

## NOTICE OF PUBLIC HEARING EUREKA PLANNING COMMISSION

NOTICE IS HEREBY GIVEN the Eureka Planning Commission will hold a public hearing on **Wednesday, December 11, 2024, at 5:30 p.m.**, or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider the following application:

<b>Project Title:</b>	Sunset Heights Multi-Family Affordable Housing Development
<b>Projects:</b>	Lot Line Adjustment (LLA-24-0003), Density Bonus (DB-24-0005), Design Review (DR-24-0005), and Surplus Property (SP-24-0002)
<b>Location:</b>	1200 W. Harris Street
<b>APNs:</b>	008-052-024, 008-052-025, 008-052-026, 008-052-032
<b>Applicant:</b>	Rural Communities Housing Development Corporation (RCHDC) and the City of Eureka
<b>Property Owner:</b>	City of Eureka
<b>Purpose/Use:</b>	Reconfigure four vacant City-owned parcels totaling 4.18 acres into two parcels, and construct 88 affordable housing units in four separate buildings (two buildings and 44 units per parcel) with associated amenities and site improvements.
<b>Application Date:</b>	November 20, 2024
<b>General Plan:</b>	General Commercial (GC) and Medium Density Residential (MDR)
<b>Zoning:</b>	Service Commercial (SC) and Residential Medium (R2)
<b>California Environmental Quality Act (CEQA):</b>	Exempt under CEQA Guidelines §15332 (Class 32, In-Fill Development Projects), and §15194/ Public Resources Code (PCR) §21159.23 (Affordable Housing Exemption)
<b>Staff Contact:</b>	Penelope Kirsch, Assistant Planner
<b>Recommendation:</b>	Hold a public hearing; and Adopt resolutions finding the project exempt from CEQA, conditionally approving the Lot Line Adjustment, Density Bonus, and Design Review, and recommending the City Council declare a portion of APN 003-182-032 as surplus property.

The Staff report for the project can be viewed by typing **EUREKA PUBLIC NOTICE** into your browser, click on Planning Public Notices, and looking under Current Public Hearing Notices.

The public is invited to participate in the following manner:

1. **Attend the meeting in person.** The City Council Chambers are open to the public.
2. **View and participate via Zoom.** Meeting ID: 875 7463 4398 | Passcode: 627427 | One tap  
Mobile: 707-441-4243 |

<https://us02web.zoom.us/j/87574634398?pwd=MUINcFZxcW5BM240OUxZIF3MURDUT09>

3. **Participate in writing.** Submit written comment at the meeting; by mail to 531 K Street, Eureka, CA 95501; email to [planning@eurekaca.gov](mailto:planning@eurekaca.gov); or deliver comments to City Hall lobby prior to Wednesday, December 11, 2024, at noon to ensure the Commission receives your comment before the meeting. All written comments delivered prior to or during the meeting will be part of the public record for consideration but may not be read aloud during the meeting.
4. **View only on the City's website (no participation).** Watch live on the City of Eureka's website at [www.eurekaca.gov](http://www.eurekaca.gov); select "Watch Meeting Now" on the home page.

Appeals to the City Council of the action of the Planning Commission, may be made within 10 calendar days of the action by filing a written Notice of Appeal with the City Clerk, along with the appeal fee as set by the Council.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing or written correspondence received during or prior to the public hearing. Accommodations for handicapped access to City meetings must be requested of the City Clerk, (707) 441-4175, five working days in advance of the meeting. If you have questions regarding the project or this notice, or would like to make an appointment to review the project file, please contact Development Services - Planning at [planning@eurekaca.gov](mailto:planning@eurekaca.gov) or (707) 441-4160.

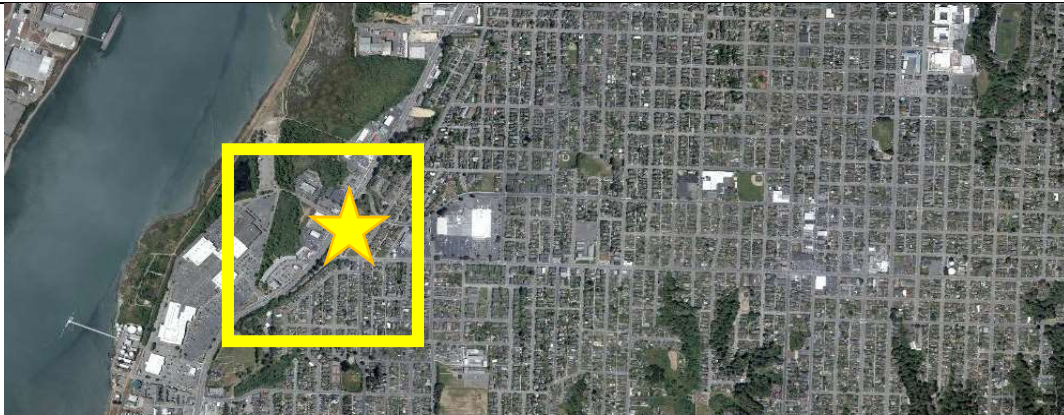
# PLANNING COMMISSION

## STAFF REPORT

December 11, 2024

<b>Title:</b>	Sunset Heights Multi-Family Affordable Housing Development
<b>Projects:</b>	Lot Line Adjustment (LLA-24-0003), Density Bonus (DB-24-0005), Design Review (DR-24-0005), and Surplus Property (SP-24-0002)
<b>Location:</b>	1200 W. Harris Street
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<b>Applicants:</b>	Rural Communities Housing Development Corporation (RCHDC) and City of Eureka
<b>Property Owner:</b>	City of Eureka
<b>Purpose/Use:</b>	Reconfigure four vacant City-owned parcels totaling 4.18 acres into two parcels, and construct 88 affordable housing units in four separate buildings (two buildings and 44 units per parcel) with associated amenities and site improvements.
<b>Complete Application:</b>	November 20, 2024
<b>Deadline for Action:</b>	February 18, 2025
<b>General Plan:</b>	General Commercial (GC) and Medium Density Residential (MDR)
<b>Zoning:</b>	Service Commercial (SC) and Residential Medium (R2)
<b>California Environmental Quality Act (CEQA):</b>	Exempt under CEQA Guidelines §15332 (Class 32, In-Fill Development Projects), and §15194/ Public Resources Code (PCR) §21159.23 (Affordable Housing Exemption)
<b>Staff Contact:</b>	Penelope Kirsch, Assistant Planner
<b>Recommendation:</b>	Hold a public hearing; and Adopt resolutions finding the project exempt from CEQA, conditionally approving the Lot Line Adjustment, Density Bonus, and Design Review, and recommending the City Council declare a portion of APN 003-182-032 as surplus property.
<b>Motion:</b>	"I move the Planning Commission adopt resolutions finding the project exempt from CEQA, conditionally approving the Lot Line Adjustment, Density Bonus, and Design Review, and recommending the City Council declare a portion of APN 003-182-032 as surplus property for the Sunset Heights Multi-Family Affordable Housing Development at 1200 W. Harris Street."

**Figure 1: Location Map**



## PROJECT SUMMARY

Rural Communities Housing Development Corporation (RCHDC), is proposing an 88-unit, multi-story, affordable housing development with four separate buildings. The development is proposed on a 4.18-acre, City-owned property located between W. Henderson and W. Harris Streets directly east and upslope of Broadway (Figure 2). Pursuant to Eureka Municipal Code (EMC) §155.412.040, the proposed new buildings require Design Review (DR-24-0005).

The project site is currently comprised of four contiguous parcels (APNs 008-052-024, -025, -26, and -032) and RCHDC proposes a lot line adjustment (LLA) to reconfigure the four parcels into two, with two buildings proposed on each resultant parcel (LLA-24-003).

**Figure 2: Site Map**



RCHDC also proposes to use incentives/concessions as allowed by State Density Bonus law to deviate from City development standards, including deviation from a maximum building height standard, and deviation from a design standard requiring street-facing building entrances (DB-24-0005).

Furthermore, the project requires the City Council to declare as surplus an approximately 30,170-sf portion of APN 008-052-032 because it is the only portion of the project site the City has not already declared as

surplus property, and the City intends on transferring the entire project site to RCHDC in the future (SP-24-0002).

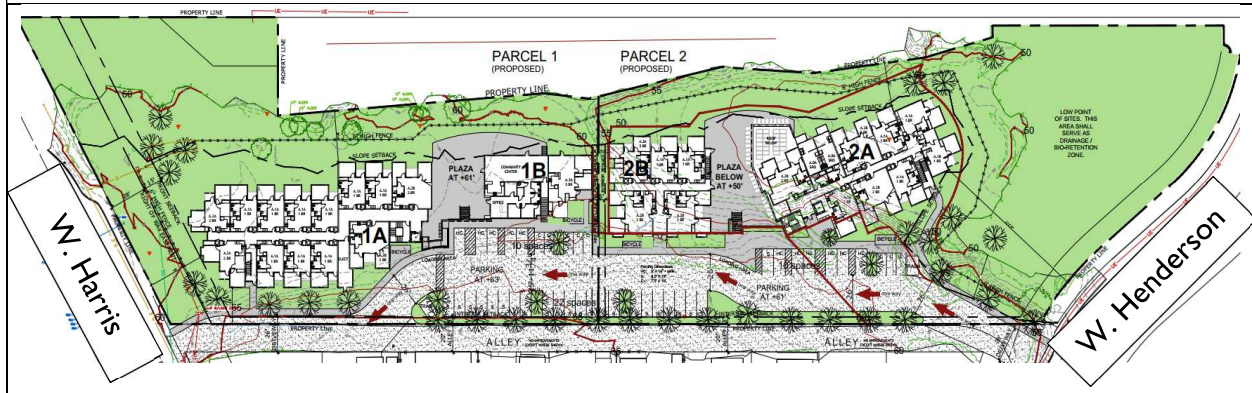
## Project Details

Each of the two resultant parcels will include two buildings containing 44 dwelling units, an indoor community center, office, and laundry facilities, as well as a central plaza between the two buildings. The dwelling units will be a mix of studios and one-, two-, and three-bedroom apartments, and each parcel will include an on-site manager's unit. The four buildings will have a total combined footprint of ~29,200 square feet (sf), with one three-story building and one two-story building on Resultant Parcel 1 (with a combined floor area of 40,600 sf; Buildings 1A and 1B), and one four-story building and one two-story building on Resultant Parcel 2 (with a combined floor area of 42,100 sf; Buildings 2A and 2B).

A parking lot with 42 vehicular spaces is proposed along the eastern portion of the site spanning both resultant parcels (Figure 3). The plan is for one-way vehicular access across the project site from W. Henderson to W. Harris Street (north to south). A paved sidewalk is proposed along the western edge of the parking lot to provide a path of travel from buildings to the parking lot and adjacent streets. Landscaping, six-foot-tall perimeter fencing, trash enclosures and bicycle

parking are also proposed on both resultant parcels. The site plan indicates stormwater runoff from the project site will be directed to a large bio-retention area at the northwestern corner of the project site.

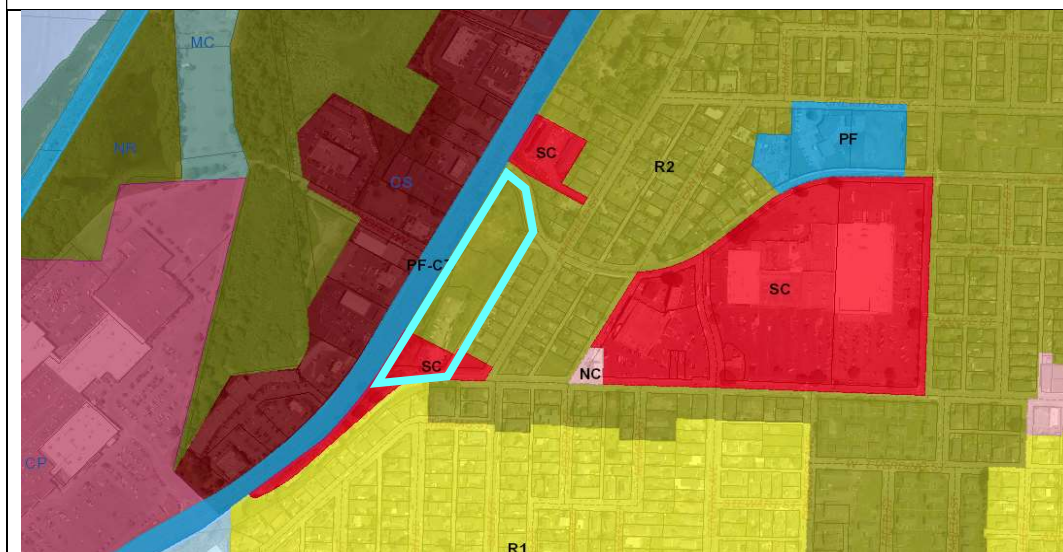
**Figure 3: Site Plan Overview** (see Attachment 4 for larger plans)



### Project Setting

The project site is zoned Residential Medium (R2), except for approximately 0.51 acres at the southern end of the project site (closest to W. Harris Street) which is zoned Service Commercial (SC) (Figure 4). The site is immediately surrounded by public rights-of-way, with residences zoned R2 across the alley to the east, across W. Henderson to the north, and across W. Harris to the south. A few of the residences to the south are zoned Residential Low (R1). Redwood Adult & Teen Challenge is also located across W. Henderson to the north (zoned SC), and an office building (recently relocated from the project site) is located at the corner of Fairfield and W. Harris (on a parcel recently rezoned from R2 to SC). Commercial businesses are located across Broadway to the west (zoned Coastal Service Commercial). The inland boundary of the Coastal Zone is located immediately west of the project site (along the outer edge of Broadway).

**Figure 4: Zoning Map** (project site outlined in blue)



The site is within close proximity to a variety of goods and services. In addition to the retail shops, restaurants, and services located along the Broadway Commercial Corridor to the west, the Eureka Mall is located just 0.2 miles to the east and includes retailers such as WinCo Foods, CVS Pharmacy, Dollar Tree, Michaels, and Happy Donut. Bayshore Mall is also nearby, approximately 0.4 miles to the southwest of the project site. Harris Street (eastbound) and Henderson Street (westbound) both serve as transit routes with access to the Eureka Transit Service's Gold, Red, Green, and Rainbow Routes, and have existing dedicated bicycle lanes. The site is also within one-half mile of a transit stop at the Bayshore Mall where bus riders can transfer from the Eureka Transit Service to the Southern Humboldt Intercity and Redwood Transit System to travel outside of Eureka.

The project site is currently vacant except for existing fencing and a parking lot with a driveway on the southern portion of the project site closest to W. Harris Street that are remnants of the site's previous use as a construction contractor's office.

The site features various grades with a steep, vegetated bluff along the western edge of the site overlooking Broadway. The proposed residential buildings are set back from the bluff a minimum distance of 33 feet, as recommended by a site-specific geotechnical report prepared by LACO in 2022 (Attachment 7). Although the site is 4.18 acres in size, only 1.69 acres are able to accommodate buildings due to the steep bluff and bluff setback.

**Figure 5: 1954 Aerial Image** (from a 2023 Phase I Environmental Site Assessment prepared by SHN)

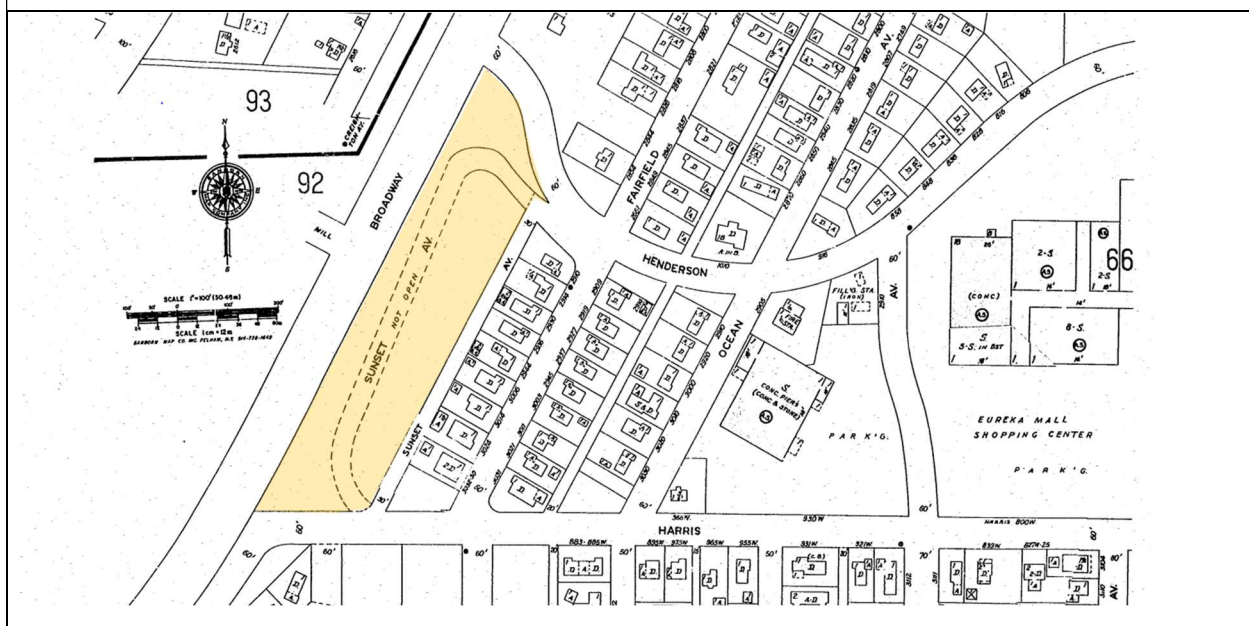


### Project Site History

According to a Phase I Environmental Site Assessment prepared for the project site by SHN in 2023 (Attachment 8), based on historic aerial photographs (Figure 5), the project site was undeveloped until sometime between 1941 and 1954, when the northern portion of the site began to be used as a soil quarry with associated grading and vegetation removal. According to interviews with community members, the soil was excavated and used for development of the adjacent subdivision. The quarry operation is still visible on 1957, 1969, and 1972 aerial photographs, but does not

appear on a 1983 aerial photograph or later photography. A 1988 Sanborn Map shows the project site as undeveloped, aside from right-of-way that is labeled as an unopened segment of Sunset Avenue.

**Figure 6: 1988 Sanborn Map (project site highlighted in yellow)**



The entire project site was zoned for multi-family housing (the RM-2,500 District) since at least 1966, until the City approved reclassification of the southwestern portion of the site to the SC District in 1984 at the request of Ernest Pierson to allow for an offsite advertising sign for the Eureka Mall at the foot of the bluff along Broadway (the “Eureka Mall Sign;” Project No. R-07-84). At the time, the project site was divided into three APNs: two (APNs 008-052-012 and -014) owned by Pierson, and one along the western and northern portions of the site (APN 008-052-015) owned by the City (Figure 7, map on left). According to City records, this land was acquired by the City at auction in 1945.

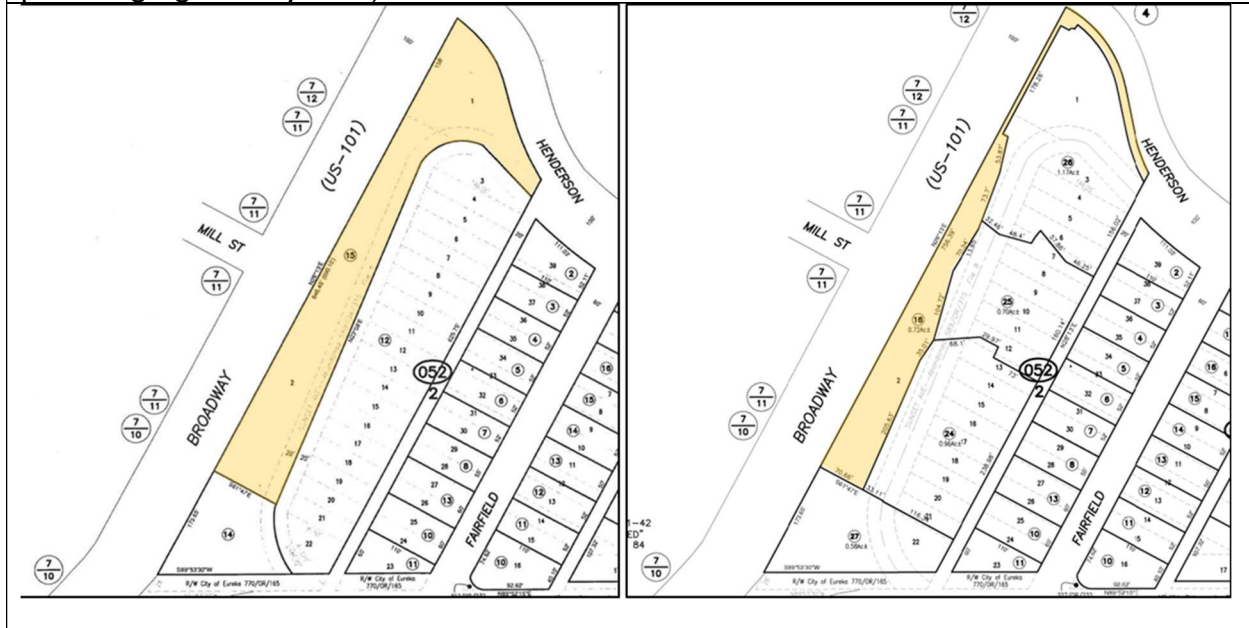
Subsequently, in 1999, Hank Pierson obtained approval to relocate the Pico office (housed in a 1960’s-era Pierson home) from the frontage of the Pierson Building Center at 4100 Broadway to the SC-zoned portion of the project site (Project Nos. B-052-14, -12). A Parking Indenture was approved and recorded to allow a parking lot within the adjacent RM-2500 District to support the office use (Project Nos. AA-10-99 and C-3-99).

In 2017, Greg Pierson approached the City with a plan to redevelop the project site with Sunset Lofts, a 43-unit apartment complex, including conversion of the onsite office into a community room and manager’s apartment/office. At the time, the project site included 16 legal parcels owned by Pierson Company (under APNs 008-052-014 and -012) as well as the one approximately-1.5-acre parcel owned by the City along the western and northern portion of the site (under APN 008-052-015). As a result, Greg Pierson applied for and received approval for an LLA (Project No. LLA-17-01), Merger (Project No. M-17-0001), and Street Vacation (Project No. SV-17-0002) to consolidate and reconfigure the 17 parcels into five larger parcels (reassigned APNs 008-052-016, -024, -025, -026, and -027) and vacate a remaining undeveloped portion of Sunset Avenue (Figure 7, map on right). The City retained ownership of the western resultant parcel, now approximately 0.7-acres (reassigned APN 008-052-016; the land transferred out of City ownership by the LLA was declared surplus by City Council in 2016). In mid-2020, Greg

Sunset Heights Multi-Family Housing Development  
 Project Nos.: LLA-24-0003, DB-24-0005, DR-24-0005, and SP-24-0002

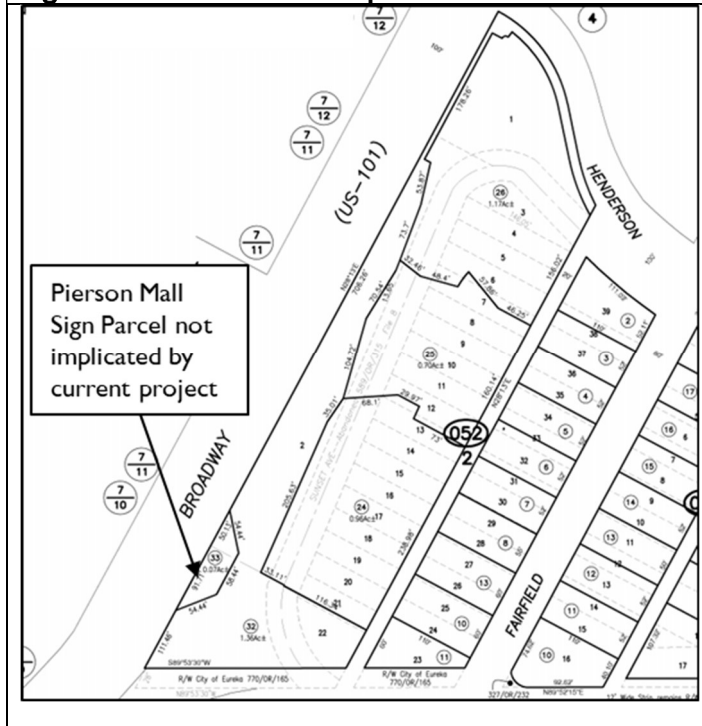
Pierson obtained Design Review (Project No. DR-19-0008) approval to construct Sunset Lofts on the four parcels under his ownership.

**Figure 7: Previous APN Maps Before (Left) and After (Right) 2017 Merger/LLA (City-owned parcel highlighted in yellow)**



Pierson did not construct Sunset Lofts and instead came forward in 2021 with a proposal to swap the four parcels (known as the “Sunset Heights” parcels) for three City-owned Downtown parking lot sites. On January 4, 2022, City Council approved a Memorandum of Understanding (MOU) with Pierson Properties & Development, LLC, and the City acquired the Sunset Heights parcels shortly thereafter.

**Figure 8: Current APN Map**



As part of the MOU with Pierson, an LLA was processed to reconfigure two of the site's parcels (APNs 008-052-016 and -027) in order to create a small parcel around the existing Eureka Mall Sign for Pierson to retain ownership of the sign (Figure 8) (Project No. LLA-22-0007; the Mall Sign parcel was reassigned APN 008-052-033, and the other implicated parcel became APN 008-052-032). The Mall Sign parcel is

not implicated by the currently proposed affordable housing project. The MOU also required Pierson to relocate the office building on the southern parcel; it has since been relocated to the parcel across the alley to the east, at the intersection of W. Harris and Fairfield Streets (APN 008-052-011).

To meet the City's Regional Housing Needs Allocation and help alleviate our local housing crisis, the City has adopted a program in its 2019-2027 Housing Element to sell or lease City-owned parcels to affordable housing developers, with a goal of contractually requiring developers to construct at least 332 deed-restricted affordable housing units on City-owned parcels by 2028. This program is known as Implementation Program IMP H-34: Affordable Housing on City-owned Properties. On February 1, 2022, City Council declared the Sunset Heights parcels as exempt surplus land to be transferred for the development of affordable housing consistent with CGC §37364; and on October 18, 2022, City Council amended the 2019-2027 Housing Element to officially add these parcels to Implementation Program IMP H-34. The amendment was certified by the California Department of Housing and Community Development on November 10, 2022. As amended, Implementation Program IMP H-34 requires the Sunset Heights parcels to be developed with a minimum of 60 very-low-income dwelling units and 20 low-income dwelling units.

On September 5, 2023, City Council approved an MOU with RCHDC for development of the Sunset Heights parcels consistent with the requirement of the Housing Element. RCHDC and the City of Eureka hosted a public meeting on November 15, 2023, to give stakeholders a chance to learn about the project as well as give input on the design prior to any plans being developed. Prior to the meeting, the City also published an online survey to solicit broader engagement, and 298 community members responded to the survey. RCHDC's architect (Robert Hayes and Associates) then incorporated community feedback to develop conceptual site/floor plan options that were presented to City Council at a special meeting on May 7, 2024. Based on Council's feedback, a conceptual design was selected and detailed plans were developed. The plans were further refined following a development review meeting with City staff from Planning, Building, and Public Works, as well as Caltrans staff, on March 28, 2024. Additional revisions were made in response to comments from Planning and Public Works on November 8, 2024, regarding the initial LLA, Density Bonus, and Design Review application submitted in September 2024.

### **LOT LINE ADJUSTMENT ANALYSIS**

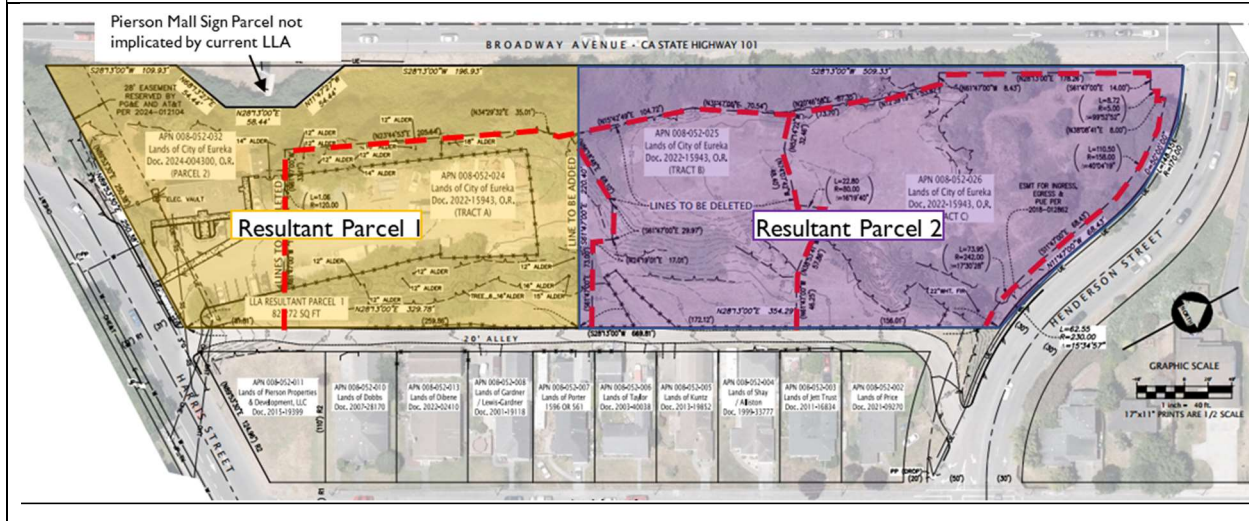
RCHDC is proposing an LLA and merger to consolidate four existing parcels into two new parcels as shown in Figure 9 and described in Tables 1 and 2.

