule for the management of all construction-phase BMPs, including installation, ongoing operation and maintenance, and removal.

8. **Construction Noise Limitations.** Project construction shall be performed on standard work days (Monday through Friday) between the hours of 7:00 a.m. and 7 p.m. Construction activities outside these hours and days may be allowed for good cause with prior approval from Development Services – Planning.

9. **Waiver of Rights to Shoreline Protection.** By acceptance of this permit, the Permittee acknowledges the development authorized by this permit constitutes new development, and is therefore not entitled to a shoreline protective device under the City’s Local Coastal Program. Thus, by acceptance of this permit, the Permittee hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under applicable law.

10. **Tsunami Safety Plan.** Prior to the issuance of any certificate of occupancy, the Permittee shall submit a Tsunami Safety Plan to Development Services – Planning for review and approval. The Tsunami Safety Plan shall be implemented and enforced for the life of the development. The plan shall demonstrate that the tsunami threat and evacuation route will be adequately communicated to customers and employees, procedures will be in place for the safe evacuation of all occupants in the event of a tsunami, and staff will be adequately trained to carry out the plan. The plan shall include:
   
a. A Tsunami Evacuation Route Map for the project site informed by community-wide emergency response plans, showing egress direction(s) and expected assembly area(s) for safe evacuation.
   
b. Hazard risk notification procedures, including details on where placards, flyers, or other materials will be posted at conspicuous locations within the building, provided in English and Spanish, explaining tsunami risks, the
need for evacuation if strong earthquake motion is felt or alarms are sounded, and the location of evacuation routes; and

c. Training procedures for staff, detailing the instruction to be provided to all staff to ensure that the Tsunami Safety Plan is effectively implemented.

11. Inadvertent Discovery Protocol. Ground disturbing activities are subject to the City’s standard protocol for inadvertent archeological discovery (cultural or historical artifacts) as follows:

a. 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.

b. 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.

c. 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 (PRC) 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 PRC section 5097.98 shall be complied with as may be required.

12. **State Lands Commission Approval.** Prior to issuance of any building permits, the Permittee shall submit to Development Services – Planning evidence of State Lands Commission approval of the lease for the Permittee’s use of the site for the proposed project.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Eureka does hereby approve the application, subject to the conditions listed above.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 11th day of October, 2020 by the following vote:

AYES:    COMMISSIONER
NOES:    COMMISSIONER
ABSENT:  COMMISSIONER
ABSTAIN: COMMISSIONER

Tiana Arriaga, Chair, Planning Commission

Attest:

Kristen M. Goetz, Executive Secretary
Revised Drainage Plan
Example Photos of Other Stores
Reference: 020063

ENGLUND MARINE
EXAMPLE PHOTOS OF OTHER STORES

Crescent City, CA

Crescent City, CA
6 Reduced Buffer Analysis
Information Supporting Supplemental Application Form:
Request for Reduced Buffer
Englund Marine and Industrial Supply

On behalf of Englund Marine and Industrial Supply, Joseph Saler, a Senior SHN ecologist has prepared the following information in support of a request for a reduced buffer for proposed construction of the Englund Marine and Industrial Supply store, within a highly impacted, former industrial lot along the Eureka waterfront approximately 260 feet from Humboldt Bay. No wetlands have been formally identified within the project footprint, however an area immediately west of the project parcel has an area with vegetation cover within the rocky/gravelly parcel, and hydrophytic vegetation may be dominant within this location as identified by CDFW during a site visit. No wetland delineation or formal study of this feature has been done, and it is unknown if the area adjacent to the proposed construction site is coastal wetland. This buffer reduction is being completed out of an abundance of caution. The project proposes a setback of 5 feet from the edge of the potential hydrophytic vegetation dominance within the northwest corner of the adjacent parcel (Figure 1).

With the incorporation of the Best Management Practices and Avoidance and Minimization Measures included herein, in addition to any Conditions of Approval deemed necessary by the City of Eureka, a 5-foot buffer from edge of potential hydrophytic vegetation dominance within the northwest corner of the adjacent parcel is expected to be adequate to protect natural resources within the parcel.

