



**PLANNING COMMISSION
STAFF REPORT**

November 13, 2024

Title:	Harris Medical Center Project
Project No.:	General Plan Map Amendment GPA-24-0001 and Zone Reclassification ZR-24-0001
Location:	272 Harris Street
APN:	010-261-012
Applicant:	Dr. Deepak Stokes
Property Owner:	Apostolic Faith Mission
Purpose/Use:	Change the land use map and zoning map designations from residential to mixed-use on a 1.01-acre parcel/former-church site to allow subsequent redevelopment with residential and commercial uses.
Complete Application:	September 3, 2024
Current General Plan Land Use/ Zoning Designations:	Low Density Residential (LDR)/ Residential Low (RI)
Proposed General Plan Land Use/ Zoning Designations:	Neighborhood Commercial (NC)/Henderson Center (HC)
CEQA:	Initial Study/Mitigated Negative Declaration (SCH No. 2024090215)
Staff Contact:	Caitlin Castellano, Development Services Deputy Director
Recommendation:	Hold a public hearing; Consider the draft Initial Study/Mitigated Negative Declaration; and Adopt a resolution recommending the City Council approve the General Plan Map Amendment and Zone Reclassification for the Harris Medical Center Project
Motion:	<i>“I move the Planning Commission adopt a resolution recommending the City Council approve the General Plan Map Amendment and Zone Reclassification for the Harris Medical Center Project at 272 Harris Street”</i>

Figure 1: Location Map

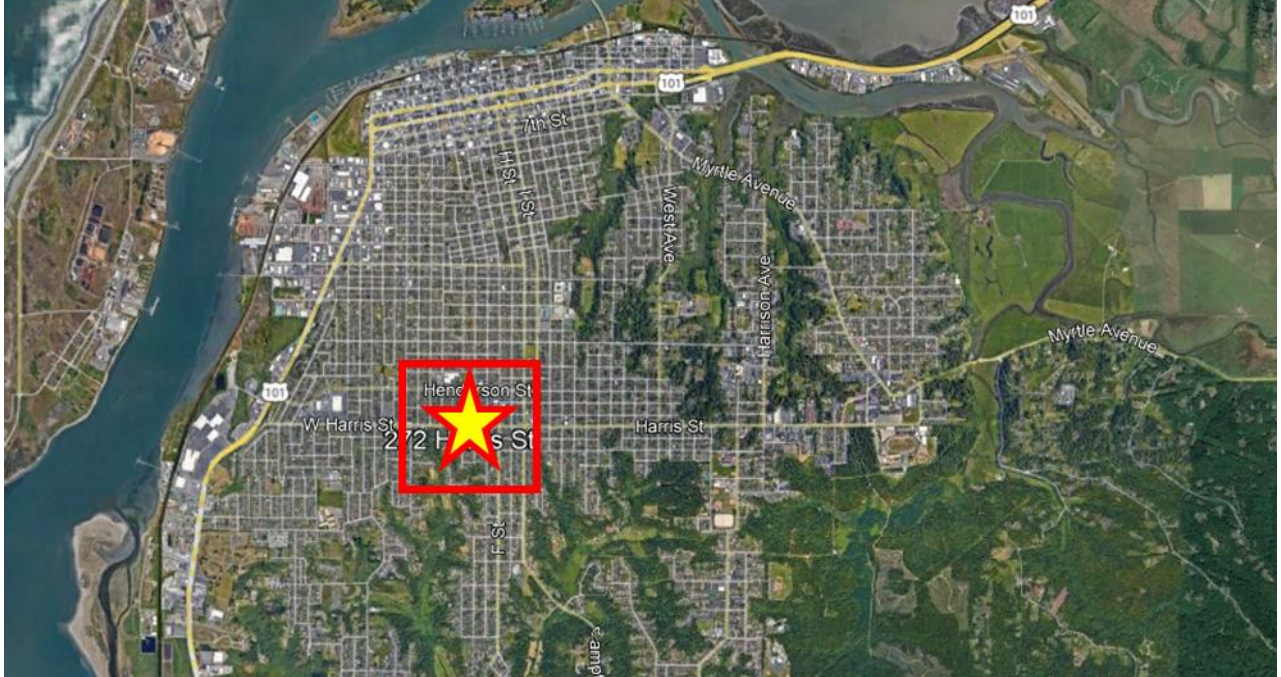


Figure 2: Site Map (272 Harris Street)



Table I: Acronyms

APN	Assessor Parcel Number
CEQA	California Environmental Quality Act
CUP	Conditional Use Permit
EMC	Eureka Municipal Code
FAR	Floor Area Ratio
ft	Foot/feet
HC	Henderson Center
IS/MND	Initial Study/ Mitigated Negative Declaration
LID	Low Impact Development
LDR	Low Density Residential
MDR	Medium Density Residential
MMRP	Mitigation Monitoring and Reporting Program
NC	Neighborhood Commercial
SCH	State Clearinghouse
RI	Residential Low

PROJECT SUMMARY

The Applicant (Dr. Deepak Stokes), is proposing a General Plan Map Amendment and Zone Reclassification to change the land use/zoning designations at a 1.01-acre former-church site (site) from Low Density Residential (LDR)/Residential Low (RI) to Neighborhood Commercial (NC)/Henderson Center (HC). The site currently contains a vacant church building, accessory garage/storage buildings, a large parking lot, and a cell tower (Figure 2).