Typically, the Director acts on the LLA, but EMC Chapter 154 allows for a public hearing at the Planning Commission when the proposed development arouses public concern. City staff anticipate public interest due to the project site being large and City-owned. Therefore, the project is being elevated to the Planning Commission.

Pursuant to the City's subdivision regulations in EMC Chapter 154, an LLA may be approved when land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not created. The proposed parcel boundary changes will reconfigure four existing adjacent legal parcels into two parcels. Since the adjustment does not

increase the original number of parcels, approval of an LLA can be made.

**Figure 9: Proposed LLA (Resultant Parcels 1 and 2 shown in orange and purple, respectively; existing parcel lines to be deleted/reconfigured shown in red dotted line)**



**Table 1: Parcel Sizes Before LLA**

APNs	Parcel size in square feet (sf)	Approx. Acreage
008-052-024	41,703	0.957
008-052-025	30,531	0.701
008-052-026	50,876	1.168
008-052-032	58,901	1.352
<b>Total</b>	<b>182,011</b>	<b>4.18</b>

**Table 2: Parcel Sizes After LLA**

APNs	Parcel size sf	Approx. Acreage
(Parcel 1) 008-052-024 & portions of APNs 008-052-025 & 008-052-032	82,272	1.89
(Parcel 2) 008-052-026 & portions of APNs 008-052-024 & 008-052-025	99,739	2.29
<b>Total</b>	<b>182,011</b>	<b>4.18</b>

### Consistency with General Plan

The LLA is consistent with the City's General Plan. The purpose of the LLA is to facilitate RCHDC's affordable housing development. RCHDC anticipates separating the development into two 44-unit projects for the purposes of securing financing, and the LLA allows for the two sub-projects to each be located on their own parcel. Although the LLA results in a net reduction in the number of parcels from four to two, the LLA does not reduce the allowed density on the site, as maximum density in the R2 is defined by the number of residences per acre/sf rather than the number of residences per parcel, and there is no maximum residential density in the SC. Instead of reducing potential residential density, by facilitating the proposed 88-unit affordable housing project, the LLA ensures that the site can and will be developed at its highest potential density given site constraints, furthering a number of policies in the Land Use, Economy, and Housing Elements that call for the infill of vacant and underutilized land; creation of compact,

walkable, and transit-friendly development; and maximization of housing density potential to increase housing supply and diversity. The project facilitated by the LLA also directly implements Housing Element Implementation Program IMP H-34 which requires a minimum of 80 deed-restricted affordable units be developed on the Sunset Heights parcels. Consistency of the overall project with the General Plan is further described in the CEQA Exemption Memo (Attachment 3), under subsection (a) of the CEQA Guidelines §15332 exemption findings.

### **Consistency with the Municipal Code**

The LLA conforms to the City's Municipal Code. Pursuant to EMC §155.308.010(A)(1), newly-created lots must comply with the minimum lot area requirements for the applicable zoning districts. As described in the Project Setting section above, the 4.18-acre project site is primarily zoned R2, with approximately 0.51 acres at the southern end zoned SC. The proposed resulting lots are 82,272 sf and 99,739 sf, respectively, well above the 2,000-sf minimum lot size in the R2 District. There is no minimum lot size in the SC District.

Pursuant to EMC §155.308.010(B)(2), to approve an LLA, the City must find that the resulting parcels are "buildable," meaning they can reasonably accommodate a structure in compliance with the development standards for the applicable zoning districts. Both resulting parcels include steep slopes on their western sides with the potential for seismically-induced slope instability, and a site-specific geotechnical report was prepared by LACO in 2022 (Attachment 7) indicating that the hazard of slope failure can be mitigated by setting structures for human occupancy back 33 feet from the top of the slope. Even with avoidance of the steep slopes and the 33-foot-wide slope setback area, both resulting parcels still have significant buildable areas, as evidenced by the proposed project.

Public Works – Engineering has submitted referral comments (Attachment 6) indicating that both parcels can be adequately served by utilities with a variety of required improvements, including a water main extension to existing mains on W. Harris and W. Henderson Streets (creating a new loop), and a gravity sewer connection to a manhole on Broadway. There is a 28-ft-wide easement reserved for PG&E and AT&T along the W. Harris Street frontage of the project site (where a strip of Harris Street right-of-way was recently vacated), and the City will require recordation of any further necessary utility easements (or notices of future easements) prior to transferring the project site to RCHDC.

Finally, EMC §155.308.010(C)(1)(a) requires newly created lots in residential zoning district to have frontage on and take direct access from a public street, an alley, or recorded access easement, and EMC §155.308.010(C)(2) requires commercial lots have public-street frontage or appropriate access provided by a common/reciprocal easement; the resulting lots each front a public street on two sides and a public alley on one side, and are proposed to be accessed via driveway connections to the adjacent alley and W. Harris and W. Henderson Streets. Public Works – Engineering's comments (Attachment 6) indicate the proposed one-way access will require recording a notice of future reciprocal access easement. Grading and repaving of the adjacent alley will also be required to improve access and durability, and RCHDC will need to install the necessary storm drain infrastructure within the alley and throughout the site to capture and manage runoff effectively, ensuring compliance with stormwater management standards.

There is over one-quarter-acre of low-lying land at the northwestern corner of the site reserved as a bio-retention area that is adequately sized to retain and infiltrate site runoff.

For all the reasons discussed above, the resulting parcels are buildable, and the LLA conforms to the City's Municipal Code. Consistency of the overall project with the Zoning Code is further described in the CEQA Exemption Memo (Attachment 3), under subsection (a) of the CEQA Guidelines §15332 exemption findings.

For all the reasons described above, the LLA can be found consistent with the State Subdivision Map Act and the City's subdivision regulations (EMC Chapter 154), and can be approved.

### **DENSITY BONUS ANALYSIS**

Under State Density Bonus law (CGC §§65915 – 65918), housing development projects that propose five or more units and include deed-restricted affordable housing are allowed to exceed a local jurisdiction's maximum density limits and deviate from other development standards and zoning code requirements in exchange for below market rate rents. Greater benefits are available for projects that reach higher percentages of affordability.

Because the project is located within one-half mile of a major transit stop,<sup>1</sup> and because all proposed housing units will be deed-restricted affordable for very low-income and low-income households exclusive of any manager's units, the project qualifies for unlimited density (i.e., no cap on the number of housing units), a height increase of up to three additional stories or 33 feet above the maximum building height limit set for the project site by the City's zoning code, as well as up to five incentives or concessions from City development regulations [CGC §65915(b)(1)(G), §65915(d)(2)(D), and §65915(f)(3)(D)(ii)]. Incentives/concessions are defined as "[a] reduction in site development standards or a modification of zoning code requirements or architectural design requirements ... that result in identifiable and actual cost reductions, to provide for affordable housing costs" [CGC §65915(k)].

RCHDC is requesting:

- 1) A height increase to exceed the 35-foot maximum building height allowed in the R2 District by up to 11 feet for the proposed three- and four-story buildings (i.e., Buildings 1A and 2A; the maximum building height standard is found in EMC §155.204.030, Table 204-3).
- 2) One concession/incentive to deviate from the Building Entry development standard in EMC §155.312.040, which requires that, on lots where ground-floor units have

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<sup>1</sup> A major transit stop is defined by PRC §21155 in part to include stops identified as major transit stops in the applicable regional transportation plan. On January 18, 2024, the Humboldt County Association of Governments amended the applicable regional transportation plan, VROOM 2022-2042, to include seven identified major transit stops, including a stop at the Bayshore Mall that is less than one-half mile from the project site.

independent entrances (as currently proposed), all ground-floor dwelling units with street frontage must have individual entrances facing the street.

The City may deny incentives/ concessions on the basis of substantial evidence that the incentive does not result in identifiable and actual cost reductions, would be contrary to state or federal law, or would have a specific, adverse and unavoidable impact on public health, safety or on a listed historic property (Gov. Code § 65589.5(d)(1)). Pursuant to CGC §65915(d)(4), the City has the burden of proof for the denial of a requested concession or incentive.<sup>2</sup> The City has no substantial evidence to support any of the aforementioned allowable justifications for denial. Therefore, the City must approve the requested deviations from building height and building entrances standards.

### **DESIGN REVIEW ANALYSIS**

To approve a Design Review application, the following findings must be made:

- A. The proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.
- B. The proposed project complies with all seven Design Review criteria in EMC §155.412.040(J) (Design Review Criteria).

#### **A. Public Health, Safety, and Welfare**

The current conditions of the project site include illegal encampments, frequent calls for service related to crimes, and incidents of fires. The redevelopment of the site enhances public safety by adding a sanctioned use with community presence, thereby deterring potential criminal activity currently associated with the location. The proposed project also promotes health, safety, and welfare by creating affordable homes during a housing crisis, allowing for more people to be housed in safe and sanitary conditions at a rent they can afford.

Aside from the aforementioned Density Bonus waivers, the proposed plans otherwise comply with the applicable objective development standards of the Zoning Code which have been adopted to protect the public health, safety, and welfare. RCHDC has not yet submitted adequate information to ensure consistency with certain standards related to landscaping (EMC §155.328), outdoor lighting (EMC §155.308.050), parking lot design (EMC §155.324.060), bicycle parking (EMC §155.324.070) and laundry facilities (EMC §155.304.100), but this information will be required as part of the Building Permit submittal, and Planning Staff will review for consistency with relevant standards as part of the Building Permit process. The project has been conditioned to alert RCHDC to the need to obtain a Building Permit for all construction and an Encroachment Permit for any work performed within the City's public right-of-way.

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<sup>2</sup> An appellate court ruled in 2021 (Schreiber v. City of Los Angeles) that local agencies cannot require density bonus applicants to submit pro formas or other documentation to prove that requested incentives/ concessions are necessary to make the housing development financially feasible (Schreiber, 69 Cal. App. 5th at 556.).

In addition to Zoning Code standards, the City has a number of General Plan policies intended to protect health, safety, and welfare which are discussed in the CEQA Exemption Memo (Attachment 3), including but not limited to, 2040 General Plan Policy N-I.13, which limits construction activity to the hours of 7 AM to 7 PM, and 2040 General Plan Policy AQ-I.3, which requires adherence to air quality best management practices during excavation and earthmoving activities, including adherence to standard dust control measures. These construction noise and air quality policies will be implemented during the Building Permit process.

As discussed in the CEQA Exemption Memo (Attachment 3), the City's 2040 General Plan Policy HS-I.1 requires new structures for human occupancy to be designed to minimize seismic risk, comply with the California Building Code, and address seismic and geological hazards. LACO prepared geologic and geohazard reports for the site in 2007, 2016, and 2022. The 2022 report, conducted for Providence Supportive Housing (a prospective affordable housing developer), recommends a 33-foot setback from the slope to mitigate slope failure hazards. The current project has been designed with a minimum 33-foot setback, consistent with this recommendation. Furthermore, RCHDC plans to install six-ft-tall fencing between the buildings and the bluff along Broadway and W. Harris and W. Henderson Streets to enhance safety near the edge.

A project referral was sent to a variety of City departments and outside agencies who may have interest or jurisdiction over the property or the intended use of the property. Public Works – Engineering submitted detailed comments on utility connections, alley paving, site drainage, and site access and circulation (Attachment 6); this information has been forwarded to RCHDC and will be addressed during the Building Permit process. The Wiyot Tribe also responded requesting standard inadvertent discovery protocol if archeological resources are encountered during ground-disturbing construction activities. A condition has been included adhering to the Wiyot Tribe's request, consistent with 2040 General Plan Policy HCP-2.5. Other than Public Works – Engineering and the Wiyot Tribe, contacted entities either did not respond to the referral or responded that they had no comments.

Ultimately, the project will transform a predominately vacant and underutilized site into an active multi-family housing development which improves the safety and functionality of the site, and benefits the broader community, thereby ensuring that the development is not detrimental to public health, safety, or welfare, nor materially injurious to nearby properties or improvements.

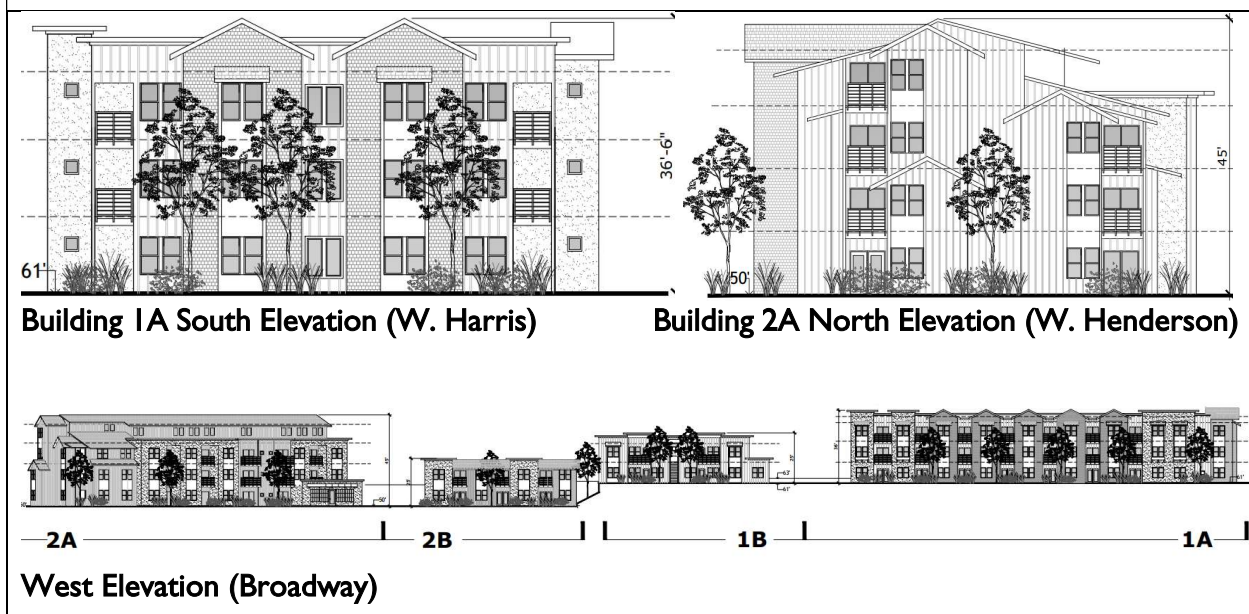
#### **B. Design Review Criteria**

1. **Surrounding Context.** The overall project and associated buildings enhance the design quality of the area where they are located, and enhance Eureka's unique character and distinctive sense of place. New buildings may "fit in" with traditional architecture that complements the surrounding context or "stand out" with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible.
2. **Pedestrian Environment.** Buildings incorporate design features that support an active public realm and an inviting pedestrian environment.
3. **Architectural Style.** Buildings demonstrate a coherent and successfully executed architectural style. Building architecture may be traditional or modern. Buildings are not

required to conform to any dominant architectural style or local vernacular. Creative architectural and artistic expression is encouraged.

4. **Articulation and Visual Interest.** Building façades are distinctive, create visual interest, and relate to the human scale through vertical and horizontal articulation, varied building planes, distinctive building elements, and/or noticeable architectural details. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as articulation, trim, eaves, window boxes, and brackets contribute to the visual interest of the building.
5. **Materials.** Building façades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.
6. **Safety.** The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility, and features that promote a sense of ownership of outdoor space.
7. **Landscaping.** Landscaping features low-water-use plants appropriate for the local climate and does not include any invasive species that would be harmful to native plants and habitat, in compliance with 155.328.050(D) (Invasive Plants).

**Figure 10: Proposed Street Fronting Elevations** (see Attachment 4 for larger elevations)



### Surrounding Context and Architectural Style (Criteria 1 and 3)

The proposed development respects the surrounding neighborhood's character with a number of strategies to minimize visual impacts on neighboring residences across the alley to the east. The 88 units are broken up into four structures, with one- and two-story structures strategically placed in the center of the development. Although RCHDC is requesting a height increase above the R2 District limit for the two structures at the edges of the development, adding height actually helps minimize view blockage because it allows for buildings with small footprints, reducing the

overall massing at eye level. Additionally, RCHDC's architect utilized the natural topography of the site, which slopes down by 10 ft to 12 ft in certain areas, to "tuck" an entire story of half the development into the slope, reducing the overall height and aligning with the scale of adjacent residential properties. Furthermore, the buildings are located as far away from existing residences as possible, with landscaping, trees, circulation pathways, and a parking lot serving as a buffer, creating privacy and visual harmony. Finally, the building façades include horizontal articulation and variation in roof form and exterior materials in order to break up their massing to align better with the scale of the surrounding neighborhood.

The architectural style blends traditional and modern influences. According to RCHDC's architect, taller building elements are articulated with individual hip and flat roofs, referencing historic architectural styles prevalent in Eureka and providing continuity with the past. In contrast, the development features sloped roof forms and modern volumes that introduce a fresh, dynamic aesthetic, offering a distinct departure from traditional styles (Figure 10). The blending of architectural styles and the strategic placement of buildings provide a development that fits within the existing neighborhood context while embracing creative and artistic expression. Collectively, the project enhances Eureka's unique character, distinctive sense of place, and overall design quality.

### **Pedestrian Environment and Safety (Criteria 2 and 6)**

The project supports an active public realm and an inviting pedestrian environment through design features that enhance both aesthetic appeal and safety. Balconies are proposed on the façades facing Broadway, W. Harris, and W. Henderson Street. These balconies allow tenants to open their units toward the public right-of-way, creating an interactive and engaging connection between residents and the surrounding streetscape. The inclusion of balconies, combined with numerous windows on the street-facing façades, enhance visibility and provide "eyes on the street," which promotes public safety by deterring potential crime and fostering a sense of community ownership over the outdoor spaces.

As discussed above, a number of design choices were made to break up and conceal the buildings' massing including by utilizing the sloping topography to reduce the relative height of the buildings, and by breaking up the buildings' façades with horizontal articulation and alternating materials, forming a series of distinct bays through alternating projections and recessions in the building wall and through alternating use of cement plaster, board and baton, and shingle siding; these choices also help contribute to a pedestrian-friendly scale. The relatively narrow appearance of the buildings from W. Harris and W. Henderson Streets, and the spacing between buildings as seen from Broadway, also help ensure a pedestrian-friendly scale. The incorporation of trees between the buildings and the street and alley rights-of-way further enhances this environment by breaking up the built form with greenery, softening the visual impact of the buildings' height. These trees also provide shade and natural beauty, encouraging pedestrians to engage with the space.

Together, these design features, including balconies, arraignment of windows, variously-scaled façades created by differing building heights and recessed sections (as opposed to one large box apartment building), and tree planting, foster an inviting and active pedestrian environment.

#### **Articulation and Visual Interest (Criteria 4)**

EMC §155.312 (Design Standards) includes a number of objective design standards for street-facing building façades to ensure articulation and visual interest in new buildings, including a prohibition on blank walls greater than a ten-ft-by-ten-ft square (EMC §155.312.060) and a requirement that new buildings incorporate at least two architectural features from a list of 15 features contained in EMC §155.312.050. The project complies with both these requirements, and actually incorporates three of the listed architectural features, including balconies [EMC §155.312.050(A)(5)], roof form variation [EMC §155.312.050(A)(1)], and horizontal articulation [EMC §155.312.050(A)(3)].

As described in the Density Bonus section above, the project does not comply with the street-facing building entries standard [EMC §155.312.040 (Building Entries)], which is another key objective standard for ensuring visual interest from the street. However, prominent street-facing entrances are not feasible or logical at the project site given its size, shape, orientation, and topography.

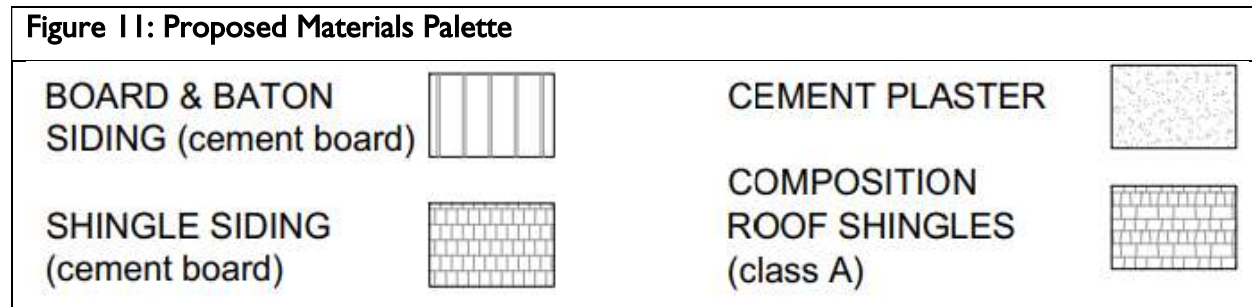
Ultimately, the variations in materials, roof form, and articulation across the building façades segment the buildings into defined blocks which creates shadows and depth, adding texture and dimension (Figure 10). This variation, along with the fact that a significant amount of the buildings' façades is covered with windows and balconies and/or softened by landscaping, contributes to the overall articulation and visual interest of the buildings, ensuring the design relates to the human scale and aligns with the intent of the City's design standards.

#### **Materials (Criteria 5)**

EMC §155.312.030 (Exterior Materials) requires that all exterior materials allow for long-term durability and appearance and includes a number of standards to ensure high-quality materials, including prohibiting the use of uninterrupted plywood siding, unfaced particle board, OSB and/or vinyl as exterior siding material; requiring vertically-oriented board and batten siding to consist of separate boards and battens; and limiting stucco siding to a maximum of 50% of the street-facing building wall.

The project utilizes various materials in compliance with the standards of EMC §155.312.030 (Exterior Materials), including vertically-oriented cement board and batten siding to be installed in separate pieces, cement plaster covering less than 50 percent of the street-facing building walls, cement board shingle siding, and composition roof shingles (Figure 11). According to RCHDC's architect, the selected materials "are traditionally used to create both historically accurate architectural styles as well as more forward leaning appearances." The cementitious board-and-batten and shingle siding are consistent with exterior materials typically used in nearby residences.

By incorporating traditional style materials like board and batten and shingle siding, commonly found in classic residential architecture throughout the City, along with modern cement-based alternatives to wood, the façades are durable while featuring varied textures and finishes that enhance articulation and contribute to a cohesive and high-quality design. According to the architect, these materials, when properly maintained, will retain their architectural integrity, ensuring the buildings remain visually appealing and compatible with the neighborhood over the project's lifespan.



### Landscaping (Criteria 7)

EMC §155.328 (Landscaping) requires landscaping across all areas of the site between the buildings and the surrounding streets (Broadway, W. Harris and W. Henderson), except for areas required for access, and EMC §155.324.080 (Parking Lot Landscaping) requires both perimeter and interior parking lot landscaping, including but not limited to a minimum of one interior tree reaching at least 20 ft in height at maturity per 15 parking spaces, and a landscaped island with a tree at the end of each of the interior rows of parking spaces and between every eight consecutive parking stalls. All areas with required landscaping must include a minimum of 50% coverage with plants at maturity, with the remaining area covered with mulch, bark chip, crushed rock, or similar non-plant materials (no exposed bare soil; EMC §155.328.050.G). At least 75% by count of all new plants must be native to Eureka (EMC §155.328.050.D), and invasive plants are prohibited (EMC §155.328.050.E). Landscaping must comply with Water Efficiency in Landscaping Ordinance standards (EMC §155.328.060), and landscaping must be kept free of weeds and physical damage; and dead or dying plants must be removed and replaced (EMC §155.328.070).

The project plans do not conflict with any of the aforementioned landscaping standards, although not enough information has been submitted to ensure consistency with all standards. A landscaping plan will be required as part of the Building Permit submittal as required by EMC §155.328.030 (Landscape Plans), and Planning Staff will review for consistency with relevant standards as part of the Building Permit process, including to ensure no invasive species are included, and to ensure compliance with water-efficiency standards.

Although a landscape plan with a planting list has not yet been provided, the submitted project plans show all areas on the project site not covered by structures or used for access will be landscaped with a total of 14,920 sf of landscaped area, with nine existing trees, and 33 proposed new trees. The additional trees will provide natural greenery that softens the building façades, creating a more inviting and aesthetically pleasing environment.

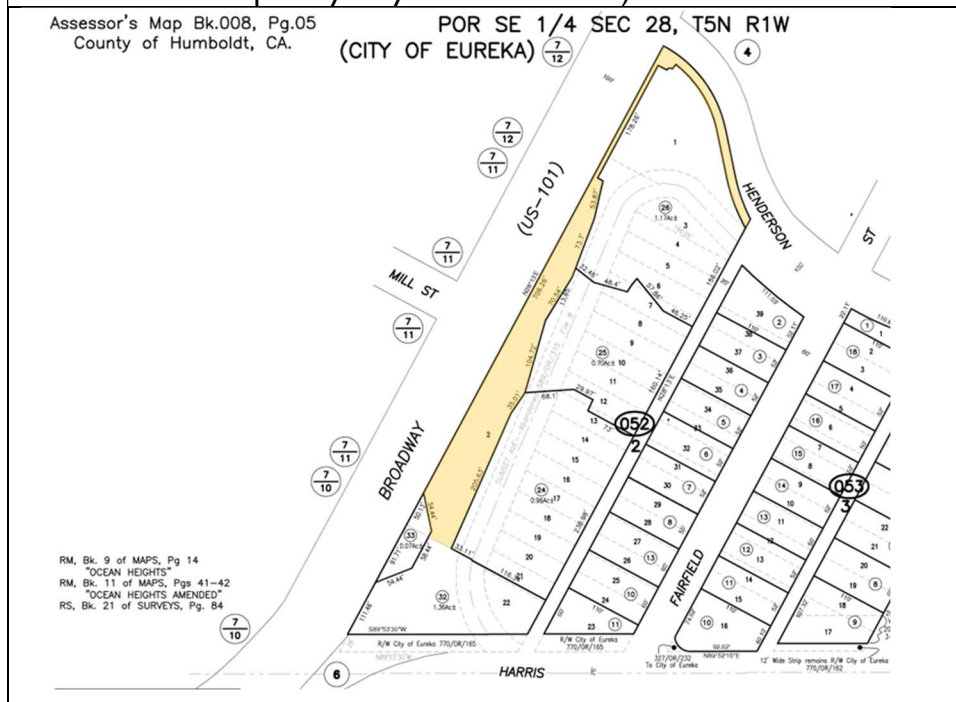
For all the reasons discussed above, the proposed project can be found in conformance with all seven Design Review criteria in EMC §155.412.040(j) (Design Review Criteria).

### ANALYSIS FOR SURPLUS PROPERTY

A 30,170-sf portion of APN 008-052-032 (which totals 58,901 sf) located along Broadway and W. Henderson Street was not declared as surplus property for affordable housing when the rest of the project site (i.e. the Sunset Heights parcels) was declared surplus in 2022 because it was originally on its own parcel (previous APN 008-052-016). After the Pierson land swap and

subsequent LLA to allow Pierson to maintain ownership of the Eureka Mall Sign described above in the Background section, this portion of land was incorporated with the southern portion of the site zoned SC that was already declared surplus, creating APN 008-052-032. Originally, RCHDC proposed an LLA that would have resulted in this portion of land being reverted back to a separate, independent parcel for retention by the City, but that would have created a narrow and steep “unbuildable” parcel in violation of the EMC. Therefore, this area is proposed to be incorporated into the two resulting parcels and declared as surplus property so the entire project site can be transferred to RCHDC.

**Figure 12: APN Map with Proposed Surplus in Yellow** (the remainder of the APN labeled 32, as well as APNs labeled 24, 25, and 26, have already been declared surplus by City Council in 2022).



When the City proposes to transfer/dispose of City-owned real property, CGC §65402(a) requires the location, purpose, and extent of the disposition be submitted to, and reported on by, the Planning Commission as to conformity with the adopted General Plan. Additionally, City of Eureka Policy and Procedure, File 2.01, Sale of City-Owned Real Property, requires the Planning Commission's review to determine whether the parcel is necessary for agency (City's) use and whether the parcel is of such size and shape to allow development of uses permitted in the zone in which it is located. Upon completion of their review, the Planning Commission's report will be submitted to the City Council for review. If Council finds the property is not required for the City's use, it may declare the property surplus real property consistent with the Surplus Land Act requirements discussed below.

The subject 30,170-sf portion of APN 008-052-032 is narrow and contains steep slopes (Figure 12) and is not being used, nor has it been used, for any City operations, or public, quasi-public, or community purposes. A narrow sliver of the subject land is located adjacent to W. Henderson

Street and could potentially be used by the City in the future for multimodal improvements along W. Henderson; therefore, the City will record an access easement along this portion of the property prior to disposition.

If the subject land was excluded from the proposed project site, its size and shape would not allow the development of uses permitted in the R2 District where it is located. Since this land is associated with the proposed project, the disposition of the property to RCHDC furthers a number of General Plan policies in the Housing, Economy and Land Use Elements as described above in the LLA Analysis section, and specifically furthers Housing Element Implementation Program Imp-34: Affordable Housing on City-owned Properties.

Therefore, the Planning Commission can find the location, purpose, and extent of the proposed surplus consistent with the 2040 General Plan and City Policy 2.01.

### **Surplus Land Act Requirements**

The Surplus Land Act (CGC §§54220-54234) requires land to be declared either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures. The subject portion of the City-owned parcel qualifies as “exempt surplus land” pursuant to CGC §54221(f)(1)(A) because it will be disposed of for affordable housing development as allowed by CGC §37364.

