

Notes to Reviewers:

- Footnotes are to aid in review and will be removed from the document before adoption.
- Language in red is from the Coastal Act
- Language in purple is from the 2040 General Plan
- Language in green is from the existing certified LUP (the 1997 Coastal General Plan).

## 2. LAND USE AND DEVELOPMENT

The Land Use and Development chapter contains policies relating to allowed land uses, priority development, and public services and infrastructure in the coastal zone. This section establishes the desired pattern of long-term development, revitalization, and conservation for the City's coastal zone, and includes guidance on community form, character, and growth.

This chapter is organized into the following seven sections:

- Community Places
- Land Use Designations
- Community Form and Character
- Coastal Core Area
- Coastal-Dependent Development
- Agriculture
- Public Works

### COMMUNITY PLACES

Eureka's coastal zone includes a number of "Community Places," which are distinct areas, neighborhoods, or districts recognizable by their geography and general character. It is important to note the designation of "Community Place" has no regulatory function in the Land Use Plan; a Community Place designation is about place-making, about acknowledging how various parts of the City's coastal zone are currently perceived by the community, and envisioning what they can become. The section below includes a description and vision statement for each Community Place identified within Eureka's coastal zone. Each Community Place described below may contain more than one Land Use Designation, and each Land Use Designation may appear in more than one Community Place.

#### Core Area

The Core Area is the traditional business center and cultural hub of the City and includes Old Town, the Library District, and Commercial Bayfront within the coastal zone (the "Coastal Core Area") as well as the inland Downtown. Built upon a grid pattern of streets that extends to the waterfront with an extensive inventory of historic structures, the Core Area currently contains the largest concentration of multi-story buildings, cultural facilities (such as museums and theaters), restaurants, and professional offices on the north coast of California (Humboldt, Mendocino, Del Norte Counties). The Core Area is treasured by the local community and also critical for Eureka's tourist economy.

**Figure LUP 2-1: Coastal Community Places**

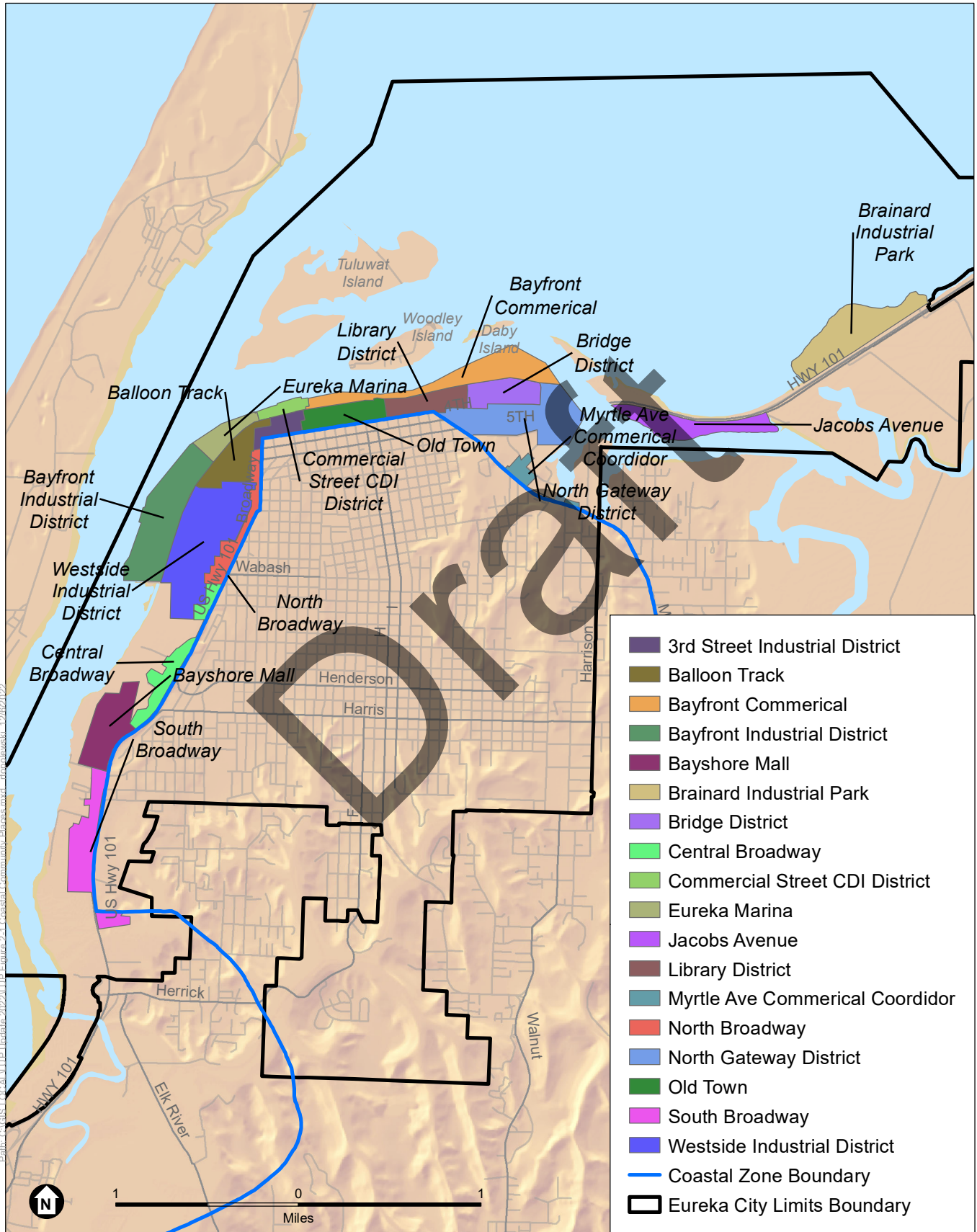
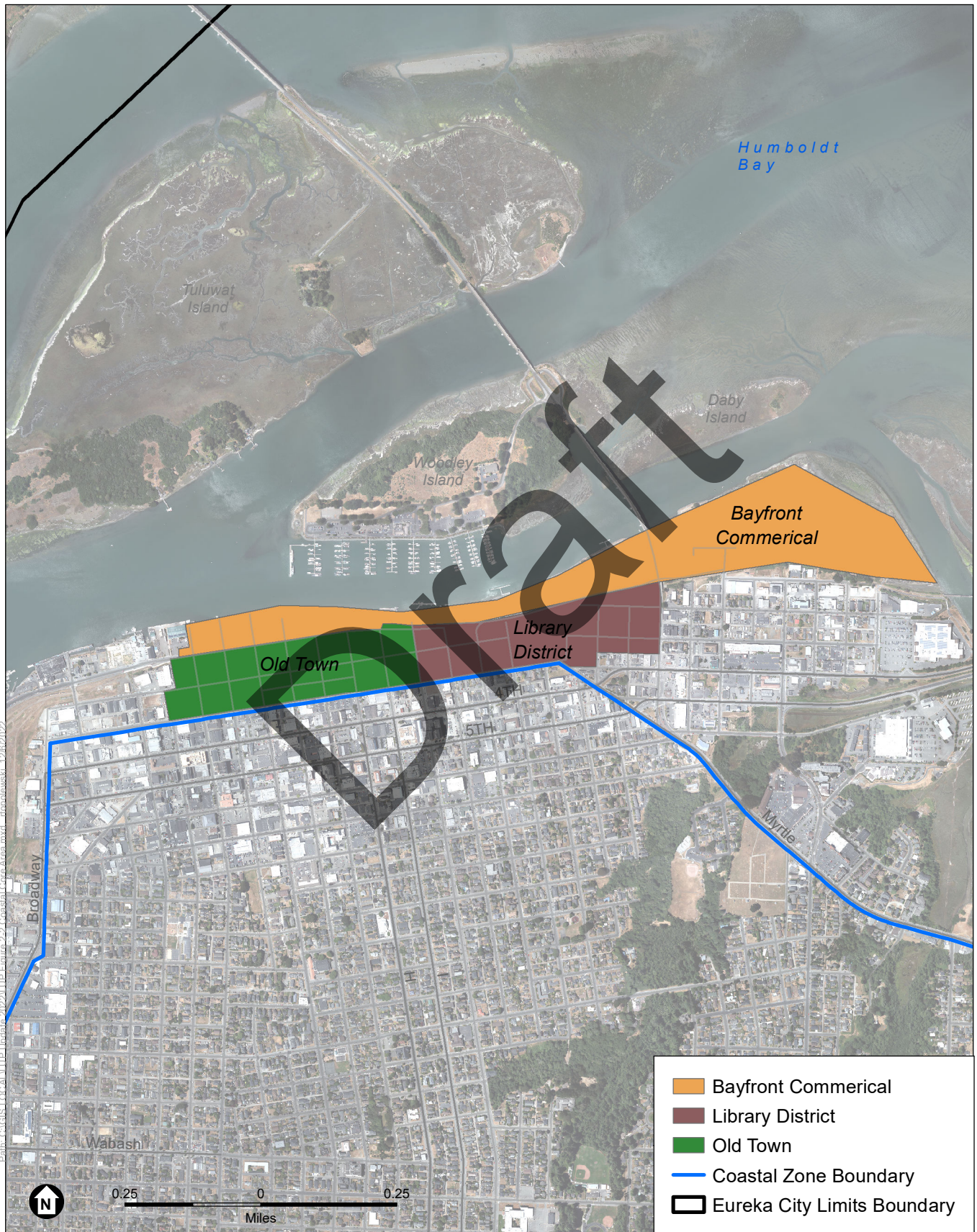




Figure LUP 2-2: Coastal Core Area



The Core Area presents numerous opportunities for revitalization and also includes a significant number of resources worth preserving. In the coming 20 years, the City envisions the Core Area expanding its influence as the business and cultural center of the City, with increased opportunities for tourism and expanded upper floor residential uses. Key Community Places within the portion of the Core Area inside the coastal zone (the “Coastal Core Area”) are shown in Figure LUP 2-2 and include:

- **Old Town.** Includes historic multi-story buildings from the 1850s and beyond with pedestrian-scaled shops, storefronts, restaurants, museums and cultural facilities, art galleries, theaters, lodging facilities, other related uses lining the sidewalks, and a range of office and residential uses above the first floor. The original heart of the City, portions of Old Town (along with portions of the Library District and western Commercial Bayfront) have been declared a Historic District on the National Register of Historic Places. Old Town is also the center of the Eureka Cultural Arts District.

Vision: Continue Old Town’s legacy as a premiere historic and cultural district with a dense development pattern of multi-story, mixed-use buildings, and a primary regional center for tourism, recreation, leisure activities, cultural opportunities, and shopping. To support ground-floor businesses and ensure the presence of people around the clock, expand the housing supply in Old Town to allow residential uses in portions of the ground floor which do not have street-facing windows, and above the first floor. Preemptively address potential stormwater drainage capacity and rising groundwater issues in the lower-lying, western-most portion of the district as the climate changes and sea levels rise.