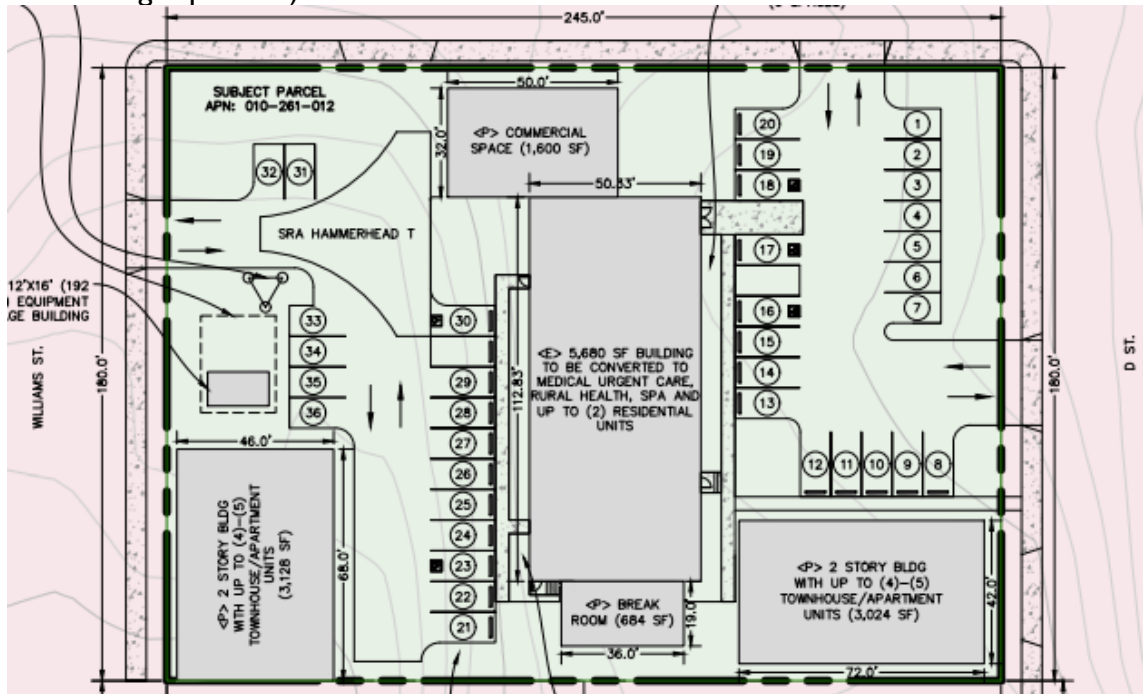
The requested land use/zoning designation changes would allow for development of the Applicant's proposed Harris Medical Center (Figure 3), which includes converting the existing church building into an urgent care facility, rural healthcare clinic, medical spa, and associated office space (with remodeling/demolition as necessary); constructing 8-10 dwelling units within two new two-story residential structures and up to two dwelling units within the existing church building; constructing ±1,600 sq. ft. of new commercial space for a café; and associated site improvements, including demolition of an existing garage building (Figure 4). The existing cell tower will not be modified and will continue to operate as is.

The requested land use/zoning designation changes are necessary to allow the site to be redeveloped with medical office and clinic and retail commercial uses not allowed under the site's current RI/LDR zoning/land use designations, as well as to allow the construction of more residential units than what is currently allowed without subdividing the site into smaller lots. If the land use/zoning map designation amendments are approved, the proposed uses will be principally permitted. Design Review will be required for any new structures larger than 500 square feet, or building additions increasing the floor area of a building by 30% or more. Otherwise, no discretionary review will be required.

Figure 3: Vicinity Map (looking to the northeast at 272 Harris Street; Henderson Center is seen in upper portion of the image)



Figure 4: Portion of Applicant's Preliminary Site Plan (See Appendix I in Attachment 2, Page 114 for the larger plan set)



BACKGROUND

A detailed project description and preliminary plan set for the proposed Harris Medical Center Project is included in the attached Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Measures, Monitoring and Reporting Program (MMRP) prepared for the project pursuant to the provision of the California Environmental Quality Act (CEQA) (Attachment 2: IS/MND and MMRP) (i.e. CEQA document).

The site is surrounded by other LDR/RI designated parcels, but is located just west of Henderson Center where parcels have a land use designation /zoning district of NC/HC (Figures 4 and 5). The closest NC/HC parcel is located diagonally across the intersection of Harris and D Streets to the northeast of the site. One block (approximately 330 ft) to the west of the site, parcels along Harris Street have a land use/zoning designation of Medium Density Residential (MDR)/Residential Medium (R2).

As described in the IS/MND (Attachment 2: ISMND and MMRP, Page 7), changing the zoning district from RI to HC will principally permit uses at this site that are not allowed in the RI District, including: multi-family dwellings, single-family attached homes (townhomes), micro-shared housing, general indoor/outdoor retail (small), mobile vendors, restaurant/café/beverage sales, car share facilities, commercial lodging, fitness/dance/health facility (small), general services, indoor commercial recreation, medical offices and clinics, offices, personal services, artisan manufacturing, and instructional services. Uses that would be principally permitted at this site that are currently conditionally permitted under the RI District include: day care facilities, civic institutions, colleges/trade schools (upper floor), government facilities, and non-commercial places of assembly. Table I (Comparison of Existing and Proposed Zoning Districts) included in Attachment 2: IS/MND and MMRP; Page 5 provides a comparison of the allowed uses and purposes of the RI and HC Districts.

Because the intent is to reuse and redevelop the site with commercial service, commercial retail, and multi-family residential uses not currently allowed under the RI District, the change from the LDR/RI land use designation/zoning district to the NC/HC land use designation/zoning district is necessary.

