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| Title: | Humboldt Association of Realtors Office and Event Space |
| Projects: | Conditional Use Permit (CUP-23-0007) and Coastal Development Permit (CDP-23-00010) |
| Location: | 220 First Street |
| APN: | 001-053-002 |
| Applicant: | Humboldt Association of Realtors |
| Property Owner: | Marilyn Andrews |
| Purpose/Use: | Office with associated event space and retail space |
| General Plan: | C-RC - Core Retail Commercial |
| Zoning: | CW - Waterfront Commercial |
| CEQA: | Exempt under Sec.15301, Class 1 Existing Facilities |
| Application Date | August 7, 2023 |
| Appeal Status: | Not appealable to Coastal Commission |
| Staff Contact: | Lisa Savage, Senior Planner |
| Recommendation: | Hold a public hearing; and Adopt a resolution finding the project is exempt from CEQA and approving with conditions. |
| Motion: | <i>“I move the Planning Commission adopt a Resolution finding the project is exempt from CEQA and conditionally approving a Conditional Use Permit and Coastal Development Permit for an office and event space at 220 First Street.”</i> |

Figure 1: General Project Location– 220 First Street



Figure 2: Site Map – 220 First Street



PROJECT SUMMARY

Humboldt Association of Realtors (HAR) is applying for a Conditional Use Permit (CUP) (CUP-23-0007) and Coastal Development Permit (CDP) (CDP-23-0019) to convert a former theatre in Old Town into HAR's center of operations (a relocation of their current Wabash office). Under HAR's proposal, the building will be used as an office space including reception, offices, a small conference room, updated restrooms, and a kitchenette/breakroom. In addition, there will be a retail component at the front of the building offering real estate products, such as local area maps and brochure boxes, as well as local products, such as art and jewelry, and an open event space (meeting hall) for up to 99 occupants. The office space will be staffed with three full-time staff members who support a membership of 750 individuals, consisting of real estate brokers, agents and affiliates. The event space will be open for Old Town events, including Art's Alive. Additional uses of the event space include HAR committee meetings, educational classes, and general membership meetings. See Attachment 2 for the submitted floor plan and narrative description of the proposed uses.

Background

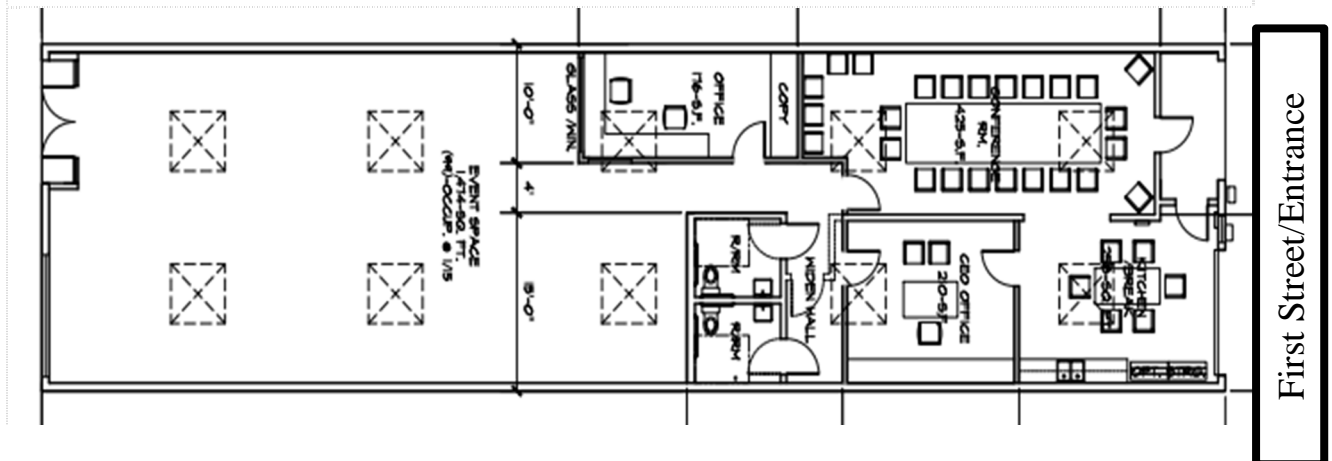
The project is located at 220 First Street in an approximately 3,190-square-foot (sf), single-story building that encompasses nearly the entire lot. The subject parcel is located in the middle of the block between C and D Streets, on the south side of First Street, facing Humboldt Bay. The project is located in the Coastal Zone, in the City's coastal development permitting jurisdiction. The surrounding area is a mix of restaurants, bars, offices, and various other commercial uses, as well as public recreation (e.g., the Eureka Boardwalk, Madaket Plaza and C Street Dock), surface parking lots, and second-story residential. The subject property and surrounding properties are all zoned Waterfront Commercial (CW). A block to the west, the zoning changes to General Industrial and a block to the northwest it changes to Coastal Dependent Industrial. Offices and meeting halls (event space) are allowed with a CUP in the CW zone district. Pursuant to Eureka Municipal Code (EMC) Sec.10-5.2401(c), projects located in the Coastal Zone and requiring a CUP also require a CDP.