### **CONCLUSION**

Based on the analysis above, the proposed Sunset Heights 88-unit affordable housing development qualifies for the requested Density Bonus concession/incentives; will not be detrimental to public health, safety, or welfare; and complies with all applicable Design Review criteria in EMC §155.412.040(j) (Design Review Criteria). The associated LLA is consistent with the City’s subdivision regulations (EMC Chapter 154) and the State Subdivision Map Act; and, the associated surplus of City property is in conformance with the 2040 General Plan, the Surplus Land Act, and City surplus policy.

### **ENVIRONMENTAL ASSESSMENT**

The proposed affordable housing development is a project subject to the provisions of the California Environmental Quality Act (CEQA). However, the project is exempt from CEQA pursuant to CEQA Guidelines §15332 and §15194 / PRC §21159.23.

- **CEQA Guidelines §15332 (Class 32; In-Fill Development Projects):** The project qualifies for the Class 32 exemption from CEQA because: (1) the project is consistent with the applicable 2040 General Plan land use designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the project will occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value, as habitat for endangered, rare or threatened species; (4) approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; (5) the site can be adequately served by all required utilities and public services; and (6) none of the exceptions to the categorical exemptions set forth in CEQA Guidelines §15300.2 apply. See Attachment 3 (CEQA Exemption Memo) for further analysis on Class 32 exemption applicability.

- **CEQA Guidelines §15194 / PRC §21159.23 (Affordable Housing Exemption):** The project qualifies for the Affordable Housing Exemption because the project (1) meets the size, location, and affordable housing eligibility criteria in CEQA Guidelines §15194 and PRC §21159.23 (the site is less than five acres in size in an incorporated city with a population density of at least 1,000 persons per square mile, surrounded by parcels developed with qualified urban uses; and the project consists of fewer than 100 units that are affordable to low-income households with deed-restrictions ensuring the housing units remain affordable for a period of at least 30 years); and (2) does not trigger the land use and environmental thresholds and exceptions for affordable housing and residential infill projects contained in CEQA Guidelines §15192 and PCR §21159.21. See Attachment 3 (CEQA Exemption Memo) for further analysis on the Affordable Housing Exemption applicability.

### **PUBLIC HEARING NOTICE**

Public notification consisted of notification by mail of property owners within a 300-ft radius of the site on or before November 27, 2024. In addition, the notice was posted on the City's website and bulletin boards. A public hearing notice sign was also posted on the site on or before November 27, 2024.

### **DOCUMENTS ATTACHED**

Attachment 1: Planning Commission Density Bonus, Design Review, and Surplus Resolution  
 Attachment 2: Planning Commission Lot Line Adjustment Resolution  
 Attachment 3: CEQA Exemption Memo  
 Attachment 4: Applicant Submitted Design Review Material  
 Attachment 5: Applicant Submitted Lot Line Adjustment Map  
 Attachment 6: Public Works – Engineering Referral Comments  
 Attachment 7: LACO Geotechnical Exploration and Geologic Hazard Report (2022)  
 Attachment 8: SHN Phase I Environmental Site Assessment (2023)

**RESOLUTION NO. 2024-xx**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA  
CONDITIONALLY APPROVING A DENSITY BONUS (DB-24-0005) AND DESIGN REVIEW  
(DR-24-0005) FOR THE SUNSET HEIGHTS MULTI-FAMILY HOUSING DEVELOPMENT AT  
1200 W. HARRIS STREET (APNS: 008-052-024, -025, -026, AND -032), AND  
RECOMMENDING THE CITY COUNCIL DECLARE A PORTION OF APN 008-052-032 AS  
SURPLUS PROPERTY

WHEREAS, Rural Communities Housing Development Corporation (RCHDC), the Applicant, in partnership with the City of Eureka (City), is proposing to develop an approximately 4.18-acre City-owned property at 1200 W. Harris Street (APNs 008-052-024, -025, -026, and -032) with 88 new affordable housing units; and

WHEREAS, RCHDC has requested Density Bonus (DB-24-0005) and Design Review (DR-19-0008) approval for the Sunset Heights Multi-Family Housing Development (Sunset Heights); and

WHEREAS, a majority of the project site has a land use designation of Medium Density Residential (MDR) and is zoned Residential Medium (R2 District) with a small portion designated General Commercial (GC) and zoned Service Commercial (SC District); and

WHEREAS, multi-family housing is a principally permitted use in the R2 and SC Districts under Eureka Municipal Code (EMC) §155.204.020 and EMC §155.208.020; and

WHEREAS, although the project does not exceed the maximum allowable residential density in either the R2 or SC Districts, the project is eligible for a Density Bonus incentive/concession and a building height increase under California Government Code (CGC) §65915(d)(2)(D) (State Density Bonus law) because the project site is located within one-half mile of a designated major transit stop (Humboldt Transit Authority bus stop at Bayshore Mall), and because all 88 units are reserved for very low-income and low-income households except for two managers' units, making the project 100% affordable; and

WHEREAS, the Applicant is requesting one incentive/concession to deviate from the street-facing building entries standard in EMC §155.312.040(B) (Building Entries), and to exceed the 35-foot maximum building height allowed in the R2 District found in EMC §155.204.030, Table 204-3 by up to 11 feet for the proposed three- and -four story buildings (i.e. Buildings 1A and 2A); and

WHEREAS, pursuant to EMC §155.412.040(B)(2) (Design Review), all new buildings 500 square feet or more in a residential or mixed-use zoning district require Design Review approval prior to construction; and

WHEREAS, the City intends to transfer the entire project site to RCHDC for the affordable housing development, and

WHEREAS, the Surplus Land Act (CGC §§54220-54234) requires land to be declared either "surplus land" or "exempt surplus land," as supported by written findings, before a local agency

may take any action to dispose of it consistent with an agency's policies or procedures; and

WHEREAS, 3.48 acres of the site were declared exempt surplus property in 2022 pursuant to the Surplus Land Act (CGC §54220 et seq.), but a remaining 0.7-acre portion of the site was excluded from the surplus decision; and

WHEREAS, the City now proposes to declare the remaining 0.7 acres of the project site exempt surplus land (SP-24-0002); and

WHEREAS, CGC §65402(a) requires that prior to the City Council disposing of City-owned property, the location, purpose and extent of the proposed disposition must be submitted to and reported upon by the Planning Commission to the City Council as to conformity with the adopted General Plan; and

WHEREAS, City of Eureka Policy and Procedure File 2.01, Sale of City-Owned Real Property, also requires the Planning Commission's review to determine whether the land is necessary for agency (City's) use, and whether the land is of such size and shape to allow development of uses permitted in the zone in which it is located; and

WHEREAS, the proposed Sunset Heights project, including the surplus and an associated lot line adjustment (LLA-24-0003), is subject to the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on December 11, 2024 at 5:30 p.m. in person and via Zoom in the Council Chamber to consider the requests; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject Density Bonus and Design Review applications and surplus property request in accordance with EMC Chapter 155, CGC §65402, and City of Eureka Policy and Procedure File 2.01, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the following facts:

1. The project qualifies for the proposed deviations from Building Entries and Maximum Height development standards under CGC §65915: the building entries concession/incentive will result in identifiable and actual cost reductions, and the City has no substantial evidence that the deviations would be contrary to state or federal law, or would have a specific, adverse and unavoidable impact on public health, safety or on a listed historic property.
2. The proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.
3. The proposed project complies with all applicable Design Review criteria in EMC §155.412.040(j) (Design Review Criteria), as described in the staff report.
4. The project site qualifies as "exempt surplus land" as described in CGC §54221(f)(1)(A) because the land is to be disposed of for an affordable housing development pursuant to CGC §37364 which authorizes a City to lease or sell real property to provide affordable

housing to persons and families of low or moderate income.

5. The 0.7-acre portion of the site currently proposed for surplus is not necessary for agency use and is of a size and shape that makes it unsuitable for use as an isolated City-owned parcel, and declaring this portion of the site as exempt surplus land is in conformance with the 2040 General Plan.
6. The proposed Sunset Heights Multi-Family Housing Development, including the associated lot line adjustment and surplus, is exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32; In-Fill Development Projects) and §15194 / Public Resources Code §21159.23 (Affordable Housing Exemption) as described in Attachment 3: CEQA Exemption memo of the staff report.

WHEREAS, in the opinion of the Planning Commission of the City of Eureka, the proposed application should be approved subject to the following conditions. Compliance with conditions will be to the satisfaction of Development Services – Planning unless noted otherwise.

- A. **Building Permit Approvals and Referral Comments.** The Applicant shall obtain all required Building Permits prior to the commencement of any construction activities, to the satisfaction of Development Services – Building. Prior to Building Permit issuance or issuance of a certificate of occupancy, as appropriate, the Applicant shall include on construction plans, implement, and/or comply with the following:
  - i. **Public Works – Engineering Referral Comments.** The Applicant shall address all referral comments from, and to the satisfaction of, Public Works – Engineering as included in Attachment 6 of the staff report: Public Works – Engineering Referral Comments.
  - ii. **Zoning Code Standards.** The project plans submitted for the Building Permit shall be in substantial compliance with the plans approved through Design Review, but shall be amended to include adequate information to demonstrate compliance with:
    - a. EMC §155.312.030 (Exterior Materials), including calculations demonstrating that the proposed cement plaster does not exceed 50% coverage on any street-facing façade;
    - b. EMC §155.324.060 (Parking Design and Development Standards), including but not limited to, ensuring landscape areas, walkways, and walls are protected in conformance with EMC §155.324.060(F)(3) (Wheel Stops and Curbs);
    - c. EMC §155.324.070 (Bicycle Parking), including but not limited to, ensuring the short-term and long-term bicycle parking standards related to placement, surfacing, and rack design and security, are met; and
    - d. EMC §155.304.100 (Multi-Family Laundry Facilities), including at least one clothes washer and dryer for each six dwelling units.
  - iii. **Landscaping Plan.** A landscape plan consistent with §155.328.030 (Landscape Plans) shall be included with the building plans and implemented to ensure all proposed landscaping conforms to the City's landscaping standards in EMC §155.328

(Landscaping) and EMC §155.324.080 (Parking Lot Landscaping).

- iv. **Outdoor Lighting Specifications.** Outdoor lighting specifications shall be included with the building plans and installed in conformance with EMC §155.308.050 (Outdoor Lighting).
- B. **Encroachment into City of Eureka Right-of-Way.** Before beginning any work within the City right-of-way, including the sidewalk area, alleys, or streets, an Encroachment Permit from Public Works – Engineering shall be obtained.
- C. **Sign Permit.** No signs shall be placed or erected onsite without a City of Eureka Sign Permit approved by Development Services – Planning, and, if required, a building permit from Development Services – Building.
- D. **Inadvertent Discovery Protocol.** All ground disturbing activities are subject to the City's standard protocol for inadvertent archeological discovery (cultural or historical artifacts) as follows:
  - i. If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structure remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.
  - ii. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.
  - iii. In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC)

section 5097.98. In part, PRC section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of PRC section 5097.98 shall be complied with as may be required.

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby approve the Density Bonus and the Design Review applications, subject to the conditions listed above, and recommends the City Council declare the 0.7-acre portion of the project site not previously surplus as exempt surplus land.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 11<sup>th</sup> day of December, 2024, by the following vote:

AYES:	COMMISSIONER
NOES:	COMMISSIONER
ABSENT:	COMMISSIONER
ABSTAIN:	COMMISSIONER

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Meredith Maier, Chair, Planning Commission

*Attest:*

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Cristin Kenyon, Executive Secretary

**RESOLUTION NO. 2024-xx**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA  
CONDITIONALLY APPROVING A LOT LINE ADJUSTMENT (LLA-24-0003) FOR THE  
SUNSET HEIGHTS MULTI-FAMILY HOUSING DEVELOPMENT AT 1200 W. HARRIS STREET  
(APNS: 008-052-024, -025, -026, AND -032)

WHEREAS, Rural Communities Housing Development Corporation (RCHDC), the Applicant, in partnership with the City of Eureka (City), is proposing a Lot Line Adjustment (LLA) (LLA-24-0003) to reconfigure four existing parcels into two; and

WHEREAS, the four parcels total 4.18 acres: APN 008-052-024 is approximately (~) 0.957 acres, APN 008-052-025 is ~0.701 acres, APN 008-052-026 is ~1.168 acres, and APN 008-052-032 is ~1.352 acres; and

WHEREAS, the LLA will reconfigure the four existing parcels into two resulting parcels that total 4.18 acres: Parcel 1 will be ~1.89 acres and contain APN 008-052-024 and portions of APNs 008-052-025 and -032; and Parcel 2 will be ~2.29 acres and contain APN 008-052-026 and portions of APNs 008-052-024 and -025; and

WHEREAS, the purpose of the LLA is to allow RCHDC to separate the 88-unit Sunset Heights Multi-Family Housing Development into two sub-projects (with two buildings and 44 units per parcel) for the purposes of securing financing; and

WHEREAS, the Director typically acts on an LLA, but Eureka Municipal Code (EMC) Chapter 154 allows for a public hearing at the Planning Commission when a proposed development arouses public concern; City Staff anticipate public interest due to the project site being large and City-owned; therefore, the project is being elevated to the Planning Commission; and

WHEREAS, the Planning Commission of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on December 11, 2024 at 5:30 p.m. in person and via Zoom in the Council Chamber; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject application in accordance with EMC Code Chapter 154: Subdivision Regulations, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the following facts:

1. The LLA will not create more parcels than originally existed prior to the LLA (the LLA is reconfiguring four parcels into two).
2. The project site is not located in the Coastal Zone and therefore does not require a Coastal Development Permit.
3. The purpose of the LLA is to facilitate the development of an 88-unit, multi-family, affordable housing project (44 units per resultant parcel) which implements the 2019-2027 Housing Element's Implementation Program Imp-34: Affordable Housing on City-owned Properties, and furthers a number of 2040 General Plan policies that call

- for the infill of vacant and underutilized land; creation of compact, walkable, and transit-friendly development; and maximization of housing density potential to increase housing supply and diversity, as describe in the staff report.
4. The LLA conforms to the City's Municipal Code because the resulting parcels meet the minimum area for parcels in the applicable zoning districts, and based on the analysis in the staff report, there are no violations of the EMC resulting from the LLA, and the resultant parcels can reasonably accommodate a structure in compliance with minimum setbacks, lot coverage, and other development standards for the applicable zoning districts.
  5. The entire project, including the housing development and associated surplus and LLA, is exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32; In-Fill Development Projects) and §15194 / PRC §21159.23 (Affordable Housing Exemption) as described in Attachment 3: CEQA Exemption Memo of the staff report.

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

- A. A "Notice of Lot Line Adjustment and Certificate of Subdivision Compliance" for Project No. LLA-24-0003 shall be recorded. A qualified licensed professional shall prepare the legal description (as an Exhibit A) of each Notice. All 'new' legal descriptions must include a "wet signature" of the licensed preparer of the legal description (i.e. 'new' means a legal description that has not been previously recorded on a deed or other legal document). The owner(s) of each parcel for which a Notice of LLA and Certificate of Subdivision Compliance is being prepared shall sign, in the presence of a Notary Public, the appropriate page of the Notice of LLA and Certificate of Subdivision Compliance, and shall have their signature notarized by the Notary Public.
- B. The Applicant shall submit one original and one electronic copy of the completed Notices of LLA and Certificates of Subdivision Compliance to Development Services – Planning for review and signature prior to recordation. Once all signatures are obtained and notarized, fees for recording the document at the Humboldt County Recorder's Office will be calculated and shall be paid by submitting a check, made payable to the Humboldt County Recorder, to Development Services – Planning.
- C. The Applicant shall submit copies of the new grant deeds to be recorded for the new parcel configurations to Development Services - Planning for review and approval. NOTE: The vesting on the title for the grant deeds must be exactly the same as the vesting on the title for the properties receiving the land.
- D. Pursuant to Section 8762 of the Business and Professions Code, a record of survey documenting the corners of the new property lines may be required to the satisfaction of Public Works - Engineering.

WHEREAS, the following notes are provided as information only:

- I. The review by Development Services - Planning was performed consistent with the Eureka Municipal Code and the State Subdivision Map Act. It has been determined the

parcels involved in the LLA were created in accordance with all applicable laws. Approval of this LLA does not guarantee developable parcels will result. Final approval for any development will depend upon demonstration of conformance with site suitability requirements in effect at the time development is proposed. Except for the specified LLA stated above, this action does not eliminate the requirement of the Applicant and all successors and assigns to comply with all codes and ordinances, as well as to secure all required permits of local, regional, State and Federal entities which relate to this project or any future development on the resultant parcels.

2. The approval, which is subject to the conditions of approval contained herein, will remain in effect for 12 months from the effective date of this action. If the conditions cannot be completed within the 12-month time limit, an extension of this approval may be granted for an additional period of up to 12 months upon submittal of an extension request and appropriate fees. The application shall be filed no less than 30 days prior to the expiration date and shall state the reasons for requesting the extension.

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby approve the application, subject to the conditions listed above.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 11th day of December, 2024, by the following vote:

AYES:	COMMISSIONER
NOES:	COMMISSIONER
ABSENT:	COMMISSIONER
ABSTAIN:	COMMISSIONER

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Meredith Maier, Chair, Planning Commission

*Attest:*

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Cristin Kenyon, Executive Secretary

# CEQA EXEMPTION JUSTIFICATION MEMO

**HEARING DATE:** 12/11/24

**TO:** Planning Commission

**FROM:** Cristin Kenyon, AICP, Development Services Director

**SUBJECT:** California Environmental Quality Act (CEQA) exemption memo for the Sunset Heights Multi-Family Affordable Housing Development at 1200 W. Harris Street (APNs 008-052-024, 008-052-025, 008-052-026, and 008-052-032)

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## Project Description & Background

Rural Communities Housing Development Corporation (RCHDC) is proposing to construct 88 affordable housing units in four separate buildings on a 4.18-acre, City-owned property located between W. Harris and W. Henderson Streets directly east and upslope of Broadway. The project site is currently comprised of four contiguous parcels (Assessor Parcel Numbers [APNs] 008-052-024, -025, -026, and -032) and RCHDC proposes a lot line adjustment to reconfigure the four parcels into two, with two residential buildings proposed on each resultant parcel. The project site is currently vacant, with remnant paving on the southern two parcels from their previous use as a construction contractor's office and parking lot.

Each of the two resultant parcels will include 44 dwelling units, an indoor community center, office, and laundry facilities, as well as a central plaza between the two buildings. The dwelling units will be a mix of studios and one-, two-, and three-bedroom apartments, and each parcel will include an on-site manager's unit. The four buildings will have a total combined footprint of 29,200 square feet (sf), with one three-story building and one two-story building on Resultant Parcel 1 (with a combined floor area of 40,600 sf), and one four-story building and one two-story building on Resultant Parcel 2 (with a combined floor area of 42,100 sf).

The project site is primarily located in the Residential Medium Zoning District (R2 District), except for approximately 0.51 acres at the southern end of the project site fronting Harris Street zoned Service Commercial (SC). RCHDC proposes to use concessions as allowed by State Density Bonus law to deviate from City development standards, including exceedance of the 35-foot maximum building height allowed in the R2 District for the proposed three- and four-story buildings (Eureka Municipal Code [EMC] §155.204.030, Table 204-3), and deviation from a design standard requiring street-facing building entrances (EMC §155.312.040; Eureka, 2023).

The western edge of the site includes a steep bluff, and the proposed residential buildings are set back from the bluff a minimum distance of 33 feet, as recommended by a site-specific geotechnical report (LACO, 2022). Although the site is 4.18 acres in size, only 1.69 acres are able to accommodate buildings due to the steep bluff and bluff setback.

Landscaping and six-foot-tall fencing are proposed around the development footprint, including in the bluff setback. Trash enclosures and bicycle parking are also proposed on both resultant parcels. The site plan indicates stormwater runoff from the project site will be directed to a large bio-retention area at the northwestern corner of the project site.

A parking lot with 42 vehicular spaces is proposed along the eastern portion of the site spanning both resultant parcels. The plan is for one-way vehicular access across the site from W. Henderson to W. Harris Street (north to south). A paved sidewalk is proposed along the western edge of the parking lot connecting the proposed buildings to the adjacent streets.

The project will trigger public improvement requirements, including grading and paving of the adjacent alley. The City will also require installation of adequate utility service connections to the site consistent with City standards. According to referral comments from Public Works – Engineering, a water main extension will be required, connecting to the existing water mains on W. Harris and W. Henderson Streets (creating a new loop), and a gravity sewer connection can be achieved by tying-in to a sewer manhole on Broadway. Construction work will be mostly contained on the project site, but limited closures of the adjacent alley, and potentially portions of the adjacent streets, will occur. An encroachment permit and approved traffic control plan will be required by Public Works – Engineering for any work conducted in the alley and street rights-of-way to ensure impacts are minimized.

The City plans to transfer the entire project site to RCHCD under a future Disposition and Development Agreement. Approximately 0.7 acres of the project site has been owned by the City since 1945, while the remainder was previously owned by the Pierson Company (known as the “Sunset Heights” parcels), as described further below in the Background section. The Surplus Land Act (CGC §§54220-54234) requires land to be declared either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures. The Sunset Heights parcels previously owned by Pierson were declared exempt surplus land by City Council on February 1, 2022 pursuant to California Government Code (CGC) §54221(f)(1)(A) because the land is to be transferred for the development of affordable housing consistent with CGC §37364. The City now proposes to declare the remaining 0.7 acres of the project site exempt surplus land under the same exemption provision.

Due to the complexity of affordable housing financing, details of the project (e.g., the footprint and floor area of the buildings, the unit total and mix, etc.) may be modified prior to Building Permit issuance and transfer of site ownership to RCHDC. However, pursuant to the City’s 2019-2027 Housing Element, RCHDC will be required to develop a minimum of 80 affordable units consistent with the City’s Municipal Code and State Density Bonus law (Eureka, 2022).

## Background

In 2021, Greg Pierson came forward with a proposal to swap three City-owned Downtown parking lot sites for the four Sunset Heights parcels under his ownership. On January 4, 2022, City Council approved a Memorandum of Understanding (MOU) with Pierson Properties & Development, LLC, and the City acquired the property shortly thereafter.

To meet the City's Regional Housing Needs Allocation and help alleviate our local housing crisis, the City adopted a program in its 2019-2027 Housing Element to sell or lease City-owned parcels to affordable housing developers. This program is known as Implementation Program IMP H-34: Affordable Housing on City-owned Properties. On October 18, 2022, City Council amended the 2019-2027 Housing Element to officially add the Sunset Heights parcels to Implementation Program IMP H-34, and the amendment was certified by the California Department of Housing and Community Development on November 10, 2022. As amended, Implementation Program IMP H-34 requires the Sunset Heights parcels to be developed with a minimum of 60 very-low-income dwelling units and 20 low-income dwelling units (Eureka, 2022).

On September 5, 2023, City Council approved an MOU with RCHDC for development of Sunset Heights consistent with the requirement of the Housing Element. RCHDC and the City of Eureka hosted a public meeting on November 15, 2023, to give stakeholders a chance to learn about the project as well as give input on the design prior to any plans being developed. Prior to the meeting, the City also published an online survey to solicit broader engagement, and 298 community members responded to the survey. RCHDC's architect (Robert Hayes and Associates) then incorporated community feedback to develop conceptual site/floor plan options that were presented to City Council at a special meeting on May 7, 2024. Based on Council's feedback, a conceptual design was selected and detailed plans were developed. A development review meeting was conducted on March 28, 2024, during which City Staff (Planning, Building, and Public Works) and Caltrans Staff provided verbal feedback on a preliminary plan set. The plans were further refined and applications for a Lot Line Adjustment, Design Review, and Density Bonus were submitted. On October 15, 2024, a project referral was sent to City departments and outside agencies that may have an interest in the project or the site. Other than Public Works – Engineering (who discussed utility connections, alley paving, site drainage, and site access and circulation) and the Wiyot Tribe (who requested inadvertent discovery protocol during construction ground disturbance), contacted entities either did not respond to the referral or responded that they had no comments.

## CEQA Guidelines §15332 (Class 32) Exemption

### Summary of Findings

The CEQA Guidelines §15332 (Class 32) exemption applies to projects characterized as infill development meeting the conditions described in this section. As demonstrated below, the project qualifies for the §15332 categorical exemption and no known exceptions to the exemption apply.

**(a) The project is consistent with the applicable general plan designations and all applicable general plan policies as well as with applicable zoning designations and regulations.**

#### Applicable 2040 General Plan Designation and Policies

The project site has a land use designation of Medium Density Residential (MDR), except for approximately 0.51 acres at the southern end of the project site fronting Harris Street where the land use designation is General Commercial (GC). Both the MDR and GC designations are intended for multi-family housing, among other uses. The MDR designation allows for up to 22 dwelling units per gross acre, while the GC designation allows for a maximum floor area ratio of 2.5. The proposed project does not exceed these density/intensity limits.

Staff has reviewed the 2040 General Plan policies (Eureka, 2018a), and the project does not conflict with any policies and furthers the following applicable policies in the Land Use (LU), Economy (E), and Housing (H) Elements:

- **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.
- **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.
  - d. Reuses and expands upon underutilized or dilapidated buildings.
  - e. Furthers the attraction and/or retention of businesses targeted in the Eureka Economic Development Strategic Plan.
  - f. Enhances the City's tax base.
  - g. Encourages people to walk, bike, or use transit.

- h. Integrates development with public rights-of-way, parks, open spaces, plaza's, boardwalks, trails, and other public spaces.
  - i. Preserves and/or enhances valuable natural, historic, or cultural resources.
  - j. Applies practices that help to reduce development's carbon footprint.
  - k. Develops intersection corners and street frontages with buildings instead of parking lots.
  - l. Advances other City goals.
- **Policy LU-5.1: Range of Densities.** Provide sufficient land in a range of residential densities to enable citizens from a wide array of economic levels and stages of life to live in Eureka, and to accommodate the existing and future workforce.
- **Policy LU-5.3: High Density Housing.** Support increased development of high-density housing to balance the City's housing inventory and enhance affordability.
- **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.
- **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.
- **Policy E-1.4: Targeted Development Incentives.** Establish procedures to allow modifications to Zoning Code development standards as incentives to facilitate development or re-use of chronically vacant, underutilized, or other key sites.
- **Policy H-1.7: Parking Standards and Parking Management.** In Mixed-Use and Multi-Family Residential zones, continue to provide regulatory options in which the number of required parking spaces for housing development can be reduced or eliminated to incentivize the creation of denser-than-average housing development. Regularly review and modify development standards related to the required amount of parking for the development of new housing, as well as the management of on-street parking. Seek to optimize the balance between parking supply, parking management, and the creation of new housing units. Default on the side of prioritizing the creation of new housing units over the creation of parking spaces.
- **Policy H-2.1: Facilitate Diverse Options.** Facilitate the development of a diverse range of housing options including, but not limited to: single-family homes, Accessory Dwelling Units (ADUs), multi-family rental housing, condominiums, townhomes, live/work units, housing in mixed-use developments, dense multi-story developments, tiny houses, efficiency dwelling units, micro-units, shared housing, owner-occupied affordable housing, and other housing types.

- **Policy H-2.4: Maximum Density Infill.** Promote and encourage the development of the last remaining vacant lots in the City with housing units at the highest density allowed in each respective zone district.

The project will accommodate 88 housing units on an underutilized and now vacant infill property located adjacent to a Commercial Corridor (Broadway) and a block and half west of a Commercial Center (the Eureka Mall), making efficient use of the City's limited remaining developable land and accommodating new growth through internal densification consistent with Policies LU-1.2, LU-1.3, LU-5.3, LU-5.4, and LU-6.2.

The project will add a variety of apartment types (one-to-three-bedroom apartments and studios), consistent with various policies calling for varied housing choices at a range of densities (Policies LU-1.3, LU-5.1, and H-2.1). At 88 units, the proposed project is close to the maximum density allowed on the project site by the R2 District, consistent with Policy H-2.4 which encourages development of the last remaining vacant lots in the City with housing units at the highest density allowed in each respective zone district. While the proposed development is considered medium-density based on the number of units per acre (as opposed to high-density), and could qualify for additional units through State Density Bonus law, 2.49 of the site's 4.18 acres cannot accommodate buildings due to a steep bluff and associated safety setback. The proposed development maximizes residential density given this significant site constraint. The project proposes concessions from certain development standards under the State Density Bonus law; these modifications to standards facilitate development of a chronically underutilized site, consistent with Policy E-1.4.

The project site is located between W. Harris Street (eastbound), and W. Henderson Street (westbound), both of which serve as transit routes (with access to the Eureka Transit Service Gold, Red, Green, and Rainbow Routes) and have existing dedicated bicycle lanes. The site is also within one-half mile of a major transit stop at the Bayshore Mall where bus riders can transfer from the Eureka Transit Service to the Southern Humboldt Intercity and Redwood Transit System to travel outside of Eureka. Given the proposed housings' close proximity to bicycle and transit infrastructure as well as jobs, goods, and services, the project provides an opportunity for residents to walk, bike and use transit, consistent with Policy LU-1.3. Currently 42 off-street parking spaces are proposed for the 88 housing units; the low parking ratio will discourage private vehicular ownership and use in favor of other modes of transportation, and aligns with Policy H-1.7 which calls on the City to default on the side of prioritizing the creation of new housing units over the creation of parking spaces.