Figure 5: Surrounding General Plan Map Land Use Designations

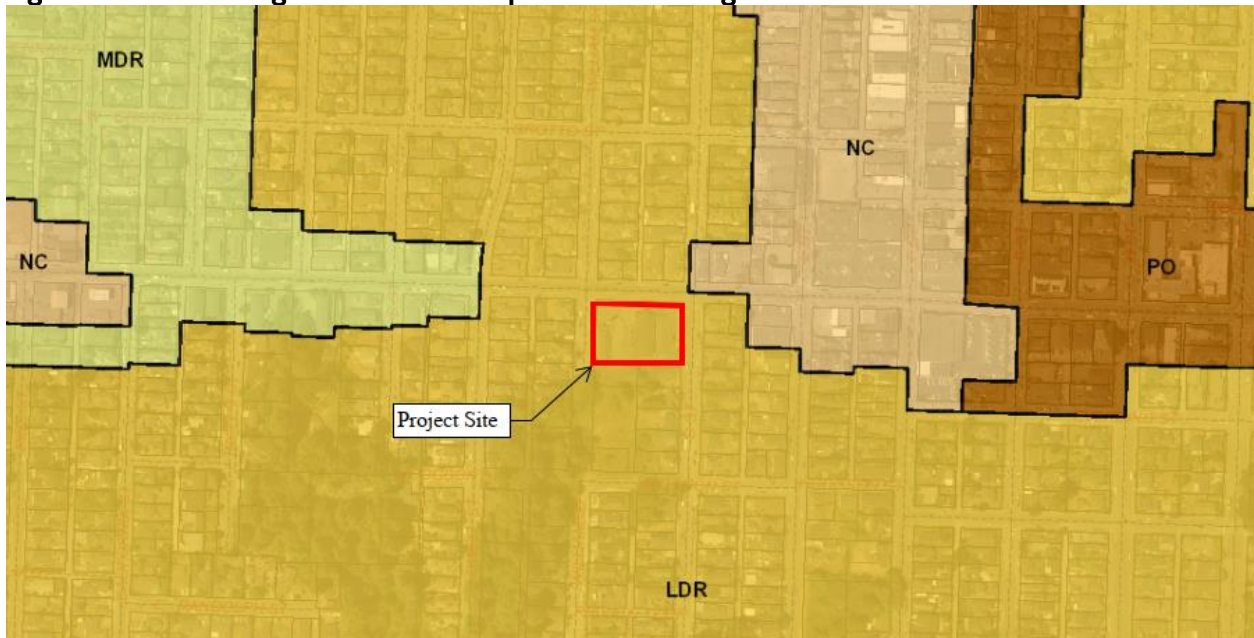


Figure 6: Surrounding Zoning Map Zoning Districts

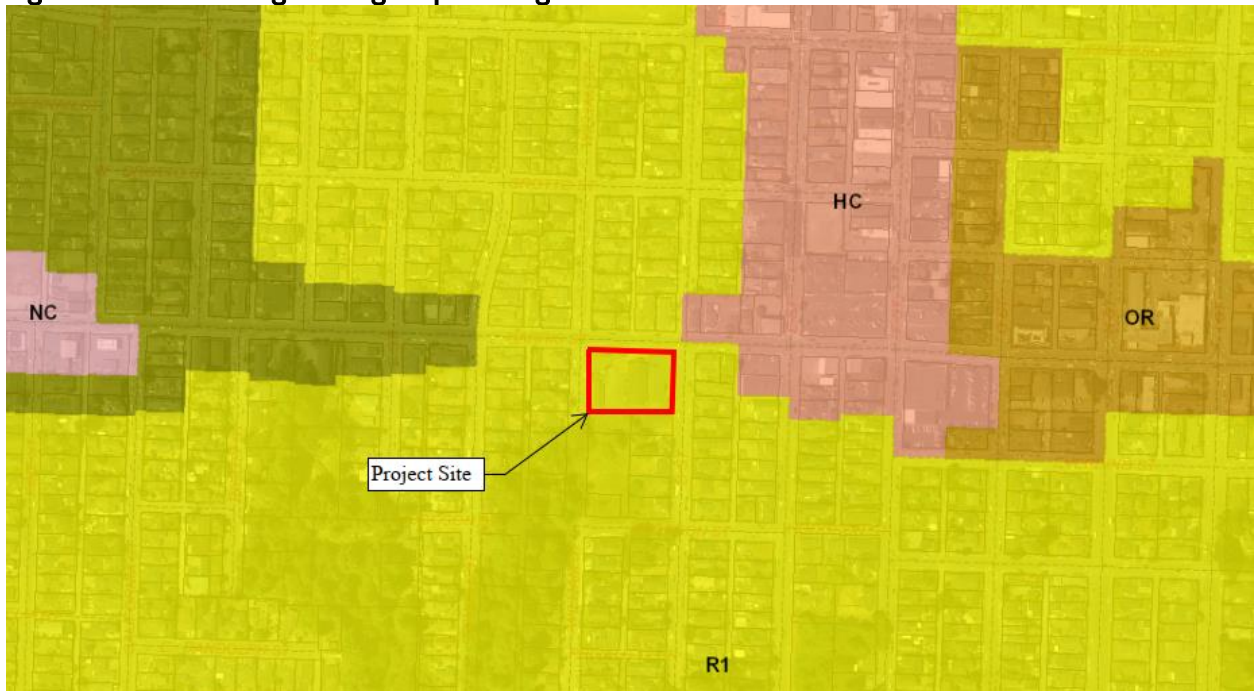


Table 2 below provides a comparison of the development standards in the RI and HC Districts which is also included in Attachment 2: IS/MND and MMRP; Page 6. In general, the HC District is less restrictive and allows for a wider variety of development on the site.

Table 2: Comparison of Existing and Proposed Zoning District Development Standards

Table 2. Comparison of Existing and Proposed Zoning District Development Standards¹						
<u>Zoning District</u>	<u>Min. Lot Area</u>	<u>Maximum FAR</u>	<u>Maximum units per acre</u>	<u>Min. Setbacks</u>	<u>Maximum Site Coverage</u>	<u>Maximum Height</u>
Existing RI	5,000 sq. ft.	1.0	1 dwelling unit / lot ²	10' (front); 4' (side)	60%	35 ft.
Proposed HC	No min.	2.5	No max.	0'; variations further described in Zoning Code	No max.	55 ft.

Due to new State housing regulations (Senate Bill 9), the RI District allows a maximum residential density of two single-family homes, one Accessory Dwelling Unit (ADU) and one Junior ADU per lot. The minimum lot area for a RI District parcel is 5,000 sf, meaning the 1.01-acre site could be subdivided into eight RI parcels, each of which would be allowed four residential units. Alternatively, there is no maximum residential density in the HC District; the number of residential units is limited by a maximum floor area ratio (FAR) of 2.5 and other development standards (height, parking, minimum unit size per the Building Code). Under the HC District development standards, full build-out of the 1.01-acre site (44,100 sf) with a maximum FAR of 2.5 allows for one or more two- to five-story buildings with a combined total of 110,250 sf of floor area.

The proposed Harris Medical Center is much less intense than what would be allowed if the site was to be fully built-out under the HC District development standards. As proposed and analyzed in the CEQA document (Attachment 2: IS/MND and MMRP, Pages 6-7), the “existing church building is just under 42 feet tall and meets the HC District building setbacks” and the “total floor area of the remodeled/proposed structures [for the proposed Harris Medical Center] is ±30,928 sq. ft. for a FAR of 0.70, which is less than the maximum FAR of 2.5 in the proposed HC zoning district.”

Future Permitting and Environmental Review

Principally permitted uses in existing structures, or other types of projects that do not trigger discretionary permits, do not require additional review under CEQA. Conditional uses do require additional review under CEQA, as well as any new construction that triggers Design Review and was not anticipated in the Harris Medical Center Project’s CEQA document. However, future discretionary projects may qualify for the CEQA Class 32 In-Fill Development Project categorical exemption (CEQA Guidelines §15332) and thus may not trigger the preparation of a subsequent environmental document.

¹ Based on EMC §155.204.030 DEVELOPMENT STANDARDS Tables 204-2 and 208-2.