Figure 3: Storefront – 220 First Street



HAR plans to remodel the interior of the existing building, (Figure 4), and repair, regROUT, seal, and paint the exterior, including the front facade and mural (Figure 3). HAR plans to engage a local artist to paint a mural on the building side adjacent to the public parking lot. No ground disturbing activity is anticipated. The primary office hours will be Monday-Friday 9 a.m. to 5 p.m. Based on current operations at their Wabash location, foot traffic on an average week is 150-200 people and may increase to 300-350 people at the new location.

Figure 4: Proposed Floor Plan – 220 First Street



The subject building was constructed in 1952, and Sanborn Maps from 1955 and 1957 show the building was used for private automobile storage and repair. According to later Sanborn Maps, the building was used for storage and “amusement” in 1964, was vacant in 1969, and was a store in 1988. In 1991, a business license was issued for storage of ship supplies. In 2004-2006, there was a geotechnical investigation and the concrete masonry building underwent a significant retrofit to stabilize past settlement and strengthen the building laterally. The building permit records from this time period indicate the building was permitted for a warehouse occupancy type. In 2006, the front of the building facing First Street was redone with a roll-up door, awning, and driveway drop curb removed and replaced with a new storefront entry and windows, and in 2008 a certificate of occupancy was issued for a retail occupancy type. Then in 2010, a change in occupancy was again approved from retail to assembly, in order to accommodate the Redwood Curtain Theatre, who leased the space from the current property owner until shortly after the property was put up for sale early this year. HAR is currently in escrow to purchase the property.

USE PERMIT ANALYSIS

To approve a Use Permit, the Planning Commission must make all of the following findings:

- a) The proposed location of the conditional use is in accord with the objectives of Chapter 5 and the purposes and intent of the district in which the site is located;
- b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity;
- c) The proposed conditional use will comply with each of the applicable provisions of Chapter 5; and
- d) The proposed conditional use is consistent with the certified Local Coastal Program.

1. Code Consistency

Chapter 5 Objectives and Purpose

Pursuant to EMC Sec.10-5.102, the zoning regulations are adopted by the City Council in accordance with the City Charter to protect the public health, safety, peace, comfort, convenience, prosperity, and general welfare. More specifically, the chapter is adopted in order to achieve the following objectives:

- (a) To provide a precise guide for the physical development of the City in such a manner as to achieve progressively the arrangement of land uses depicted in the General Plan adopted by the Council.**

The site is located in the Core Retail Commercial (C-RC) land use designation where offices are allowed as a conditional use. The purpose of the C-RC 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 1997 General Plan defines visitor-serving facilities as “public or private developments that provide accommodations, food and services, including hotels, motels, campgrounds, restaurants,

and commercial-recreation developments such as shopping, eating, and amusement areas, for tourists.” The HAR office and event space are intended to predominately serve HAR’s membership rather than tourists, and are therefore not considered visitor-serving uses. However, the proposed use of the event space for Old Town community events, and the proposed sale of local area products such as art by local artists, would be considered visitor-serving.