The project also specifically implements Housing Element Implementation Program IMP H-34: Affordable Housing on City-Owned Properties, which requires the project site to be put up for sale or lease for affordable housing (Eureka, 2022). Pursuant to the MOU between the City and RCHDC, the project will meet the minimum number of low- and very-low-income deed-restricted affordable housing units required by Implementation Program Imp H-34. The project will also achieve a number of the key housing objectives the City intends to accomplish with Implementation Program Imp H-34, including maximizing development potential and reducing greenhouse gas emissions with projects that encourage/incentivize residents to use active/collective modes of transport.

### **Applicable Zoning Designation and Regulations**

The project site is primarily located in the R2 District, the purpose of which is to accommodate “a variety of medium-density housing types close to commercial (mixed-use) areas” (Eureka, 2023). Consistent with the R2 District, the site accommodates a variety of apartment-type units in close proximity to commercial areas, including the Broadway Corridor, Bayshore Mall, and Eureka Mall.

Approximately 0.51 acres of the site is located in the SC District, which is equivalent to the “CS” zoning of the parcels across Broadway to the west in the Coastal Zone. Although the SC District is intended to be an “intensive commercial district”, it is a mixed-use district where multi-family housing is principally permitted (Eureka, 2023). Given the slope differential between the project site and other commercially-zoned parcels along Broadway below, and the lack of direct access to Broadway, the site is not a prime location for commercial development. The proposed apartment-style housing will serve as an appropriate transition between the Broadway commercial strip to the west and the lower-intensity, detached single- and multi-family housing across the alley to the east.

The R2 District permits a maximum residential density of 22 units per acre, allowing for up to 80 dwelling units on the approximately 3.66-acre portion of the project site zoned R2. A total of 73 units are proposed within the R2 District, consistent with this standard. The remaining 15 units are proposed on the approximately 0.51-acre portion of the site zoned SC where there is no direct restriction on residential density. The maximum FAR in the R2 District is 1.25, while the maximum FAR in the SC District is 2.5, and the portions of the project within the R2 and SC Districts are both below their applicable floor area limitation. The portion of the project within the R2 District is also well below the maximum site coverage standard of 70% for that district. The SC District in turn does not have a maximum site coverage standard. The project also meets all applicable setback standards.

The proposed three-story and four-story buildings respectively appear to exceed the R2 District building height maximum of 35 feet by 11 feet or less. However, under CGC §65915(d)(2)(D) (State Density Bonus law), the project qualifies for a height increase of up to three additional stories, or 33 feet. The portion of Building 1A (the proposed three-story building) in the SC District does not exceed the SC District building height maximum of 55 feet.

No off-street parking is required per EMC §155.324.020(B)(3), which exempts from parking requirements any new residential units that are deed restricted to households earning 80 percent or less of the Humboldt County area median income, including one, on-site, market-rate manager’s unit (Eureka, 2023). Furthermore, CGC §65863.2 prohibits a public agency from imposing or enforcing any minimum automobile parking requirements on a residential, commercial, or other development project within one-half mile of a major transit stop, which is defined by Public Resources Code (PRC) §21155 in part to include stops identified as major transit stops in the applicable regional

transportation plan. On January 18, 2024, the Humboldt County Association of Governments amended the applicable regional transportation plan, VROOM 2022-2042, to include seven identified major transit stops, including a stop at the Bayshore Mall that is less than a half mile from the project site (HCAOG, 2022).

There are a variety of additional code standards applicable to multi-family housing, including but not limited to objective design standards (EMC §155.312), bicycle parking (EMC §155.324.070), landscaping (EMC §155.328), multi-family laundry facilities (EMC §155.304.100), outdoor lighting (EMC §155.308.050), solid waste/recyclable material storage (EMC §155.308.070), and signs (EMC §155.340). City Staff will ensure compliance with applicable code sections as part of the Building Permit process. In addition to allowing the project additional height above the maximum set by the applicable zoning code, CGC §65915(d)(2)(D) also allows the project up to five concessions or incentives to deviate from design standards and other development regulations where those deviations result in cost reductions, to provide for affordable housing costs. RCHDC has already applied for one concession to deviate from the Building Entries standard in EMC §155.312.040 (Eureka, 2023).

For all the reasons described above, the project is consistent with the applicable R2 and SC Districts and relevant zoning standards.

**(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The project site is located within City limits, on a 4.18-acre project site. While the term “substantially surrounded by urban uses” is not defined for the purposes of the Class 32 exemption, CEQA defines a “qualified urban use” as “any residential, commercial, public institutional, transit, or transport passenger facility, or retail use, or any combination of those uses,” (PRC §21072). The project site is surrounded by residences across the alley to the west, across W. Henderson to the north, and across W. Harris to the south. The parcels across Broadway (Highway 101) to the west are developed with commercial businesses. Thus, the project site is “substantially surrounded by urban uses.”

**(c) The project site has no value as habitat for endangered, rare or threatened species.**

The project site is devoid of habitat suitable to support endangered, rare, or threatened species. Although currently vacant, the project site is highly degraded due to its previous use (the northern end was used for a soil quarry operation and the southern end was developed as a construction contractor’s office and parking lot), current unsanctioned use for camping by people experiencing homelessness, and due to the fact that it is surrounded on three sides by major arterials (Broadway, W. Harris, and W. Henderson) and on all sides by developed parcels within an urban area. City Staff conducted a site visit with California Department of Fish and Wildlife (CDFW) Staff on April 22, 2024, and, based on the degraded quality of the site and its urban setting, CDFW Staff did not request any further biological analysis. Given EMC §155.328.040 requires all areas between the buildings and surrounding streets to be landscaped, and EMC §155.328.050 requires the

project's landscaping to be at least 75%, by count, native to Eureka (and prohibits planting of any invasive plants), the project is likely to improve the habitat value of the site (Eureka, 2023).

**(d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.**

**Traffic**

Pursuant to PCR §21099, the criteria Lead Agencies select for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” As a result, CEQA Guidelines §15064.3 identifies vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts, and asserts that a project's effect on automobile delay does not constitute a significant environmental impact.

CEQA Guidelines §15064.3(b)(1) states that generally projects within one-half mile of an existing major transit stop, or stop along an existing high-quality transit corridor, should be presumed to cause a less than significant transportation impact. The California Office of Planning and Research's (OPR's) Site Check Tool identifies the bus stop at the Bayshore Mall (less than one-half mile away from the project site) as a stop along an existing high-quality transit corridor (OPR, 2024). This stop is also identified as a major transit stop by both OPR's Site Check Tool and Humboldt's regional transportation plan, VROOM 2022-2042 (OPR, 2024; HCAOG, 2022).

Figure 1. OPR's Site Check Tool with the Project Site Outlined in Red (<https://sitecheck.opr.ca.gov/>)



Furthermore, the 2018 OPR Technical Advisory on Evaluating Transportation Impacts in CEQA suggests, “Adding affordable housing to infill locations generally improves jobs-

housing match, in turn shortening commutes and reducing VMT,” and for this and other reasons, “evidence supports a presumption of less than significant impact for a 100% affordable residential development (or the residential component of a mixed-use development) in infill locations.” The proposed project is a 100% affordable residential development in an infill location in close proximity to a variety of regional and local-serving commercial uses (Broadway, Bayshore Mall, and Eureka Mall) in the largest and densest City in Humboldt County with more persons and jobs per square mile than any other city in Humboldt (Census, 2020a, 2020b, and 2023), where, according to OPR’s Site Check Tool, per capita VMT is 15% or more below the regional average (OPR, 2024).

For all these reasons, the project will not result in significant impacts to transportation, and additional traffic impact analysis is unwarranted.

### Noise

The project is surrounded by a variety of commercial and residential uses. Construction will result in some temporary and intermittent increases in noise above existing levels, but, consistent with 2040 General Plan Policy N-1.13, construction-related noise and vibration impacts will be minimized by limiting construction activities to between 7 AM and 7 PM (Eureka, 2018a). Operation noise from residential uses will be consistent with the surrounding uses and zoning and will not increase ambient noise levels in excess of City standards. The project is surrounded on three sides by major arterials, but 2040 General Plan Policies N-1.4, N-1.5, and N-1.8 require a project-specific acoustical analysis and incorporation of acoustical insulation treatments into housing unit design (e.g., sound-rated windows and doors, sound-rated wall construction, acoustical caulking, etc.) and mitigation of new stationary sources of noise (e.g., HVAC units, loading docks, generator, etc.) as necessary to ensure interior noise levels within the housing units are 45 dBA or lower, consistent with 2040 General Plan Table N-3 (Eureka, 2018a). City Staff will ensure compliance with this internal noise standard as part of the Building Permit process. As a result, the project will not expose residents to significant noise impacts.

For all these reasons, the project will not result in any significant effects relating to noise.

### Air Quality

The site is within the North Coast Air Basin and is subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD). A project referral was sent to the NCUAQMD office on October 15, 2024 and no response was received.

The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the State’s 24-hour particulate (PM<sub>10</sub>) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers or less in size. PM<sub>10</sub> emissions include, but are not limited to, smoke from wood stoves, dust from traffic on unpaved roads, vehicular exhaust emissions, and airborne salts and other particulate matter naturally generated by ocean surf.

Due to the “nonattainment” status for  $PM_{10}$ , the NCUAQMD prepared a draft  $PM_{10}$  Attainment Plan in 1995 (NCUAQMD, 1995). The  $PM_{10}$  Attainment Plan identifies cost effective control strategies that can be implemented to bring  $PM_{10}$  to within California standards. Methods include transportation measures (e.g., public transit, ridesharing, and bicycle incentives, etc.), land use measures (infill development), and combustion measures (hearth/wood burning stove limitations). The project involves infill development near major transit routes and bicycle facilities and is therefore aligned with the aforementioned transportation and land use measures of the  $PM_{10}$  Attainment Plan. As a result, project operations will have a neutral or positive impact on air quality.

There is the potential for fugitive dust emissions to temporarily impact nearby sensitive receptors (those with a heightened risk of negative health outcomes due to air pollution) during project construction. Although the  $PM_{10}$  Attainment Plan does not include project-specific requirements, NCUAQMD Rule 104, Section D – Fugitive Dust Emissions is used to address non-attainment for  $PM_{10}$  by prohibiting specific activities and providing reasonable precautions to prevent particulate matter from becoming airborne (NCUAQMD, 2015). Under Rule 104, Section D “no person shall allow handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne.” Rule 104, Section D provides the following reasonable precautions that shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:

- Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
- The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
- The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
- The prompt removal of earth or other track out material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

Pursuant to 2040 General Plan Policy AQ-I.3, the City will require the construction contractor to implement air quality best management practices (BMPs) consistent with NCUAQMD requirements and State regulations, including adherence to standard dust control measures to reduce fugitive dust generation during excavation and earthmoving construction activities (Eureka, 2018a).

For these reasons, the project will not result in any significant effects relating to air quality.

### Water Quality

Pursuant to the City’s stormwater provisions, either an Erosion and Sediment Control Plan (for projects that disturb less than one acre) or a Stormwater Pollution Prevention Plan (for projects disturbing one or more acres of land) will be prepared and adhered to during project construction, ensuring adequate BMPs will be installed and maintained to

prevent water quality impacts. As currently proposed, the project will involve a little over an acre of ground disturbance triggering a Stormwater Pollution Prevention Plan under a Construction General Permit from the State Water Resources Control Board. BMPs such as inlet protection, straw wattles, construction fencing, covering of stockpiled materials, and proper disposal of any waste materials will be incorporated into the Plan.

Because over 5,000 sf of impervious surface is proposed to be replaced on the project site, the project will be classified as a “Regulated Project” according to the City’s Phase II Small Municipal Separate Storm Sewer System (MS4) Permit and will be required to prepare a post-construction Stormwater Control Plan to ensure stormwater runoff is adequately managed consistent with the Humboldt Low Impact Development Stormwater Manual for the life of the development. The proposed plans indicate stormwater runoff from the project site will be directed to a bio-retention area at the northwestern corner of the property with adequate space to retain and infiltrate project runoff onsite.

For these reasons, the project will not result in any significant effects relating to water quality.

**(e) The site can be adequately served by all required utilities and public services.**

As analyzed in the adopted 2040 General Plan Environmental Impact Report (EIR; State Clearinghouse #2016102025; Eureka, 2018b), the City has adequate utility and public service capacity to serve existing and potential future development envisioned by the 2040 General Plan, including the creation of up to 1,886 additional housing units in the City from 2018-2040. This number of housing units is approximately double the City’s 2019-2027 Regional Housing Needs Allocation of 952 units.

The project site is located in a developed urban area in proximity to utilities and public services and immediately surrounded on all four sides by public right-of-way. Public Works – Engineering is working with RCHDC to ensure the project’s driveway connections to the adjacent alley and W. Harris and W. Henderson Streets are designed to ensure safe ingress and egress. Public Works – Engineering has indicated RCHDC will be required to grade and repave the alley to improve access and durability, and install the necessary storm drain infrastructure within the alley to capture and manage runoff effectively. Public Works – Engineering has also determined that a water main extension will be required, connecting to the existing water mains on W. Harris and W. Henderson Streets (creating a new loop), and a gravity sewer connection can be achieved by tying-in to a sewer manhole on Broadway. RCHDC will be required to pay all applicable development impact fees, including sewer and water impact fees.

There is a 28-ft-wide easement reserved for PG&E and AT&T along the Harris Street frontage of the project site (where a strip of Harris Street was recently vacated), and the City will require recordation of any further necessary utility easements (or notices of future easements) prior to transferring the project site to RCHDC.

For these reasons, the project site can be adequately served by all required utilities and public services.

#### **(f) Exceptions to the categorical exemptions**

Where a project qualifies for a categorical exemption, the City, as Lead Agency, may not rely on the exemption if any of the exceptions to the categorical exemptions set forth in CEQA Guidelines §15300.2 apply. Specifically, the exceptions prohibit use of categorical exemptions under the following circumstances:

- i. for certain classes of projects (Classes 3, 4, 5, 6 and I I) due to location where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law;
- ii. when the cumulative environmental impact of successive projects of the same type in the same place, over time, is significant;
- iii. where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- iv. where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- v. where the project is located on a state designated hazardous waste site; and
- vi. where the project may cause a substantial adverse change in the significance of a historical resource.

As demonstrated below, none of the above exceptions apply to the project. Therefore, the project is exempt from the requirements of CEQA.

#### **(i) §15300.2(a) is not applicable to the Class 32 exemption.**

CEQA Guidelines §15300.2(a) is not applicable to the project because the project qualifies as exempt under Class 32 and this exception only applies to Class 3, 4, 5, 6, and I I exemptions. However, no environmental resource of hazardous or critical concern has been designated or mapped on or surrounding the project site.

#### **(ii) Development of the proposed project will not result in any significant cumulative environmental impacts.**

The project is located in a built-out urban area where numerous bicycle and transit system improvements are anticipated. Eureka's recently adopted Bike Plan calls for enhancing the existing bike lanes on W. Harris and W. Henderson Streets, closing the bike lane gaps on both these streets between Broadway and Fairfield Streets, as well as connecting W. Harris and W. Henderson Streets with a buffered bike lane on Spring Street (Eureka, 2024b). Caltran's Eureka Broadway Multimodal Corridor Plan also recommends adding protected bike lanes on Broadway through Eureka (Caltrans, 2023). Additionally, Humboldt Transit Authority (HTA) is anticipating increasing the frequency of transit service in the area, potentially by moving from loop routes to bi-direction routes, and also by supplementing HTA's structural routes with a microtransit service known as "Flex" that will allow community members to book a ride directly to a bus stop from

other stops in the service area, with the potential for a microtransit stop at the project site (Personal communication between City Staff and HTA Staff, November 15, 2024; HCAOG, 2023). All of the aforementioned projects will improve bicycle and transit connectivity to the project site and will therefore further reduce any project impacts related to energy, air quality, greenhouse gas emissions, and VMT.

Future development projects anticipated in the vicinity include 16 new affordable residential units on a vacant property at 965 W. Harris Street proposed by Groundswell Housing, and redevelopment of the City of Eureka Housing Authority's housing portfolio on eight adjacent properties south of W. Harris Street (APNs 009-072-001, 009-073-001, 009-074-001, 009-075-001, 009-076-001, 009-083-001, 009-083-002, and 009-083-003) with 150 net new affordable housing units (replacing 106 units with 256 new units). While other property owners may propose to develop or redevelop remaining vacant and underutilized properties in the area in the future, the timing, number, and size of such projects will be limited by the existing built-out nature of the City. Future projects in the vicinity of the project site will include infill development on existing developed or previously developed urban lots. This densification of an existing developed area will reduce development pressure on surrounding agricultural, forest, and natural resource lands. The area is a mix of residential and commercial (mixed-use) zoning, while industrial uses that could individually or cumulatively impact project residents are prohibited. For all these reasons, the project does not have the potential to result in significant cumulative impacts taking into consideration existing and future projects in the same area, over time.

**(iii) No unusual circumstances are caused by or associated with the proposed project.**

As explained in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 (Berkeley Hillside), a two-part test applies to determine whether an unusual circumstance is present that excludes use of a categorical exemption. This two-part test requires the Lead Agency to first consider whether there are unusual circumstances ("whether a particular project presents circumstances that are unusual for projects in an exempt class is an essentially factual inquiry, founded on the application of the fact-finding tribunal's experience with the mainsprings of human conduct"). This inquiry is subject to the substantial evidence standard of review, which means that all evidentiary conflicts must be resolved in the agency's favor and all legitimate and reasonable inferences must be made to uphold the agency's finding. Second, if a Lead Agency finds an unusual circumstance exists, the Lead Agency next asks if there is a reasonable possibility of a significant effect on the environment due to unusual circumstances. If this second inquiry is necessary, the Lead Agency applies the "fair argument" standard of review to determine whether the project may have a significant impact on the environment.

In establishing this bifurcated test, the Court emphasized that circumstances do not become unusual merely because a fair argument can be made that they might have a significant effect. For environmental impacts to constitute an unusual circumstance, the Lead Agency must determine based on substantial evidence that the project will have a significant environmental effect.

Unusual circumstances may exist where a project has some characteristic or feature that distinguishes it from others in the exempt class, such as its size or location. In determining whether unusual circumstances exist, an "apples-to-apples" comparison should be used to consider whether the project is distinguishable from other similar projects subject to the exemption. There is nothing unusual about the project as compared to other similar development projects within the City. The project site includes steep slopes; however, there is a large developable footprint outside of areas with steep slopes and an associated safety setback. Because of the site's past use (there was a soil quarry operation on the northern end of the site from at least 1954-1972, and a construction contractor's office and parking lot on the southern end from 1999-2023), current unsanctioned use by people experiencing homelessness, and urban setting, the site is degraded and contains no significant biological resources. The site is now vacant except remnant paving and fencing and contains no known historical resources. In addition, the site's development footprint (and access thereto) is not located within an earthquake fault zone (CDC, 2024; Eureka, 2018b), landslide or liquefaction hazard zones (Humboldt 2015, 2024; Eureka, 2018b), a fire hazard zone (Eureka, 2018b), a tsunami hazard zone (CGS and OES, 2022), or FEMA-mapped floodplain (FEMA, 2017). The proposed development footprint includes multiple grades with the lowest portion at 50 feet in elevation (NAVD88); as a result, the project is well above the area potentially subject to sea level rise under the worst-case scenario California Ocean Protection Council sea level rise projections for 2100 for Humboldt Bay (Eureka, 2024a; OPC, 2018).

Furthermore, to apply to a project, the unusual circumstance exception requires findings of both unusual circumstances and a potentially significant effect. As no unusual circumstances are present, the City is not required to analyze the second prong further. Nevertheless, this memo also demonstrates that the project will not have the potential to result in any significant environmental impacts. For these reasons, the unusual circumstances exception is not applicable to the project.

**(iv) The proposed project is not located adjacent to or visible from a scenic highway.**

According to the California Scenic Highway Mapping System, there are no designated state designated scenic highways in Eureka (Caltrans, 2024). Thus, the project will not result in damage to scenic resources within a highway officially designated as a state scenic highway.

**(v) The proposed project is not located on a hazardous waste site.**

CEQA Guidelines §15300.2(c) does not apply because the project site is not on any list of facilities and sites compiled pursuant to CGC §65962.5 (DTSC, 2024; SWRCB, 2024). A Phase I Environmental Site Assessment (ESA) was prepared by a registered environmental assessor for the project site in March 2023 and included site reconnaissance; reviews of historical topographic maps, street directories, Sanborn maps, and aerial photographs; review of agency records; personal and telephone interviews; and a land use questionnaire (SHN, 2023). According to the report, there is no evidence of past land uses on the project site that may have generated or caused the release of regulated or hazardous material within the subject property. Although there were former

underground storage tanks on adjacent sites along Broadway, given they have a case-closed status or are lower in elevation than the subject site, the Phase I ESA concludes that potential concerns regarding these nearby past land uses have been addressed, and as a result, does not recommend a Phase II ESA.

**vi) The project will not cause a substantial adverse change in the significance of a historical resource.**

The project site is vacant except for remnant paving and fencing, and contains no structures that could potentially qualify as historic resources. The project site is not on the Local Register of Historic Places, the California Register of Historical Resources, or the National Register of Historic Places (Eureka, 2024a; CSP-OHP, 2024; USDI-NPS, 1991).

The project was referred to the Tribal Historic Preservation Officers (THPOs) of the Wiyot Tribe, the Bear River Band, and the Blue Lake Rancheria. No response was received from the Blue Lake Rancheria THPO; the Bear River Band THPO responded that they have no comments; and the Wiyot Tribe THPO responded requesting inadvertent discovery protocol. As recommended by the Wiyot Tribe and consistent with 2040 General Plan Policy HCP-2.5, the City will require inadvertent discovery protocol for any archaeological and cultural resources or human remains encountered during construction ground disturbance (Eureka, 2018a).

## CEQA Guidelines §15194 / PCR §21159.23

### Summary of Findings

As demonstrated below, the project meets the eligibility criteria for the Affordable Housing Exemption contained in CEQA Guidelines §15194 and PCR §21159.23, as well as the additional threshold requirements for the exemption contained in CEQA Guidelines §15192 and PCR §21159.21.

### Threshold Requirements for Exemptions for Affordable Housing and Residential Infill Projects (CEQA Guidelines §15192; PCR §21159.21)

#### (a) The project must be consistent with:

(1) Any applicable general plan, specific plan, or local coastal program, including any mitigation measures required by such plan or program, as that plan or program existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete; and

The project is consistent with the 2040 General Plan, adopted in 2018, which prioritizes and promotes adaptive reuse and revitalization of vacant and underutilized properties and densification through infill development, and encourages a mix of new residential uses near jobs and services (Eureka, 2018a). Pursuant to the 2040 General Plan, three of the parcels at the project site have a land use designation of MDR, and the fourth parcel has a split land use designation of MDR and General Commercial GC. Both implicated land use designations allow housing at the density proposed. Furthermore, the 2019-2027 Housing Element, adopted in December 2019 and amended in October 2022, requires the development of the project site with affordable housing as proposed (a minimum of 80 units are required by the Housing Element; 88 units are proposed; Eureka, 2022). See further analysis under the CEQA Guidelines §15332 exemption findings, subsection (a), above.

(2) Any applicable zoning ordinance, as that zoning ordinance existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete, unless the zoning of project property is inconsistent with the general plan because the project property has not been rezoned to conform to the general plan.

The project is consistent with the City's Inland Zoning Code, adopted in 2019 (Eureka, 2023). The project site is located in the R2 and SC Districts, both of which principally permit multi-family dwellings. The project is anticipated to meet all applicable objective development standards except for the R2 District's building height limit of 35 feet, and a design standard requiring street-facing building entrances; both these deviations are allowed by, and must be granted pursuant to, State Density Bonus law. See further analysis under subsection (a) of the CEQA Guidelines §15332 exemption findings, above. Consistency with the Inland Zoning Code will also be reviewed and ensured as part of the Building Permit process.

**(b) Community-level environmental review has been adopted or certified.**

Pursuant to PCR §21159.20(b)(2), community-level environmental review includes an EIR certified on a general plan. The City of Eureka 2040 General Plan Update Program EIR was certified by City Council on October 15, 2018, at the same time the 2040 General Plan was adopted (Eureka, 2018b). Thus, a community-level environmental review has been performed.

**(c) The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.**

The project, and other projects approved prior to the approval of this project, can be adequately served by existing utilities. As analyzed in the adopted 2040 General Plan EIR, there is adequate utility capacity to serve existing and potential future development in the City as envisioned by the 2040 General Plan, including the creation of up to 1,886 additional housing units (Eureka, 2018b). The project site is located in a developed urban area, and was previously developed with a contractor's office that was connected to public utilities. As further analyzed under the CEQA Guidelines §15332 exemption findings, subsection (e) above, the currently proposed project can be adequately served by connecting to existing public utilities located in nearby public rights-of-way and in onsite utility easements. Also, the developer, RCHDC, will be required to pay all applicable in-lieu and/or development fees as outlined in the MOU between RCHDC and the City.

**(d) The site of the project:**

**(1) Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations.**

**(2) Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.**

**(3) Does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 – commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 – commencing with Section 2050) of Division 3 of the Fish and Game Code.**

**(4) Does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.**

The U.S. Fish & Wildlife Service's National Wetlands Inventory indicates no streams or wetlands are present at the project site (USFWS, 2024). In addition, City Staff conducted a site visit with CDFW Staff on April 22, 2024 and, based on the degraded quality of the site and its urban setting, CDFW Staff did not request a wetland delineation or any further biological analysis. As analyzed under the CEQA Guidelines §15332 exemption findings, subsection (c) above, the project site does not provide value as an ecological community,

and the project has no potential to impact any federal, state, or locally protected species. Under the proposed project, the site will include ample landscaping, which, pursuant to the City's Inland Zoning Code, will be at least 75% by count species native to Eureka and will not include invasive species (Eureka, 2023). Also, as required by the City's Inland Zoning Code, all exterior lighting will be shielded or recessed and will meet the International Dark Sky Association's requirements for reducing waste of ambient light ("dark sky compliant") and the CA Green Building Standards Code (Eureka, 2023). Finally, because over 5,000 sf of impervious surface will be added and/or replaced on the project site, the project will be classified as a "Regulated Project" according to the MS4 Permit and RCHDC will be required to prepare a Stormwater Control Plan to ensure stormwater runoff is adequately managed consistent with the Humboldt Low Impact Development Manual. Therefore, the project will have no impacts on any wetlands, ecological communities or protected species.

**(e) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.**

The project site is not on any list of facilities and sites compiled pursuant to §65962.5 of the Government Code (DTSC, 2024; SWRCB, 2024).

**(f) The site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps have been taken in response to the results of this assessment:**

**(1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.**

**(2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.**

As described under the CEQA Guidelines §15332 exemption findings, subsection (f)(v) above, a Phase I ESA has been prepared by a registered environmental assessor for the project site to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity (SHN, 2023). According to the report, SHN encountered no evidence of past land uses on the project site that may have generated or caused the release of regulated or hazardous materials. Several sites within a one-mile radius of the project site are known or suspected to have stored and/or used regulated materials, and/or have had hazardous material releases, including leaking underground storage tanks. Ultimately, SHN determined all of the nearby sites pose little or no risk of impacting the project site (due to elevation relative to the project site, distance, low levels of contamination left after remediation, etc.), and identified no Recognized Environmental Conditions, and, due to the low risk, did not recommend any further action such as a Phase II ESA or soil and groundwater management plan.

**(g) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.**

PCR §21084.1 defines a historical resource as one that is listed in, or determined to be eligible for listing in, the California Register of Historical Resources. The project site is vacant except for remnant paving and fencing and is not on the Local Register of Historic Places, the California Register of Historical Resources, or the National Register of Historic Places (Eureka, 2024a; CSP-OHP, 2024; USDI-NPS, 1991). The project site is also not located adjacent to or nearby any property listed on local, state or national registrars (the nearest locally listed site is over 1,000 feet away).

As described under the CEQA Guidelines §15332 exemption findings, subsection (f)(vi) above, the project was referred to the THPOs of the Wiyot Tribe, the Bear River Band, and the Blue Lake Rancheria. No response was received from the Blue Lake Rancheria THPO; the Bear River Band THPO responded that they have no comments; and the Wiyot Tribe THPO responded requesting inadvertent discovery protocol. As recommended by the Wiyot Tribe and consistent with 2040 General Plan Policy HCP-2.5, the City will require inadvertent discovery protocol for any archaeological and cultural resources or human remains encountered during construction ground disturbance as part of the Building Permit process (Eureka, 2018a). Therefore, significant impacts on historic resources will be avoided.

**(h) The project site is not subject to wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.**

The project site is within an entirely developed urban area and is not located near wildlands. The California Department of Forestry and Fire Protection (CalFire) maps identify fire hazard severity zones in state and local responsibility areas for fire protection (SRAs and LRAs, respectively). The SRA does not extend into City limits. The LRA fire severity map designates some areas within the City limits as moderate to high fire hazard severity zones. As shown on 2040 General Plan EIR Figure 3.7-3, the project site is not located in one of these moderate or high fire hazard severity zones (Eureka, 2018b). Therefore, the project site is not subject to wildland fire hazard, as determined by CalFire.

**(i) The project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties.**

The area surrounding the project site is a mix of residential and commercial development. According to the California Environmental Protection Agency Regulated Site Portal, the nearest chemical storage facility is a Chevron Gas Station at 2806 Broadway, 100 feet away from the project site (CalEPA, 2024). Given this facility is across Broadway and over 30 feet lower in elevation than the project site, this gas station would not adversely impact the project. The next closest chemical storage facilities are an AutoZone at 930 W. Harris Street and Fire Station 3 at 2905 Ocean Avenue, both approximately 1.5 blocks east and 500 feet from the project site (CalEPA, 2024). Due to the distance of these operations from the project site and the amount of development that is located in between, these

operations would not adversely impact the project. Additionally, proximity to a Humboldt Bay Fire Department helps ensure quick emergency response times for the project site. Therefore, the project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties.