² Senate Bill 9 (SB9) allows for parcels in single-family residential zone districts to increase their density to one single-family residence, one additional single-family residence (attached or detached), one ADU and one junior ADU.

Currently, the proposed Harris Medical Center includes construction of new buildings larger than 500 sf which requires Design Review. According to EMC §155.412.040, “Design Review is a discretionary process to ensure the street-facing façades of proposed developments exhibit high quality design, complement neighboring properties, and contribute to Eureka’s distinctive identity and unique sense of place.” If the General Plan Map Amendment and Zone Reclassification are approved, the Applicant will subsequently apply for Design Review approval, and if the future project substantially conforms to the project analyzed in the CEQA document, no further environmental review will be triggered. The mitigation measures included in the MMRP (Attachment 2: IS/MND and MMRP, Pages 106-109) will be included as conditions of approval of Design Review, and all mitigation measures must be adhered to/implemented during the Building Permit and construction process as well.

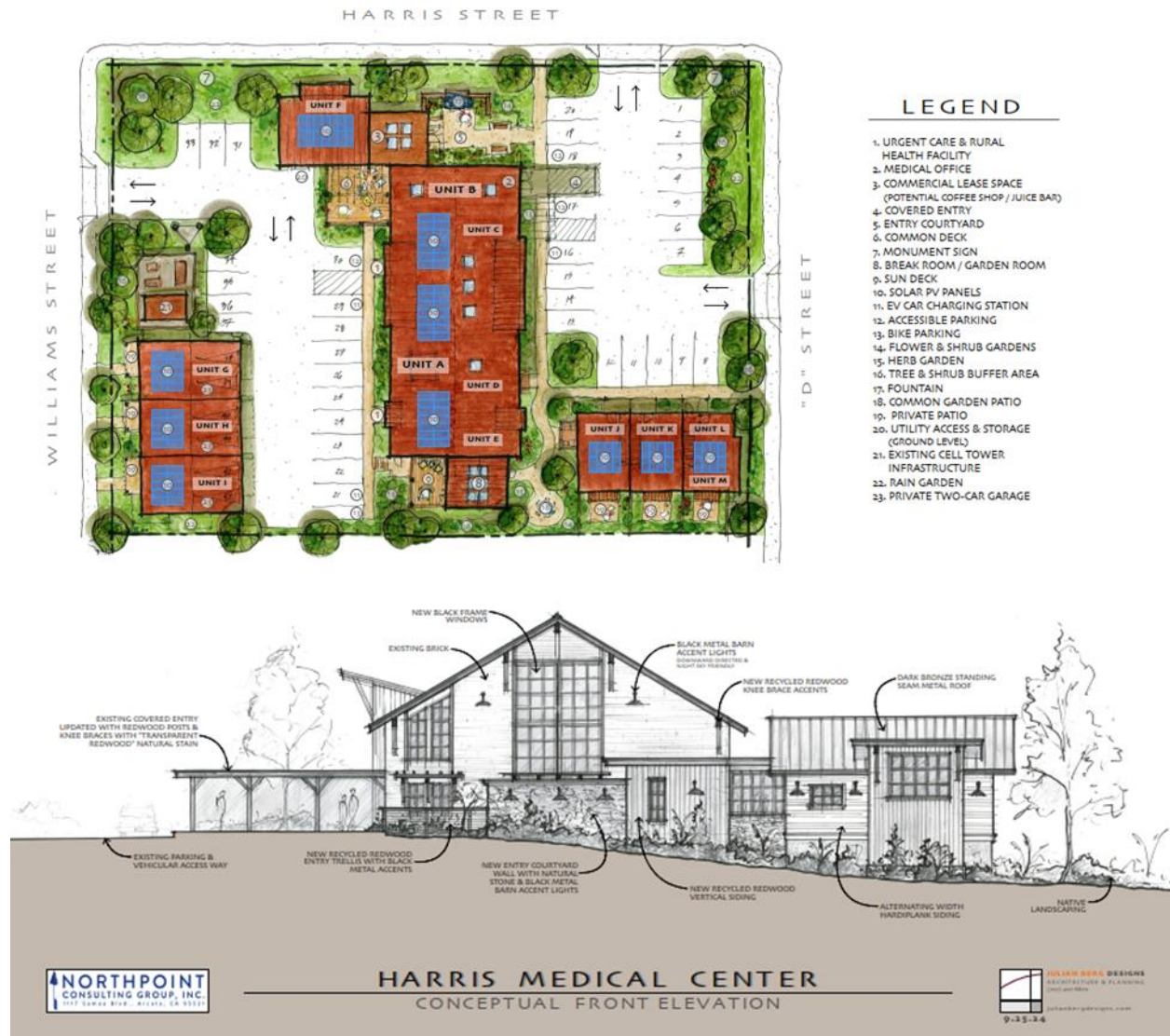
General Plan Petition

On August 15, 2023, the City Council approved a General Plan Amendment Petition (GPP-23-0001) to allow the Applicant to apply for the General Plan Amendment and Zone Reclassification because Council found changing the land use/zoning designations has “the potential to serve the public interest as it allows for a much denser development of housing, and will repurpose a vacant church/property into a mixed-use development which will increase the property tax, and potentially the sales tax, base.”

Community Meeting

On September 25, 2024, the City hosted a community meeting in the Council Chambers at City Hall and via Zoom where the Applicant’s team presented the proposed project and a more detailed conceptual site plan and a conceptual elevation from Harris Street (Figure 7) than what is included in Appendix I of the CEQA document, and answered questions. City staff also provided a brief presentation on the General Plan and Zoning map amendments process. The community meeting was advertised by including meeting information on the CEQA document’s Notice of Intent to Adopt (further described below in the Environmental Assessment section), which was mailed to all property owners within 300 feet of the project site and posted to the City’s website on September 6, 2024. A notice was also posted on the project site on September 6, 2024. Furthermore, the meeting was advertised on the City’s social media platforms, and through a Times Standard article. The meeting can be [viewed on the City’s website](#) (click on “Watch Meeting Now” and look under “Other meetings” in the available archives).