Consistent with the City of Eureka’s adopted Local Coastal Program (LCP) policy 6.A.19, the request for a reduced buffer is supported by the following explanations:

1. Biological Significance of Adjacent Lands

The proposed project parcel and the adjacent parcel are comprised entirely of compacted gravelly soils. Vehicles are regularly driven across and parked within the area, maintaining the unvegetated nature of the parcels. Parcels to the southwest are used for industrial purposes, including log and equipment storage, and are compacted gravel with little to no vegetation cover. Lands to the northeast are developed with the Wharfinger Building and associated parking lot and landscaping, land to the west is developed with Marina Way Road and a parking lot, which separates the project parcel and adjacent parcel from Humboldt Bay. To the east is Waterfront Drive and the Humboldt Bay Trail, beyond which is the former Balloon Track. The channelized Clark Slough exists between Waterfront Drive and the Humboldt Bay Trail and is approximately 60 feet from the project parcel at its nearest point.

The project area is underlain by historic fill from unknown sources and is sparsely vegetated with primarily non-native species. There is currently little to no functional habitat within this area because of the disturbance regimes and presence of managed, sparse, non-native vegetation. Portions of the adjacent parcel with herbaceous vegetation represents slightly better habitat conditions than the unvegetated compacted gravel that exists across the majority of the project parcel. It is likely that the
vegetated areas are a result of disturbance patterns rather than wetland conditions, and little functional relationship exists between the unvegetated gravel portions of the lot and the vegetated gravel portions of the lot.

Humboldt Bay and Clark Slough represent Environmentally Sensitive Habitat Areas (ESHA) within the vicinity of the project area; however, these are separated from the project area by development, pavement, and roadways. The proposed project with bioretention basins and native landscaping will prevent stormwater from reaching these locations and will diminish the potential for contaminants to enter the ESHAs.

2. Sensitivity of Species to Disturbance
Figure 3.4-1 of the Eureka General Plan Update EIR maps the project site and immediate vicinity primarily as “barren” and “developed”.

The proposed project area is surrounded by existing human development and disturbance. The vegetation within the parcel reflects regimes of regular disturbance, as it consists of primarily non-native, invasive species. No sensitive species are expected to utilize this area due to lack of suitable habitat and ongoing regular disturbance.

Sensitive species exist within Humboldt Bay and potentially within Clark Slough, however these areas are at such a distance with developed areas in between, that the project is not expected to disturb any sensitive species potentially occurring in these areas. Vegetated areas within the parcel adjacent to the project that may or may not have wetland conditions present are dominated by invasive species which are adapted to regular disturbance. Dominant species include seaside barley [(*Hordeum marinum* ssp. *gussoneanum*) Cal-IPC Invasive species], buckhorn plantain [(*Plantago coronopus*) non-native], and six-weeks fescue [(*Festuca myuros*) Cal-IPC Invasive species] among others.

The upland area where development is proposed is predominantly non-native, non-hydrophytic species adapted to disturbance. The site consists of fill material with areas of sparse vegetation and bare ground. This area does not provide substantial habitat value and is expected to be used only incidentally by birds of prey, neotropical migrants, shorebirds, and small mammals adapted to urban conditions.

The site does not provide substantial nesting, feeding, breeding, or resting habitat value for wildlife species due to the ongoing human disturbance onsite and existing non-native vegetation. Adjacent areas include existing development and human disturbances that do not provide suitable wildlife habitat or movement corridors. The site is only expected to be used incidentally by wildlife adapted to urban conditions such as small mammals and gulls.