**(j) The project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.**

According to the Phase I ESA prepared for the project site, the project site will not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency (SHN, 2023). Refer to the discussion under requirement (f) above for additional information.

**(k) Either the project site is not within a delineated earthquake fault zone or a seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code respectively, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake or seismic hazard.**

According to mapping by the California Geological Survey, the project site is not within an earthquake fault zone (CDC, 2024; Eureka, 2018b). The project site and surrounding area are also mapped by Humboldt County as relatively stable in terms of seismic safety (rated 0 on a scale of 0-3, relatively stable to highly unstable; Humboldt, 2024). The upper eastern portion of the project site is perched on a marine terrace ranging from about 50-65 feet in elevation (NAVD88), while the western edge of the project site includes a steep, vegetated hillside that drops down from the terrace surface to Broadway at approximately 18 feet in elevation (NAVD88). This steep western hillside portion of the project site includes slopes greater than 15% and is potentially subject to landslide and liquefaction (Humboldt 2015, 2024; Eureka, 2018b). However, the proposed project footprint avoids this hazardous bluff area.

An R-I Engineering Geologic Soils Report was prepared for the project site by LACO in 2007, and updated in 2016. The geological and soil investigation was conducted for Pierson Company (the previous property owner) for a previously proposed 37-unit housing complex with one- and two-story buildings. In addition, in 2022, LACO prepared another geohazard report for the site for Providence Supportive Housing (a prospective affordable housing developer) for a potential 100-unit apartment building. Both the 2007 and 2022 work by LACO included site-specific investigation with geotechnical borings. The field investigations and evaluations indicate the project site is underlain by approximately 2.5 feet of unsuitable bearing material, overlaying undistributed, well-drained native soils that appear suitable to bear the anticipated structural loads, with groundwater observed at 44 feet below ground surface.

The reports indicate that the engineering geologic and geotechnical hazards to the proposed development on the project site are strong earthquake ground shaking, weak and unsuitable near-surface soils, and the potential for seismically induced slope instability. Based on the results of the site explorations, the 2022 report concludes the project is feasible from a geotechnical standpoint, provided the report's recommendations are

incorporated into the project design and construction, including recommendations for slope setback, site preparation, grading, foundations, and drainage.

The 2022 report concludes the risks associated with strong earthquake ground shaking can also be reduced by application of current codes and seismic design practices; the hazard of differential settlement can be mitigated through appropriately engineered foundation design; and the hazard of slope failure can be mitigated by setting structures for human occupancy back 33 feet from the top of the slope. The current project proposes a minimum setback of 33 feet consistent with the setback recommendation. Consistency with the other recommendations will be required by City Staff through the Building Permit process consistent with 2040 General Policy HS-1.1, which requires all new structures intended for human occupancy to be sited and designed consistent with limitations imposed by seismic and geological hazards, constructed to minimize seismic risk, and constructed in compliance with the safety standards included in the California Building Code.

For all these reasons, earthquake and seismic hazard risk will be adequately mitigated.

**(l) Either the project site does not present a landslide hazard, flood plain, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.**

See subsection (k) above for a discussion of the potential landslide hazard along the western portion of the project site and analysis demonstrating the project as proposed with a 33-foot-wide bluff setback will avoid the risk of landslide.

Regarding flood hazards, the site is not located in a FEMA-mapped floodplain (FEMA, 2017). The low-lying northwestern corner of the site at the intersection of Broadway and W. Henderson is in the tsunami hazard evacuation area mapped by the California Geological Survey and the California Governor's Office of Emergency Services (CGS and OES, 2022); however, no development is proposed in this area except for stormwater bio-retention. The development footprint is proposed on the bluff above, at a minimum elevation of 50 feet (NAVD88), well above any flood hazard.

**(m) The project site is not located on developed open space.**

The project site was recently acquired by the City of Eureka in early 2022 but is not used for public open space purposes. The purpose of the acquisition was to put the site up for sale or lease for affordable housing.

**(n) The project site is not located within the boundaries of a state conservancy.**

The project site is not located within the California Coastal Zone.

**(o) The project has not been divided into smaller projects to qualify for one or more of the exemptions set forth in CEQA Guidelines Sections 15193 to 15195.**

CEQA Guidelines §15378 defines a project under CEQA as “the whole of an action” that may result in either direct or indirect physical changes to the environment. PRC

§21159.27 prohibits piecemealing (i.e., dividing a project into smaller projects) to qualify for exemptions. The primary test for determining if improper piecemealing would occur is whether a project has “independent utility,” meaning that a project operates independently and can be implemented separately from other reasonably foreseeable actions. The proposed project meets the definition of a “project” under CEQA and has “independent utility” because the approval and implementation of the project is not dependent on the approval and implementation of any other reasonably foreseeable actions. The project serves a distinct purpose and function and is not a part or phase of a larger project. Therefore, the project has not been divided into smaller projects to qualify for the Affordable Housing exemption.

### **Affordable Housing Exemption Criteria (CEQA Guidelines §15194 and PCR §21159.23)**

**(a) The project meets the CEQA Guidelines §15192 threshold criteria.**

As demonstrated in the proceeding section, the project meets the CEQA Guidelines §15192 threshold criteria.

**(b) The project site meets the following size criteria: The project site is not more than 5 acres in area.**

The site totals 4.18 acres.

**(c) The project meets both of the following requirements regarding location:**

**(1) The project meets one of the following location requirements relating to population density:**

**(A) The project site is located within an urbanized area or within a census-defined place with a population density of at least 5,000 persons per square mile.**

**(B) If the project consists of 50 or fewer units, the project site is located within an incorporated city with a population density of at least 2,500 persons per square mile and a total population of at least 25,000 persons.**

**(C) The project is located within either an incorporated city or a census defined place with a population density of at least 1,000 persons per square mile and there is no reasonable possibility that the project would have a significant effect on the environment or the residents of the project due to unusual circumstances or due to the related or cumulative impacts of reasonably foreseeable projects in the vicinity of the project.**

The project qualifies for (C).<sup>1</sup> The project is located within the incorporated City of Eureka with a total population of 26,512, and a population density of over 1,000 persons per square mile (2,780.2 persons/mile) according to the 2020 Census. As

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<sup>1</sup> Because the City’s population density is less than 5,000 persons per square mile, the project does not qualify for location requirement (A); and, because the project includes more than 50 units (88 total), the project does not qualify for location requirement (B).

analyzed under subsection (f)(iii) of the CEQA Guidelines §15332 exemption findings above, there is nothing unusual about the project as compared to other similar development projects within the City, and as analyzed under subsection (f)(ii) of the CEQA Guidelines §15332 exemption findings above, the project does not have the potential to result in significant cumulative impacts taking into consideration existing and future projects in the same area, over time. Furthermore, the analysis throughout this memo demonstrates the project will not have a significant adverse impact on the environment or the future residents of the project.

As described elsewhere in this memo, the project is located in the largest and densest City in rural Humboldt County, where, per capita VMT is 15% or more below the regional average (Census, 2023; OPR, 2024). The site is within one-half mile of a major transit stop, other transit stops, bike facilities, and a variety of goods and services, including a grocery store and pharmacy. Adding housing near existing employment density, transit, bicycle infrastructure, and goods and services will further decrease overall County VMT and resulting impacts on energy usage, air quality and greenhouse gas emissions. Infill development will also reduce development pressure on surrounding agricultural, forest and natural resource lands, and is consistent with Eureka's historic development patterns and the vision of the City's 2040 General Plan. Furthermore, Caltrans' Eureka Broadway Multimodal Corridor Plan, the City's recently-adopted Bike Plan, and HTA's transit planning all call for additional bicycle and/or transit improvements in the project vicinity which would further reduce any project impacts related to energy, air quality, greenhouse gas emissions, and VMT (Caltrans, 2023; Eureka, 2024b; and HCAOG, 2023).

The project site has no significant biological or historical resources and no evidence of past land uses that may have generated or caused the release of regulated or hazardous materials, and the proposed project footprint avoids seismic and flood hazards. A project referral was sent on October 15, 2024 to City departments and outside agencies that may have an interest in the project or the site including City Building, City Public Works, Police, Humboldt Bay Fire, THPOs of the Wiyot Tribe, Bear River Band, and Blue Lake Rancheria, Caltrans, County Assessor's Office, County Public Works Department, Eureka City Schools, North Coast Regional Water Quality Control Board, California Highway Patrol, HTA, NCUAQMD, HCAOG, PG&E, etc. Other than Public Works – Engineering (who discussed utility connections, alley paving, site drainage, and site access and circulation) and the Wiyot Tribe (who requested inadvertent discovery protocol during ground disturbance), contacted entities either did not respond to the referral or responded that they had no comments. City Staff also conducted a site visit with CDFW Staff on April 22, 2024 and, based on the degraded quality of the site and its urban setting, CDFW Staff did not request any biological analysis.

For all these reasons, there is no reasonable possibility that the project would have a significant effect on the environment or the residents of the project due to unusual circumstances or cumulative impacts and qualifies for (C).

**(2) The project meets one of the following site-specific location requirements:**

**(A) The project site has been previously developed for qualified urban uses.**

**(B) The parcels immediately adjacent to the project site are developed with qualified urban uses.**

**(C) The project site has not been developed for urban uses and all of the following conditions are met:**

**i. No parcel within the site has been created within 10 years prior to the proposed development of the site.**

**ii. At least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses.**

**iii. The existing remaining 25 percent of the perimeter of the site adjoins parcels that have previously been developed for qualified urban uses.**

The project site meets site-specific location requirement (B).<sup>2</sup> PRC §21072 defines qualified urban uses to include “residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.” The parcels surrounding the project site are all developed with qualified urban uses. There are predominately residences across the alley to the east, across W. Henderson to the north, and across W. Harris to the south (there is also one office building across the alley to the east [relocated from the project site], and Redwood Adult & Teen Challenge across W. Henderson to the north). The parcels across Broadway to the west are developed with commercial businesses.

**(d) The project meets both of the following requirements regarding the provision of affordable housing.**

**(1) The project consists of the construction, conversion, or use of residential housing consisting of 100 or fewer units that are affordable to low-income households.**

The project involves the construction of 88 dwelling units for very-low- and low-income households.

**(2) The developer of the project provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for lower income households for a period of at least 30 years, at monthly housing costs deemed to be “affordable rent” for lower income, very low income, and**

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<sup>2</sup> The southern portion of the site was previously developed with a qualified urban use (an office building), but not the northern portion. As a result, the project does not fully meet site-specific location requirement (A). Because the project meets site-specific location requirement (B), requirement (C) was not evaluated.

**extremely low-income households, as determined pursuant to Section 50053 of the Health and Safety Code.**

The City's 2019-2027 Housing Element, Implementation Program H-34 requires the Sunset Heights parcels to be sold or leased to an affordable housing developer for the construction of a minimum of 20 low-income units and 60 very-low income units, all with recorded deed-restrictions (Eureka, 2022). On September 5, 2023, City Council authorized an MOU with RCHDC for development of Sunset Heights with affordable housing. The MOU clarifies that, regardless of whether the City leases or sells the project site to RCHDC, RCHDC must record a regulatory agreement to run with the land in a form provided by the City that sets forth the income and occupancy restrictions and such other matters as deemed necessary by the City to achieve the City's goals of ensuring the housing units remains affordable to, and occupied by, lower income households for a period of at least 55 years.

## Acronyms

APN	Accessor Parcel Number
BMPs	Best Management Practices
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGC	California Government Code
dBA	A-weighted Decibel
EIR	Environmental Impact Report
EMC	Eureka Municipal Code
ESA	Environmental Site Assessment
GC	General Commercial Land Use Designation
HCAOG	Humboldt County Association of Governments
HCD	California Department of Housing and Community Development
HTA	Humboldt Transit Authority
HVAC	Heating, Ventilation, and Air Conditioning
LRA	Local Responsibility Area
MDR	Medium Density Residential Land Use Designation
MOU	Memorandum of Understanding
MS4 Permit	Phase II Small Municipal Separate Storm Sewer System Permit
NAVD88	North American Vertical Datum of 1988
NCUAQMD	North Coast Unified Air Quality Management District
OPR	California Office of Planning and Research
PG&E	Pacific Gas and Electric
PM <sub>10</sub>	Particulate matter that is 10 micrometers or less in size
PRC	Public Resources Code
R2	Residential Medium Zoning District
RCHDC	Rural Communities Housing Development Corporation
SC	Service Commercial Zoning District
SF	Square Feet
SRA	State Responsibility Areas
THPO	Tribal Historic Preservation Officer
VMT	Vehicle Miles Traveled

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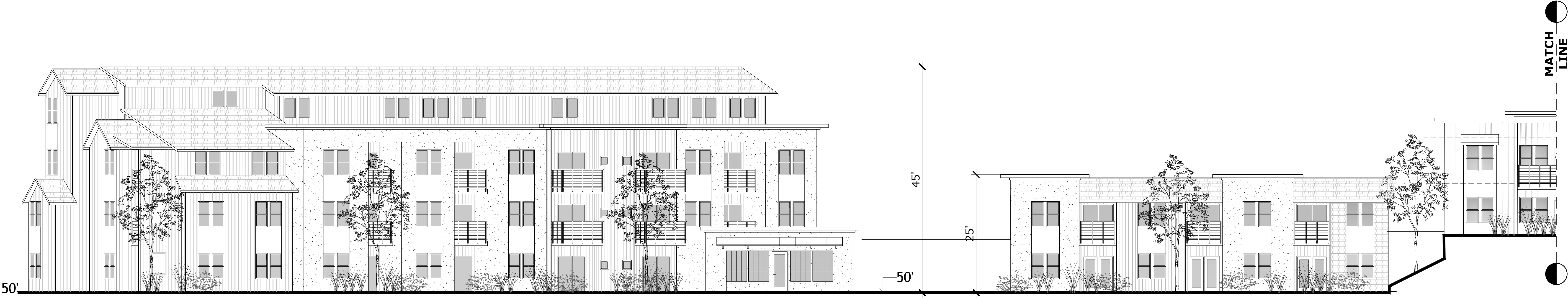
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SUNSET HEIGHTS FAMILY HOUSING  
CITY OF EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



2 BUILDING 1A & 1B WEST FACE



1 BUILDING 2A & 2B WEST FACE

PROJECT DESCRIPTION

Rural Community Housing Development Corporation is proposing two affordable housing projects on the site bound by Harris Street and Henderson Street on the bluff above Broadway Ave in Eureka CA. The project includes the properties as currently described in APNs 008-052-024, -025, -026, & -027.

The project will require the forming of two properties, one for each of the projects. The projects are defined as Project 1 which is on the southerly end of the current parcels and Project 2 which is on the northerly end of the current parcels.

Project 1 will be composed of building 1A, and building 1B. Project 1 will have 44 residential rental units, a community center for residence of project 1, and an office. The buildings will be two and three stories. Project 2 will be composed of building 2A, and building 2B. Project 2 will have 44 residential rental units, a community center for residence of project 2 and an office. The buildings will be two and four stories.

The energy goal for both projects is to produce 100% of the energy needs on site for each project.

Access will be from both Harris Street (west bound traffic only) on the south side and from Henderson Street (east bound traffic only) on the north side. The parking area will join between both projects and provide through traffic between both projects.

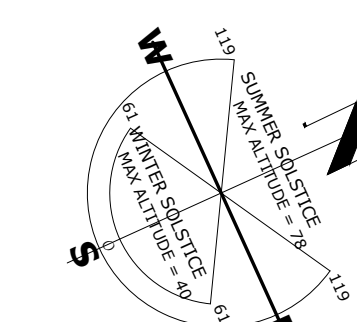
LIST OF SHEETS

- |  |  |
|--|--|
| A0.0 Project Views and List of Sheets          | A2.1 Building 1A and 1B Floor and Roof Plans |
| A0.1 Topographic and Aerial Survey             | A2.2 Building 2A and 2B Floor and Roof Plans |
| A0.2 Development Opportunities and Constraints | A3.1 Exterior Elevations Buildings 1A & 1B   |
| A0.3 Site Plan and Project Data                | A3.2 Exterior Elevations Buildings 1A & 1B   |
| A1.1 Site Plan at Lower Level Plan             | A3.3 Exterior Elevations Buildings 2A & 2B   |
| A1.2 Site Plan at First Floor Level            | A3.4 Exterior Elevations Buildings 2A & 2B   |
| A1.3 Site Plan at Second Floor Level           | A4.1 Unit Plans                              |
| A1.4 Site Plan at Third Floor Level            |  |





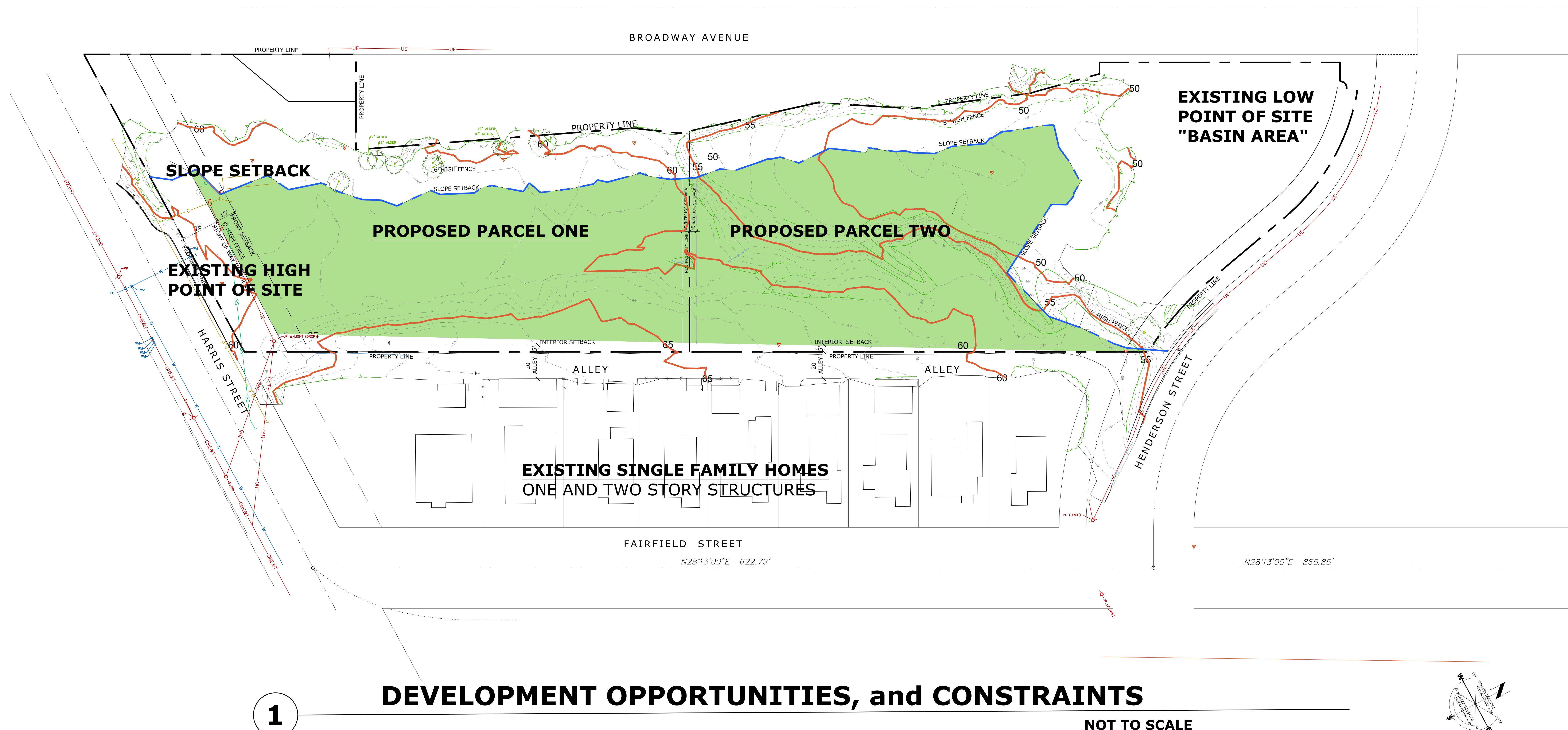
**NOT TO SCALE**



# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



SUNSET HEIGHTS FAMILY HOUSING

CITY OF EUREKA CALIFORNIA

RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION

SITE DATA :

PROJECT AREA TOTAL:	
TOTAL	3.54 acres (154,200 sq. ft.)
DEVELOPABLE AREA TOTAL:	
TOTAL	1.69 acres (73,6100 sq. ft.)
BUILDING COVERAGE:	
TOTAL	29,200 sq. ft.
PAVED AREA:	
TOTAL	34,140 sq. ft.
LANDSCAPED AREA:	
TOTAL	14,920 sq. ft.
UNIMPROVED AREA:	
TOTAL	75,942 sq. ft.

PARCEL ONE SITE DATA BUILDING 1A and 1B:

PARCEL ONE AREA TOTAL:	
TOTAL	1.62 acres
DEVELOPABLE AREA TOTAL:	
TOTAL	.83 acres
PARKING PROVIDED:	
HC (ACCESSIBLE)	9'X18' 5
COMPACT (C)	7.5'X16' 5
STANDARD (S)	8.5'X18' 13
TOTAL	23 SPACES

PARCEL TWO SITE DATA BUILDING 2A and 2B:

PARCEL TWO AREA TOTAL:	
TOTAL	1.91 acres
DEVELOPABLE AREA TOTAL:	
TOTAL	.86 acres
PARKING PROVIDED:	
HC (ACCESSIBLE)	9'X18' 6
COMPACT (C)	7.5'X16' 3
STANDARD (S)	8.5'X18' 10
TOTAL	19 SPACES

DATA BUILDING 1A and 1B:

AREA:	
BUILDING 1A AREA:	34,500 sq. ft
BUILDING 1B AREA:	6,100 sq. ft
TOTAL	40,600 sq. ft
UNIT COUNT:	
SRO	2
One Bed:	27
Two Bed:	14
Three Bed:	1
TOTAL	44 UNITS
BUILDING HEIGHT	
BUILDING 1A	38 Feet
BUILDING 1B	25 Feet

DATA BUILDING 2A and 2B:

AREA:	
BUILDING 2A AREA:	32,200 sq. ft
BUILDING 2B AREA:	9,900 sq. ft
TOTAL	42,100 sq. ft
UNIT COUNT:	
SRO	6
One Bed:	23
Two Bed:	13
Three Bed:	2
TOTAL	44 UNITS
BUILDING HEIGHT	
BUILDING 2A	46 Feet
BUILDING 2B	25 Feet

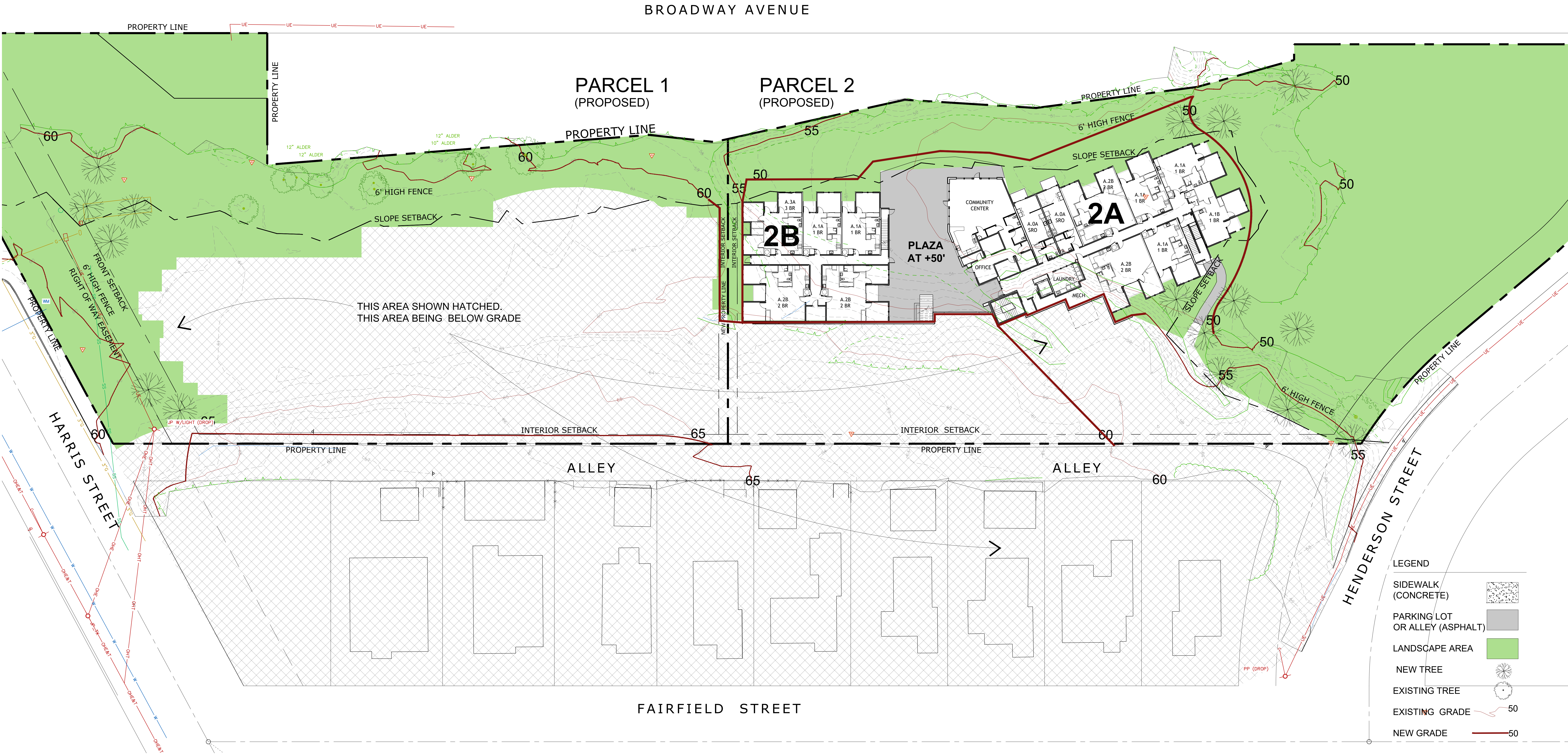


1

SITE PLAN @ FIRST FLOOR LEVEL & PROJECT DATA

scale: 1 inch = 30 feet

SUNSET HEIGHTS FAMILY HOUSING  
CITY OF EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



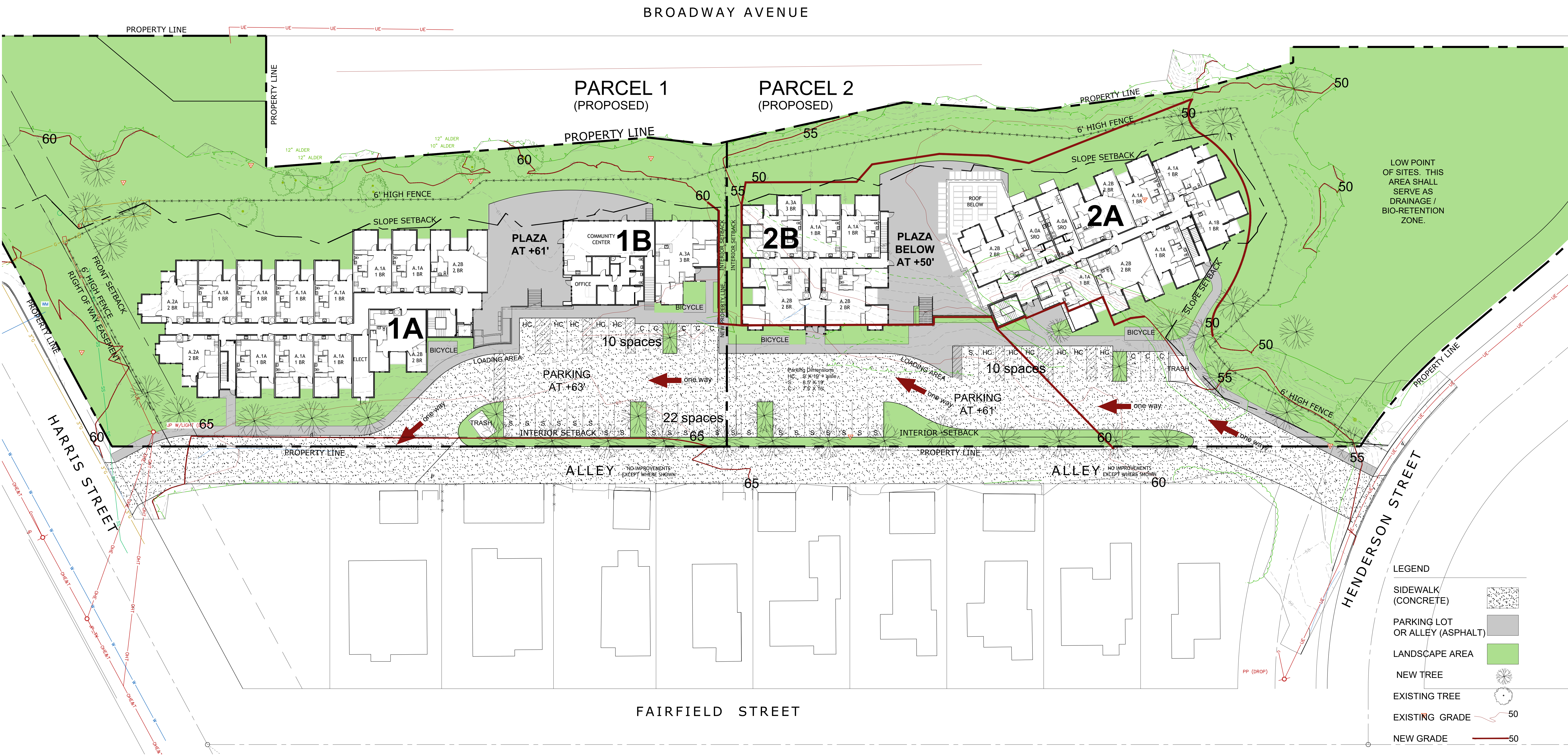
1 SITE PLAN @ LOWER LEVEL PLAN



# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



1

## SITE PLAN @ FIRST FLOOR LEVEL

scale: 1 inch = 20 feet

APRIL 25, 2024  
DATE COUNCIL HEARING #1  
SEPTEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #1  
NOVEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #2