The 1997 General Plan specifies primary and secondary uses for both the ground floors and upper floors of buildings in the C-RC. According to the 1997 Coastal General Plan, “the primary ground floor uses reflect the type of development that the City would prefer on the first floor of buildings facing the public sidewalk,” while “the primary upper floor uses are those that the City would also like to encourage in the Core Area, but primarily above the street level in multi-story buildings.” The C-RC ground-floor/street level primary uses are limited to visitor-serving retail commercial, restaurants, bars, theater, museums and art galleries, with upper floors designated primarily for offices, residential, and commercial lodging uses. Offices are allowed as a secondary use on the ground floor. According to the 1997 Coastal General Plan, secondary uses “complement the primary uses, but do not accomplish the City's principal objectives for the designation,” and as result, “the City will not allow single-use projects consisting of only secondary uses in the Core Area.”

Thus, given the proposed office’s location at ground-floor/street level, the proposed additional use of the space for retail and community events is crucial to finding consistency with the land use designation. Therefore, **Condition A** has been added requiring that as long as the building is occupied by a conditional office use, there must be a visitor-serving component that is regularly open for drop-in visitors and customers, with goods for sale, art for viewing and/or informational materials available for the general public; and, **Condition B** has been added requiring the space be used for active participation in at least 50% of the major community events in Old Town (e.g., Arts Alive, Friday Night Markets, etc.). As conditioned, the proposed uses will be consistent with the C-RC land use designation.

The area where the project is located includes a diverse mix of retail, service commercial, restaurant/bar, recreational and offices uses. The proposed office use with associated meeting hall (event space) and retail space will be located in an existing, 3,190-sf building that HAR is in escrow to purchase. The area contains many similar offices buildings along First Street, including one directly to the east, the entire block to the east between D and E Streets, and one to the southeast. The proposed use will fit in with surrounding offices, and will bring hundreds of HAR members to Old Town each week, increasing pedestrian activity and the customer base of nearby visitor-serving uses. As proposed and conditioned, the office/event space will also include a storefront retail component that will provide visual interest and contribute to the vibrancy of the area.

Although visitor-serving and recreational uses are prioritized in the area, the subject building was originally constructed for automobile storage and repair and is located near the western edge of Old Town, near industrial lands where there are already a number of ground-floor offices. In addition, there is significant vacant and underutilized land available for visitor-serving and recreational uses in the CW zoning district throughout Old

Town (1.99 acres) and along the northern commercial waterfront (29.27 acres), as well as vacant storefronts and units within existing buildings. Given the growth of online retail and other market forces, and the large size of Eureka's designated visitor-serving area, the conversion of outlying areas to other uses may be inevitable. HAR requires space both for offices and member events, and it is difficult to find ADA-accessible space of that nature above the ground-floor in the Old Town/Downtown area (the entrance and exit on the subject building are ADA-compliant and the applicant proposes to upgrade the bathrooms to be fully compliant). Given the historic use of the building, the transitional nature of the area, and the unique requirements of the proposed project, the uses seem appropriate for this property.

For all the reasons described above, the proposed office use with associated event and retail space will help facilitate and achieve the arrangement of land uses depicted in the 1997 Coastal General Plan, will foster a harmonious, convenient, workable relationship among land uses, will not be an inharmonious influence or a harmful intrusion in the area, and will ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the City as a whole. Therefore, the proposed uses are consistent with objectives a, b, c, and d.

(b) To foster a harmonious, convenient, workable relationship among land uses.

See (a) above

(c) To promote the stability of existing land uses that conform with the General Plan and to protect them from inharmonious influences and harmful intrusions.

See (a) above

(d) To ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the city as a whole.

See (a) above

(e) To prevent excessive population densities and overcrowding of the land with structures.

The relocation of the HAR office and associated event space from Wabash Avenue to First Street will not contribute to an increase in population densities, and will not cause overcrowding of land with structures, as the uses will occupy an existing building; thus, the proposed uses are consistent with this objective.

(f) To promote a safe, effective traffic circulation system.