- **Library District.** East of Old Town, north of the inland Downtown District, and one of the earliest residential neighborhoods in Eureka, the Library District includes multiple historic single-family homes, and multi-family residential structures as well as residential structures which have been converted into professional offices, lodgings, restaurants, and entertainment and cultural uses, with the Carson Mansion (Ingomar Club) and the Humboldt County Library in the heart of the district. The Library District is part of the nationally-recognized Old Town Historic District and the Eureka Cultural Arts District, and is located on a raised terrace above the Commercial Bayfront, outside of areas subject to flood risk.

Vision: Maintain the Library District as a “quiet,” walkable district of well-preserved historic structures and low-impact uses such as offices and residences. Include lodging and other limited-scale commercial retail and service uses supportive of cultural tourism, as well as neighborhood-serving commercial uses providing everyday goods and services for those who live and work in the district. Support adaptive reuse of historic buildings while accommodating infill development and increased density compatible with the character of the area.

- **Commercial Bayfront.** Consists of the Eureka waterfront north of 1st Street spanning from C Street on the west to Y Street on the east. This district includes Madaket Plaza, Coast Guard Plaza, the Eureka Boardwalk, the Adorni Center, Halverson Park, the Samoa Boat Launch Facility, and a portion of the Eureka Waterfront Trail. The western portion of the district from C to F Street is part of the nationally-recognized Old Town Historic District. Much of the district is currently vacant and underutilized.



Vision: Transform the Commercial Bayfront into a vibrant and dynamic mixed-use district that celebrates its waterfront location and cultural legacy with a diversity of land uses and pedestrian-oriented development, where coastal trails, a shoreline boardwalk, outdoor public spaces, boating and fishing facilities, and other public and commercial recreational facilities are integrated with ground-floor visitor-serving and coastal-related uses. Ensure coastal hazard risks are minimized through comprehensive, area-wide adaptation strategies, elevating habitable spaces above the hazard zone, and/or permitting uses with minimal and/or easily removable physical development. In the western portion of the district, between C and I Streets, develop in a manner compatible with the historic character and development pattern of Old Town, with visitor-serving ground-floor uses oriented towards 1<sup>st</sup> Street and the Eureka Boardwalk, and a range of housing and office uses on upper floors of mixed-use, multi-story buildings. In the remainder of the district, require new development to promote physical and visual access to the bayfront, and connect to Waterfront Drive and the Eureka Waterfront Trail with pedestrian pathways.

## Commercial Corridors

Eureka's coastal zone contains a number of commercial corridors outlying the Core Area which provide a variety of commercial uses and services along primary arterial roadways, as shown in Figure LUP 2-1. Key commercial corridors within the coastal zone include:

- **Broadway Corridor.** Consists of those properties adjacent to Broadway (US 101) from 4th Street to south of the Herrick overpass. The properties along the west side of Broadway are within the coastal zone, as well as a few parcels on the east side of the right-of-way at the southern end of the corridor. The Broadway Corridor is broken into four sub-corridors: North Broadway, Central Broadway, Bayshore Mall, and South Broadway. The primary entry to the City from the south, the Broadway Corridor includes a mix of strip and larger-scale retail, lodging and other services.

Vision: Upgrade this key retail and service-commercial corridor to improve visual quality and bicycle and pedestrian safety and connectivity, while increasing the density of development, improving vibrancy and economic vitality, and incorporating residential uses and mixed-use nodes. Clearly define the Broadway Corridor as a welcoming, vibrant, well-coordinated entryway into the City with a sense of place that matches Eureka's brand.

- **The North Gateway District.** Located south and east of the Bridge District (see "Employment Areas" below) and east of the inland Downtown District, consisting of those properties adjacent to 4th and 5th Streets between Myrtle Avenue and the Eureka Slough. The North Gateway District includes a diverse mix of service commercial uses, hotels, offices, drive-through fast food, and big box retail. The eastern edge of the district along Eureka and First Sloughs will become increasingly vulnerable to flooding with sea level rise, while the remainder of the district is expected to remain safe from flooding through 2100 with 2 meters (6.6 feet) of sea level rise.

Vision: Support the growth of the North Gateway District as an area of diversely intermixed service commercial uses providing a visually appealing entrance into the City.

- **Myrtle Avenue.** Extends from 6th Street to the City limits at Harrison Avenue and includes two clusters of neighborhood commercial areas, including Burre Center.

Vision: Maintain the Myrtle Avenue District as a mixed-use corridor serving the commercial needs of the surrounding neighborhoods. Support improvements resulting in commercial development which is more neighborhood-oriented, and a more active and inviting streetscape.

## Other Employment Areas

Eureka contains a range of employment types spread throughout the City. The vast majority of employment in the City is located within the Core Area, with the Broadway Corridor serving as the second largest employment center. Other existing and future major employment areas are shown in Figure LUP 2-1 and include:

- **Brainard Industrial Park.** Brainard is a peninsula of industrial land between US 101 and Humboldt Bay, protected from the bay by a perimeter levee. The area was annexed into the City in 2019 as a result of application by the property owner at the time, California Redwood Company. The Brainard site is filled and paved former tidelands historically utilized as a lumber mill and air dry yard, with vacant and underutilized industrial and administrative office structures on approximately the northern third of the site. The California Coastal Trail, known locally as the Humboldt Bay Trail, will soon be constructed along the site's perimeter levee.

Vision: Allow use of this large industrial brownfield site for small business incubation, a high-end industrial park or other job-creating use<sup>1</sup> in a manner protective of coastal resources including nearby agricultural and natural resource lands, and consistent with the potential need for future relocation and retreat with long-term sea level rise.

- **The Marina District.** Commonly referred to as the Balloon Track, the Marina District represents the largest undeveloped property within the City. Previously occupied by the Union Pacific Railroad, this brownfield site in the heart of Eureka has been unused for over 30 years.

Vision: Redevelop the Marina District with an integrated mix of uses and associated infrastructure which act as an extension of the Core Area, link to the waterfront, and enrich Eureka's economy.<sup>2</sup> Redevelop in a manner which addresses contamination from historic industrial use, enhances physical and visual access to the waterfront, addresses vulnerability to flooding with sea level rise, and includes robust wetland restoration and enhancement work.

- **Westside Industrial Area.** The Westside Industrial Area is strategically positioned between Broadway and the City's western waterfront and has become the center of manufacturing in Eureka. The Westside Industrial Area was built on filled former tidelands and historically consisted of port- and railroad-dependent uses. This low-lying area is partially within the existing 100-year floodplain and will become increasingly vulnerable to flooding with sea level rise.

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<sup>1</sup> Language from 2040 GP Policy LU-4.6.

<sup>2</sup> Language from 2040 GP Policy LU-3.8.

Vision: Maintain and enhance the Westside Industrial Area as a center of manufacturing, supporting the relocation of non-conforming industrial uses from elsewhere in the city.<sup>3</sup> Address vulnerability to flooding such as by elevating the perimeter roadways and/or rail prism, elevating buildings above the floodplain considering future sea level rise, and increasing the capacity of the stormwater drainage system.

- **3<sup>rd</sup> Street Industrial District.** A center of light manufacturing west of Old Town and north of Downtown, the 3rd Street Industrial District is a busy and dense district with a historic development pattern similar to Old Town, and includes a range of light manufacturing uses. This is a low-lying district built on filled former tidelands, and a significant portion of the district is within the existing 100-year floodplain.

Vision: Maintain the 3rd Street Industrial District as a center for light manufacturing with a development pattern similar to Old Town. Allow a range of light industrial uses and compatible non-industrial uses, with the potential for limited upper-floor residential uses. Address vulnerability to flooding such as by elevating the perimeter roadways and/or rail prism, elevating buildings above the floodplain considering future sea level rise, and increasing the capacity of the stormwater drainage system.

- **Fishing Industrial District.** West of the Bayfront Commercial District and north of the 3rd Street Industrial District, spanning from C Street to just west of Commercial Street, this string of industrial properties along the City's bayfront is a fishing industry hub and includes several City-owned fishing-related facilities, including the Fisherman's Terminal, the former Coast Guard building, the Commercial Street Dock, and the EDA fish plant. The district is the largest employment center for the fishing industry in Eureka.

Vision: Support the retention and expansion of commercial fishing industry facilities and related secondary and compatible uses. Encourage new development in the area which reinforces the coastal-dependent industrial character of the area and avoids potential land use conflicts and speculative inflation of land values. Adapt the district to rising seas to ensure the continued functionality of the docks and upland support facilities.

- **Eureka Marina.** Northeast of Marina Way between Commercial Street and Marina Way, west of the Marina District, and southwest of the Fishing Industrial District, the Eureka Marina consists of entirely City-owned property, including a boat launch, parking lot, public marina, boat slips, and the Wharfinger building.

Vision: Maintain the Eureka Marina as a high-functioning public marina, making upgrades as necessary to increase resilience to tsunamis and other coastal hazards considering the effects of sea level rise.

- **Bayfront Industrial District.** Located west of Waterfront Drive, north of Del Norte Street, south of the Eureka Marina, and west of the Westside Industrial District, the Bayfront Industrial District is located adjacent to a dredged deep-water channel and is home to the largest industrial docks and the largest coastal-dependent industrial-zoned parcels in the City. Two

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<sup>3</sup> Language from 2040 GP Policy LU-4.3.

docks continue to be occasionally used for waterborne import/export related to the timber processing industry, but the district includes unused docks falling into disrepair and a significant amount of chronically vacant and underutilized land.

Vision: Increase flexibility of use in the district to ensure the economic viability of active coastal-dependent industrial operations, promote use of existing docks, avoid continuous deferred maintenance and infrastructure degradation on currently vacant and underutilized sites, and promote infill, brownfield development within an urban area.

- **The Bridge District.** Located to the east of the Library District, south of the Commercial Bayfront district, north of 4th Street, and northwest of the North Gateway District, the Bridge District is home to medium-density residential uses as well as a diverse mix of business-serving commercial uses, offices, and light manufacturing, with an eclectic mix of historic and modern structures. The district is elevated above the existing floodplain, and the vast majority of the district is expected to remain safe from flooding through 2100 with 2 meters (6.6 feet) of sea level rise.

Vision: Support the growth of the Bridge District as an area of diversely intermixed uses. Provide regulatory flexibility to allow adaptive reuse of remaining historic structures.