ROBERT W. HAYES + ASSOCIATES  
SAUSALITO, CA  
415.332.0999

**SUNSET HEIGHTS FAMILY HOUSING**  
EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



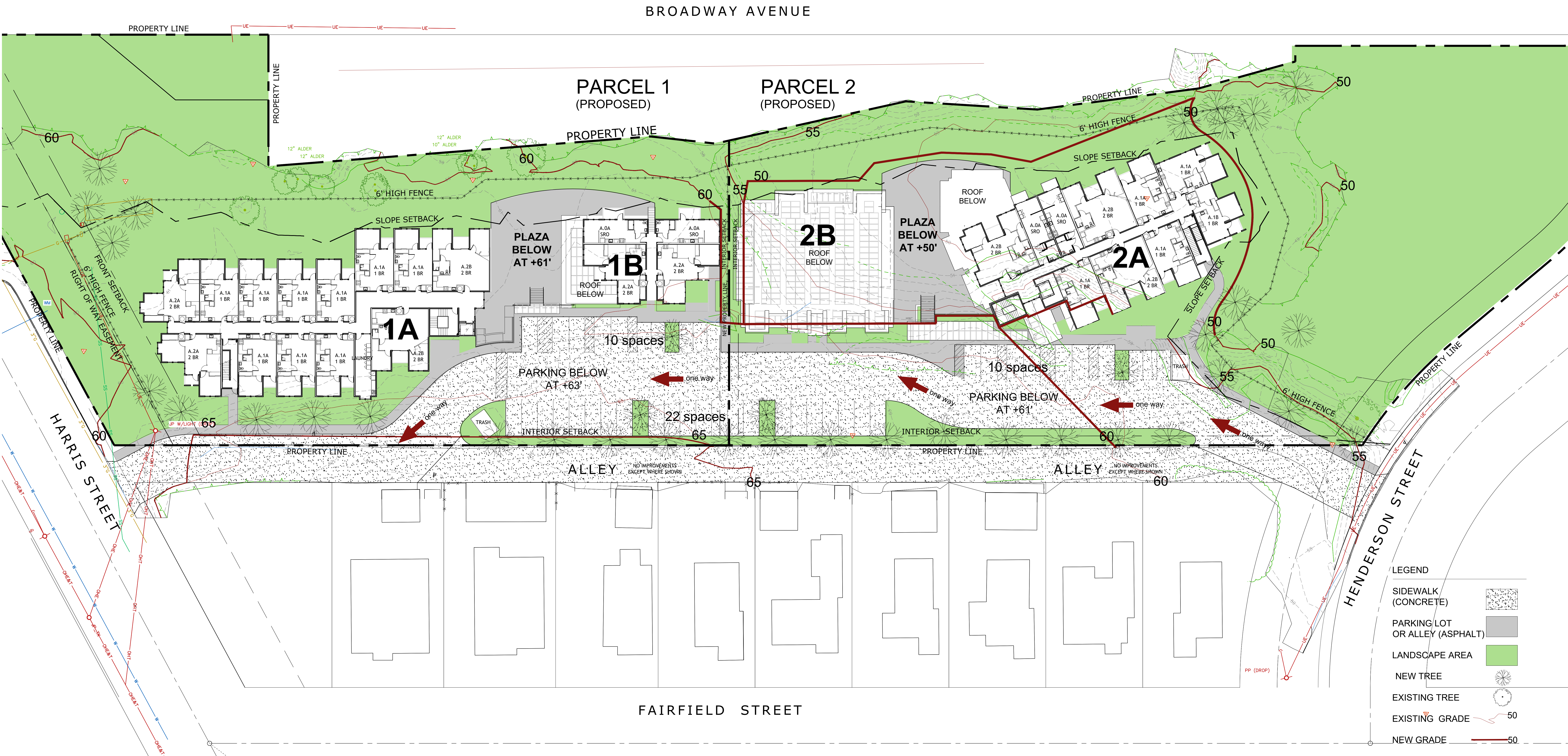
RURAL COMMUNITIES HOUSING  
DEVELOPMENT CORPORATION  
UKIAH & ARCATA CALIFORNIA

# A1.2

# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



1

## SITE PLAN @ SECOND FLOOR LEVEL

scale: 1 inch = 20 feet

APRIL 25, 2024  
DATE COUNCIL HEARING #1  
SEPTEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #1  
NOVEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #2



ROBERT W. HAYES + ASSOCIATES  
SAUSALITO, CA  
415.332.0999

**SUNSET HEIGHTS FAMILY HOUSING**  
EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



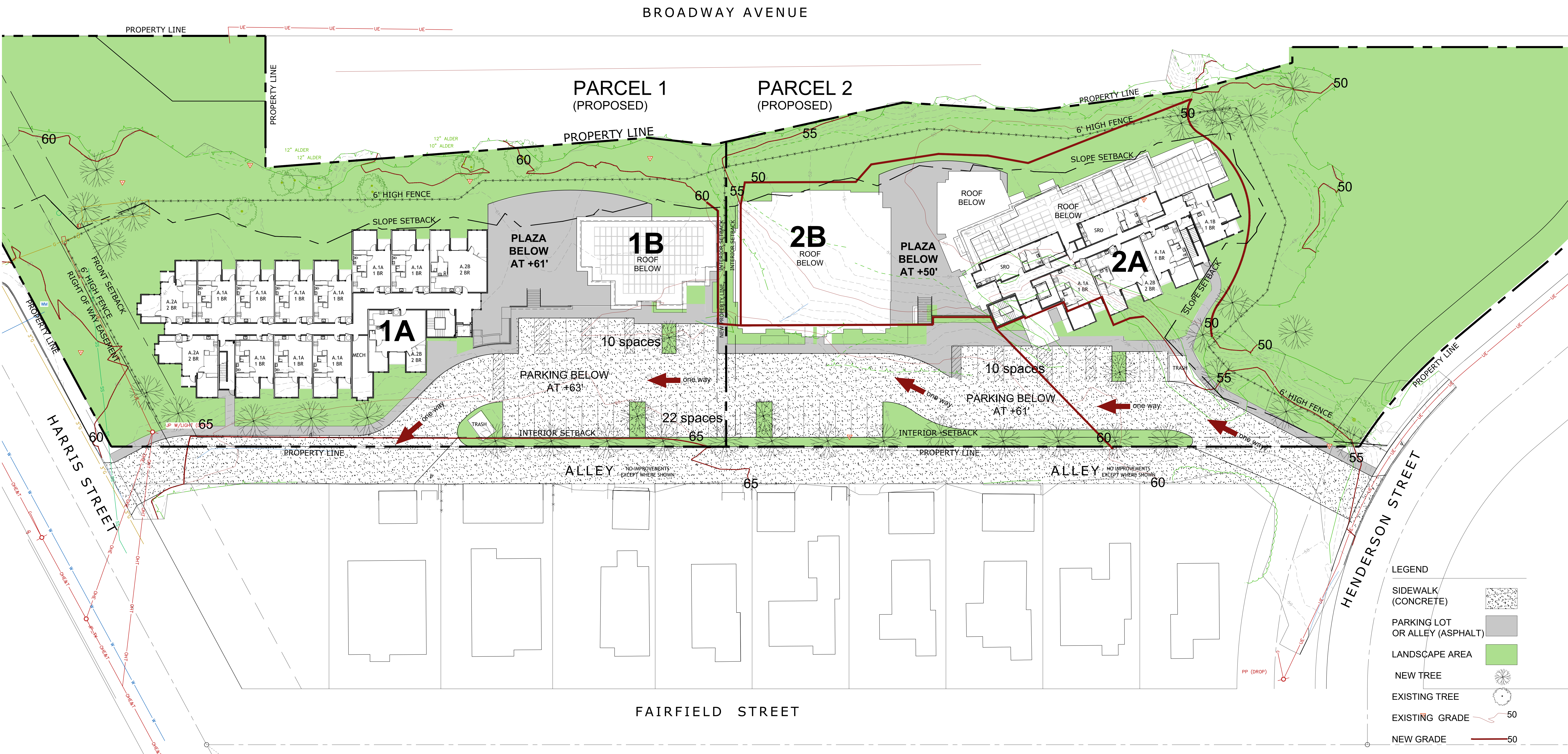
RURAL COMMUNITIES HOUSING  
DEVELOPMENT CORPORATION  
UKIAH & ARCATA CALIFORNIA

# A1.3

# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



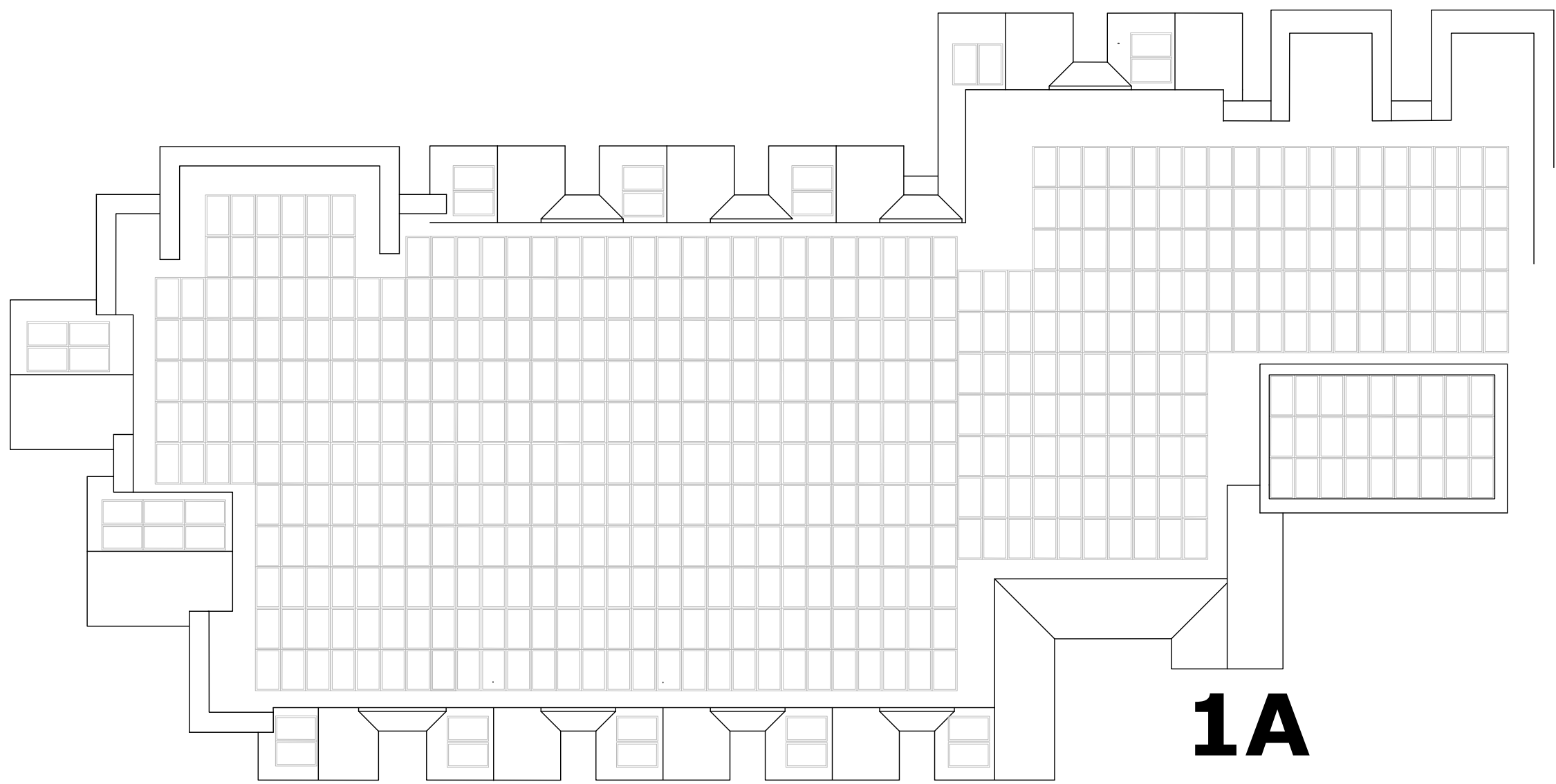
SUNSET HEIGHTS FAMILY HOUSING

CITY OF EUREKA CALIFORNIA

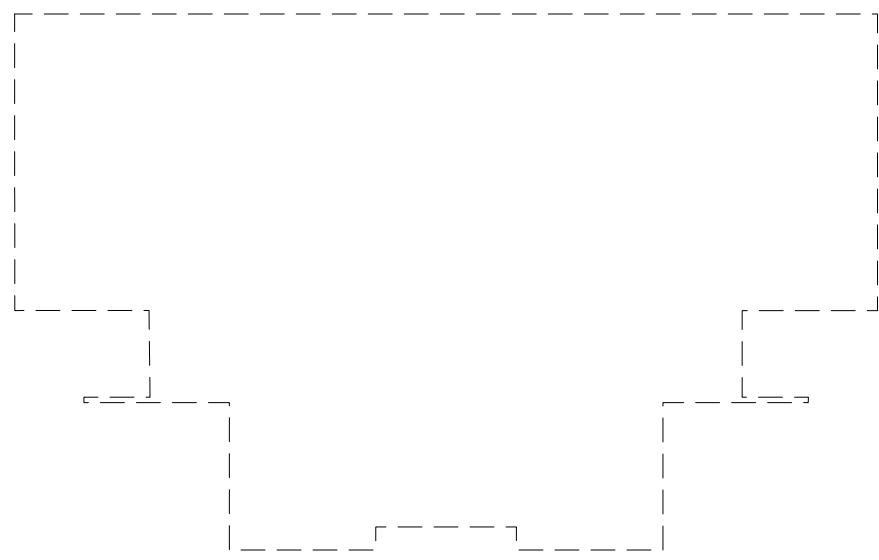
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION

DATA FOR BUILDINGS 1A & 1B

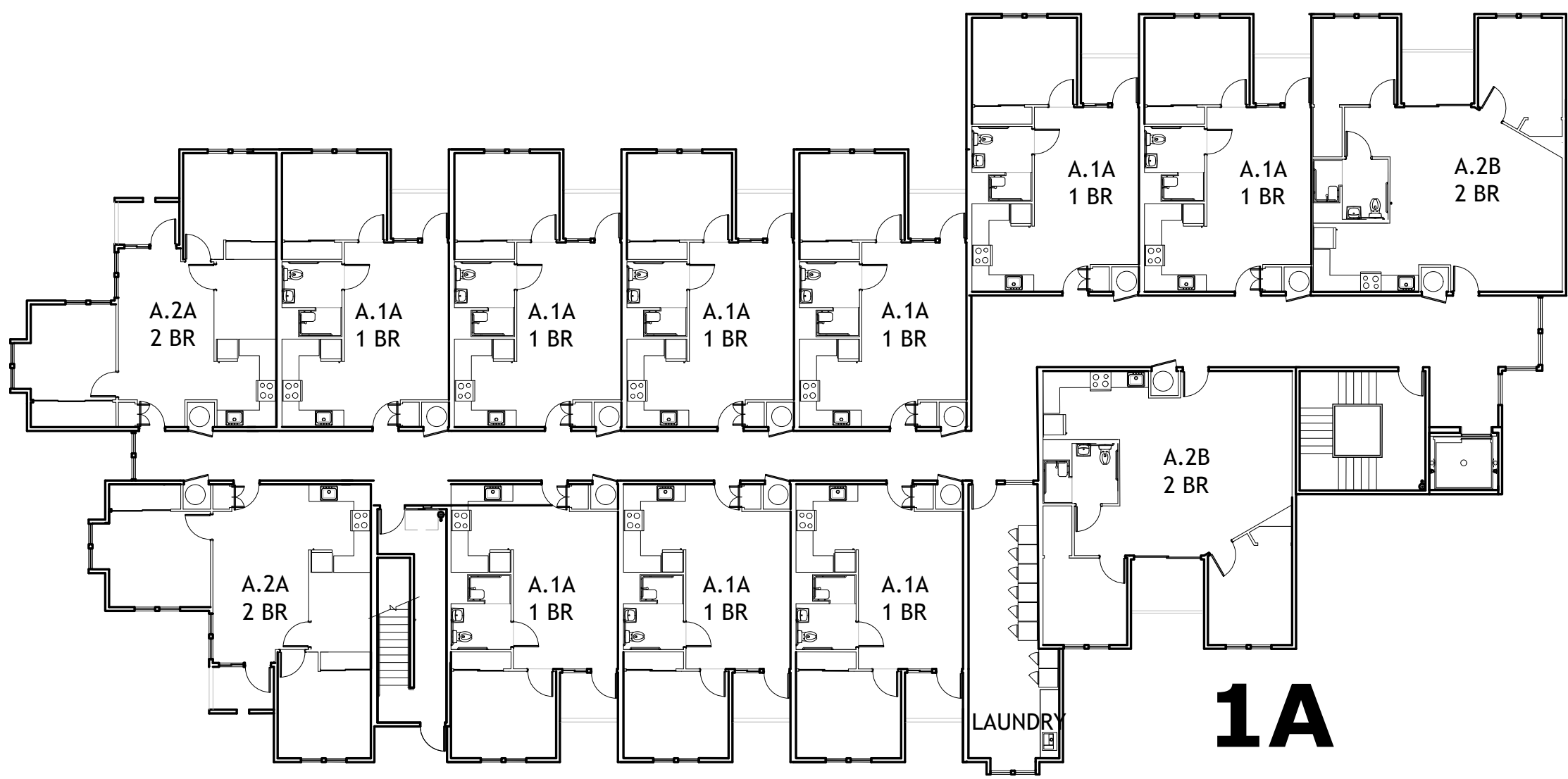
RESIDENTIAL AREA PER FLOOR	A 0.A sq. ft.	# OF A 0.A UNITS	A 0.B sq. ft.	# OF A 0.B UNITS	A 1.A sq. ft.	# OF 1.A UNITS	A 1.B sq. ft.	# OF 1.B UNITS	A 1.C sq. ft.	# OF 1.C UNITS	A 2.A sq. ft.	# OF 2.A UNITS	A 2.B sq. ft.	# OF 2.B UNITS	A 2.C sq. ft.	# OF 2.C UNITS	A 3.A sq. ft.	# OF 3.A UNITS	A 3.B sq. ft.	# OF 3.B UNITS	NUMBER OF UNITS PER FLOOR	RESIDENTIAL AREA PER FLOOR	COMMUNITY CENTER AREA PER FLOOR	OFFICE AREA PER FLOOR	COMMON AREA PER FLOOR (MECH SPACE, STAIRS)	TOTAL AREA PER FLOOR
1A FIRST FLOOR	475	0	0	0	5,715	9	0	0	0	0	1,560	2	1,900	2	0	0	0	0	0	0	13	9,175	3	9	2,313	11,500
1A SECOND FLOOR	0	0	0	0	5,715	9	0	0	0	0	1,560	2	1,900	2	0	0	0	0	0	0	13	9,175	0	0	2,325	11,500
1A THIRD FLOOR	0	0	0	0	5,715	9	0	0	0	0	1,560	2	1,900	2	0	0	0	0	0	0	13	9,175	0	0	2,325	11,500
1B FIRST FLOOR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,225	1	1	1,225	1,235	810	130	3,400
1B SECOND FLOOR	0	0	930	2	0	0	0	0	0	0	1,560	2	0	0	0	0	0	0	0	0	4	2,490	0	0	210	2,700
TOTAL UNITS																					44					
TOTAL AREA																										40,600