The proposed office with associated event and retail space will be located in an existing building that was previously a theatre. The building can be accessed from First Street, and also from Snug Alley, between First and Second Streets. There are three public parking lots in the immediate vicinity: on the southwestern corner of First and C Streets (61 spaces), First between C and D Streets directly to the east of the subject property (23 spaces), and at the southeastern corner of First and D Streets (33 spaces). The City conducted traffic counts in these three lots at various times in the day (9am, 11am, 1:30pm and 3:30pm) in the years 2011-2017, 2019, and 2023. The percent of spaces occupied at the First and C lot

averages under 40% (in 2023, a high of 31% at 1:30pm), while the lot directly adjacent to the site averages 51-74% occupancy (in 2023, a high of 70% at 3:30pm), and the lot at First and D averages 80-89% occupancy (in 2023, a high of 92% at 11am). In addition to the unused capacity in the three City parking lots, there is on-street parking throughout the area.

The office will be served by three full time employees, will be visited regularly by HAR members and the general public, and will have events for up to 99 occupants. The event space will be similar to the previous theatre use as there will be shorter time periods of a couple hours per event, that may include a larger number of occupants; therefore, the event space is not expected to have an impact on the existing traffic circulation system. Since the lot is fully built out, and is also in the Parking Assessment District, no off-street parking is required. In addition, with the adjacent and nearby parking lots, and available on-street parking, there are no anticipated parking issues. There is no truck loading facility, and none is proposed or required, as the building is under the minimum 4,000 square feet of gross floor area that would require a loading berth. Thus, the proposed uses are consistent with objectives f and g.

(g) To foster the provision of adequate off-street parking and off-street truck loading facilities.

See (f) above.

(h) To facilitate the appropriate location of community facilities and institutions.

No community facilities or institutions are affected by the proposed use as no community facilities or institutions exist or are proposed on the subject parcel and there is ample vacant and underutilized land in the area to accommodate any future demand for such uses.

(i) To promote commercial and industrial activities in order to strengthen the city's tax base.

The proposed project will promote commercial activity by having a retail component, and by supporting the real estate industry and related trades. As a result, the proposed uses are consistent with this objective.

(j) To protect and enhance real property values.

The proposed uses will occupy an existing building previously occupied by a theatre, which will result in continued maintenance of the building and will support the vibrancy of the area. Thus, the proposed uses protect and enhance property values, and safeguard and enhance the appearance of the City, consistent with objectives j and k.

(k) To safeguard and enhance the appearance of the city.

See (j) above.

Purposes of the Zone District

In addition to the objectives prescribed in EMC §§10-5.102 (Objectives) and 10-5.2902 (Objectives and Purposes), the CW (Waterfront Commercial District) is included in the zoning regulations to achieve the following purposes:

- (a) To encourage, protect and maintain coastal-dependent and coastal-related uses;
- (b) To encourage development of recreational and visitor-serving uses;
- (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;
- (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;
- (e) To provide space for community facilities and institutions that appropriately may be located in commercial areas;
- (f) To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas;
- (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;
- (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;
- (i) To protect commercial properties from fire, explosion, noxious fumes, and other hazards;
- (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
- (k) To protect and maintain certain industrial uses that require waterfront locations.

No coastal-dependent or related uses currently occupy the site or surrounding sites; the building is not directly on the waterfront; and the City has significant vacant waterfront land, including ample underutilized space reserved for both coastal-dependent industrial uses and coastal recreational uses. The proposed project will provide a space for the community to gather in a building that was previously a small theatre. The event and retail space will be open during Old Town events, which will serve both the community and visitors. The office is appropriately located in an area of other office buildings. The event space use will be similar to the previous theatre use, as there will be shorter time periods of a couple hours per event that may include a larger number of occupants; therefore, the event space is not expected to have an impact on the existing traffic circulation system. No off-street parking is required as the property is located in the Parking Assessment District, and there is ample on-street parking and public parking lots available nearby. The office and event space will not produce noise,

odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences, and will not introduce a use that could create a fire, explosion, noxious fumes, or other hazards. Based on the above discussion, the proposed uses meet the purposes of the CW zone district.

