



## AGENDA SUMMARY EUREKA CITY COUNCIL

**TITLE:** Stokes General Plan Petition

**DEPARTMENT:** Development Services – Planning

**PREPARED BY:** Lisa Savage, Senior Planner

**PRESENTED FOR:**           Action            Information only            Discussion

### **RECOMMENDATION**

Receive a report; hold a Public Hearing; and adopt a Resolution of the City Council of the City of Eureka finding the General Plan Amendment Petition is exempt from CEQA and approve the Petition for the property located at 272 Harris Street; APN 010-261-012.

### **FISCAL IMPACT**

          No Fiscal Impact                    Included in Budget            Additional Appropriation

### **COUNCIL GOALS/STRATEGIC VISION**

- 2021-2022 City Council Strategic Goal: Maximize all levels of housing stock within City Limits.
- 2040 General Plan Land Use Policies:
  - LU-1.1: Diverse Uses; Maintain a diverse range of compatible land uses that offer adequate flexibility to quickly respond to evolving market opportunities over time.
  - E-1.1: Business Friendly Environment; Work to remove both real and perceived barriers to development and continually reinforce a business-friendly reputation.

### **DISCUSSION**

The applicant, Deepak Stokes, is requesting the City Council approve a General Plan Amendment Petition to allow an application for a General Plan Amendment and associated Zone Reclassification to change the land use designation and zoning of one assessor parcel, located at 272 Harris Street; APN 010-261-012. Per Eureka Municipal Code (EMC) §155.432.020.C, an application for a General Plan Amendment can be submitted only after the City Council approves a General Plan Petition.

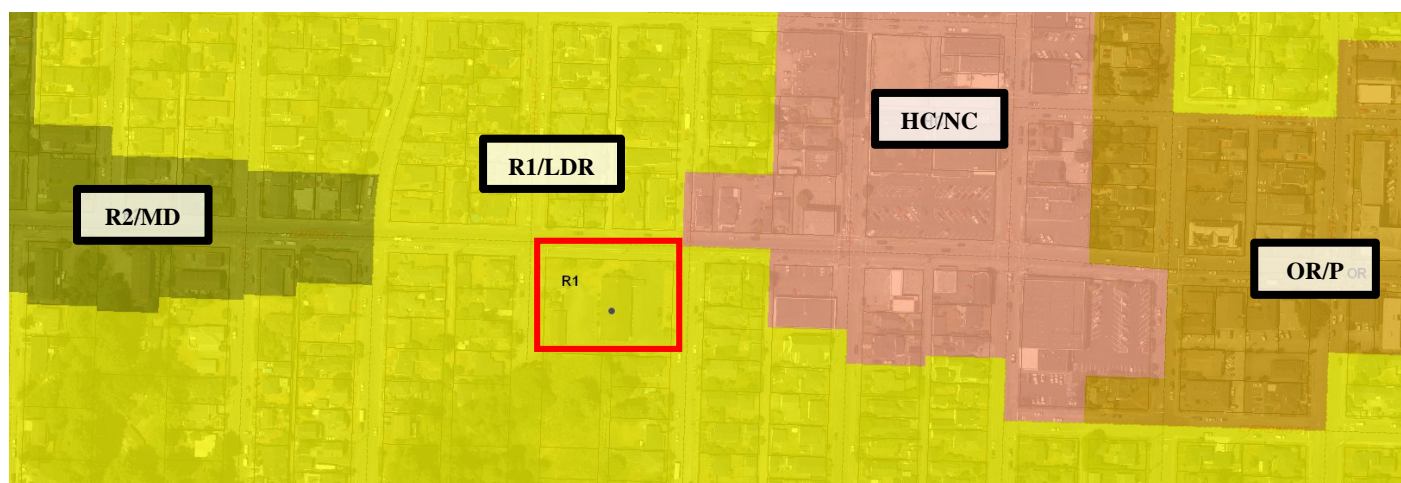
The parcel is located on Harris Street between William and D Streets. The parcel is approximately 1.01 acres (44,100 square feet (sf)) and is currently improved with an approximately 13,750 sf church (two stories, plus basement), two storage buildings at

1,430 sf and 180 sf, parking lot, landscaping and cell tower. The church is no longer in use and is in the process of selling the property to the applicant.