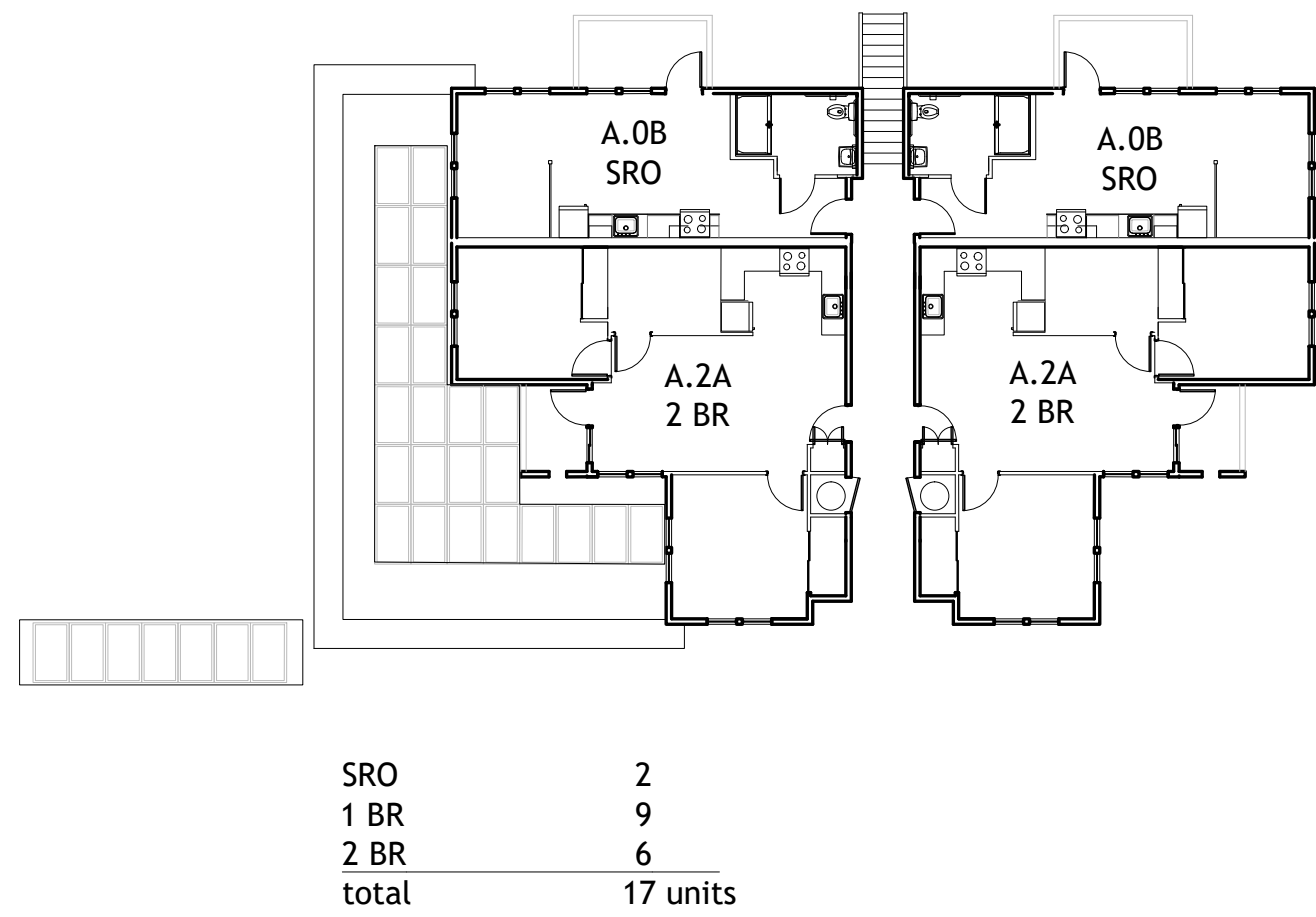
1A



1B



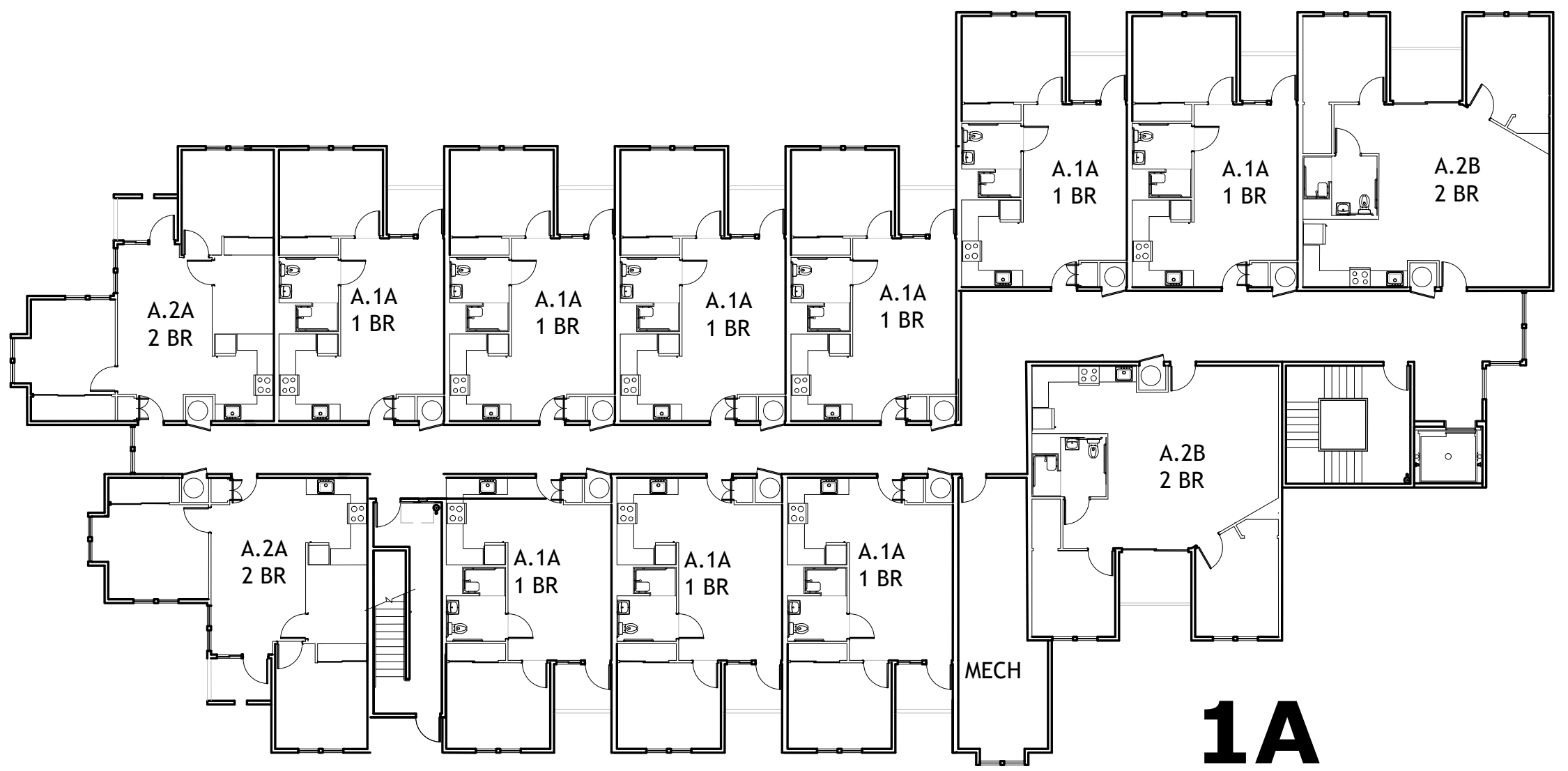
1A



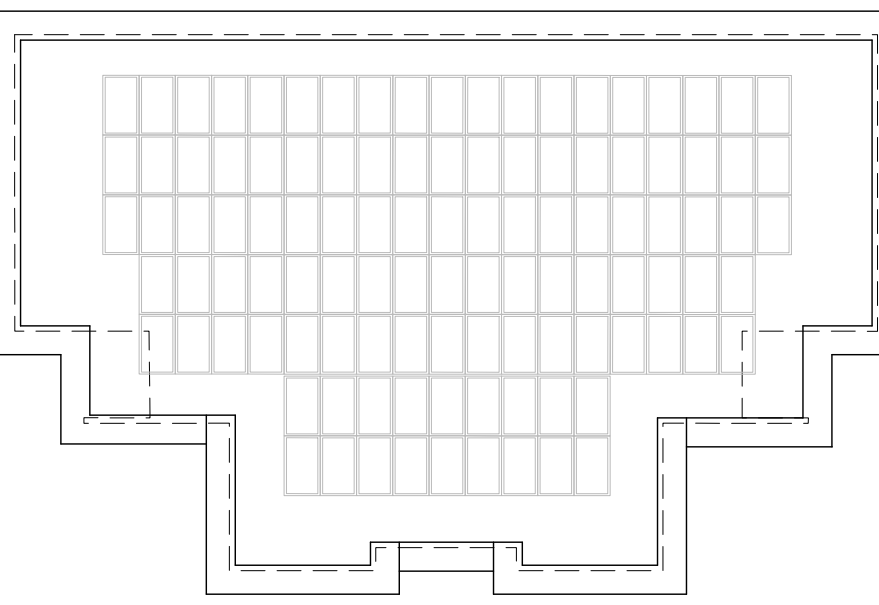
1B

4 BUILDING 1A ROOF PLAN

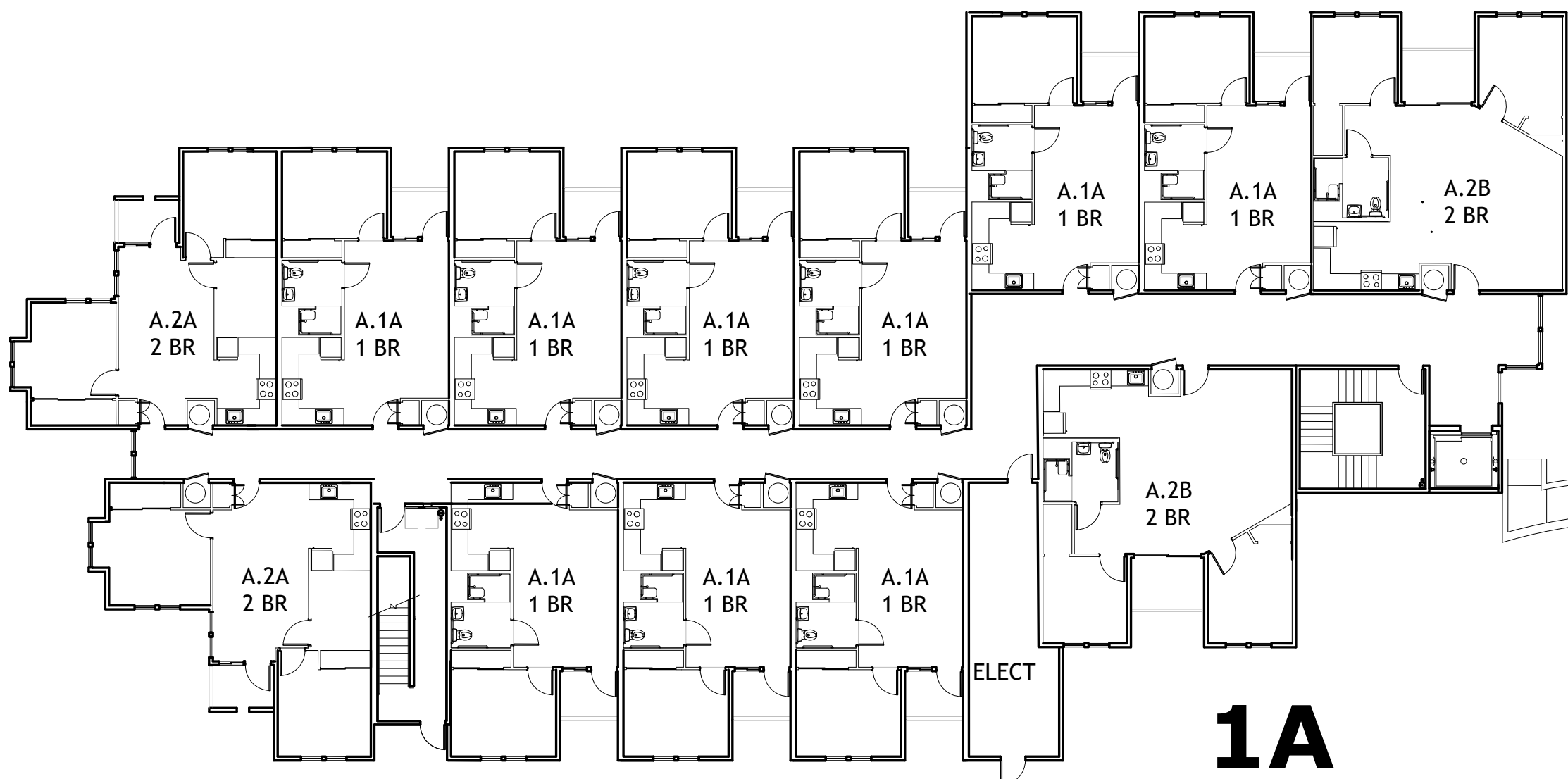
2 BUILDING 1A & 1B SECOND FLOOR PLANS



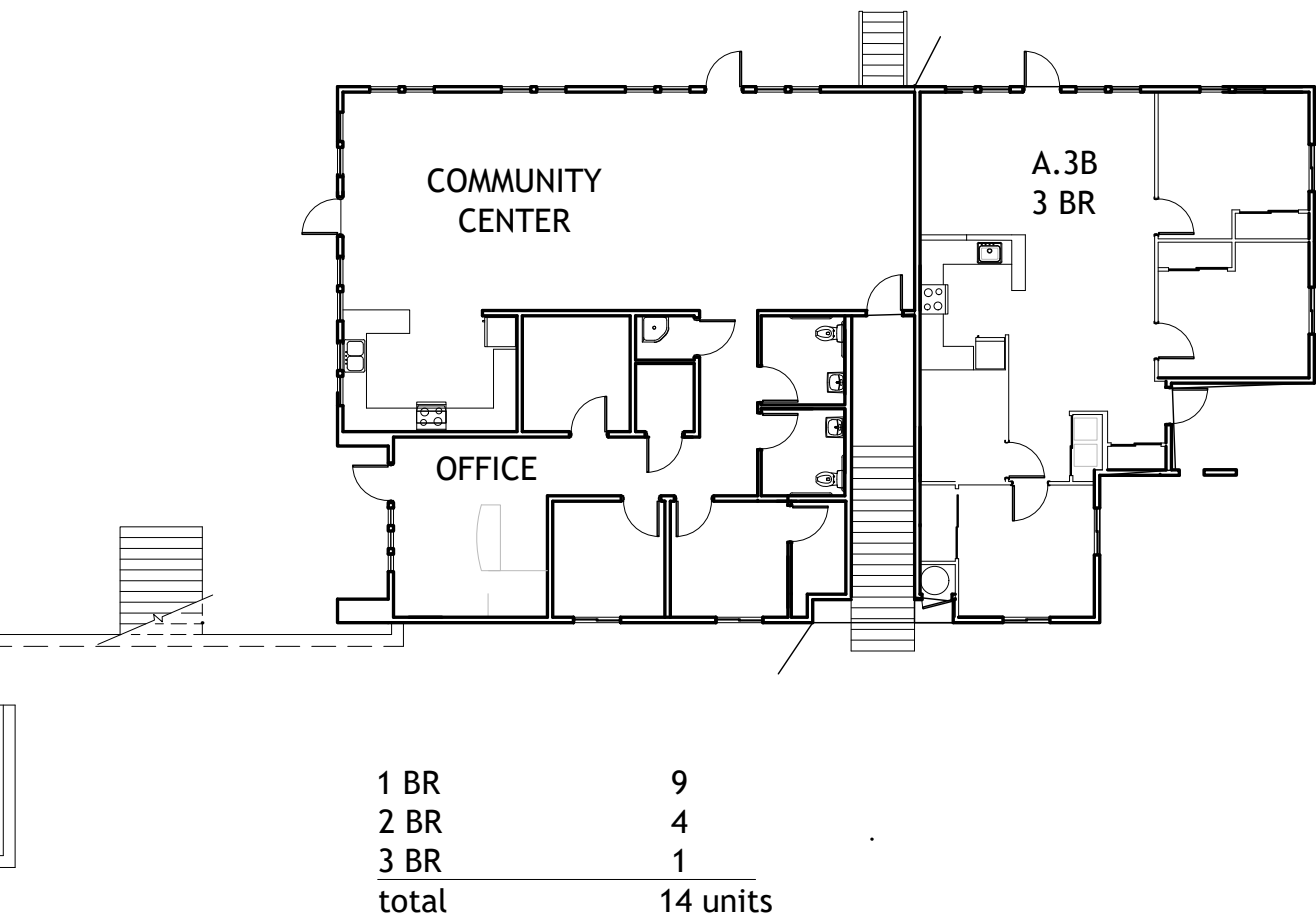
1A



1B



1A



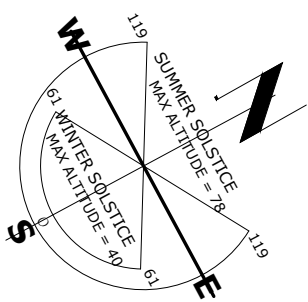
1B

3 BUILDING 1A THIRD FLOOR PLAN & BUILDING 1B ROOF PLAN

1 BUILDING 1A & 1B FIRST FLOOR PLANS

BUILDING 1A & 1B FLOOR and ROOF PLANS

scale: 1 inch = 16 feet



SUNSET HEIGHTS FAMILY HOUSING

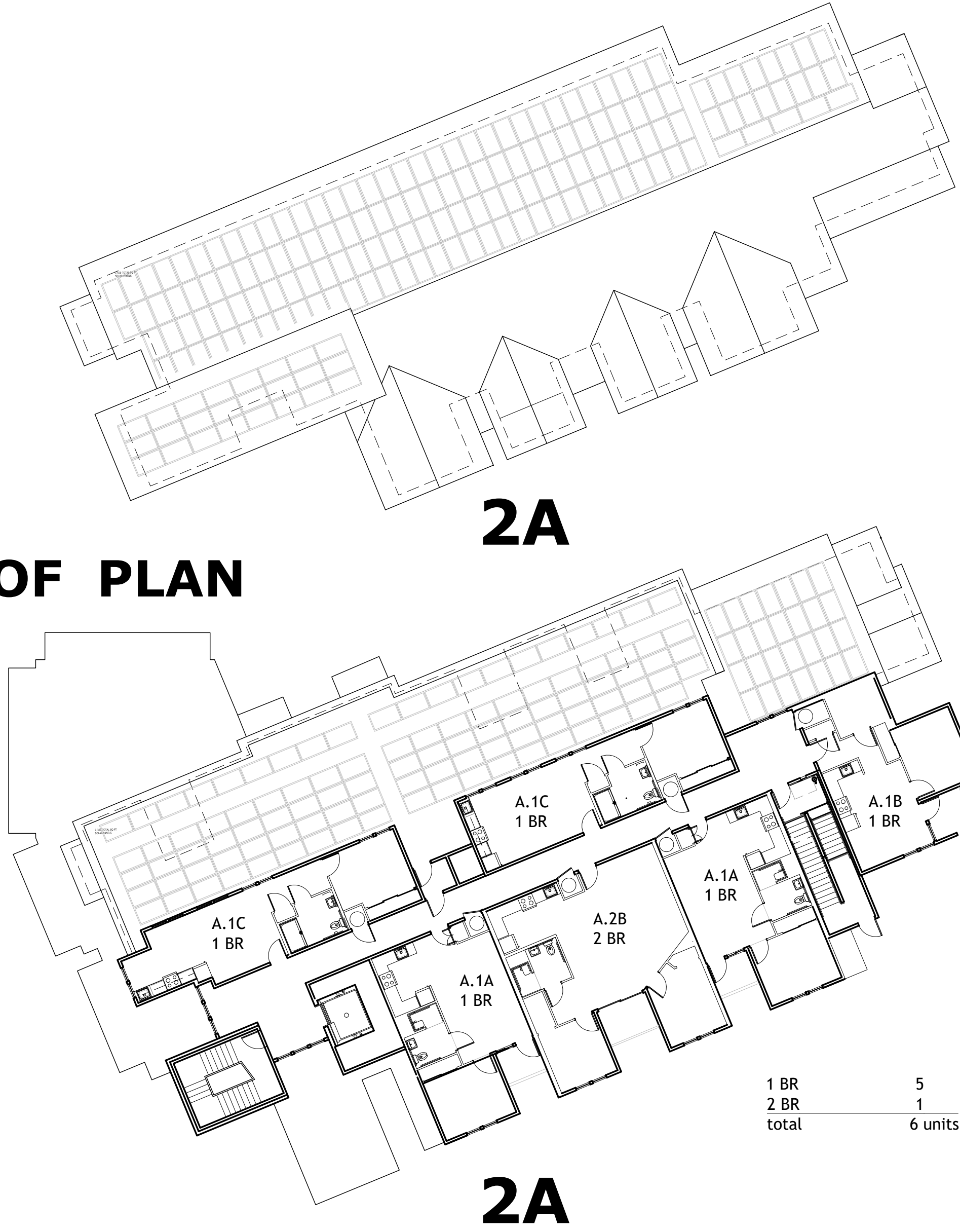
CITY OF EUREKA CALIFORNIA

RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION

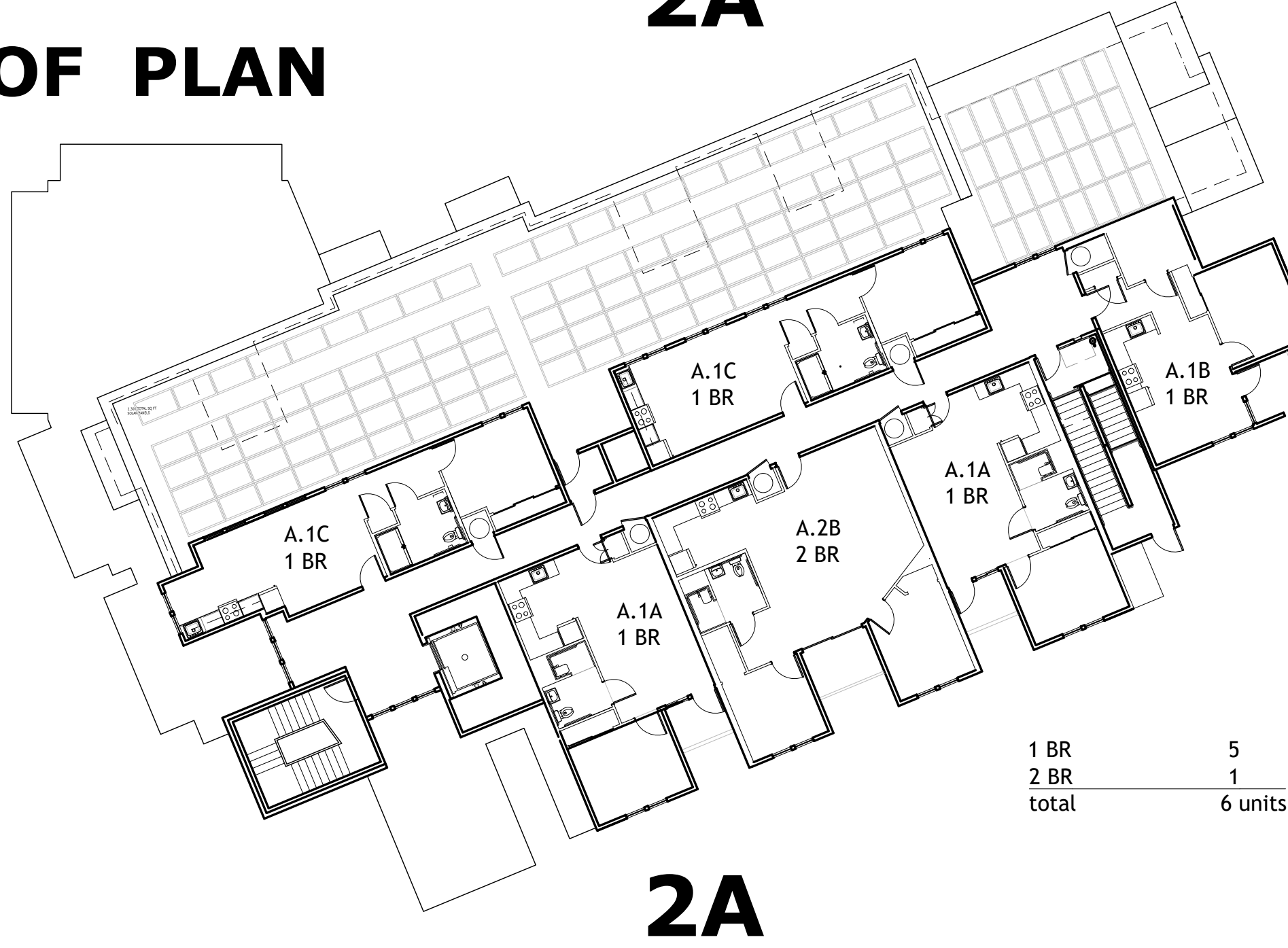
DATA FOR BUILDINGS 2A & 2B

RESIDENTIAL AREA PER FLOOR	A 0.A sq. ft	# OF A 0.A UNITS	A 0.B sq. ft	# OF A 0.B UNITS	A 1.A sq. ft	# OF 1.A UNITS	A 1.B sq. ft	# OF A 1.B UNITS	A 1.C sq. FT.	# OF A 1.C UNITS	A 2.A sq. ft	# OF A 2.A UNITS	A 2.B sq. ft	# OF 2.B UNITS	A 2.C sq. ft	# OF A 2.C UNITS	A3.A sq. ft	# OF A3.A UNITS	A3.B sq. ft	# OF A3.B UNITS	NUMBER OF UNITS PER FLOOR	RESIDENTIAL AREA PER FLOOR	COMMUNITY CENTER AREA PER FLOOR	OFFICE AREA PER FLOOR	COMMON AREA PER FLOOR (CORRIDOR, ELEVATOR, MECH SPACE, STAIRS)	TOTAL AREA PER FLOOR
	475		465		635		660		635		780		950		960		930		1,225							
2A FIRST FLOOR	950	2	0	0	1,270	2	1,320	2	0	0	0	0	1,900	2	0	0	0	0	0	0	8	5,440	1,210	770	1,980	9,400
2A SECOND FLOOR	950	2	0	0	1,905	3	1,320	2	0	0	0	0	1,900	2	960	1	0	0	0	0	10	7,035	0	0	1,565	8,600
2A THIRD FLOOR	950	2	0	0	1,905	3	1,320	2	0	0	0	0	1,900	2	960	1	0	0	0	0	10	7,035	0	0	1,565	8,600
2A FOURTH FLOOR	0	0	0	0	1,270	2	1,320	1	1,270	2	0	0	950	1	0	0	0	0	0	0	6	4,810	0	0	790	5,600
2B FIRST FLOOR	0	0	0	0	1,270	2	0	0	0	0	0	0	1,900	2	0	0	930	1	0	0	5	4,100	0	0	800	4,900
2B SECOND FLOOR	0	0	0	0	1,270	2	0	0	0	0	0	0	1,900	2	0	0	930	1	0	0	5	4,100	0	0	900	5,000
TOTAL UNITS																					44					
TOTAL AREA																									42,100	

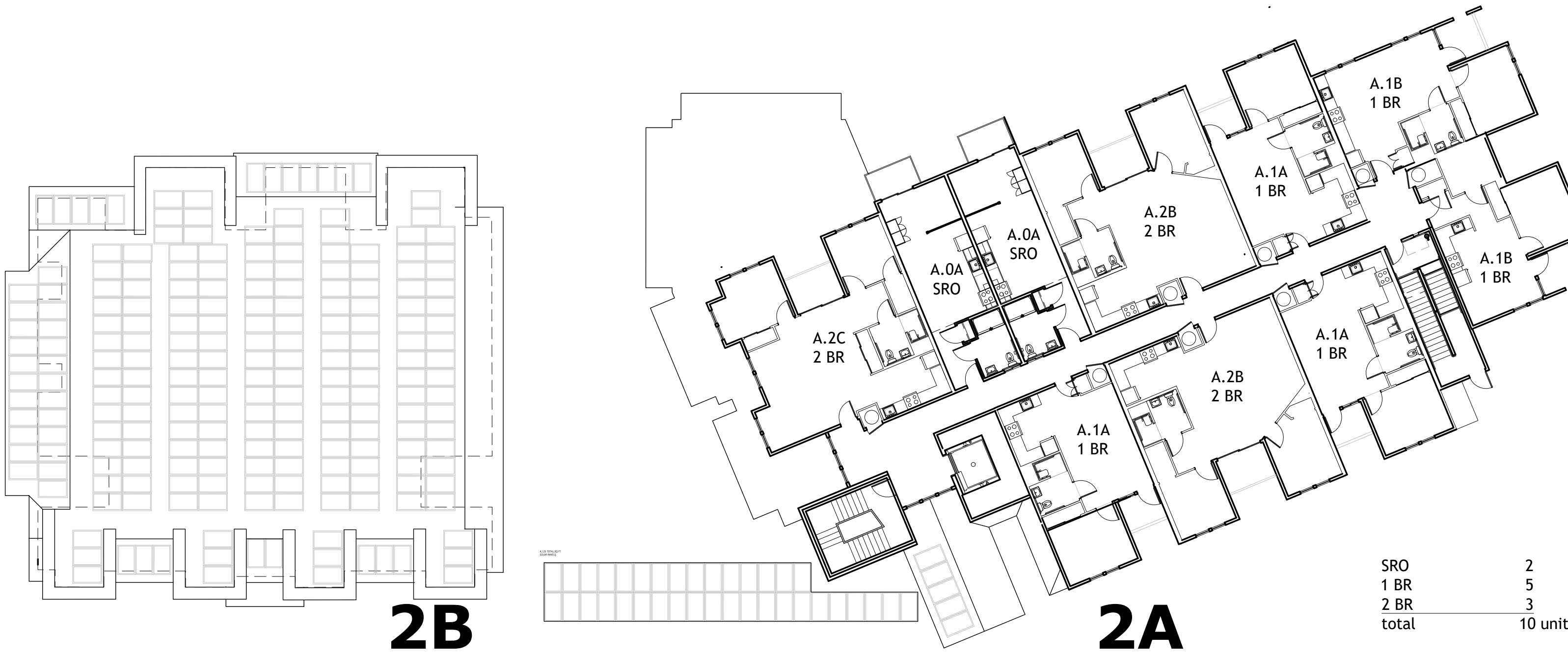
5 BUILDING 2A ROOF PLAN



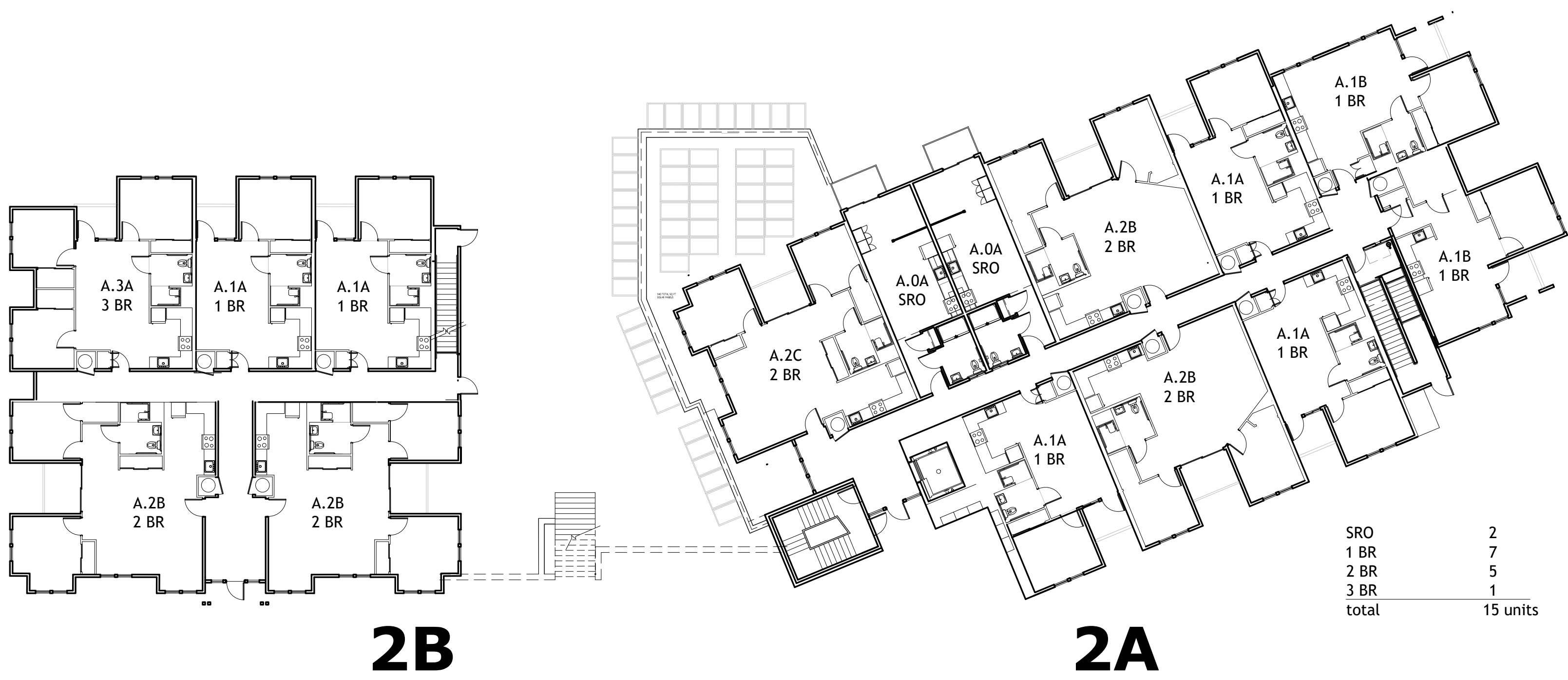
4 BUILDING 2A FOURTH FLOOR PLAN



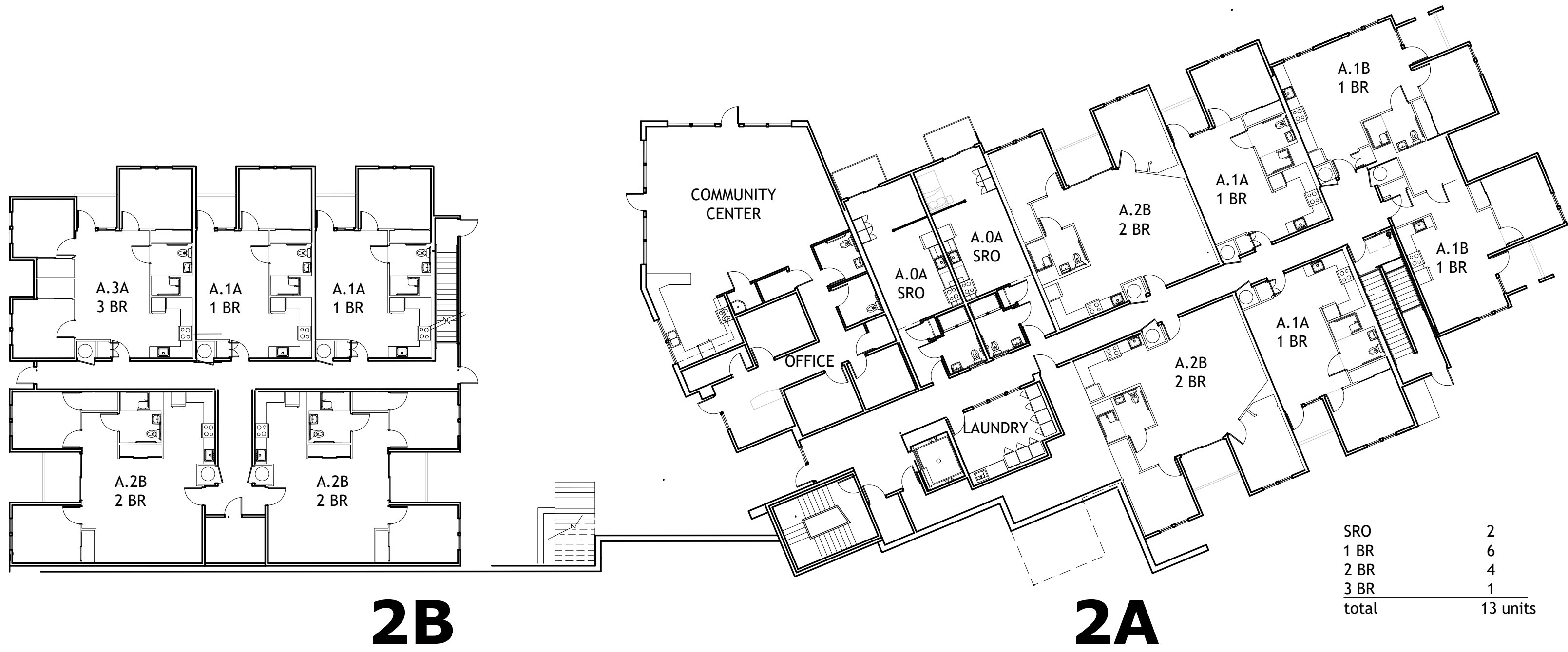
3 BUILDING 2A THIRD FLOOR PLAN & BUILDING 2B ROOF PLAN



2 BUILDING 2A & 2B SECOND FLOOR PLANS

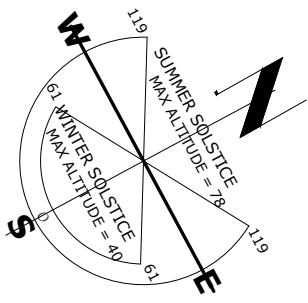


1 BUILDING 2A & 2B FIRST FLOOR PLANS

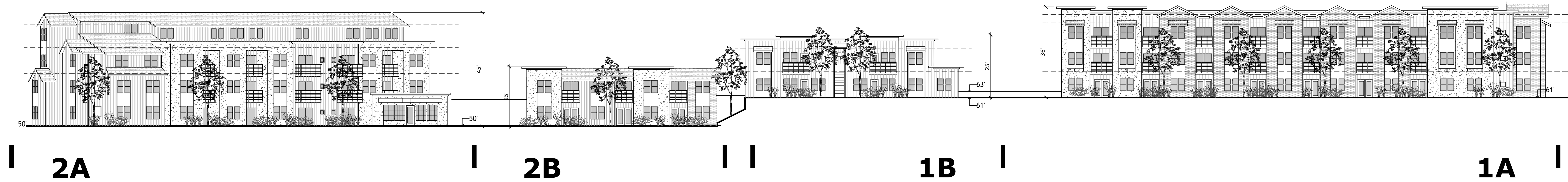


BUILDING 2A & 2B FLOOR and ROOF PLANS

scale: 1 inch = 16 feet



SUNSET HEIGHTS FAMILY HOUSING  
CITY OF EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