- **Jacobs Avenue.** Jacobs Avenue is bounded by US 101, the railroad prism, and Humboldt Bay to the north, Eureka Slough to the south and west, and Murray Field Airport to the east, and is developed with a unique combination of service commercial, light industrial, warehousing, and mobile home park uses. This low-lying area on diked former tidelands is vulnerable to flooding from levee failure, from tidal flooding coming across Airport Road from the Fay Slough/Murray Field Airport area, from backwater flooding resulting from impaired stormwater drainage, and from rising groundwater with sea level rise.

Vision: Allow continued use of Jacobs Avenue by a diverse mix of service commercial and light industrial uses during the current planning period (through 2040), encouraging temporary uses and reliance on existing structures, discouraging uses that could draw significant numbers of people to the area, and prohibiting new residential development. Develop a phased adaptation plan for the district to address significant coastal hazards.

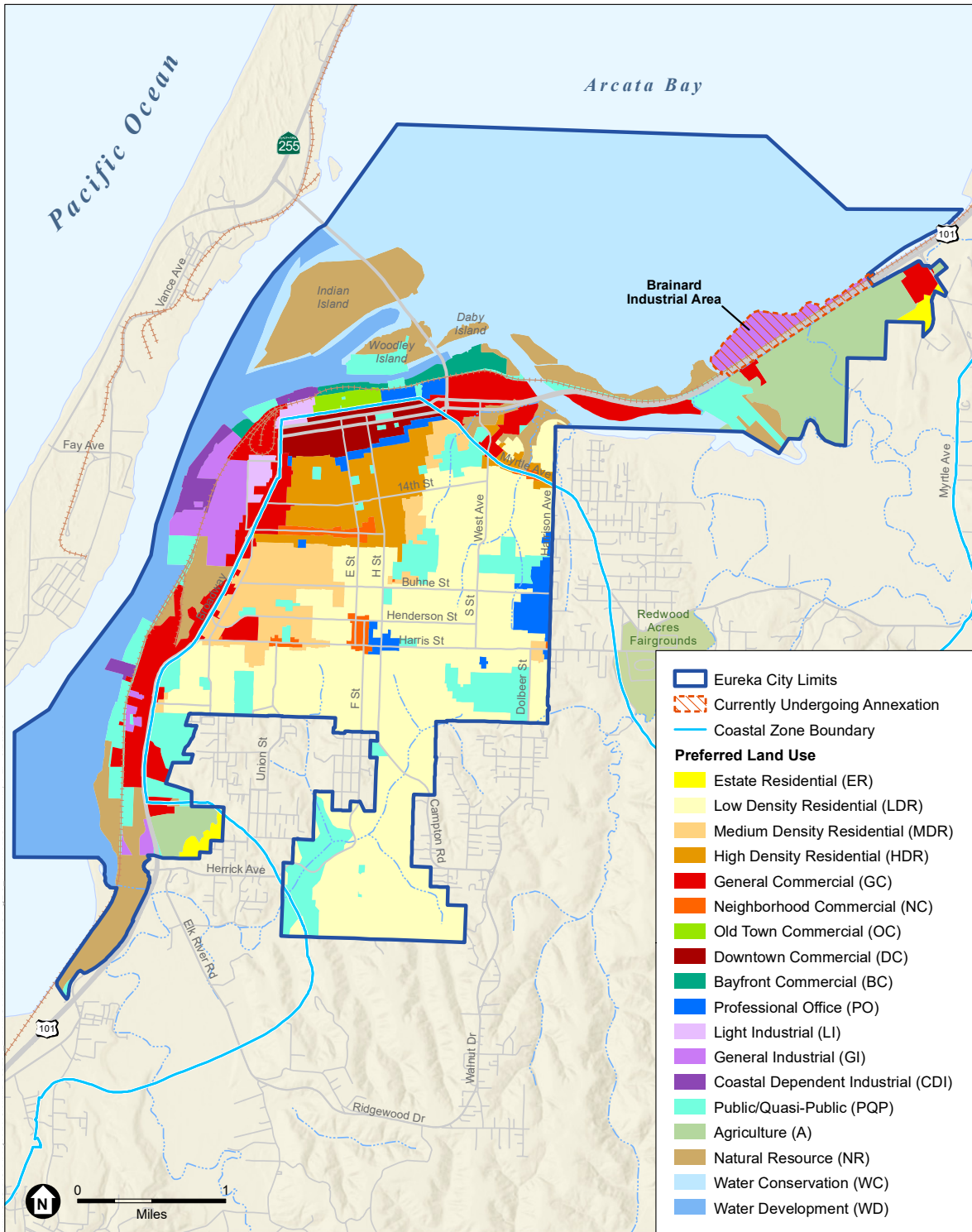
- **Woodley Island.** Woodley Island includes a marina on Humboldt Bay with services for commercial and recreational vessels, as well as docking facilities, a restaurant, and offices, including the operations center of the Humboldt Bay Harbor and Recreation District. The remainder of Woodley Island serves as protected wildlife habitat.

Vision: Maintain Woodley Island as the center of the fishing industry, and a place for recreational boating, and natural resource protection. At the Woodley Island Marina, prioritize the needs of the commercial fishing industry, while also supporting recreational fishing and boating, as well as limited subordinate, complementary coastal-related and visitor-serving uses which allow for public enjoyment of a working marina.



# Adopted 2040 General Plan Land Use Map to be replaced by Figure LUP 2-3, Coastal Land Use Diagram

Figure 2-9: Land Use Diagram



SOURCE: City of Eureka, 2018; ESA, 2018



## COASTAL LAND USE DESIGNATIONS

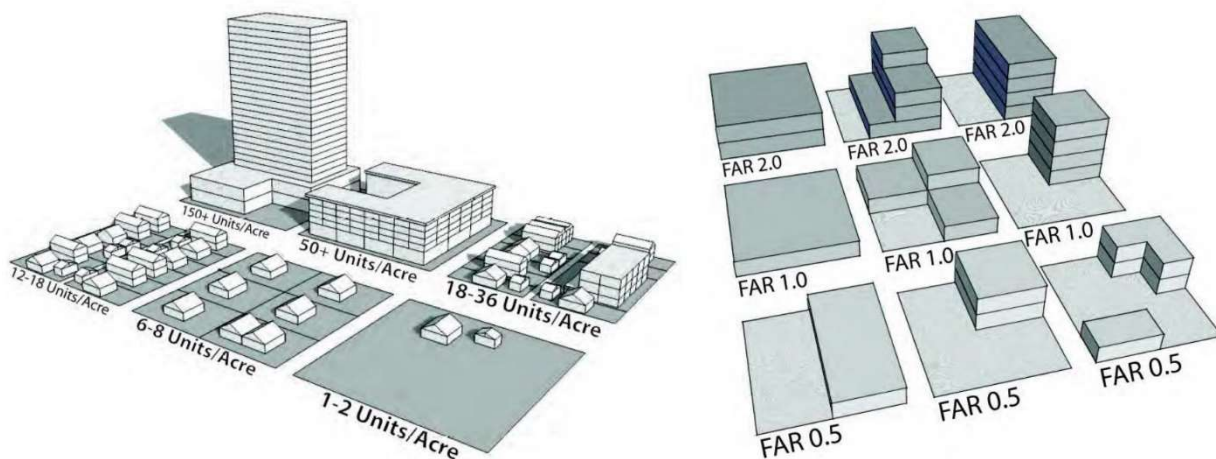
The City of Eureka's Coastal Land Use Plan designates land uses for all properties located in the coastal zone within Eureka's city limits. Land Use Designations are designed to align with, build upon, and be inspired by the "Community Places" outlined above. The following section establishes each Land Use Designation's intent, allowed use types, and density and/or intensity standards.

Eureka's Coastal Land Use Diagram is provided as Figure LUP 2-3, which shows the location of each coastal land use designation. Parcel specific land use information is available at City Hall.

The Coastal Act prioritizes certain land uses over other competing uses. Priority uses under the Coastal Act include visitor-serving facilities and particularly lower-cost visitor-serving facilities (Coastal Act Sections 30213 and 30222), coastal recreational facilities (Coastal Act Sections 30213, 30220, 30221, 30222, 30223, 30234 and 30254), coastal-dependent uses (Coastal Act Sections 30222, 30222.5 and 30254) and agriculture (Coastal Act Sections 30212, 30222, 30241 and 30242). The City's LUP implements this prioritization in part through the Bayfront Commercial, Old Town Commercial, Coastal Dependent Industrial, Coastal Industrial, Public Facility Marina, Coastal Public Recreation, and Agricultural land use designations, which limit allowed uses to priority uses, only allow non-priority uses as conditional uses, and/or only allow non-priority uses above/behind ground-floor priority uses.

Density and/or intensity standards are identified for land use designations. For residential uses, the density is expressed as a maximum number of dwelling units per acre. For nonresidential uses, intensity is expressed as a maximum Floor Area Ratio (FAR). Examples of typical densities and FARs are illustrated on Figure LUP 2-4. The density/intensity standards identified for each land use designation establish the upper limit of allowable development, provided that such buildout can be achieved consistent with the Local Coastal Program. However, density bonuses, as consistent with Policy LUD-1.10 and State law, may allow for higher densities than specified as maximums for any residential land use designation when such increase does not result in adverse coastal resource impacts or exceed infrastructure capacity.

**Figure LUP 2-4: Density and Intensity Diagrams**



### Residential Uses

In all residential designations in the coastal zone, residential lodging (vacation rentals), residential facilities for medical and non-medical care, limited agricultural uses, limited home occupations including

family day care homes, and public/quasi-public uses compatible with a residential setting, including, but not limited to, public access and access support facilities, are allowed as further defined by the Implementation Plan.

- **Estate Residential (ER).** Single-family residences, accessory dwelling units, compatible public/quasi-public uses, and limited agricultural uses on larger lots. Intended to retain a lower density, rural character compatible with adjacent agriculture, timberland and open space uses.

Density: Up to two single-family residences, one accessory dwelling unit, and one junior accessory dwelling unit per lot.

- **Low Density Residential (LDR).** Single-family detached and attached homes, accessory dwelling units and compatible public/quasi-public uses. Intended to be suburban in character and located in proximity to parks, schools, and public services. Limited neighborhood serving market-commercial uses may be allowed where they enhance the quality of life of the neighborhood and as provided by the applied zoning district.

Density: Up to two single-family residences, one accessory dwelling unit, and one junior accessory dwelling unit per lot.

- **Medium Density Residential (MDR).** Single-family detached and attached homes, multi-family housing, accessory dwelling units, and compatible public/quasi-public uses. Intended to compliment the character of adjacent lower density residential and neighborhood commercial development, and be located in proximity to parks, schools, public services, and employment centers. Limited neighborhood serving market-commercial uses may be allowed where they enhance the quality of life of the neighborhood and as provided by the applied zoning district.

Density: Up to 22 dwelling units per gross acre (equivalent to maximum of three units on an average 6,000 square foot city lot).