2. Public Health, Safety, and Welfare

Referrals were sent to agencies and City departments with interest or jurisdiction over the property or the intended use of the property. California Coastal Commission Staff responded to the project referral recommending the imposition of a 2-5 year term limit on the CUP “so that the City can prioritize a visitor-serving use if in the future the site could support a use more in line with the primary purpose of the CW land use designation to prioritize visitor serving uses (especially lower cost uses) that support opportunities for coastal recreation.” As discussed in subsections 1 and 3, City Staff believes the project as conditioned (to require a visitor-serving component and participation in Old Town events) will not diminish recreational or visitor-serving opportunities. No other comments were received which would indicate the proposed office and event space with associated retail would be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity. Therefore, based on the discussion herein, the finding can be made the project will not impact the public health, safety or welfare.

3. Provisions of Chapter 5

The applicable provisions of Chapter 5 include the development standards for yards, building height, size, and bulk, off-street parking and loading, landscaping, etc. The proposed use will be located in an existing building which meets applicable development standards with no additions or exterior modifications proposed. Additionally, no new off-street parking or loading facilities are required by the Municipal Code or proposed by the applicant. No signs are currently proposed by the applicant, but any future non-exempt sign(s) must meet the sign regulations in EMC Article 17 (Signs), and will require an Administrative Sign Permit. Therefore, a **Condition C** has been added requiring the applicant apply for an Administrative Sign Permit if any signs are proposed in the future.

Offices are a listed conditional use in the CW zone district. To grant a use permit in the CW zone district, the Eureka Municipal Code requires the applicant to demonstrate, and the City to find, that the granting of a use permit in the CW zone district will not diminish recreational or visitor serving opportunities.

There is a finite supply of ground-floor tenant spaces that can be occupied by visitor-serving uses in Old Town and Downtown so occupation of ground-floor retail spaces by offices limits opportunities for visitor-serving uses. One ground-floor office by itself is not expected to have a significant negative impact on the visitor-serving character of the area. However, there is a tipping point when the character of an area changes from a visitor destination and shopping district to an office district. Given First Street in the project vicinity already has large gaps between visitor-serving storefronts, there is a concern ground-floor office uses are cumulatively affecting the balance of uses, and that the proposed ground-floor office use could further degrade the visitor-serving character of the area. Because there will no longer be a permitting hurdle for ground-floor offices in this location (conditional use permits run with the land), visitor-serving uses will no longer have a competitive advantage. This could further limit the ability of new visitor-serving uses to establish in this area. The more offices allowed to occupy ground-floor storefronts, the less attractive the area becomes to visitors and thus to new retail uses.

However, as described in subpart 1 above, the City may have a larger visitor-serving area than the market can support, and the project is located near the periphery of the visitor-serving area, in a building originally designed for automobile storage and repair, rather than in the heart of the district where it is most important to maintain a concentration of commercial retail and service uses. Although the proposed office use is not itself a visitor-serving use, it will provide similar benefits to visitor-serving uses by attracting hundreds of HAR members to the area who may then shop or dine at surrounding businesses. Foot traffic generated by HAR will add to the sense of vibrancy, which in turn will make the area more attractive as a place to visit and patronize. In addition, the proposed project will include an event space and retail component at the front of the building, and as described in more detail in subpart 1, a condition has been added requiring that as long as the building is occupied by a conditional office use, regular participation in Old Town community events is required, and there must be a visitor-serving component with goods for sale, art for viewing and/or informational materials available for the general public. The condition also specifies the visitor-serving component must be prominently displayed and visible through the entryway and windows facing First Street. This ensures the building remains inviting and visually interesting from the street, which helps attract and support pedestrian activity, and in turn supports surrounding visitor-serving uses. For all these reasons, granting the use permit will not diminish recreational or visitor serving opportunities, consistent with the requirements of the CW zoning district.