3. Susceptibility of Parcel to Erosion
All proposed project components are to occur in areas of previous ground disturbance with anthraltic soils. Anthraltic soils are defined by the Natural Resources Conservation Service (NRCS) as, “Soils formed in parent material that was altered in place by humans.” Slopes in the area consist of 0 to 2 percent, which generally preclude erosion and sedimentation.
The project will reduce the risk of erosion and stormwater runoff by altering existing drainage patterns to direct stormwater into bioretention basins, which will capture and infiltrate stormwater originating within the new development footprint. In addition, the project will provide an asphalt concrete barrier over the majority of the parcel, preventing erosion of underlying soils. The incorporation of best management practices relating to construction and stormwater, and the construction of bioretention basins are expected to improve the stability of soils and sediment within the project area.

4. Use of Natural Topographic Features to Locate Development
The project area is along the Eureka waterfront adjacent to existing coastal development and within the footprint of historic development. All proposed project components are located on existing fill prisms. The site has a slight slope with an approximate gradient of 1% towards Waterfront Drive and has no prominent topographical features. The project will develop bioretention basins around the proposed project to capture stormwater and will otherwise maintain the level topography of the site.

5. Use of Existing Cultural Features to Locate Buffer Zones
The project area is along the Eureka waterfront within the footprint of previous coastal development and within an area comprised of existing fill. The project area is surrounded by development including roadways, parking lots, and maritime support facilities. The proposed project will be sited consistent with surrounding development and will be constructed further from the potential hydrophytic vegetation than Marina Way and the associated parking lot. The potential hydrophytic vegetation will be separated from the proposed building by portions of the remaining gravel lot and a proposed western access road around the structure.

6. Lot Configuration and Location of Existing Development
The proposed project will be sited consistent with existing development and will adhere to the current City zoning requirements. The project parcel and parcel to the north containing the Wharfinger Building are zoned Waterfront Commercial (WFC). Parcels to the south of the project are zoned coastal dependent industrial (CDI), and land to the east (Balloon Track parcels) is zoned public/quasi-public (PQP). Existing development surrounding the project does not have setbacks from non-native, potentially hydrophytic vegetation-dominated areas. The proposed development does not encroach any closer to potential hydrophytic vegetation or ESHA than where adjacent development already exists including Marina Way, Waterfront Drive, the Wharfinger Building, and industrial facilities to the south.

7. Type and Scale of Development Proposal
The proposed project is the construction of a new marine commercial store called “Englund Marine and Industrial Supply” The project consists of approximately 1.5 acres of asphalt, structures and other supporting infrastructure including landscaping. Of this, 15,814 sq. ft. will be the new structure and 6,850 sq. ft. will be the landscaping and bioretention basins. The remaining area will include parking, sidewalks, access roads, and loading bays. Access will be off Waterfront Drive and Marina Way. The proposed development is consistent with surrounding uses and is comparable in scale to surrounding development such as the Wharfinger Building or commercial and industrial development south of the project area.
8. Conclusion

The following construction best management practices (BMPs) and avoidance and minimization measures will be implemented during construction:

- Limit ground disturbance to the minimal extent necessary to accomplish project goals.
- No work will be conducted during rain events.
- Collect and dispose of spoils from excavations at an appropriately permitted upland disposal facility if required to leave the site. If spoils are to be temporarily stockpiled onsite, they must be covered and secured before the onset of precipitation.
- All trash shall be removed from the work site and disposed of on a regular basis.
- All equipment used during construction shall be monitored for oil and fuel leaks at all times.
- Hazardous materials management equipment, including oil containment booms and absorbent pads shall be available and immediately on hand at the project site. A registered first-response, professional, hazardous materials clean-up/remediation service shall be locally available on call. Any accidental spill shall be contained rapidly and cleaned up. In the event of a spill, the contractor and the City of Eureka shall notify the appropriate regulatory agencies immediately.
- Fully implement all conditions of approval required by permit terms.