- **High Density Residential (HDR).** Higher density multi-family housing, accessory dwelling units, and compatible public/quasi-public and related uses. Intended to be urban in character and located in proximity to commercial and employment centers, parks, schools, and public services. Limited neighborhood serving market-commercial uses and limited mixed-use development with residential/neighborhood-serving retail may be allowed as provided by the applied zoning district.

Density: Up to 44 dwelling units per gross acre (equivalent to maximum of six units on an average 6,000 square foot city lot).

### **Commercial, Office and Mixed Uses**

In all commercial, office and mixed-use designations in the coastal zone, certain civic, recreation, infrastructure, and utility use types are allowed as further defined by the Implementation Plan. Public access and access support facilities, soil/groundwater remediation, habitat restoration and coastal hazard resiliency projects are also allowed.



- **Neighborhood Commercial (NC).** Limited-scale convenience retail, including pedestrian-oriented neighborhood retail, restaurants, commercial services and offices, artisan manufacturing, and residential uses. Intended to primarily serve nearby neighborhoods, be compatible with the character and form of adjacent residential uses, support a vibrant pedestrian environment, and promote short neighborhood-based trips. Residential and office uses are primarily allowed only on upper floors and non-street-facing portions of buildings, and only as provided by the applied zoning district.

Intensity: Maximum 3.0 FAR

- **General Commercial (GC).** Broad variety and scale of retail, office, commercial service, restaurants, lodging, entertainment, storage, warehousing, wholesale, distribution, lower-intensity manufacturing and residential uses. Intended to be an intensive auto- and pedestrian-oriented commercial district primarily located in or adjacent to highly visible areas, and to provide for local, regional and visitor needs. Residential and office uses are primarily allowed only on upper floors and non-street-facing portions of buildings, and only as provided by the applied zoning district.

Intensity: Maximum 2.5 FAR

- **Old Town Commercial (OC).** Prioritizes visitor-serving retail, restaurants, lodging, entertainment, cultural and art facilities, recreation, and tourist services, and also allows artisan manufacturing, neighborhood-serving commercial retail and services, as well as residential and office uses. Intended to emphasize commercial retail and tourism-related uses, recreation, leisure activities, hotels, and upper floor office/residential uses. Primarily caters to local and non-local visitors in historic and multi-story buildings with pedestrian-scaled storefronts lining the sidewalks. Ground-floor, street-facing uses are limited to uses generally open to the public which generate customer or visitor traffic, provide ground-floor display windows to promote views into the business, and sell goods typically consumed on premises or carried away by customers, or services of a personal or recreational nature. Residential and office uses are primarily allowed only on upper floors and non-street-facing portions of buildings, and only as provided by the applied zoning district.

Intensity: Maximum 5.0 FAR

- **Bayfront Commercial (BC).** Visitor-serving uses, including but not limited to visitor-related retail, restaurants, lodging, entertainment, cultural and art facilities, recreation, and tourist services; coastal-dependent and related commercial, recreational and civic uses; artisan manufacturing; commercial fishing facilities; residential uses; and office uses. Intended to emphasize water-oriented and visitor-serving commercial and recreational uses and leisure activities, and upper floor office/residential uses in a pedestrian-friendly environment encouraging physical and visual access to the bayfront. Office uses are primarily allowed only on upper floors or non-street facing portions of buildings, and residential uses are only allowed on upper floors, and only as provided by the applied zoning district.

Intensity: Maximum 4.0 FAR.

- **Library District.** A mix of single-family and multi-family housing, small-scale offices, small-scale commercial retail and services, artisan manufacturing, and lodging where the intent is to generally retain the character and form of the historic residential neighborhood. Intended to provide a mix of office and residential uses in a pedestrian-scale, neighborhood environment. Small-scale visitor- and local-serving commercial uses supporting cultural tourism and/or a self-sufficient neighborhood for residents are also encouraged.

Intensity: Maximum 2.5 FAR

- **Commercial Highway East (CHE).** Broad variety and scale of outdoor sales, large product retail service and sales, lower-intensity manufacturing, assembly, packaging, processing, wholesaling, distribution, storage, warehousing, research and development and other employment-generating uses. Intended for low-lying commercial properties along Jacobs Avenue and Highway 101 east of Eureka Slough to encourage continued commercial/industrial use of these filled and paved sites during the current planning period with uses not likely to require significant investment in new, permanent, structural development or draw significant concentrations of people to the area. Small scale retail uses and office uses supporting employees and incidental to the primary use may be allowed as provided by the applied zoning district. New residential uses are prohibited.

Intensity: Maximum 1.2 FAR

- **Mixed Use Limited (MUL).** Limited-intensity, limited-term uses including residential, commercial, and public facilities uses. Intended for properties with coastal resource and/or coastal hazard constraints, where there is suitable area to accommodate limited publicly-beneficial development during the current planning period in a manner that does not preclude potential future coastal retreat with sea level rise.

Intensity: NA

## Industrial Uses

In all industrial designations in the coastal zone, certain civic, recreation, infrastructure, and utility use types are allowed as further defined by the Implementation Plan. Public access and access support facilities, soil/groundwater remediation, habitat restoration and coastal hazard resiliency projects are also allowed.

- **Light Industrial (LI).** Lower-intensity manufacturing, assembly, packaging, processing, wholesaling, warehousing, distribution, research and development, and other employment-generating uses. Intended to be able to operate in close proximity to commercial and residential uses with minimum mutual adverse impacts. Small scale retail service uses and office uses that support employees and are incidental to the primary use may be allowed as provided by the applied zoning district. Upper floor residential and office uses and emergency shelters may also be allowed as provided by the applied zoning district.

Intensity: Maximum 2.0 FAR

- **General Industrial (GI).** Intensive manufacturing, assembly, packaging, processing, wholesaling, warehousing, distribution, research and development and other employment generating uses. Generally intended to be located away from residential, commercial and visitor serving uses due to the potential to produce loud noise, noxious odors and emissions, vibrations and high volumes of truck traffic. Retail and service uses that support employees and are incidental to the primary use may be allowed as provided by the applied zoning district. Emergency shelters may also be allowed as provided by the applied zoning district.

Intensity: Maximum 2.0 FAR

- **Coastal Dependent Industrial (CDI).** Principally permitted uses are limited to coastal-dependent industrial uses requiring a site on, or adjacent to, the bay in order to be able to function at all, while conditional uses include coastal-related industrial uses; coastal-dependent civic, commercial and recreational facilities such as cruise ship docks, boat rentals, and marine research facilities; interim non-coastal dependent uses; and secondary uses incidental and ancillary to the primary use that complement, support and enhance coastal-dependent uses. Intended to prioritize commercial fishing, shipping and other coastal-dependent uses on bayfront land with deep-water channel access, while allowing coastal-related and mutually supportive businesses, and providing enough flexibility of use to avoid chronic vacancy and deferred maintenance. Offices may be allowed on upper floors as provided by the applied zoning district. Conditional uses must be able to tolerate loud noise, noxious odors, vibrations and other negative externalities of surrounding coastal-dependent industrial uses.

Intensity: Maximum 2.0 FAR

- **Bayfront Industrial (BI).** Principally permitted uses are limited to coastal-dependent industrial uses requiring a site on, or adjacent to, the bay in order to be able to function at all, while conditional uses include coastal-related industrial uses; coastal-dependent and -related civic, commercial and recreational facilities; and uses permitted in the Light Industrial land use designation, subject to performance standards to prioritize coastal-dependent development and uses, including preservation of bay frontage and access thereto. Intended to continue to prioritize coastal-dependent and -related uses but increase flexibility of use on industrial lands previously designated Coastal-Dependent Industrial with lesser utility for coastal-dependent industrial use, such as lands with significant barriers to deep-water channel access, and for transitional areas between heavy industrial uses and less intense public recreational and other land uses.

Intensity: Maximum 2.0 FAR

### **Public/Quasi-Public Use (PQP)**

In all public/quasi-public designations in the coastal zone, certain civic, recreation, infrastructure, and utility use types are allowed as further defined by the Implementation Plan. Public access and access support facilities, soil/groundwater remediation, habitat restoration and coastal hazard resiliency projects are also allowed.



- **Public/Quasi-Public (PQP).** Public and private institutional uses, government facilities and services, schools, courts, cemeteries, fairgrounds, airports, marinas and wharves, and major utility facilities, as well as parks, golf courses and other public recreational facilities. Intended to be applied to uses and facilities that are of a size and intensity that warrant an individual land use designation and/or to accommodate both active/programmable and passive/self-directed recreational facilities. Retail, service uses, and other uses determined to have a public benefit and that are incidental to the primary use may be allowed as provided by the applied coastal zoning district.

Intensity: Maximum 4.0 FAR

- **Public Facilities Marina (PFM).** Commercial fishing facilities, recreational fishing and boating facilities, fishing and boating-related support facilities, existing offices and shops directly related to marine uses, as well as limited subordinate, complimentary coastal-related and visitor-serving uses such as boat-to-public sale of fish and special outdoor community events, as long as such uses do not **displace current or projected demand for commercial fishing facilities and necessary support facilities, including** work areas, gear storage, and **parking** for permitted uses, and are **designed and located so as not to interfere with** commercial fishing facilities. Intended to **prioritize, protect, maintain, and provide commercial fishing facilities and uses related to the commercial fishing industry at the Woodley Island Marina**, while supporting recreational fishing and boating and public enjoyment of a working marina. **Recreational boat berthing facilities shall not exceed 20% of the total number of constructed berths** if Woodley Island Marina is at full commercial vessel capacity.

Intensity: NA

- **Bayfront Recreation (BR).** Both active/programmable and passive/self-directed recreational facilities and education offerings and associated support facilities such as parking and restrooms, as well as compatible publicly-beneficial uses, as long as such facilities and uses do not preclude potential inland retreat of the shoreline with sea level rise in the mid- to long-term (2070-2100). Intended for publicly-owned bayfront lands to promote coastal public access and recreational uses during the current planning period (through 2040), while ensuring the continued functionality of the area's public utility infrastructure, and planning for phased adaptation and potential retreat of the shoreline with sea level rise. As sea levels rise, priority shall be given to ensuring continued public access along the shoreline, resiliency and enhancement of coastal habitats, and functionality of the City's infrastructure systems.

Intensity: NA

### Coastal Open Space and Resource Related Designations

In all coastal open space and resource-related designations in the coastal zone, public access and access support facilities, soil/groundwater remediation, habitat restoration and coastal hazard resiliency projects are allowed when protective of coastal resources and consistent with all applicable policies of the LUP.