4. Local Coastal Program

The Local Coastal Program includes the 1997 Coastal General Plan land use designations and map, and the EMC zoning district regulations and map, among other provisions. The proposed conditional uses are consistent with the C-RC land use designation and CW zone district, as described in detail above.

The Local Coastal Program also includes policies and development standards that apply to all development in the Coastal Zone regardless of district or land use designation. The proposed use is also consistent with these additional policies and development standards, as discussed below in the Coastal Development Permit analysis section of this report. For all these reasons, the conditional uses are consistent with the certified Local Coastal Program.

COASTAL DEVELOPMENT PERMIT ANALYSIS

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 divided into two components: the Land Use Plan and Implementation Plan. The first component, the Land Use Plan, 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 general plan map.

Land Use Plan Analysis

The project location is designated C-RC – Core Retail Commercial. The consistency of the proposed conditional uses with the purpose of the land use designation is discussed in the Use Permit Analysis section of this report. The proposed conditional uses, as conditioned, are found consistent with the purpose of the land use designation.

Staff reviewed the goals and policies in the adopted and certified Land Use Plan (LUP) to determine whether the project conforms to the LUP. The review found the project does not conflict with any adopted LUP goals or policies, and is consistent with and supported by the following:

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.

Goal 1.L To ensure an adequate supply of commercial land for and promote the development of commercial uses to meet the present and future needs of Eureka residents and visitors and to maintain economic vitality.

The proposed office with associated event and retail space will occupy an existing building in a mixed-use area, that includes commercial uses and offices, and industrial uses a block away to the west. Although the project is away from exclusively residential neighborhoods, there are residences above nearby first floor office space. The site is already connected to water, sewer, electrical, and gas utilities. As the proposed use will be located within an existing building and there are no proposed ground disturbing activities, there are no anticipated impacts to nearby wetlands and bay waters. By allowing for the use in an existing building, the proposed project will have a positive effect on the City's economic vitality and will not adversely impact available commercial land. For all these reasons, the proposed project, as conditioned, is consistent with Goal 1.A and Goal 1.L.

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.

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...

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 proposed project will occupy a former theatre building along First Street between C and D Streets, across from the C Street Dock, Madaket Plaza and Eureka Boardwalk. The properties along the waterfront to the west of C Street are zoned and designated for Coastal-Dependent Industrial (CDI) use and prevent public access to the water; however, the properties to the east of C Street are zoned Waterfront Commercial (CW) with the Eureka Waterfront Trail (Boardwalk) providing direct access to the Bay. The project will not impact the Eureka Waterfront Trail or any other existing access facilities either through direct conflict or anticipated increases in demand. The proposed project will not block or otherwise obstruct any existing public views of the waterfront. In addition, there are no wetland or riparian habitats adjacent to the site, and by accommodating growth through the use of an existing building, with no associated new exterior construction, expansion of the building, or ground disturbing activity proposed, the project will avoid any adverse impacts to coastal resources or public access. Therefore, the proposed project can be found consistent with this Goal 5B, Policy5.B.1, and Goal 6.A.

Goal 7.A To minimize loss of life, injury, and property damage due to seismic hazards; and

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

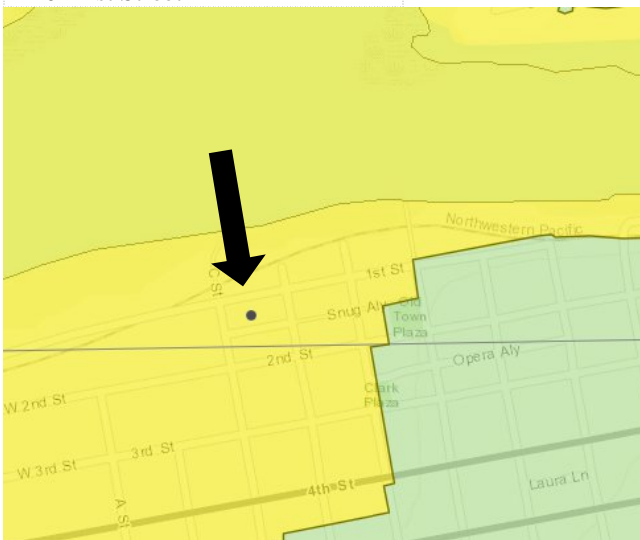
The project site is within a seismically active area in which large earthquakes are expected to occur during the lifespan of the proposed use. The proposed project will occupy an existing building that was seismically retrofitted in the mid-2000s, and will not result in a significant addition of employees or customers compared to the previous use of the property as a theatre. **Condition D** has been included to ensure the applicant obtains all required Building and Fire permits for any future improvements to the satisfaction of Development Services - Building and Humboldt Bay Fire.