Figure 7: Proposed Harris Medical Center Site Plan and Conceptual Front Elevation Presented at 9/25/2024 Community Meeting



ANALYSIS

Pursuant to Eureka Municipal Code (EMC) §155.432.050, the Planning Commission must hold a public hearing on a proposed General Plan Amendment (i.e. Land Use Map Amendment) and Zone Reclassification (i.e. Zoning Map Amendment) for the purpose of recommending action to the City Council. To recommend City Council approve the General Plan Amendment and Zone Reclassification, the Planning Commission must make all of the following findings in EMC §155.432.070:

- I. General Plan Amendment
 - a. The proposed amendment is in the public interest.
 - b. The proposed amendment is internally consistent with all other provisions of the General Plan.

- c. The proposed amendment complies with State law applicable to the General Plan as established in Government Code §65300 et seq.
- d. The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the General Plan and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.

2. Zoning Code Amendment

- a. The proposed amendment is consistent with the General Plan and any applicable specific plan or area plan.
- b. The proposed amendment is internally consistent with other provisions of the Zoning Code.
- c. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare.
- d. The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the Zoning Code and General Plan and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.

I. General Plan Amendment Findings for Approval

a. **Public Interest**

There is significant need for more medical services and housing around Humboldt Bay, and the General Plan Map Amendment (and corresponding Zone Reclassification) will allow a vacant church site to be redeveloped with residences and medical services. The redevelopment will in turn increase the property tax, and potentially the City's sales tax base from the onsite commercial uses, consistent with the declaration made during the General Plan Petition process.

Furthermore, the proposed General Plan Map Amendment (and corresponding Zone Reclassification) reduces regulatory barriers by allowing greater flexibility of both use and development form, facilitating adaptive reuse of an underutilized, developed site near transit, jobs, and services and allowing for denser, mixed-use development at the site. Accommodating growth through infill, mixed-use development has a variety of social, economic and environmental benefits.

b. **General Plan Consistency**

The proposed amendment to change the land use designation from LDR to NC does not conflict with any of the goals, policies, or implementation programs in the General Plan, and supports the following goals and policies:

GOAL LU-I A Community that values its unique small-town charm and livability while thoughtfully advancing new prospects for growth and economic vitality.

Policy LU-1.1 Diverse Uses. Maintain a diverse range of compatible land uses that offer adequate flexibility to quickly respond to evolving market opportunities over time.

The proposed change to the site's land use designation allows a higher density and intensity of development and a greater mix of uses, which will provide new prospects for growth and economic vitality near Henderson Center (which also has a NC land use designation). Additionally, increasing the range of land uses allowed on the subject parcel adds flexibility to respond to evolving market opportunities, such as the currently proposed Harris Medical Center. For these reasons the proposed amendment is consistent with Policy LU-1.1.

Policy LU-1.2 Compact Form. Provide for a compact pattern of mixed land uses at densities/intensities consistent with the development patterns Eureka experienced from the 1870s to the 1940s and at densities/intensities that are higher than were allowed in the past three general plan updates. Focus this compact pattern of land uses to radiate out from the Core Area, Employment Areas, Commercial Corridors, and Commercial Centers to make efficient use of the City's limited remaining developable lands and to promote walkability and urban growth.

Henderson Center, a commercial shopping and dining area (i.e. Commercial Center), is located directly across the Harris and D intersection to the northeast, and some commercial business are also located south of Harris Street at E and F Streets (F Street is located a half block to the east). Two other Commercial Areas, the Eureka Mall and the "Harris and Summer Center" (as identified by the 2040 General Plan), are located to the west of the site, about 10 and four blocks away respectively on W Harris Street. The proposed amendment allows the development of higher density housing as well as commercial uses near these Commercial Centers (the Applicant proposes up to 12 dwelling units, approximately 1,600 sf of new commercial space for a café, and repurposing/remodeling the church building for an urgent care center, healthcare clinic and medical spa). Therefore, the proposed amendment promotes a compact pattern of mixed land uses radiating out from Commercial Centers, making efficient use of the City's limited remaining developable lands and promoting walkability and urban growth consistent with General Plan Policy LU-1.2.

Policy LU-1.3 Beneficial Development. Support development that affords benefits to all segments of the community that:

- a. Offers varied housing choices.
- b. Provides for mixed use development.
- c. Develops underutilized or vacant parcels.
- f. Enhances the City's tax base.
- g. Encourages people to walk, bike, or use transit.

By allowing the change to the NC land use designation, the zoning can also be changed to the HC District which increases the number of housing units and types of housing that can be developed on the existing parcel, creating the potential for more varied housing choices in the future consistent with Policy LU-1.3 a.

The proposed amendment also allows more commercial uses, and increased residential density and commercial intensity, which supports future redevelopment of an underutilized former-church site with new mixed-use development consistent with Policy LU-1.3 b and c.

The former-church site is currently vacant and does not generate any taxes. The amendment supports the Applicant's intent to develop the site with new commercial and residential uses in the future which will increase property taxes, and potentially sales-tax through the proposed cafe, which in turn enhances the City's tax base consistent with Policy LU-1.3 f.

The site is located on Harris Street (eastbound), and Henderson Street (westbound) is located two blocks north; both of which serve as transit routes and have existing dedicated bicycle lanes. H and I Streets (south and northbound) also have dedicated bike lanes and are located about four blocks east of the site. The closest bus stop is at Harris and Lowell Streets, approximately 400 feet west of the site, and another bus stop is at Harris and F Streets, approximately 660 feet to the east. Both bus stops are located within easy walking distance of the site and are served by four or more transit routes. A variety of businesses including a pharmacy are located within easy walking distance in Henderson Center, and additional businesses are within biking distance, including a grocery store and pharmacy at the Eureka Mall about a half mile to the west of the site on W Harris Street. Therefore, a future mixed-use development at the site can encourage people to walk, bike, and/or use transit consistent with Policy LU-1.3 g.

GOAL LU-5: Safe, walkable, and well-maintained neighborhoods that provide a diversity of quality housing choices.

Policy LU-5.3 High Density Housing. Support increased development of high-density housing to balance the City's housing inventory and enhance affordability.

The site is not included on the City's 2019-2027 Housing Element site inventory which is intended to show how additional housing units can be accommodated throughout the City to meet the City's Regional Housing Needs Allocation (also called the RHNA). The proposed amendment will allow the site to be rezoned to a district which allows for more units of housing and a greater diversity of housing types at the site. The Applicant intends to take advantage of the increased allowance and develop up to 10 new dwelling units in two new two-story residential structures, as well as up to two dwelling units within the remodeled church building, which is higher density housing than what is currently allowed without subdividing the property, consistent with the goals and policies of the Housing Element. Therefore, the proposed land use designation change from LDR to NC supports increased development of high-density housing consistent with Policy LU-5.3.