- **Coastal Agriculture (CA).** Principally permitted uses include agriculture; accessory agricultural uses and facilities necessary to support the primary agricultural use or operation; and farmworker housing as provided for by State law. Conditional uses include residences for agricultural owners and operators; agricultural compatible uses including public recreation and habitat restoration; incidental public purposes which temporarily impact the resources of the area, such as burying cable and pipes; and secondary uses supportive of the long-term viability of the primary agricultural use. Intended to protect agricultural land, including farmed or grazed wetlands, for long-term productive agricultural and wildlife habitat uses and to ensure adequate separation between agricultural operations and adjacent development. Housing and secondary uses are only allowed if they will not diminish the productivity or viability of agricultural land or the ability to keep the land in production.

Intensity/Density: Maximum 0.1 FAR; maximum 2 dwelling units per farm tract (all contiguous legal lots under a common ownership), plus farmworker housing as allowed by the applied zoning district.

- **Natural Resource (NR).** Protection, enhancement, restoration, management, study, and passive recreational use of land-based habitats and natural areas. Intended to protect land that is primarily suitable for permanent habitat preservation, compatible resource related uses, nature study, and natural-resource-related recreation. Public access, passive recreation, active recreation, and visitor-related facilities (such as restrooms, interpretive centers, trailheads, etc.) may be allowed as provided by the applied coastal zoning district. Uses related to coastal hazard protection may be allowed as provided by the applied coastal zoning district.

Intensity: Nature-study-related buildings/structures may be constructed at an intensity determined by the applied coastal zoning district.

- **Water Conservation (WC).** Protection, enhancement, restoration, management, and study of environmentally sensitive habitat within the estuarine waters of Humboldt Bay. Intended to protect waters that are primarily suitable for permanent habitat preservation, compatible resource related uses, nature study, and natural-resource-related recreation. Public access, passive recreation, active recreation, boat ramps, commercial fishing, aquaculture, commercial outdoor recreation, and other compatible uses may be allowed as provided by the applied coastal zoning district.

Intensity: NA

- **Water Development (WD).** Port, harbor, commercial fishing, recreation and aquaculture related uses of the estuarine waters of Humboldt Bay. Intended to be carried out consistent with the City's resource protection policies. Coastal-dependent industrial, incidental public services, recreational use, nature study, and other compatible uses may be allowed as provided by the applied coastal zoning district.

Intensity: NA

## COMMUNITY FORM AND CHARACTER

Policies related to community form and character are also included in Chapter 3 (e.g., mobility and parking), Chapter 4 (e.g., visual and scenic resources), and Chapter 5 (e.g., development subject to high risk of coastal hazards).

### Coastal Act Policies

Among other Coastal Act policies cited throughout the LUP, the following Coastal Act policies and policy excerpts are relevant to community form and character in Eureka:

#### **Section 30250. Location; existing developed area.**

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

**Section 30252. Maintenance and Enhancement of Public Access.** The location and amount of new development should maintain and enhance public access to the coast by...(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads...

**Section 30253. Minimization of Adverse Impacts.** New development shall do all of the following:...(d) Minimize energy consumption and vehicle miles traveled...

Eureka is the largest coastal city north of San Francisco and the urban hub of rural Humboldt County. The City is located between the inner shoreline of Humboldt Bay and surrounding timber, agricultural and open space lands. Concentrating development within City limits reduces vehicle miles traveled and energy use, promotes walking and biking, and reduces development pressure on surrounding natural resource lands.

Eureka was founded in the 1850s and grew quickly over the next 100 years. By the late 1950s, the vast majority of the large buildings that currently exist in the City had been built, and the City's distinct character had been largely established. The City of Eureka adopted its first General Plan in 1965, and first LUP in 1984, with a comprehensive update to the General Plan and LUP in 1997, among other General Plan updates. The development-related goals and policies of these past General Plans and LUPs intended to stimulate low-density suburban development patterns, despite the fact that such development was inconsistent with the patterns that already existed throughout the City. The 2040 General Plan, including this LUP, supports development that builds upon Eureka's historic development patterns and utilizes greater intensities and building heights than have been allowed in the past General Plans and LUPs, returning to Eureka's roots by encouraging new development that is of the same scale and density as the development Eureka experienced prior to the 1960s.

### Goal LUD-1

A Community that values its unique small town charm and livability while thoughtfully advancing new prospects for growth and economic vitality.<sup>4</sup>

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<sup>4</sup> 2040 GP Goal LU-1 from the Community Form and Character section of the Our Community Chapter.



## Policies

- LUD-1.1 Beneficial Development.**<sup>5</sup> Support development that affords benefits to all segments of the community that:
- Offers varied housing choices.
  - Provides for mixed use development.
  - Develops underutilized or vacant parcels.
  - Reuses and expands upon underutilized or dilapidated buildings.
  - Furtheres the attraction and/or retention of businesses targeted in the Eureka Economic Development Strategic Plan.
  - Enhances the City's tax base.
  - Encourages people to walk, bike, or use transit.
  - Integrates development with public rights-of-way, parks, open spaces, plaza's, boardwalks, trails, and other public spaces.
  - Preserves and/or enhances valuable natural, historic, or cultural resources.
  - Applies practices that help to reduce development's carbon footprint.
  - Develops intersection corners and street frontages with buildings instead of parking lots.
- LUD-1.2 Compact Form.**<sup>6</sup> Provide for a compact pattern of mixed land uses at higher densities/intensities than allowed by the 1984 and 1997 LUPs, consistent with the development patterns Eureka experienced from the 1870s to the 1940s. Focus this compact pattern of land uses to radiate out from the Core Area, Commercial Corridors, and other Employment Areas to make efficient use of the City's limited remaining developable lands, minimize energy consumption and vehicle miles traveled, and promote urban infill within and adjacent to existing developed areas.<sup>7</sup>
- LUD-1.3 Infill First.**<sup>8</sup> Prioritize and promote adaptive reuse and revitalization of abandoned and inactive industrial sites and other chronically vacant and underutilized buildings and properties in the coastal zone.
- LUD-1.4 Diverse Uses.**<sup>9</sup> Maintain a diverse range of compatible land uses that offer adequate flexibility to quickly respond to evolving market opportunities over time.
- LUD-1.5 Food Access.**<sup>10</sup> Promote access to healthy foods for all residents in Eureka's coastal zone, such as by allowing neighborhood markets in residential and visitor-serving areas.

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<sup>5</sup> 2040 GP Policy LU-1.3.

<sup>6</sup> 2040 GP Policy LU-1.2.

<sup>7</sup> Language from Coastal Act Sections 30253 and 30250.

<sup>8</sup> Combination of 2040 GP Policies LU-1.11, LU-6.2, LU-6.3.

<sup>9</sup> 2040 GP Policy LU-1.1.

<sup>10</sup> Similar to 2040 GP Policies LU-2.1(e), LU-5.6(c), LU-7.1, LU-7.2, and LU-5.7.

- LUD-1.6 Existing Buildings and Sites.**<sup>11</sup> Support and encourage economic investment in and incentives for improvements to existing buildings and sites including facade improvements, new paint and signage, retrofitting, adaptive reuse, and upgraded landscaping and paving.
- LUD-1.7 Interim Uses.**<sup>12</sup> Support pop-up businesses, phantom galleries, community displays, temporary markets, community events, community gardens and other temporary uses in vacant or underutilized buildings and sites to reduce vacancy rates, incubate new businesses, and enhance activity.
- LUD-1.8 Context-Based Development Regulations.**<sup>13</sup> Provide adequate flexibility in the City's Implementation Plan to accommodate unique circumstances and innovative development ideas, with performance-based concessions and incentives, and other context-based flexibility in standards.
- LUD-1.9 Promote Housing Options.** Incentivize smaller residential unit sizes, accessory dwelling units, subsidized affordable housing, and housing near jobs and services by reducing and removing regulatory barriers in the Implementation Plan for such housing types, as long as the reductions are consistent with all applicable policies of the LUP.
- LUD-1.10 Affordable Housing Density Bonus.** Allow for density bonuses above the maximum residential densities cited for each land use designation to provide for residential development consistent with California Government Code Section 65915 et. seq. and the Coastal Act, and when such increase in density does not adversely affect coastal resources or exceed infrastructure capacity.
- LUD-1.11 Incompatible Uses.**<sup>14</sup> Facilitate the relocation of nonconforming industrial and other incompatible uses that create potential conflicts with and/or otherwise detract from the character of adjacent uses. **Where feasible, locate new hazardous industrial development away from existing developed areas.**<sup>15</sup>
- LUD-1.12 Nonconforming Structures.**<sup>16</sup> Allow legally established non-conforming structures to be maintained, repaired, altered and expanded so long as improvements do not increase the degree of nonconformity of the existing structure with respect to coastal resource protection policies and standards of the Local Coastal Program (LCP). When an application for a coastal development permit involves redevelopment of an existing structure, require the structure to come into compliance with all current coastal resource protection standards and policies of the LCP.

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<sup>11</sup> 2040 GP Policy LU-1.9.

<sup>12</sup> 2040 GP Policy E-3.7.

<sup>13</sup> Language from 2040 GP Policies LU-1.6 and -6.1.

<sup>14</sup> 2040 GP Policy LU-1.4.

<sup>15</sup> Coastal Act 30250(c). Similar policy: Newport Beach 2.6.-5.

<sup>16</sup> From Coastal Commission's Residential Adaptation Policy Guidance.

**LUD-1.13 Green Buildings and Businesses.**<sup>17</sup> Explore providing incentives for development that generates renewable energy and uses sustainable and energy-efficient technologies resulting in minimized carbon footprints.

**LUD-1.14 Land Divisions.** Only approve subdivisions and lot line adjustments if designed to protect coastal resources and priority uses, ensure adequate services for the resulting parcels, and minimize risk to life and property in high hazard areas, and if the resulting parcels can be developed consistent with all applicable policies of the LUP. If this is not feasible, lot line adjustments which increase the consistency of the subject parcels with the policies of the LUP over existing conditions may be allowed.

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<sup>17</sup> 2040 GP Policy U-5.9.



## COASTAL CORE AREA

Additional policies specific to the Coastal Core Area related to public access, recreation, overnight accommodations, visitor-serving uses, fishing, boating, mobility and parking can be found in Chapter 3 of the LUP, while Core-Area-specific visual resource policies can be found in Chapter 4.