Figure 5: FEMA Flood Map – 220 First Street



The project site is located slightly outside of the FEMA mapped 100- and 500-year flood zones, although, Zone AE appears to be directly adjacent to, and potentially touching, the west side of the building (Figure 5). The building is located within the mapped tsunami inundation area on the Tsunami Inundation Map for Emergency Planning (Figure 6; California Geological Survey, August 13, 2020) and is at risk of tsunami inundation.

Figure 6: Tsunami Hazard Map – 220 First Street



The tsunamis risk can best be minimized through timely evacuation from the tsunami inundation zone. Therefore, **Condition E** has been added requiring the applicant to submit a “Tsunami Safety Plan” for review and approval by Development Services – Planning prior to issuance of their business license. The plan is required to demonstrate that procedures are in place for the safe evacuation of all occupants in the event of a tsunami, and to ensure future occupants of the project site are aware of the tsunami threat, warning signals, and evacuation plan. The plan is required to include hazard risk notification procedures, including information on where tsunami evacuation information, including an evacuation route map, will be conspicuously posted.

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

Based on the above analysis, the project as conditioned does not conflict with any, and is supported by several of the adopted goals and policies of the certified LUP; therefore, the finding the project conforms with the LUP can be made.

Implementation Plan Analysis

The Implementation Plan includes zoning regulations and the zoning map for land in the Coastal Zone, as well as specific coastal zoning ordinances necessary to implement the policies of the Land Use Plan. The project site is zoned CW – Waterfront Commercial which allows offices and meeting halls as conditional uses. The proposed uses will be located in an existing building with no additions or exterior modifications proposed. The proposed uses will conform with the zoning code and CW zone district as described under the Use Permit analyses above.

In addition to specifying the regulations pertaining to specific zoning districts, IP Sec. 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 goals and policies discussed in the LUP policy 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, which is EMC Section 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.

No ground disturbing activity is anticipated and thus no impacts to archaeological resources will result from the project. The project was referred to the local Tribal Historical Preservation Officers of the Wiyot Tribe, the Bear River Band of Rohnerville Rancheria, and the Blue Lake Rancheria, and the Bear River Band replied “no requests”.

As a result, the proposed project conforms with the certified IP.

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 (CEQA), in accordance with Sec.15301, Existing Facilities, Class 1 of the CEQA Guidelines, which covers the operating of private structures involving negligible or no expansion of use. Since the proposed project will be

located entirely within an existing building with no proposed expansion or enlargement of the building, the project qualifies for the Class 1 exemption.

PUBLIC HEARING NOTICE

Public notification consisted of notification by mail of property owners and residents within a 300-foot radius of the site on or before September 1, 2023, and posting on the City’s website and bulletin boards. A public hearing notice sign was also posted on the project site on or before September 1, 2023.

CONCLUSION

Based on the analysis above, the proposed office use with associated event/conference center and retail use is consistent with the General Plan, Zoning Code, and Local Coastal Program. The project is suitable for the site and for the existing building in which it will be located, and is compatible with existing and planned land uses in the vicinity. The project is not detrimental to the public health, safety, and welfare, and is properly located within the City and adequately served by existing utilities and infrastructure.

STAFF CONTACT

Lisa Savage, Senior Planner, 531 K Street, Eureka, CA 95501; planning@eurekaca.gov; (707) 441-4160

DOCUMENTS ATTACHED

Attachment 1: Planning Commission Resolution.....pages 15-17
Attachment 2: Applicant’s Project Narrative and Site Plan.....pages 18-20