The applicant will propose to change the General Plan land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), and change the zoning from Residential Low (R1) to Henderson Center (HC). The applicant intends to use the property for multi-family housing, medical office space (rural healthcare facility and urgent care facility), and a spa. Under the current residential zoning and land use designations, none of the proposed uses are allowed. The land use designation and zoning which will ultimately be proposed would allow for multi-family housing, and both medical and commercial offices, as well as personal services (spa), all principally permitted uses, as well as a number of other uses.

Although the parcel is surrounded with a land use designation of LDR, across the street on the northeast corner of Harris and D Streets the land use designation is NC. Farther to the east (G Street) the land use designation is Professional Office (PO), and approximately two blocks to the west of the subject site (Lowell Street) are parcels designated Medium Density Residential (MDR).

**Figure 1: Surrounding Zoning and Land Use Designations**



**Background:**

The City's 2040 General Plan is the foundational policy document for the Inland portion of the City of Eureka. It establishes farsighted policy which forms the basis for and defines the framework by which the City's physical and economic resources are to be developed, managed and utilized. As a long-range document, it may be in the public interest to, from time-to-time, amend the General Plan in response to changing or evolving needs of the community.

The most common type of amendment to the General Plan comes from private developers seeking to change the land use designation of one or more specific properties for the purpose of facilitating development. The General Plan Petition process allows the Council to consider whether the proposed Amendment will be in the public's interest, prior

to the expenditure of additional private and public time and money. The City Council may approve the petition upon finding the proposed amendment has the potential to serve the public interest.

Petition approval is not a tacit, implied, or guarantee of approval of the General Plan Amendment, nor does it bind the current or future City Council with regard to a decision on the proposed General Plan Amendment. If the Council approves the General Plan Amendment Petition, the applicant will apply, and staff will proceed with processing the aforementioned amendment and zone reclassification and will bring the issue before the City Planning Commission and City Council at noticed public hearings.

**Analysis:**

As discussed above, the applicant will propose to change the General Plan land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), and change the zoning from Residential Low (R1) to Henderson Center (HC). The applicant intends to use the property for multi-family housing, medical office space (rural healthcare facility and urgent care facility), and a spa. Under the current residential zoning and land use designations, none of the proposed uses are allowed. The proposed land use designation and zoning would principally permit the residential, medical, and personal service uses the applicant envisions, as well as a number of other commercial uses. The change will be in the public's interest as it will allow for a much denser development of housing, and will repurpose a vacant church/property into mixed use development. As a church, the property is not generating property taxes as it is exempt. The proposed change will allow for property taxes to be collected, and in addition, the applicants proposed new uses have the potential to generate some sales tax.

**Environmental:**

Approving a General Plan Amendment Petition is a "project" for the purposes of the California Environmental Quality Act (CEQA). However, pursuant to the CEQA Guidelines, §15061(b)(3), there is a general rule CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Petition request only sets forth the ability for the applicant to apply for a future General Plan Amendment and Zone Reclassification. Because petition approval is not a tacit, implied, or guarantee of approval of a General Plan Amendment, and approval of the petition does not bind the current or future City Council with regard to a decision on the proposed General Plan Amendment, providing permission to move forward with an application does not, in and of itself, result in a significant effect on the environment.

**Summary and Recommendation:**

Although the General Plan Amendment Petition process is not intended to judge or analyze the merits of a proposed General Plan Amendment, the proposed amendment has the potential to serve the public interest by allowing for increased residential development, and will repurpose a vacant church/property into mixed use development which will increase the property tax, and potentially the sales tax, base.

Therefore, Staff recommends the City Council accept the General Plan Amendment Petition and authorize the applicant to apply for a General Plan Amendment and Zone Reclassification.

**SUGGESTED MOTION:**

**“I move the City Council adopt a Resolution of the City Council of the City of Eureka finding the General Plan Amendment Petition is exempt from CEQA and approve the Petition for the property located at 272 Harris Street; APN 010-261-012.”**

**REVIEWED AND APPROVED BY:**

City Attorney

City Clerk/Information Technology

Community Services

Development Services

Finance

Fire

Human Resources

Police

Public Works

**ATTACHMENTS:**

1. City Council Resolution
2. Current Plot Plan