### Goal LUD-2

A thriving, compact, and pedestrian oriented Core Area that serves as the heart of Eureka's civic, cultural, business and visitor activity and is appealing to new investment.<sup>18</sup>

### Policies

- LUD-2.1 Core Area Uses and Activities.**<sup>19</sup> Support the following uses and activities within the Core Area:
- a. Mixed-use emphasizing a highly-interactive retail and service environment at the street level with office and residential uses primarily above the first floor and in portions of buildings that do not have street frontage;
  - b. Evening uses and activities that extend the hours of activity in the Core Area;
  - c. Housing including the rehabilitation and conversion of vacant upper floors of buildings and portions of buildings that do not have street frontage;
  - d. Incentivized live-work and mixed-use spaces that allow for joint living and working quarters that are promoted through reduced or eliminated parking requirements and other incentives;
  - e. Neighborhood markets and other services needed to serve the residents and employees of the district;
  - f. Specialty and boutique shops, restaurants, and other locally-owned storefront businesses with particular focus on the creation of a distinct pedestrian oriented shopping district from C Street to I Street, and the Waterfront to 3rd Street;
  - g. Cultural and art related facilities and events that attract patrons with particular focus on the creation of a cultural arts/theater district and renovation of the Ingomar Theater and other historic facilities;
  - h. Visitor serving uses and recreational activities including outdoor dining on street frontages;
  - i. Waterfront hotel(s) to draw new visitors to businesses in the Core Area and throughout the City;
  - j. A variety of lodging options that draw new visitors to businesses in the Core Area and throughout the City;
  - k. Professional and business services, such as attorneys, realtors, architects, engineers, investment specialists, and other professional fields that provide a daily customer base for the retail and food-related uses in the area;
  - l. Craftsman shops where items such as baked goods, glass, pottery, small furniture, clocks, and other specialized items are made and sold onsite;

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<sup>18</sup> 2040 GP Goal LU-2 from the Core Area section of the Our Community Chapter.

<sup>19</sup> 2040 GP Policy LU-2.1.

- m. Public spaces such as plazas, squares, parks, pocket parks, parklets, activated alleys, small community gardens, trails, boardwalks, piers, and public and private recreational uses including the redesign and retrofit of the Gazebo and Clark Plaza to increase their usefulness, safety and comfort; and
- n. Government facilities and services consolidated into a regional center of civic offices, services, and functions.

- LUD-2.2 Building Intensity.**<sup>20</sup> Encourage new development in the Coastal Core Area to achieve the maximum allowable building intensity where consistent with all applicable policies of the LUP and to the extent compatible with the surrounding context.
- LUD-2.3 Historic Preservation.**<sup>21</sup> Ensure structures of historic significance or architectural interest are preserved and, wherever feasible, rehabilitated to protect the variety and quality of older buildings in the Coastal Core Area. In cases where such structures might be used to better advantage in new surroundings, the City shall encourage relocation.
- LUD-2.4 Incentives for Relocation.**<sup>22</sup> Encourage and provide incentives, where feasible, for the relocation of privately-owned industrial and automotive facilities that are non-conforming and not conducive to the City's vision for the Coastal Core Area.
- LUD-2.5 County 2nd and J Street Facilities.**<sup>23</sup> Work with Humboldt County to relocate the County's 2nd and J Street maintenance facilities outside of the Coastal Core Area and to redevelop the site with appropriate residential, office, commercial, cultural and/or visitor serving uses.

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<sup>20</sup> 2040 GP Policy LU-2.12.

<sup>21</sup> Existing LUP Policy 1.1.1.

<sup>22</sup> 2040 GP Policy LU-2.7.

<sup>23</sup> 2040 GP Policy LU-2.2.

## COASTAL-DEPENDENT DEVELOPMENT

See Chapter 3 (Public Access and Recreation) for commercial and recreational fishing and boating policies, as well as policies about coastal-dependent and -related recreation.

### Coastal Act Policies

The following Coastal Act policies are most relevant to this LUP policy section, and Coastal Act Section 30255 has been directly incorporated as LUP Policy LUD-3.1:

**30255. Priority of coastal-dependent developments.** Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

**Section 30260 Location or expansion.** Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

**Section 30262. Oil and Gas Development.** (a) Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:

- (1) The development is performed safely and consistent with the geologic conditions of the well site.
- (2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.
- (3) Environmentally safe and feasible subsea completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of those structures will result in substantially less environmental risks.
- (4) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, as determined in consultation with the United States Coast Guard and the Army Corps of Engineers.
- (5) The development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.
- (6) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Geologic Energy Management Division of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.
- (7)(A) All oil produced offshore California shall be transported onshore by pipeline only. The pipelines used to transport this oil shall utilize the best achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems.
  - (B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline.
  - (C) The following guidelines shall be used when applying subparagraphs (A) and (B):
    - (i) "Best achievable technology," means the technology that provides the greatest degree of protection taking into consideration both of the following:
      - (I) Processes that are being developed, or could feasibly be developed, anywhere in the world, given overall reasonable expenditures on research and development.
      - (II) Processes that are currently in use anywhere in the world. This clause is not intended to create any conflicting or duplicative regulation of pipelines, including those governing the transportation of oil produced from onshore reserves.

(ii) "Oil" refers to crude oil before it is refined into products, including gasoline, bunker fuel, lubricants, and asphalt. Crude oil that is upgraded in quality through residue reduction or other means shall be transported as provided in subparagraphs (A) and (B).

(iii) Subparagraphs (A) and (B) shall apply only to new or expanded oil extraction operations. "New extraction operations" means production of offshore oil from leases that did not exist or had never produced oil, as of January 1, 2003, or from platforms, drilling island, subsea completions, or onshore drilling sites, that did not exist as of January 1, 2003. "Expanded oil extraction" means an increase in the geographic extent of existing leases or units, including lease boundary adjustments, or an increase in the number of well heads, on or after January 1, 2003.

(iv) For new or expanded oil extraction operations subject to clause (iii), if the crude oil is so highly viscous that pipelining is determined to be an infeasible mode of transportation, or where there is no feasible access to a pipeline, shipment of crude oil may be permitted over land by other modes of transportation, including trains or trucks, which meet all applicable rules and regulations, excluding any waterborne mode of transport.

(8) If a state of emergency is declared by the Governor for an emergency that disrupts the transportation of oil by pipeline, oil may be transported by a waterborne vessel, if authorized by permit, in the same manner as required by emergency permits that are issued pursuant to Section 30624.

(9) In addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned, the best achievable technology shall be used.

(b) Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.

(c) Nothing in this section shall affect the activities of any state agency that is responsible for regulating the extraction, production, or transport of oil and gas.

## Background

Pursuant to the Coastal Act, coastal-dependent development means any development or use which requires a site on, or adjacent to, the sea to be able to function at all. Coastal-related development means any use dependent on a coastal-dependent development or use. The "sea" means the Pacific Ocean and all areas subject to tidal action through any connection with the Pacific Ocean.

The City of Eureka is separated from the Pacific Ocean by Humboldt Bay and the Samoa Peninsula, but has shoreline that abuts Humboldt Bay and other tidally influenced areas. Coastal-dependent and coastal-related development in Eureka includes a broad range of commercial, industrial, recreational and public uses, including boat rentals and tours, marinas, piers and docks, boat repair and maintenance, commercial fishing and seafood processing, lumber and wood product shipping, and a marine oil terminal.

Humboldt Bay is the largest protected deep-water port between San Francisco Bay and Puget Sound. Coastal-dependent industrial (CDI) development around Humboldt Bay including in Eureka has historically been associated with the timber and fishing industries. Due to a variety of factors, over the past 50 years, the amount of CDI activity and resulting demand for CDI has significantly diminished. As a result, large areas of land in the coastal zone zoned and reserved for coastal-dependent industry are vacant or underutilized. Eureka's long-term vitality depends on returning these lands back to productive use and introducing new uses into these areas that reflect current economic conditions and future trends.



### Goal LUD-3

Thriving coastal-dependent businesses and well-utilized waterfront lands and bayfront facilities.<sup>24</sup>

#### Policies

- LUD-3.1 Priority of Coastal-Dependent Development.**<sup>25</sup> Prioritize coastal-dependent development over other developments in locations on or near the shoreline. When appropriate, accommodate coastal-related development in proximity to the coastal-dependent uses they support.
- LUD-3.2 Coastal-Dependent Industrial Uses.** Prioritize coastal-dependent industrial (CDI) uses by limiting principally permitted primary uses in the CDI land use designation and zoning district exclusively to coastal-dependent industrial uses, and by allowing coastal-dependent industrial uses in other industrial, mixed-use and public zoning districts on and near the waterfront. In addition, use proactive measures to ensure the protection of coastal-dependent industrial uses, such as recordation of “right-to-fish” deed restrictions for non-industrial development occurring in proximity to commercial fishing and seafood processing facilities.
- LUD-3.3 Oil and Gas Development.** Allow oil and gas development only when consistent with Coastal Act Section 30262 and other applicable Coastal Act policies.
- LUD-3.4 Revitalization of City Dock B at Marina Way.**<sup>26</sup> Redevelop and promote the city-owned dock at Marina Way as a modern multiple-purpose facility.
- LUD-3.5 Shipping.**<sup>27</sup> Promote Eureka as a port City including options such as short sea shipping.
- LUD-3.6 Research Facilities and Vessels.**<sup>28</sup> Promote and support new development or redevelopment of dock facilities and adjacent shoreline sites to facilitate marine-related scientific research.
- LUD-3.7 Port Coordination.**<sup>29</sup> Coordinate land use planning and economic development activities in the vicinity of the Port of Humboldt Bay with the Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD) and Humboldt County.
- LUD-3.8 Port of Humboldt Bay.**<sup>30</sup> Work with the Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD) to preserve and, where feasible, improve and expand upon existing port facilities and infrastructure, including consideration of programs and actions that may expand demand for port facilities from both established industries such as

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<sup>24</sup> Language from 2040 GP Goal E-4.

<sup>25</sup> Coastal Act Section 30255.

<sup>26</sup> Language from 2040 GP Policy E-4.4.

<sup>27</sup> 2040 GP Policy M-7.3.

<sup>28</sup> 2040 GP Policy E-4.5.

<sup>29</sup> 2040 GP Policy E-4.2.

<sup>30</sup> 2040 GP Policy E-5.3.

commercial fishing, aquaculture, cargo, and cruise ships and emerging industries, such as offshore wind energy.

