

RESOLUTION NO. 2023-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA TO SUSTAIN THE DEVELOPMENT SERVICES DIRECTOR'S CONDITIONAL APPROVAL OF THE CARRINGTON COMPANY LOT LINE ADJUSTMENT COASTAL DEVELOPMENT PERMIT (CDP-23-0003) AT 4775 BROADWAY (APN: 302-171-035)

WHEREAS, the applicant/owner, the Carrington Company, is proposing a Lot Line Adjustment (LLA) to adjust the lot lines between three parcels (identified as one Assessor's Parcel Number), resulting in three parcels all under the same ownership at 4775 Broadway (APN 302-171-035); and

WHEREAS, the subject property is approximately (~) 85 acres and has three distinct areas: (a) a small raised terrace at the northwestern corner of the property used by Butler Valley, Inc. where farm-related structures are concentrated; (b) a large lowland area of grazed wetlands; and (c) a large upper terrace area along the eastern side of the property, and the LLA would move existing lot lines to roughly separate these three areas into distinct parcels; and

WHEREAS, the purpose of the LLA is to convey proposed resultant Parcel A (3 acres) to Butler Valley, Inc., retain resultant Parcel B (61.3 acres) and continue grazing operations, and potentially sell resultant Parcel C (20.23 acres) in the future or maintain it as open space; no physical development or new uses are proposed on any of the resultant parcels; and

WHEREAS, the project site is located in the Coastal Zone portion of the City, and the proposed LLA constitutes non-exempt development, and therefore requires a Coastal Development Permit (CDP) pursuant to Eureka Municipal Code (EMC) §10-5.29302; and

WHEREAS, the project site is zoned AC – Coastal Agriculture with an A – Agriculture land use designation, and a small area at the northeast corner of the project site is located outside of the Coastal Zone; no changes to existing land uses or zoning are proposed as part of the LLA; and

WHEREAS, on November 13, 2023, the Director of Development Services held a duly noticed public hearing via Zoom and conditionally approved a CDP (CDP-23-0001) for the project; and

WHEREAS, action by the Director on a CDP may be appealed to the Planning Commission by any aggrieved person within 10 calendar days of the decision; and

WHEREAS, nine appeals from aggrieved persons were received within the 10-day appeal period; 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 December 13, 2023, at 5:30 p.m. via Zoom and in-person in the Council Chamber; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the action of the Director, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find there was no error or abuse of discretion by the Director, and the Director correctly determined the following facts:

- A. The project as conditioned conforms to the policies of the Local Coastal Program.
- B. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with §15305, Minor Alterations in Land Use Limitation, Class 5 of the CEQA Guidelines. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, and do not create any new parcels. The area involved in the LLA has an average slope of less than 20% (at approximately 11%), the LLA will not change the current land use or density, and will not create any new parcels as it only reconfigures three parcels resulting in three parcels. Therefore, the proposed project is exempt from CEQA.

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby sustain the Development Services Director's conditional approval of Coastal Development Permit CDP-23-0001 for the Carrington Company Lot Line Adjustment Coastal Development Permit.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 13th day of December, 2023 by the following vote:

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

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Executive Secretary