

RESOLUTION NO. 2023-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT (CUP-23-0007) AND COASTAL DEVELOPMENT PERMIT (CDP-23-0010) TO ALLOW AN OFFICES WITH ASSOCIATED EVENT AND RETAIL SPACE WITHIN AN EXISTING BUILDING AT 220 FIRST STREET (APN 001-053-002)

WHEREAS, Humboldt Association of Realtors (HAR) proposes to convert an existing building to offices and a meeting hall (event space), with an associated retail area at 220 First Street; and

WHEREAS, the project site is zoned Waterfront Commercial (CW), and has a land use designation of Core Retail Commercial (C-RC); and

WHEREAS, pursuant to (Eureka Municipal Code) EMC § 10-5.29113, the proposed office and meeting hall use are conditionally permitted uses in the CW zone and are allowed with a conditional use permit; and

WHEREAS, the proposed office and meeting hall uses are located within the coastal zone and, pursuant to EMC §10-5.2401(c), projects requiring a use permit in the coastal zone also require a coastal development permit; and

WHEREAS, the conditional use permit and coastal development permit approvals for the proposed office and meeting hall uses 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 September 11, 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 subject application in accordance with 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 location of the proposed office and meeting hall uses are in accord with the objectives of Chapter 5 and the purposes and intent of the CW zone district.
2. The proposed location of the office and meeting hall uses and the conditions under which the conditional uses will be operated and maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
3. The proposed office and meeting hall uses will comply with each of the applicable provisions of Chapter 5.
4. 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.

5. The project as conditioned conforms to the policies of the Local Coastal Program.
6. The project is categorically exempt from the provisions of CEQA, in accordance 15301 (Existing Facilities) of the CEQA Guidelines, as the project will be located entirely within an existing building with no proposed expansion or enlargement of the building.

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

- A. **Building and Fire Department Approvals.** Prior to commencement of any construction, the applicant shall obtain all required Building and Fire permits to the satisfaction of Development Services - Building and Humboldt Bay Fire.
- B. **Tsunami Safety Plan.** Prior to the issuance of a City business license, 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 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 shall include hazard risk notification procedures, detailing the provision of informational materials to building occupants and the posting of placards, flyers, or other materials at conspicuous locations within the building, provided in English and Spanish, explaining: (1) tsunami risks, (2) the need for evacuation if strong earthquake motion is felt or alarms are sounded, and (3) 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.
- C. **Visitor-Serving Component.** As long as the building is occupied by a conditional office use, there must also be a visitor-serving component with goods for sale, art for viewing and/or informational materials available for the general public. The visitor-serving area must be prominently displayed and visible through the entryway and windows facing 1st Street to provide visual interest for pedestrians on the adjacent sidewalk, and regularly open for drop-in visitors and customers.
- D. **Participation in Community Events.** As long as the building is occupied by a conditional office use, the space must 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.).

NOW THEREFORE, BE IT RESOLVED 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 September, 2023 by the following vote:

AYES: COMMISSIONER

NOES: COMMISSIONER
ABSENT: COMMISSIONER
ABSTAIN: COMMISSIONER

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Executive Secretary