- LUD-3.9 Flexibility of Use on Coastal-Dependent Industrial Lands.** Maintain flexibility to accommodate a range of conditional and interim uses within the Coastal Dependent Industrial (CDI) zoning district, [reflective of the regional overabundance of vacant and underutilized CDI land, Eureka’s limited inventory of remaining developable lands,](#)<sup>31</sup> and the social, economic, and ecological benefits of infill, brownfield development within the City. Recognize continual use of existing facilities and associated infrastructure is necessary in order to avoid deferred maintenance and infrastructure degradation, meaning that allowing interim and conditional uses that aren’t CDI uses may be necessary in order to ensure the long-term future viability of priority CDI uses. In allowing flexibility of use, ensure allowed uses are compatible with established CDI uses in the vicinity, and ensure Public Trust Lands are utilized in a manner consistent with the Public Trust Doctrine. Require interim uses to adhere to performance standards to avoid adverse impacts to the utility of the site for future long-term CDI use, as well as impacts to coastal-related industrial uses and to other priority uses conditionally permitted in the CDI zoning district.
- LUD-3.10 Secondary Uses on Coastal-Dependent Industrial Lands.** Allow a diverse mix of compatible, non-coastal-dependent uses as secondary uses on sites with active coastal-dependent uses within the Coastal Dependent Industrial (CDI) zoning district [as a mechanism to make continued operation of these high-maintenance properties viable.](#)<sup>32</sup> Ensure secondary uses [are](#) supplemental to and compatible with onsite and surrounding CDI uses; preserve priority access to roads, bay frontage, and infrastructure for CDI uses; and do not diminish opportunities for CDI uses.
- LUD-3.11 Reclassification of Coastal-Dependent Industrial Lands.** Allow reclassification of Coastal Dependent Industrial (CDI) lands if adequate bayside land will continue to be reserved to meet existing and potential future demand for CDI uses, and if the land proposed for reclassification is less suitable for CDI uses as compared to other similarly classified parcels around Humboldt Bay, for instance, because of lack of access to a deep-water channel. Conversely, the CDI land use designation shall be expanded if future demand for additional sites for coastal-dependent industry becomes evident.

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<sup>31</sup> Language from 2040 GP Policy E-4.1.

<sup>32</sup> 2040 GP Policy LU-2.4.

## AGRICULTURE

### Coastal Act Policies

The following Coastal Act policies and policy excerpts are most relevant to agriculture in Eureka. The relevant language of Coastal Act Sections 30243 and 30222.5 is included directly in LUP Policies LUD-4.1 and LUD-4.6, respectively, while language from Coastal Act Sections 30241 and 30242 is incorporated into LUP Policies LUD-4.2 and LUD-4.5.

**Section 30241 Prime agricultural land; maintenance in agricultural production.** The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

### Section 30241.5 Agricultural land; determination of viability of uses; economic feasibility evaluation

- (a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:
  - (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.
  - (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.
- (b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

**Section 30242 Lands suitable for agricultural use; conversion.** All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

**Section 30243 Productivity of soils and timberlands; conversions.** The long-term productivity of soils and timberlands shall be protected...

**Section 30250 Location; existing developed area.** (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only

where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

**Section 30222.5 Oceanfront lands; aquaculture facilities; priority.** Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

## Background

Parcels within the City's coastal zone designated as "Agriculture" are contained in two noncontiguous areas of the City: (1) a more than 350-acre area to the south of US-101 on the northeast side of the City near Murray Field; and (2) a more than 80-acre area immediately east of US-101 and north of Herrick Avenue in the southwest portion of the City. These lands are diked former tidelands that have historically been used for summer grazing of cattle. There are no lands within the City of Eureka under active Williamson Act contract. The agricultural land on the northeast side of the City is mostly owned by the State of California Department of Fish and Wildlife (CDFW) as part of the 484-acre Fay Slough Wildlife Area. The land was used predominately for grazing until it was acquired by CDFW in the late 1980s and restored to coastal and seasonal wetlands with public access trails and wildlife viewing, birdwatching, and hunting.

The California Department of Conservation has not classified farmland in Humboldt County as part of the Farmland Mapping and Monitoring Program (FMMP). There is no classification of agricultural lands in Eureka as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Unique Farmland. In the Coastal Commission's original certification of the City of Eureka's Local Coastal Program in 1984, the Commission found Eureka's agricultural lands do not meet the Coastal Act Section 30113 definition of prime agricultural land.

The 1984 Local Coastal Program and 1997 Land Use Plan update both designated an urban limit line including all land within City limits except for the farmed wetlands designated for agricultural use near the southern and northeastern ends of the City. Consistent with previous versions of the Local Coastal Program, for the purposes of implementing Coastal Act Section 30250(a), this LUP considers lands designated Coastal Agriculture to be rural lands outside existing developed areas.

Aquaculture is a form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals, such as fish, shellfish, mollusks, crustaceans, kelp, and algae, in marine, brackish, and fresh water. Also called "mariculture," aquaculture is a prevalent industry in Humboldt Bay, due to the presence of good water quality, a healthy estuary, and sheltered tidal substrates. As of 2022, the aquaculture industry in the Humboldt Bay region is primarily focused on shellfish (oysters and clams). Oyster farming occurs on tidelands managed by the City, while onshore support facilities for aquaculture are primarily located outside of the City on the Samoa Peninsula.

There are no commercial timberlands within the City of Eureka's coastal zone.

## Goal LUD-4

Preservation of agricultural lands and aquaculture operations within and surrounding Eureka.<sup>33</sup>

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<sup>33</sup> Language from 2040 GP Goal AG-1.

## Policies

- LUD-4.1 Agricultural Soil Preservation.**<sup>34</sup> Protect the long-term productivity of agricultural soils.
- LUD-4.2 Agricultural Land Preservation.**<sup>35</sup> Develop available lands not suited for agriculture prior to the conversion of agricultural lands, and limit conversion of the agricultural lands around the periphery of urban Eureka to lands where the viability of agricultural use is already severely limited, or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. Also ensure any conversion of agricultural land to nonagricultural uses is consistent with Coastal Act Section 30250, and is compatible with continued agricultural use on surrounding lands.
- LUD-4.3 Subdivision of Agricultural Land.** Allow subdivisions and lot line adjustments on land designated as Agriculture only when consistent with the rural land division criteria in Coastal Act Section 30250(a), and the agricultural and resource protection policies of the LUP. Minimum lot size for Agriculture-designated lands shall be determined on a case-by-case basis to ensure maximum existing or potential future agricultural productivity.
- LUD-4.4 Structural Development.** Site and design structures on agricultural lands to minimize coverage of land suitable for agriculture, interference with production activities, and adverse impacts to the long-term productivity and viability of agricultural land, such as by clustering with existing structures.
- LUD-4.5 Minimizing Urban/Agricultural Conflicts.**<sup>36</sup> Minimize conflicts between agricultural and urban uses by establishing stable boundaries separating urban and agricultural areas, including, where necessary, clearly defined buffer areas; by developing and maintaining non-agricultural development on land adjacent to agricultural areas in a manner compatible with continued agricultural use of adjacent lands; and by assuring public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- LUD-4.6 Prioritize Aquaculture.**<sup>37</sup> Protect bayfront land suitable for coastal dependent aquaculture for that use, and give priority to proposals for aquaculture facilities located on those sites, except over other coastal dependent developments or uses.
- LUD-4.7 Limit Aquaculture Impacts.**<sup>38</sup> Ensure aquaculture does not adversely impact natural ecological processes, native wildlife or fisheries, or their habitat in Humboldt Bay. Require applicants for new aquaculture uses to demonstrate that adequate precautions will be taken to prevent adverse impacts to natural ecological processes.

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<sup>34</sup> Coastal Act 30243.

<sup>35</sup> Coastal Act Sections 30241(b)-(d) and 30242.

<sup>36</sup> Coastal Act Section 30241(a) and (e).

<sup>37</sup> Coastal Act Section 30222.5.

<sup>38</sup> 2040 GP Policy AG-1.3.



## PUBLIC WORKS

See the Public Access and Recreation Chapter 3 for policies related to transportation infrastructure; see the Land and Aquatic Resources Chapter 4 for additional policies related to stormwater management; and see the Coastal Hazards Chapter 5 for policies related to adapting public infrastructure and services to climate change.

### Coastal Act Policies

The following Coastal Act policies are most relevant to public works facilities in Eureka:

#### Section 30250 Location; existing developed area

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...

**Section 30254 Public works facilities.** New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

## Background

The City of Eureka provides potable water, wastewater collection, and stormwater drainage services to local customers. Wastewater treatment occurs at the Elk River Wastewater Treatment Plant with an outfall into the bay at the Elk River Spit. Recology provides solid waste collection and removal services. Pacific Gas and Electric (PG&E) provides electricity and natural gas service.

## Goal LUD-5

Sustainable and adequate public infrastructure and services to meet the needs of existing development and planned growth.

## Policies

**LUD-5.1 Limits on New and Expanded Facilities.**<sup>39</sup> Ensure new or expanded public works facilities in the coastal zone are designed and limited to serve development and uses permitted consistent with the provisions of the LUP.

**LUD-5.2 Special Districts.**<sup>40</sup> Permit the formation or expansion of special districts only where the assessment for, and provision of, services will not induce development inconsistent with the LUP.

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<sup>39</sup> First sentence of Coastal Act Section 30254.

<sup>40</sup> Second sentence of Coastal Act Section 30254.

- LUD-5.3 Sufficient Capacity and Prioritization.** Require new development to demonstrate the availability of sufficient services.<sup>41</sup> Where public infrastructure and services are limited or constrained, **ensure preservation of adequate service capacity for coastal-dependent uses; essential public services; basic industries vital to the economic health of the region, state or nation; public recreation; commercial recreation; and visitor-serving uses.**<sup>42</sup>
- LUD-5.4 Service Extensions.** Prohibit new service extensions and expansions, unless public services can be extended or expanded:
- without the extension/expansion, or any development facilitated by the extension/expansion, **having significant adverse effects, either individually or cumulatively, on coastal resources**<sup>43</sup>;
  - without inducing the conversion of agricultural and natural resource designated lands to urban uses;
  - without facilitating new development requiring new or augmented coastal armoring given projected sea level rise over the development's anticipated life; and
  - only if sufficient public service capacity is available to serve new development facilitated by the extension/expansion, while assuring capacity remains available for planned and permitted development and for priority uses consistent with Policy LUD-5.3.
- LUD-5.5 Water Access and Distribution.**<sup>44</sup> Continue to provide high quality water through a cost-effective distribution system, satisfying both normal and emergency water demands, for all segments of the community.
- LUD-5.6 Adequate Wastewater Infrastructure.**<sup>45</sup> Continue efforts to maintain and improve the City's wastewater collection and treatment system capacity for all segments of the community to satisfy dry and wet weather conditions while also detecting and correcting infiltration/inflow (I/I) issues, in accordance with applicable discharge standards. Continue to explore the feasibility of relocation of the wastewater outfall.
- LUD-5.7 Wastewater System Best Practices.**<sup>46</sup> Identify and implement, where feasible, best practices and technologies for wastewater collection and treatment, including strategies that reduce wastewater demand, maintain maximum energy efficiency, and reduce costs and greenhouse gas emissions.
- LUD-5.8 Adequate Stormwater Infrastructure.**<sup>47</sup> As funding allows, continue efforts to maintain and improve the City's storm drainage system throughout Eureka to adequately accommodate stormwater runoff and prevent flooding.

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<sup>41</sup> Language similar to 2040 GP Policies U-1.3 and -2.3.

<sup>42</sup> Third sentence of Coastal Act Section 30254.

<sup>43</sup> Includes language from Coastal Act Section 30250.