Policy LU-5.4 Location. Encourage the location of high-density housing in proximity to commercial and community services, employment opportunities, major transportation corridors, and where City infrastructure can accommodate increased densities.

The proposed amendment allows for higher-density housing on a site located on a major arterial: Harris Street, a one-way, eastbound roadway, which is also located two blocks south of another major arterial: W Henderson Street, a one-way, westbound roadway. Both streets serve as transit routes, and have existing dedicated bicycle lanes. Many employment opportunities are located nearby: Henderson Center (located directly to the northeast); the Eureka Mall (one half a mile to the west); and the Broadway commercial corridor and Bayshore Mall (a little over a mile to the west). Several schools and parks are located within one mile or less of the site, including Alice Burney Elementary, Winzler

Children’s Center, Pacific View Charter School and St. Bernard’s Academy, Da’Yas Park, and Sequoia Park. All major utilities are already available at the site. Therefore, it is appropriate to encourage higher-density housing at the site due to its proximity to commercial and community services, employment opportunities, major transportation corridors, and where City infrastructure can accommodate increased densities consistent with Policy LU-5.4.

GOAL LU-6: New growth and annexation areas that are carefully planned, efficient, and contribute positively to the community.

Policy LU-6.2 Infill First. Promote development of vacant infill properties and redevelopment/reuse of economically underutilized sites and buildings to accommodate new growth and internal densification prior to considering potential annexation.

The proposed amendment allows for higher-density development and a broader mix of limited-scale commercial uses, such as convenience retail, offices, and personal services uses on an underutilized former-church site along a major arterial roadway located near shopping and services. The proposed change supports the City’s desire to promote densification to accommodate anticipated growth within the City limits, instead of needing to consider potential annexation of new land consistent with Policy LU-6.2.

GOAL M-1: A model City for multi-modal transportation.

Policy M-1.6 Dense Development. Integrate transportation and land use decisions to enhance opportunities for development that is compact, walkable and transit friendly.

The proposed amendment supports denser residential and more intense commercial development than what is currently allowed at the site. The site is already served by all major utilities, is located on a roadway with an existing designated bicycle lane, and is located a short walking distance to bus stops, shopping and services. Thus, the proposed amendment enhances opportunity for compact, walkable and transit friendly development in the future consistent with Policy M-1.6.

Policy HS-5.1 Health Care Facilities. Continue to coordinate with public and private health care providers to develop new, and strengthen existing, health care facilities within the City in order to continue providing adequate health care services for Eureka and the surrounding communities of Humboldt Bay.

The proposed amendment allows for more commercial uses, included medical services, at the site. Implementation of the Harris Medical Center project directly supports and is consistent with Policy HS-5.1.

The CEQA document also includes a list of relevant General Plan and 2019-2027 Housing Element policies and describes how the proposed Harris Medical Center Project is aligned with and furthers the listed policies (Attachment 2: IS/MND and MMRP; Pages 71-74).

c. Compliance with State Law

California Government Code (CGC) §65300 et seq. (State law) directs that all cities and counties in the state adopt a comprehensive planning document, called a General Plan, to guide the City’s future physical development, and sets specific minimum requirements for

general plans. The City's 2040 General Plan was found to conform to State law when it was adopted in October 2018. The proposed amendment to change the land use designation of one parcel from LDR to NC does not affect those findings of conformance. The General Plan's Environmental Impact Report (EIR) anticipated and analyzed gradual buildout of the City over a 20-year period (through year 2040), including the addition of up to 1,886 new residential dwelling units and up to 1.6 million sf of non-residential uses. According to Table 2-1: Eureka General Plan Estimated Development Potential in the 2040 General Plan, 1,290 of those dwelling units are anticipated in the City's Commercial, Office and Mixed-Use Land Use designations (which includes the NC land use designation), and 83,111 sf of non-residential (commercial) uses are anticipated in the NC land use designation. The proposed Harris Medical Center and the maximum potential buildout of the site represent a small portion of the forecasted growth for build-out of the 2040 General Plan. Additionally, the City provided notification of the proposed General Plan Map Amendment (and subsequent Zone Reclassification for the proposed Harris Medical Center Project) to various entities as required by CGC §65352 who had 45 days to respond, and only two responses were received: one from the Humboldt Bay Municipal Water District indicating they had no comments on the proposed development, and one from the Environmental Protection Information Center who generally supported the proposed amendment and proposed Harris Medical Center.

d. Site Suitability

The intent of the NC land use designation is "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." The maximum FAR is 2.5. The site's prime location on a major arterial (Harris Street) and in proximity to transit lines, designated bicycle lanes, schools, parks, shopping, services, and employment centers, makes it suitable to accommodate the intended mix of commercial and residential uses and maximum FAR. Across Harris Street to the northeast is NC-designated land (see Figure 5 above); therefore, changing the land use designation from LDR to NC is suitable in terms of location, as it will only slightly extend the existing NC-designated land by one parcel to the southeast, which preserves the overall intent of Eureka's General Plan Land Use Map.

As described in subsection b above, the 1.01-acre site (44,100 sf) is surrounded by urban uses and can be served by all major utilities and public services. The site is rectangular-shaped (180 ft by 245 ft) with ample access via three street frontages.

According to the CEQA document (Attachment 2: IS/MND and MMRP, Page 48), the site contains slopes of 0% to 8%, is not located in a flood zone or area of potential liquefaction, and is in an area with relatively stable/low instability. However, the site was historically part of a gulch greenway and the church was constructed on historic fill material which has resulted in structural foundation settling (the Applicant has begun to repair the foundation under Permit B21-0265 which has been put on hold during this amendment process). As a result, Mitigation Measure GEO-1: Geotechnical Investigation requires the Applicant to obtain a Geotechnical Investigation prior to the issuance of any future building permits for the proposed project. "The report would include an analysis of the onsite hazards, including a quantitative evaluation of hazard potential, detailed field investigations, estimation of ground-motion parameters, evaluation of liquefaction and

lateral spreading, and recommendations to reduce identified hazards, per Guidelines for Evaluating Seismic Hazards in California.”

