



## AGENDA SUMMARY EUREKA CITY COUNCIL

**TITLE:** Coastal Land Use Plan, Review Session 4

**DEPARTMENT:** Development Services – Planning

**PREPARED BY:** Cristin Kenyon, Principal Planner

**PRESENTED FOR:**       Action       Information only      Discussion

### **RECOMMENDATION**

Receive and comment on report

### **FISCAL IMPACT**

No Fiscal Impact       Included in Budget       Additional Appropriation

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

Strategic Initiative: Adopt Local Coastal Program Land Use Plan.

### **DISCUSSION**

This is the fourth City Council document review session for the Coastal Land Use Plan (LUP; Coastal Element) comprehensive update. At this meeting (December 20, 2022), Staff is seeking feedback on the draft Land Use and Development Chapter (Attachment 1) and draft reclassification of a number of sites currently designated Coastal Dependent Industrial (Attachment 2). Formatting will be addressed at a later date, so the current review is focused solely on content.

Instead of reviewing the entire draft LUP at once during a single meeting, Staff hopes to bring one or more draft chapters each month to the Planning Commission and City Council for detailed input from the Planning Commission, Council and public. To date, City Council has had three document review sessions on October 4, October 18, and November 15, 2022, during which drafts of the Preface, Introduction Chapter, Public Access and Recreation Chapter, and Land and Aquatic Resources Chapter were introduced.

#### **Local Coastal Program Framework**

With some exceptions, development in the City's coastal zone requires a coastal development permit from the City. The City's Local Coastal Program (LCP) serves as the

standard of review for coastal development permit applications in the City's coastal zone jurisdiction. The LCP consists of two parts: the LUP and the Implementation Plan (i.e., Coastal Zoning Code). The LUP provides broad policy direction on land use and coastal resource protection in the coastal zone, while the Coastal Zoning Code includes the zoning map, development standards, and other regulations necessary to implement the LUP.

Currently portions of the City's outdated 1997 General Plan serve as the City's LUP. Staff proposes to replace the current LUP with a new Coastal Element of the 2040 General Plan. The proposed new Coastal Element will include portions of the existing elements of the 2040 General Plan meeting the California Coastal Act definition of an LUP, as well as additional policies necessary to fully carry out the California Coastal Act. The comprehensive update to the LUP will not become effective until certified by the Coastal Commission as being in conformance with the California Coastal Act.

LUP policies, like all General Plan policies, should be general expressions of intent providing some degree of flexibility over time so they remain relevant over a 20-year planning horizon, leaving the "how" and the details to the Coastal Zoning Code. Once the new LUP Coastal Element is submitted to the Coastal Commission for certification, the City will begin the process of amending the Coastal Zoning Code.

#### **Draft Land Use and Development Chapter**

A draft of the Land Use and Development Chapter is included as Attachment 1. The draft chapter is divided into seven sections:

1. Community Places
2. Land Use Designations
3. Community Form and Character
4. Coastal Core Area
5. Coastal-Dependent Development
6. Agriculture
7. Public Works

The relevant glossary terms have been included at the end of the chapter for your reference (the final document will include a glossary chapter). The draft document includes color-coding and footnotes; these are to aid in review and will be removed from the document prior to adoption.

The draft chapter includes four figures. Draft Figure LUP 2-3, the Coastal Land Use Diagram, is still under development, so Staff has instead included the adopted 2040 General Plan Land Use Diagram for your review, which includes land use designations for the coastal zone. Please note Staff will be proposing some changes to the coastal zone land use designations shown on the 2040 General Plan Land Use Diagram, including the addition of six designations, Library District, Commercial Highway East, Mixed Use Limited, Bayfront Industrial, Public Facilities Marina, and Bayfront Recreation.

#### **Draft Coastal Dependent Industrial (CDI) Land Use Reclassifications**

Within the City's coastal zone, there are 62 parcels designated Coastal Dependent Industrial (CDI), containing approximately 206 acres. The City's currently certified CDI land use designation is very restrictive, only allowing a limited number of industrial uses that require a site on, or adjacent to, Humboldt Bay in order to function at all, such as

waterborne import/export facilities, marine oil terminals, ship building and repair, commercial fishing facilities, and facilities requiring bay intake or outfall. Non-industrial coastal-dependent uses like marine research are not currently allowed, and neither are many industrial uses related to CDI, like timber products manufacturing. The vast majority of the City's CDI-designated lands are vacant, underutilized, or used for purposes other than coastal-dependent industry, non-conforming with the CDI land use designation. Staff proposes to address underutilization of CDI lands by both reclassifying a portion of the City's CDI-designated lands to other land use designations, and increasing flexibility of use on the remaining CDI-designated parcels to the extent allowed by the Coastal Commission and consistent with the Coastal Act, which gives priority to coastal-dependent developments over other developments on and near the shoreline. Staff proposes to reclassify approximately 60% of the CDI acreage to other land use designations, retaining approximately 83 acres in the CDI land use designation. Existing CDI-designated lands and proposed reclassifications are discussed in Attachment 2.

### **ATTACHMENTS**

1. Draft Land Use and Development Chapter, and relevant glossary terms
2. Draft CDI Land Use Reclassifications

### **REVIEWED AND APPROVED BY:**

City Attorney

City Clerk/Information Technology

Community Services

Development Services

Finance

Fire

Human Resources

Police

Public Works