<sup>44</sup> 2040 GP Policy U-1.1.

<sup>45</sup> 2040 GP Policy U-2.1

<sup>46</sup> 2040 GP Policy U-2.7.

<sup>47</sup> 2040 GP Policy U-3.1.

**LUD-5.9 Adequate Solid Waste Services.**<sup>48</sup> Continue to support solid waste facility operators and service providers in local solid waste collection, disposal, and recycling efforts.

**LUD-5.10 Increase Waste Diversion.**<sup>49</sup> Promote maximum use of solid waste source reduction, recycling, composting, and environmentally-safe transformation of wastes, maximizing solid waste diversion opportunities.

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<sup>48</sup> 2040 GP Policy U-4.1.

<sup>49</sup> 2040 GP Policy U-4.3.

# GLOSSARY EXCERPT

*Including terms applicable to the Land Use and Development Chapter.*

**Accessory Use.** A use that is subordinate to and dependent on the primary use on the same lot.

**Adaptive Reuse.**<sup>50</sup> The reuse of an existing building or site for a purpose other than the original use.

**Allowed Land Use.** A land use permitted in a land use designation, either by right or with a Use Permit or Minor Use Permit.

**Appropriate.** Suitable and logical for a particular person, place, condition or context.

**Aquaculture.**<sup>51</sup> A form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. "Aquaculture" does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes. Aquaculture products are agricultural products.

**California Coastal Trail.** An integrated network of trails that, when completed, will provide a multi-modal opportunity to walk and bike the length of California's 1,230-mile-long coast from the Oregon border to Mexico.

**Character.** Special physical characteristics of a structure or area setting it apart from its surroundings and contributing to its individuality.

**Coastal Access.** The ability of the public to reach, use or view the shoreline of coastal waters and coastal recreation areas.

**Coastal Core Area.** The area containing the Old Town, Commercial Bayfront, and Library District Community Places as shown in Figure LUP 2-2.

**Coastal-Dependent Development or Use.**<sup>52</sup> Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

**Coastal Development Permit.**<sup>53</sup> A permit required pursuant to Coastal Act Section 30600(a) for development within the coastal zone.

**Coastal Hazards.** Natural and human-induced hazards present in the City's coastal zone including, but not limited to, episodic and long-term shoreline retreat and coastal erosion, wave uprush, storms, tsunamis, coastal flooding, geologic instability, and the interaction of same, and all as impacted by sea level rise.

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<sup>50</sup> Inland Zoning Code Section 155.508.020 (Definitions).

<sup>51</sup> Coastal Act Section 30100.2.

<sup>52</sup> Coastal Act Section 30101.

<sup>53</sup> Coastal Act Section 30101.5.

**Coastal-Related Development.**<sup>54</sup> Any use which is dependent on a coastal-dependent development or use.

**Coastal Resource.** Any resource afforded protection under the policies of Chapter 3 of the California Coastal Act, California Public Resources Code Section 30200 et seq., including, but not limited to, public access, visitor and recreational facilities, water-oriented activities, marine resources, biological resources, visual resources, environmentally sensitive habitat areas, agricultural lands, and archaeological and paleontological resources.

**Coastal Zone, California.** The area of land designated by the Coastal Act extending from the state's outer limit of jurisdiction in State waters, inland for a varying distance, ranging from a few hundred feet in certain urban areas to roughly five miles in certain rural areas.

**Commercial Recreational Facilities.** Facilities serving recreational needs but operated for private profit (e.g., kayak rental, chartered fishing boats, tourist attractions, and amusement or marine parks).

**Compatible.** Capable of existing together without conflict or ill effects.

**Conditional Use.** An allowed land use that may be appropriate in a given land use designation under certain circumstances. The use may occur only upon approval of a Use Permit or Minor Use Permit, pursuant to procedures set forth in the Implementation Plan.

**Cumulatively; Cumulative Effect.**<sup>55</sup> The incremental effects of an individual project reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

**Development.**<sup>56</sup> On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practices Act of 1973 (commencing with Public Resources Code Section 4511). As used in this definition, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

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<sup>54</sup> Coastal Act Section 30101.3.

<sup>55</sup> Coastal Act Section 30105.5.

<sup>56</sup> Coastal Act Section 30106.



**Energy Facility.**<sup>57</sup> Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

**Feasible.**<sup>58</sup> Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

**Floor Area Ratio (FAR).**<sup>59</sup> A building intensity measurement calculated by dividing the total floor area of structures on a lot by the total lot area. For example, a two-story building covering 50 percent of its lot would have a FAR of 1.0.

**Goal.** An ideal future end, condition or state related to the public health, safety or general welfare toward which planning efforts are directed. A goal is a general expression of community values and therefore is abstract in nature and not quantifiable, time-dependent, or suggestive of specific actions for its achievement.

**Historically-significant building or property.** Those buildings or properties determined to be eligible for listing on the National Register of Historic Places or California Register of Historical Resources, or listed on the Local Register of Historic Places.

**Infill Development.** Development of vacant or utilized land within an existing urbanized area, surrounded by, contiguous with, or in close proximity to existing development.

**Interim Use.** An allowed land use permitted on a temporary “interim” basis.

**Land Use Plan.**<sup>60</sup> The relevant portions of the City’s General Plan which are sufficiently detailed to indicate the kinds, locations, and intensity of land uses, and the applicable development and resource protection policies necessary to carry out the policies of Chapter 3 of the Coastal Act, included as part of the City of Eureka’s certified Local Coastal Program.

**Local Coastal Program (LCP).**<sup>61</sup> A combination of documents, including the land use plan, implementation plan (zoning ordinance), and land use and zoning maps, adopted by the City and certified by the Coastal Commission, which, when taken together, meet the requirements of, and implement the provisions and policies of, the State Coastal Act at the local level.

**May.** Indicates a permissive suggestion or guideline.

**Minimize.** To reduce or lessen, but not necessarily eliminate.

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<sup>57</sup> Coastal Act Section 30107.

<sup>58</sup> Coastal Act Section 30108.

<sup>59</sup> Language from Inland Zoning Code Section 155.508.020 (Definitions).

<sup>60</sup> Coastal Act Section 30108.5

<sup>61</sup> Coastal Act Section 30108.6

**Mixed-Use.**<sup>62</sup> Two or more different land uses located in one building or on one lot or development site.

**Nonconforming.**<sup>63</sup> A lot, land use, site feature, sign, or structure that does not comply with the current certified Local Coastal Program but was legally established under previous policies and regulations.

**Policy.** A specific mandatory statement binding the City's action and establishing the standard of review to determine whether land use and development decisions, zoning changes or other City actions are consistent with the Coastal Element.

**Primary Use.**<sup>64</sup> The main and dominant purpose for which a site is developed and occupied, as distinguished from a secondary or accessory use.

**Prime Agricultural Land.**<sup>65</sup>

1. All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by U.S. Department of Agriculture.
4. Land planted with fruit or nut bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period of an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.

**Principally Permitted Use.** An allowed land use permitted without a Use Permit or Minor Use Permit.

**Priority Use.** Land uses that have priority over other uses for their location in the coastal zone, namely coastal-dependent uses, visitor-serving commercial uses, agricultural uses, and coastal access and recreation facilities.

**Public Access.** The right or privilege of the general public to visit an area or resource.

**Public Infrastructure and Services.** Roads, sidewalks, bikeways, trails, water delivery systems, stormwater facilities, sewer systems, gas and electric, or other similar facilities, to serve the general public.

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<sup>62</sup> From glossary of Eureka's Inland Zoning Code.

<sup>63</sup> Language from Inland Zoning Code Section 155.508.020 (Definitions).

<sup>64</sup> Language in part from Inland Zoning Code Section 155.508.020 (Definitions).

<sup>65</sup> Coastal Act Section 30113 referencing paragraphs (1), (2), (3) and (4) of subdivision (c) of Govt. Code Section 51201.

**Public Utility.**<sup>66</sup> A permanent structure or facility operated by a public or private agency, providing an essential commodity or basic service to the general public such as wastewater, solid waste, and stormwater collection, water supply, energy distribution, or transportation.

**Public Works.**<sup>67</sup>

1. All production, storage, transmission, and recovery facilities for water, sewerage, stormwater, telecommunications, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission except for energy facilities.
2. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.
3. All publicly financed recreational facilities and any development by a special district.
4. All community college facilities.

**Public Trust Lands.**<sup>68</sup> All lands subject to the Common Law Public Trust for commerce, navigation, fisheries, recreation, and other public purposes. Public Trust Lands include tidelands, submerged lands, the beds of navigable lakes and rivers, and historic tidelands and submerged lands that are presently filled or reclaimed and which were subject to the Public Trust at any time.

**Redevelopment:** Alteration, demolition, or replacement of 50 percent or more of the major structural components (including exterior walls, floor and roof structure, and foundation) of any structure or an addition of 50 percent or more to the floor area of such structure. Incremental changes that cumulatively amount to replacement of 50 percent or more over time shall also be considered redevelopment. Policies that apply to “new development” shall also apply to “redevelopment.”

**Resiliency.** The capacity of individuals, communities, institutions, businesses, and systems to survive, adapt, and grow no matter what kinds of chronic stresses and acute shocks they experience.

**Sea.**<sup>69</sup> Humboldt Bay and all harbors, channels, estuaries, salt marshes, sloughs, and other areas in the coastal zone subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

**Secondary Use.**<sup>70</sup> A use subject to separate permit requirements and allowed only if combined with a primary use.

**Shall.** An unequivocal directive; obligatory.

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<sup>66</sup> Combination of glossary definitions from the existing certified LUP and the Inland Zoning Code.

<sup>67</sup> Coastal Act Section 30114.

<sup>68</sup> Title 14 California Code of Regulations Section 13577(f).

<sup>69</sup> Coastal Act Section 30115.

<sup>70</sup> Inland Zoning Code Section 155.508.020 (Definitions).

**Shoreline.** Intersection of the sea with land, including the zone between the lines of mean high tide and mean low tide.

**Special district.**<sup>71</sup> A public agency, other than a local government as defined in this chapter, formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for service or improvement benefiting that area.

**Visitor.** Any person visiting the coastal area for leisure and/or recreational purposes. Visitors to coastal areas include out-of-town guests and Eureka residents.

**Visitor-Serving Facilities.** Any land use that serves a visitor. Visitor-serving facilities include, but are not limited to, restaurants, cafes, shops, hotels and motels, parks, trails, recreational facilities, leisure activities, and entertainment and cultural attractions.

**Walkability.** A measure of how well an urban area enables and encourages walking, including through providing for pedestrian accessibility, comfort and safety, connecting people with varied destinations within a reasonable walking distance, and offering visual interest along the journey.

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<sup>71</sup> Coastal Act Section 30118.