The proposed project is consistent with surrounding use and existing development. The habitat within the vicinity of the project is severely degraded, a result of past industrial use and ongoing disturbance resulting from vehicle travel and parking. The area with non-native, potentially hydrophytic vegetation dominance is also severely degraded and appears to reflect disturbance patterns rather than wetland conditions. Because of this, a reduced buffer of 5 feet from the edge of the feature is determined to be suitable at this location for this proposed project.
7
Landscaping Plan
## LANDSCAPE PLANT LIST - MIDDLE SECTION

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<th>LATH NAME</th>
<th>COMMON NAME</th>
<th>WAIT CODE</th>
<th># OF PLANTS</th>
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**NOTES:**

1. ALL LANDSCAPE AREAS ARE LOW MAINTENANCE.

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* SPACING 24" ON CENTER ALONG ROWS
* PLANTS PLANTED AT 12" SPACING AT THE RODIN MEMORIAL COIN SECTION (10.20.06.01.01), WHICH REQUIRED 15 GALLONS FOR PLANTS.
NOTES:

1. All landscape areas are low hydrozones.
IMPORT SOIL AND REQUIRED SOIL AMENDMENTS

GENERAL:

Purchased, culled, applied, and incorporated topsoil and soil amendments throughout the landscape area as shown on the plans and in accordance with the specifications and requirements:

- Purchased topsoil shall be delivered and placed by [DATE] to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- Culled topsoil shall be delivered and placed by [DATE] to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- Applied, incorporated, and leveled soil amendments to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- The topsoil and soil amendments shall be applied to the desired areas as shown on the plans.

MATERIALS:

- Topsoil shall be delivered and placed by [DATE] to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- Culled topsoil shall be delivered and placed by [DATE] to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- Applied, incorporated, and leveled soil amendments to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

REQUIRED SOIL AMENDMENTS AND APPLICATION RATES:

- Soil amendments shall be a combination of:
  - Compost
  - Manure
  - Vermiculite
  - Perlite
  - Rockwool

- The application rates shall be as follows:
  - Compost: 4 cubic yards per 1,000 square feet
  - Manure: 2 cubic yards per 1,000 square feet
  - Vermiculite: 1 cubic yard per 1,000 square feet
  - Perlite: 1 cubic yard per 1,000 square feet
  - Rockwool: 1 cubic yard per 1,000 square feet

LANSCAPE PLANTING

GENERAL:

- Landscape plants shall be placed in a manner that ensures the proper spacing of plants to allow for proper air circulation and sunlight penetration.

- Plants shall be placed in a manner that ensures the proper spacing of plants to allow for proper air circulation and sunlight penetration.

MATERIALS:

- All plants shall be delivered and placed by [DATE] to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- Applied, incorporated, and leveled soil amendments to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- The application rates shall be as follows:
  - Compost: 4 cubic yards per 1,000 square feet
  - Manure: 2 cubic yards per 1,000 square feet
  - Vermiculite: 1 cubic yard per 1,000 square feet
  - Perlite: 1 cubic yard per 1,000 square feet
  - Rockwool: 1 cubic yard per 1,000 square feet

IMPLEMENTATION:

- Landscape plants shall be placed in a manner that ensures the proper spacing of plants to allow for proper air circulation and sunlight penetration.

- Plants shall be placed in a manner that ensures the proper spacing of plants to allow for proper air circulation and sunlight penetration.

- Applied, incorporated, and leveled soil amendments to form a 4-inch layer over the existing soil, incorporating the recommended soil amendments as described on the plans.

- The application rates shall be as follows:
  - Compost: 4 cubic yards per 1,000 square feet
  - Manure: 2 cubic yards per 1,000 square feet
  - Vermiculite: 1 cubic yard per 1,000 square feet
  - Perlite: 1 cubic yard per 1,000 square feet
  - Rockwool: 1 cubic yard per 1,000 square feet

ETAF CALCULATIONS

REGULAR LANDSCAPE AREAS

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ESCAPE ET/A

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ETAF CALCULATIONS

ALL LANDSCAPE AREAS

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NOTES:

1. Additional ET/A for Residential Areas are based on the ETAF for Residential Areas and are not shown on the plans for non-residential areas.

2. ETAF is based on the ETAF for Residential Areas and is not shown on the plans for non-residential areas.

3. ETAF is based on the ETAF for Residential Areas and is not shown on the plans for non-residential areas.