The CEQA document (Attachment 2: IS/MND and MMRP, Page 37) also states, “The site is fully developed and does not contain habitat (forests, open land, watercourses, wetlands, riparian areas, etc.) for any species identified as a candidate, sensitive, or special status...The individual trees onsite could provide habitat for some mammal or bird species; however, these trees are not expected to be impacted by project activities.” Mitigation Measure BIO-1: Avoidance and Minimization Measures to Protect Special Status and Nesting Birds limits noise- and vibration-generating construction activities within 100 feet of the gulch greenway habitat to the south, to occur outside of the bird nesting season between March 15th and August 15th. If construction during that time is unavoidable, the mitigation measure requires a qualified biologist to conduct a pre-construction nesting survey and prepare a plan to prevent abandonment of any active nest that is found.

Figure 8: 2022 Eureka WebGIS Aerial Image Showing Nearby Gulch Greenways South of the Site



Additionally, any future redevelopment of the site resulting from the amendment “would be required to avoid water quality and hydrological impacts on nearby sensitive habitats during construction and post-construction activities consistent with the City’s Urban Storm Water Quality Management and Discharge Control Ordinance and Municipal Separate Storm Sewer Systems (MS4) General Permit” (Attachment 2: IS/MND and MMRP, Page 37). This requirement will be implemented during the Building Permit process.

Other mitigation measures imposed by the CEQA document protect air quality during construction (Mitigation Measure AQ-1: Measures to Reduce Air Pollution from Construction), and prevent adverse impacts that could result from siting new sensitive receptors (i.e. children and elderly living on the site, or and patients accessing the healthcare activities proposed on the site) near pollution-generating traffic on Harris Street (Mitigation Measure AQ-2: Measures to Reduce Air Pollution to Onsite Sensitive Receptors).

Mitigation Measure NOI-1: Construction Noise prevent impacts to neighbors related to construction noise by limiting construction activities to 8 a.m. to 5 p.m. Monday through Friday, and 9 a.m. to 5 p.m. on Saturdays’ which exceeds the recommended construction noise limitations in General Plan Policy N-1.13. And, to ensure future residents are protected from unreasonable noise levels due to living adjacent to a major arterial (Harris Street), Mitigation Measure NOI-2: Acoustical Analysis for New Residential Buildings, requires the Applicant to incorporate controls to reduce interior noise levels within the residential units, consistent with General Plan Policy N-1.7.

Due to the anticipated need for ground disturbing activities for the subsequent development’s construction, Mitigation Measures CUL-1 and CUL-2 ensure Inadvertent Discovery Protocols are followed if archeological, paleontological, and tribal cultural resources or human remains are found.

Furthermore, referrals were sent to other department and agencies who have jurisdiction or interest over the site (in addition to the notification process in CGC §65352 described above), and no responses were received that indicate the proposed amendment and subsequent development would negatively impact the health, safety, and welfare of the property, surrounding properties, and the community at large.

Therefore, for the reasons listed above, the site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the General Plan and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.

2. Zoning Code Amendment Findings for Approval

a. General Plan Consistency

The regulations in the Zoning Code are intended to implement the goals and policies of the General Plan, and California Government Code §65860 and EMC §155.104.050 both require the Zoning Code be consistent with the General Plan. EMC Chapter 155 (the

current Inland Zoning Code) was found consistent with the 2040 General Plan upon adoption by the City Council in 2019, and also during subsequent annual Zoning Code Updates.

The proposed Zone Reclassification (i.e. Zoning Map Amendment) from R1 to HC conforms with the proposed General Plan land use designation change from LDR to NC because the HC District implements the NC land use designation, consistent with Table I16-1: Inland Zoning Districts in EMC §155.116.020(A). Furthermore, the proposed Zone Reclassification from R1 to HC does not modify the overall intent, purpose or applicability of EMC Chapter 155. Therefore, the proposed Zone Reclassification from R1 to HC will implement the proposed NC land use designation which remains consistent with the 2040 General Plan. There are no Specific or Area Plans that apply to the inland portion of the City.

b. Zoning Code Consistency

In general, the purpose of the Zoning Code is to implement the General Plan and to protect the public health, safety, and welfare (per EMC §155.104.040). Specifically, the Zoning Code is intended to:

1. Preserve and enhance Eureka's unique sense of place, small city charm, livability, and sense of community;
2. Support a pedestrian-friendly built environment, increase transportation choices, and expand opportunities for residents to walk, bike, and take transit to destinations;
3. Maintain and expand the variety of housing types to serve a diverse population;
4. Encourage and incentivize a diversity of residential, commercial, industrial, and mixed-use developments;
5. Encourage pedestrian-friendly urban development through a streamlined approval process;
6. Where appropriate, encourage vertical mixed-use development with upper story residential units above ground floor commercial uses;
7. Protect and enhance the distinctive character of Eureka's neighborhoods and commercial districts;
8. Enhance the appearance, economic vitality, and livability of Eureka's neighborhoods and commercial districts;
9. Encourage active and inviting streetscapes, buildings, and public spaces;
10. Realize the full development potential of Eureka's industrial and commercial waterfront areas;
11. Enhance the vitality of Downtown and Old Town as the core of the community with a diversity of land uses and pedestrian-oriented urban design;
12. Encourage infill development and the reuse of existing structures to strengthen established neighborhoods;

13. Establish flexible performance-based standards to encourage design creativity and address unique circumstances;
14. Protect Eureka's natural beauty and conserve valuable natural resources; and
15. Enhance the urban/wildland interface zones around the edges of the city and promote recreation opportunities within these zones.

The proposed Zone Reclassification from RI to HC will allow future reuse and development of the underutilized former-church site in a manner supportive of many of the specific purposes of the Zoning Code. As described in the General Plan Amendment section I above, the site is in close proximity to shopping and services, schools and parks, transit lines, and designated bicycle lanes, and can be served by all major utilities. This close proximity to existing services and public infrastructure supports the Applicant's proposed Harris Medical Center, or other future development that complies with the HC District's development standards, and can contribute to a pedestrian-friendly built environment, increase transportation choices, and expand opportunities for residents to walk, bike and take transit to destinations.

The RI District development standards limit the number of housing units and significantly limit commercial uses allowed on a site, whereas the HC District does not limit the number of housing units and allows more commercial uses "serving residents in nearby neighborhoods [within] pedestrian-scale buildings with active street-facing storefronts...[creating] an active and inviting public realm" per the specific purposes of the HC District. Therefore, changing the zoning district allows for the Applicant's proposed mixed-use development with urgent care medical offices, a medical spa, a café, and multi-family housing, which is compatible with the pedestrian-oriented HC District.

Because the proposed Medical Harris Center includes multi-family residential and commercial uses that are principally permitted, future development of the site will be streamlined because Design Review will be the only required discretionary permit (no Use Permit required). Additionally, EMC §155.424.030 (Nonconforming Site Features) requires development projects with a total construction value of \$55,000 or more, as is anticipated for the proposed Harris Medical Center, to bring certain nonconforming site features into compliance with the existing Zoning Code standards. Existing site features, and any changes proposed under the Applicant's redevelopment plan, will be reviewed for compliance with nonconforming site feature regulations, including landscaping, screening from adjacent residential properties, outdoor lighting, short-term bicycle parking, and waste storage screening. Any required upgrades will contribute to active and inviting streetscapes, buildings and public spaces.

Furthermore, a higher-intensity development at this location can serve to strengthen the economic vitality of Henderson Center, and serve to protect Eureka's natural beauty and conserve valuable natural resources by promoting infill development of an underutilized parcel surrounded by urban uses, as opposed to developing a parcel with existing forestlands or wetlands.

Therefore, changing the zoning district of the site from RI to HC supports many of the purposes, and does not conflict with any purposes, of the Zoning Code.

c. Public Interest, Health, Safety, Convenience, and Welfare

Section I a. above describes how the project is in the public interest and will not be detrimental to the public interest as it's providing more needed medical services and housing.

The proposed Zone Reclassification of the 1.01-acre site from R2 to HC does not modify the overall intent, purpose, or applicability of the regulations and development standards in the Zoning Code, which is used to implement the 2040 General Plan and to protect the public health, safety, and welfare. Also, referrals were sent to agencies and City departments with interest or jurisdiction over the property or the intended use of the property. No comments were received that indicate the proposed Zone Reclassification and subsequent development of the proposed Harris Medical Center will be detrimental to the public interest, health, safety, convenience, or welfare.

Furthermore, the CEQA document includes mitigation measures to reduce the future development's environmental effects that could adversely affect human beings, either directly or indirectly, or the quality of habitats for fish or wildlife species (Attachment 2: IS/MND and MMRP; Page 104-106)

Therefore, the proposed Zone Reclassification will not be detrimental to the public interest, health, safety, convenience, or welfare, consistent with this finding.

d. Site Suitability

As described in the General Plan Amendment Site Suitability analysis section above (section I.d.), the site is physically suitable to accommodate development that complies with the General Plan and Zoning Code. The purpose of the HC District is to implement the allowable uses and general development standards of the NC land use designation. Furthermore, the proposed Zone Reclassification to HC will extend an existing HC District to the southwest by one parcel which preserves the overall intent of the City-wide Inland Zoning Map (no spot zoning) and will implement the proposed amendment to the General Plan Map from LDR to NC. Therefore, as described above in the General Plan Amendment Site Suitability section I, and in this section, findings can be made that the site is physically suitable in terms of design, location, shape, size, and other characteristics to accommodate development that complies with the Zoning Code and contributes to the health, safety, and welfare of the property, surrounding properties, and the community at large.

ENVIRONMENTAL ASSESSMENT

In compliance with the requirements of the California Environmental Quality Act (CEQA), the proposed project as a whole (the General Plan Map Amendment, Zone Reclassification and subsequent Harris Medical Center development) was evaluated through an IS/MND, which concludes that with mitigation, no substantial adverse environmental impact will result from the land use/zoning map amendments and subsequent development (Attachment 2: IS/MND and MMRP).

The City submitted the draft IS/MND to the State Clearinghouse (SCH No. 2024090215) for a 30-day comment period on September 9, 2024, which ended on October 9, 2024. A notice of the 30-day local comment period and the Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was mailed to all property owners within 300 feet of the site on September 6, 2024. The mailed NOI also included notice of the informational community meeting held on September 25, 2024 at City Hall and via Zoom. A notice was posted at the site on the Harris Street frontage, and posted on the City's website and City Hall's bulletin board, all on September 6, 2024. Furthermore, the NOI was posted at the County Clerk's office for local review and comment as required by CEQA Guidelines §15072(d) on September 6, 2024. The MMRP is included in Section 4; Pages 106-109 of the IS/MND (Attachment 2). The City received two comment letters on the IS/MND in response to the mailed NOI related to construction noise and traffic. The submitted comments and the response to comments are contained in Attachment 3: Response to Comments.

According to CEQA Guidelines §15074, any advisory body making a recommendation to the decision-making body must consider the proposed MND before making its recommendation. The Planning Commission is making a recommendation to Council on the proposed General Plan Map Amendment and Zone Reclassification (for a subsequent mixed-use development) and is therefore required as an advisory body to consider the proposed MND before making its recommendations. It is the decision-making body's responsibility to adopt the MND. In this case, the City Council is the decision-making body and therefore is responsible for adopting the MND. The Planning Commission is not acting on the MND.

Prior to approving a project, CEQA requires the City Council to consider the proposed MND, together with any comments received during the public review process, and then adopt the MND if the Council finds, on the basis of the whole record before it, including the IS and any comments received, that there is no substantial evidence the project will have a significant effect on the environment, and that the MND reflects the City's independent judgment and analysis of the proposed project.

PUBLIC HEARING NOTICE

Notification of the public hearing before the Planning Commission consisted of notification by mail of property owners within a 300-foot radius of the site on or before November 1, 2024. A notice was also published in the Times Standard as a legal advertisement on Saturday, November 2, 2024. In addition, the notice was posted on the City's website and bulletin boards. A public hearing notice sign was posted on the site on or before November 1, 2024.

CONCLUSION

Based on the analysis above, the proposed General Plan Map Amendment and Zone Reclassification to change the land use designation and zoning district of a former-church site from LDR/RI to NC/HC is in the public interest, and will not conflict with any of the policies and goals of the 2040 General Plan or any provisions and purposes of the Inland Zoning Code. The proposed amendments will not be detrimental to the public interest, health, safety, convenience or welfare, and contribute to the health, safety and welfare of the property, surrounding properties and the community at large. In addition, the affected property is physically suitable in terms of design, location, shape, size and other characteristics to accommodate the proposed

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Harris Medical Center or other future development under the NC land use designation/HC zoning district that complies with the General Plan and Zoning Code.

DOCUMENTS ATTACHED

Attachment 1: Planning Commission Resolution 2024-____

Attachment 2: IS/MND and MMRP

Attachment 3: Response to Comments (on the IS/MND)