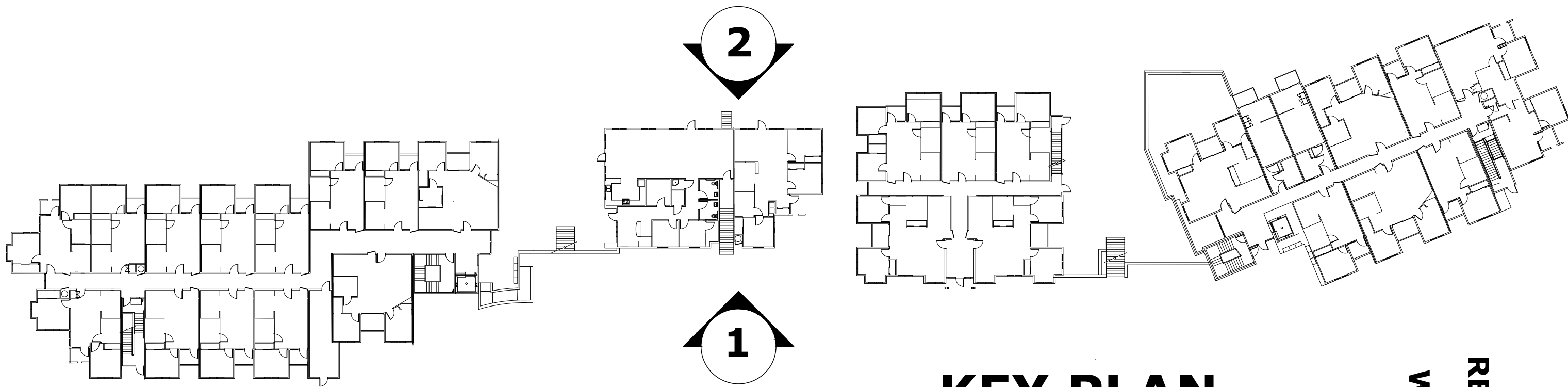
2 COMPOSITE BUILDING ELEVATION: WEST



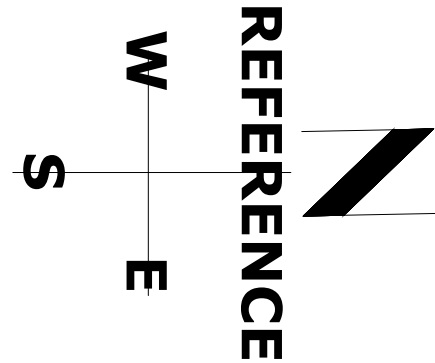
1 COMPOSITE BUILDING ELEVATION: EAST

LEGEND

BOARD & BATON SIDING (cement board)		CEMENT PLASTER	
SHINGLE SIDING (cement board)		COMPOSITION ROOF SHINGLES (class A)	



KEY PLAN

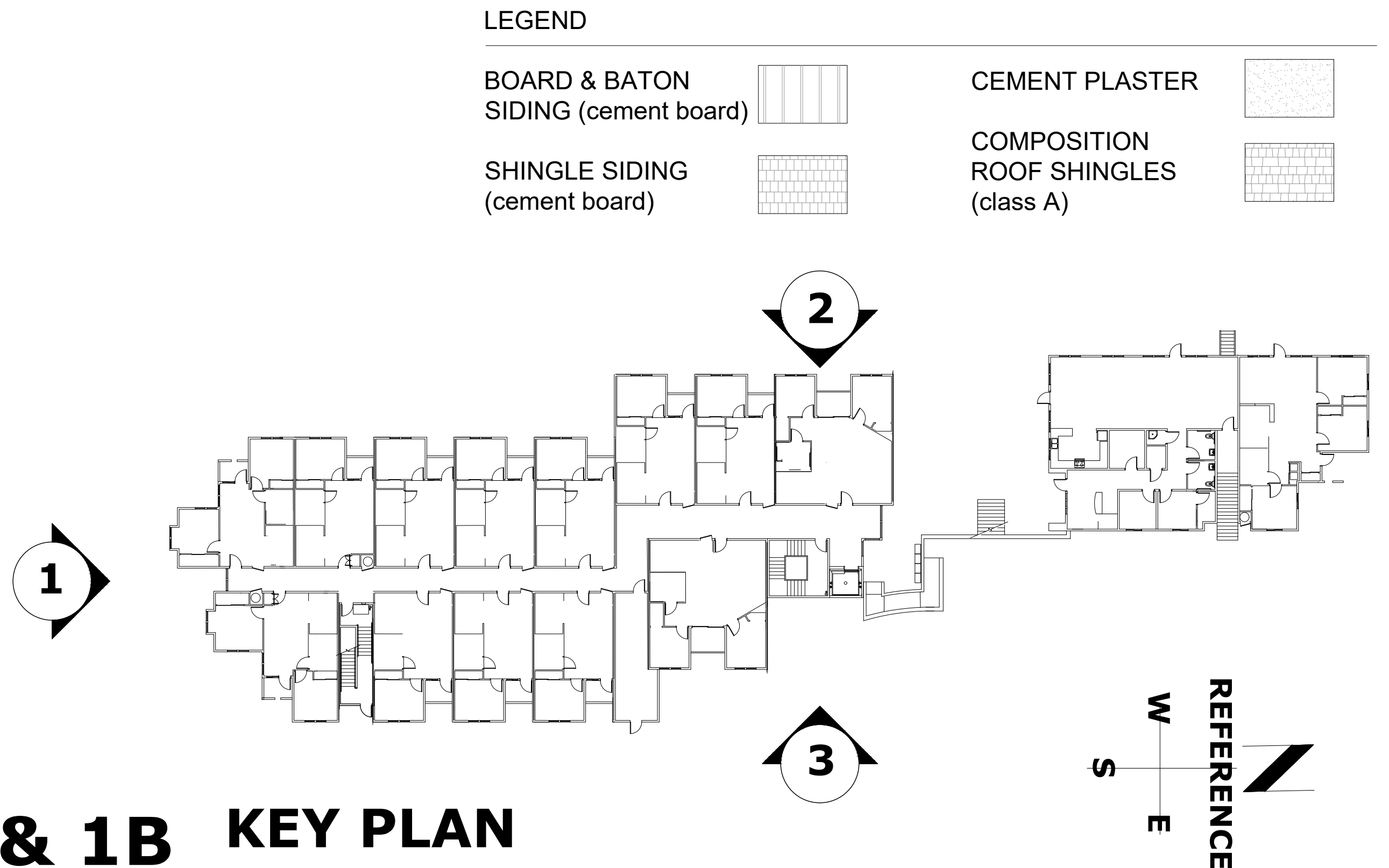


COMPOSITE EXTERIOR BUILDING ELEVATIONS

scale: 1 inch = 16 feet



SUNSET HEIGHTS FAMILY HOUSING  
CITY OF EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



EXTERIOR ELEVATIONS BUILDINGS 1A & 1B KEY PLAN

scale: 1 inch = 8 feet

# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



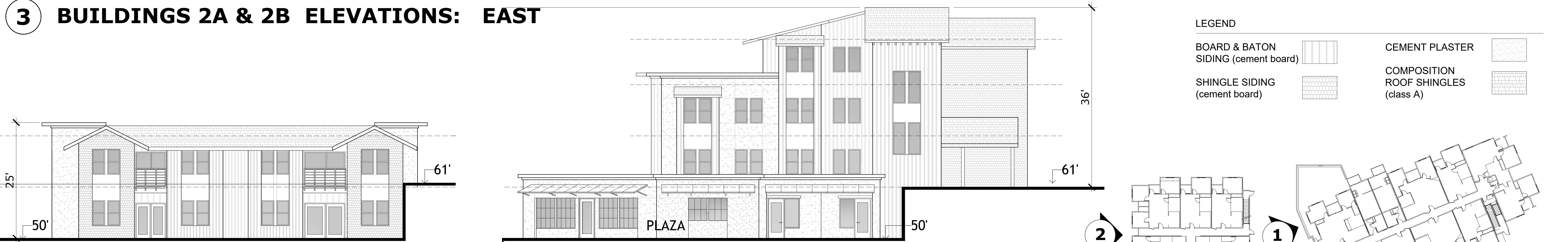
**2B**  
**4 BUILDINGS 2A & 2B ELEVATIONS: EAST**

**2A**

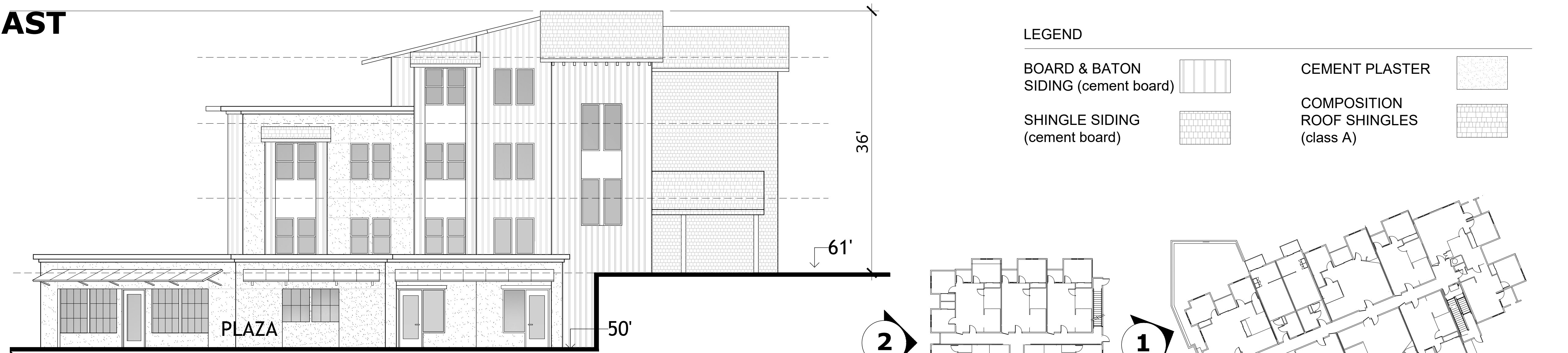


**2B**  
**3 BUILDINGS 2A & 2B ELEVATIONS: EAST**

**2A**



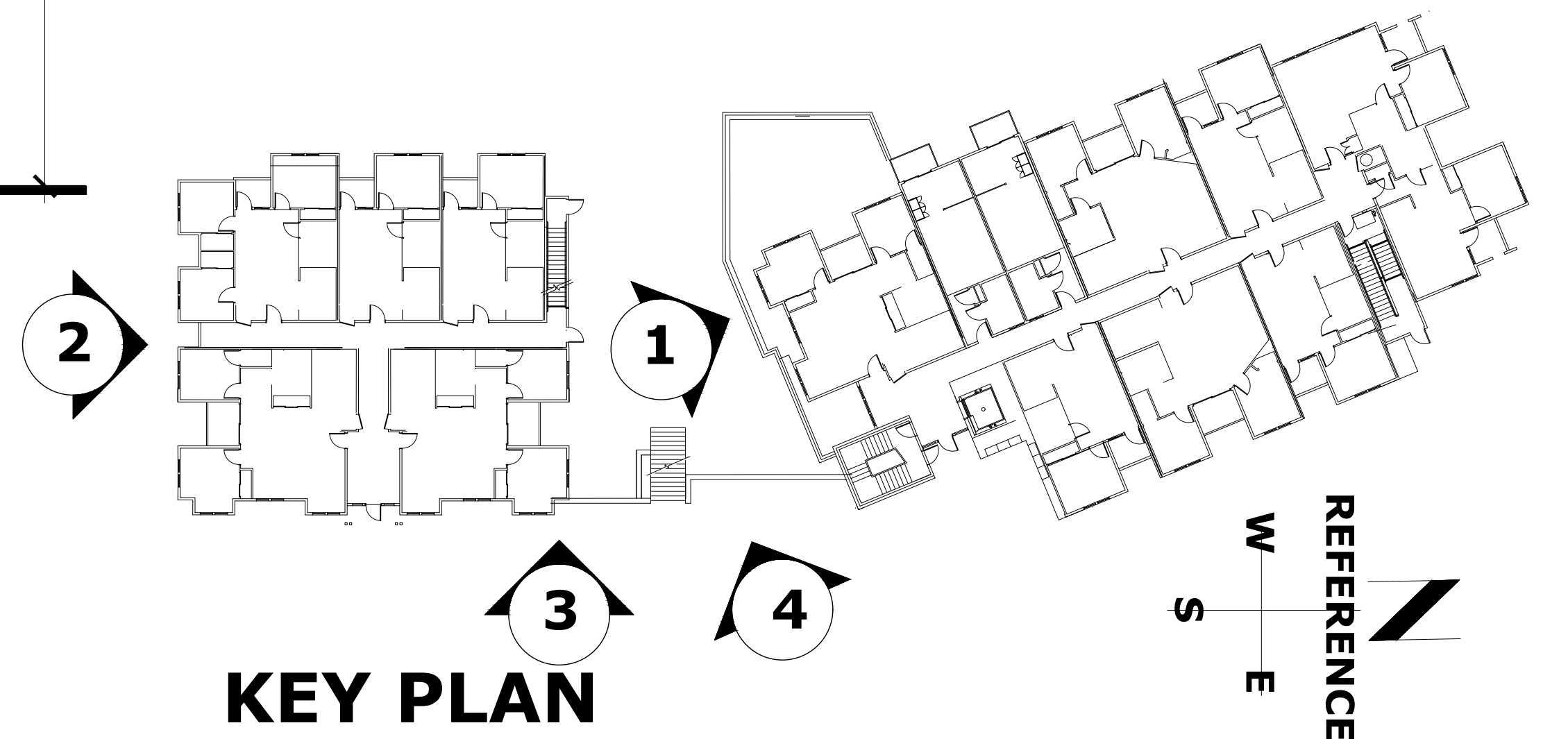
**2B**  
**2 BUILDING 2B ELEVATION: SOUTH**



**2A**  
**1 BUILDING 2A ELEVATION: SOUTH**

#### LEGEND

BOARD & BATON SIDING (cement board)		CEMENT PLASTER	
SHINGLE SIDING (cement board)		COMPOSITION ROOF SHINGLES (class A)	



## EXTERIOR ELEVATIONS BUILDINGS 2A & 2B

## KEY PLAN

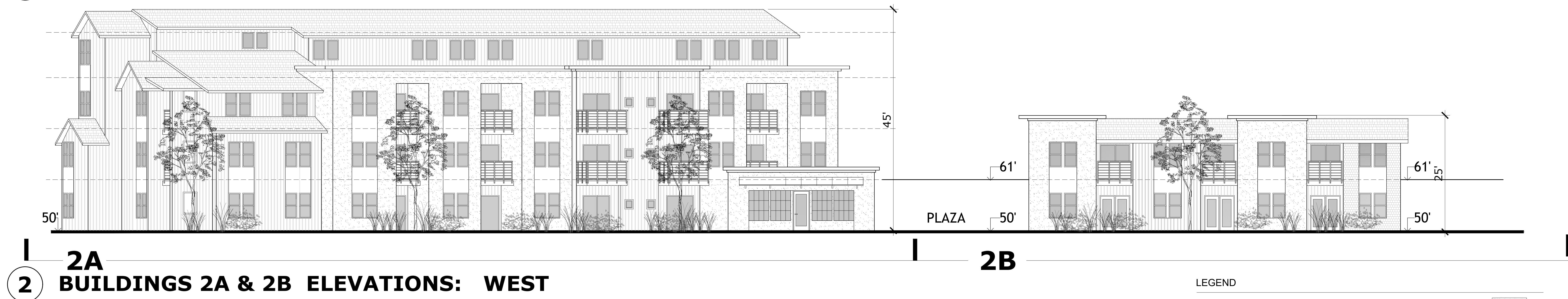
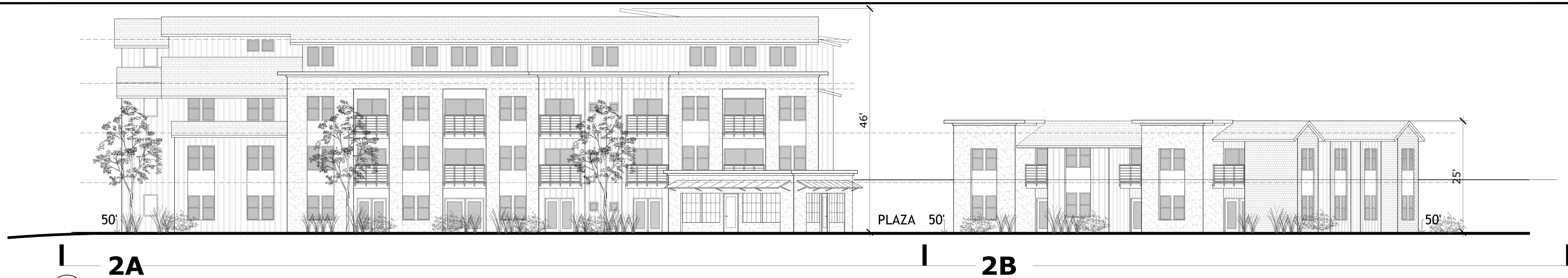
scale: 1 inch = 8 feet



# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



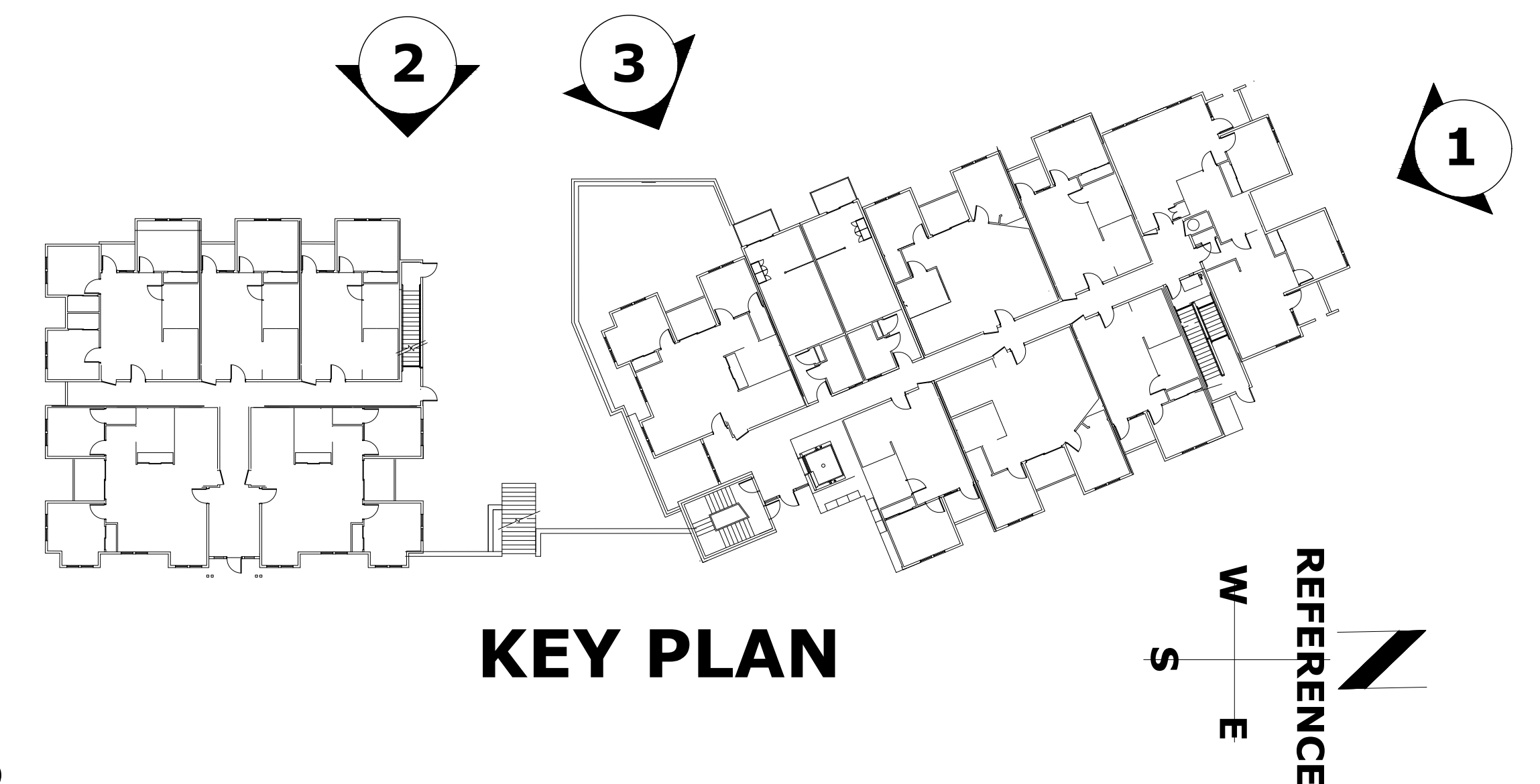
#### LEGEND

BOARD & BATON  
SIDING (cement board)

SHINGLE SIDING  
(cement board)

CEMENT PLASTER

COMPOSITION  
ROOF SHINGLES  
(class A)



## EXTERIOR ELEVATIONS BUILDINGS 2A & 2B

APRIL 25, 2024  
DATE COUNCIL HEARING #1  
SEPTEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #1  
NOVEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #2  
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ROBERT W. HAYES + ASSOCIATES  
SAUSALITO, CA  
415.332.0999

**SUNSET HEIGHTS FAMILY HOUSING**  
EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



RURAL COMMUNITIES HOUSING  
DEVELOPMENT CORPORATION  
UKIAH & ARCATA CALIFORNIA

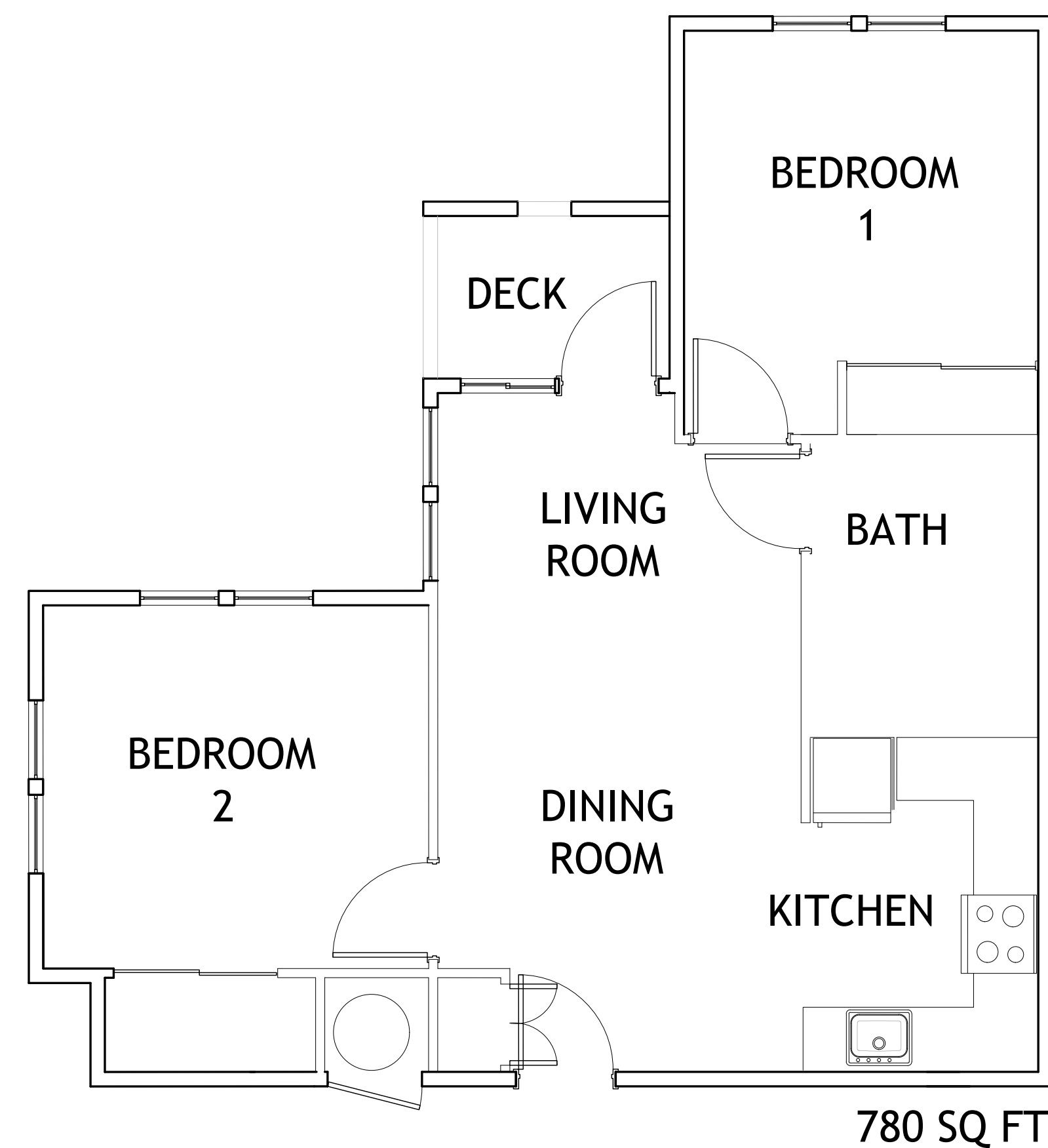
**A3.4**



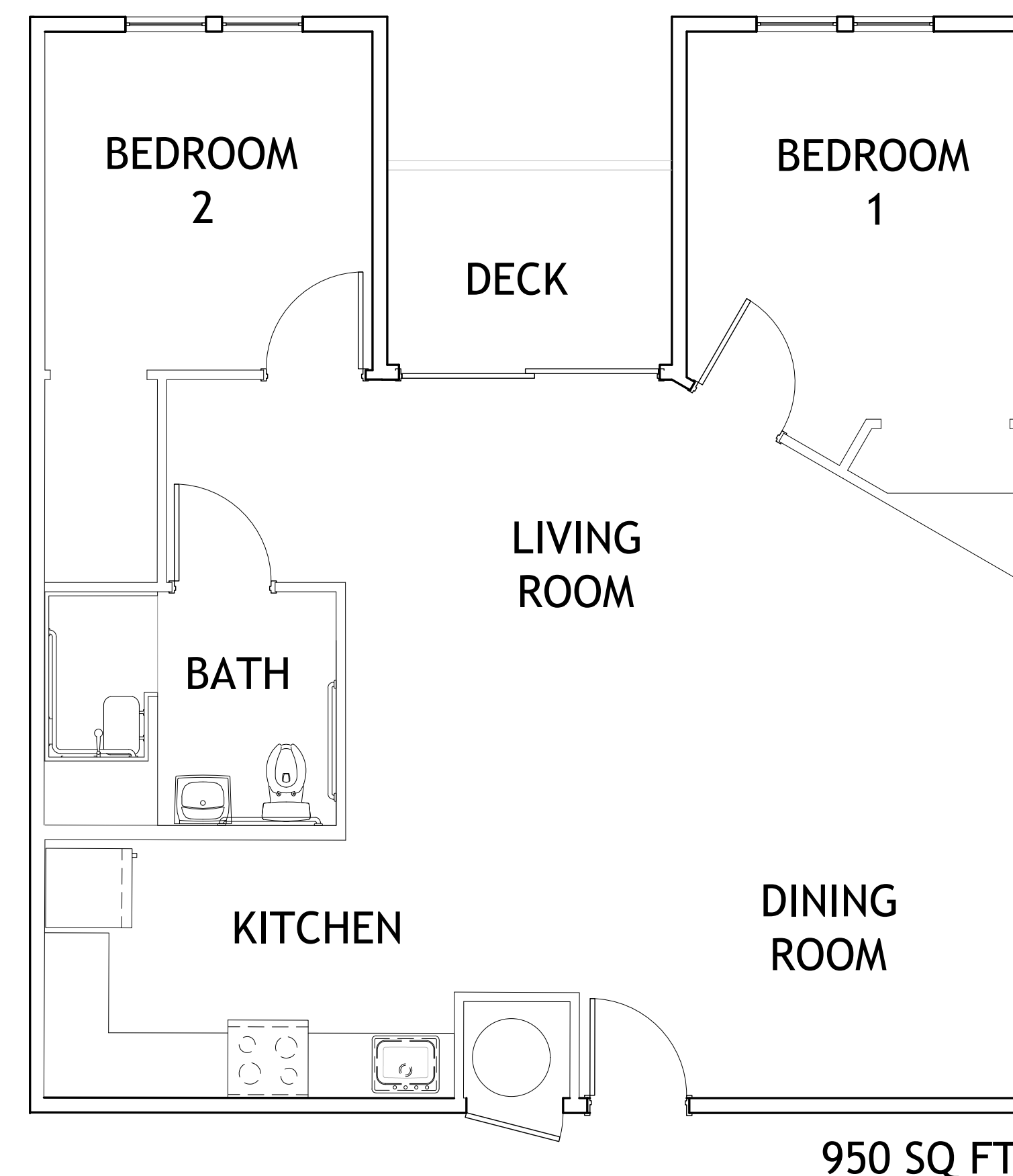
# SUNSET HEIGHTS FAMILY HOUSING

## CITY OF EUREKA CALIFORNIA

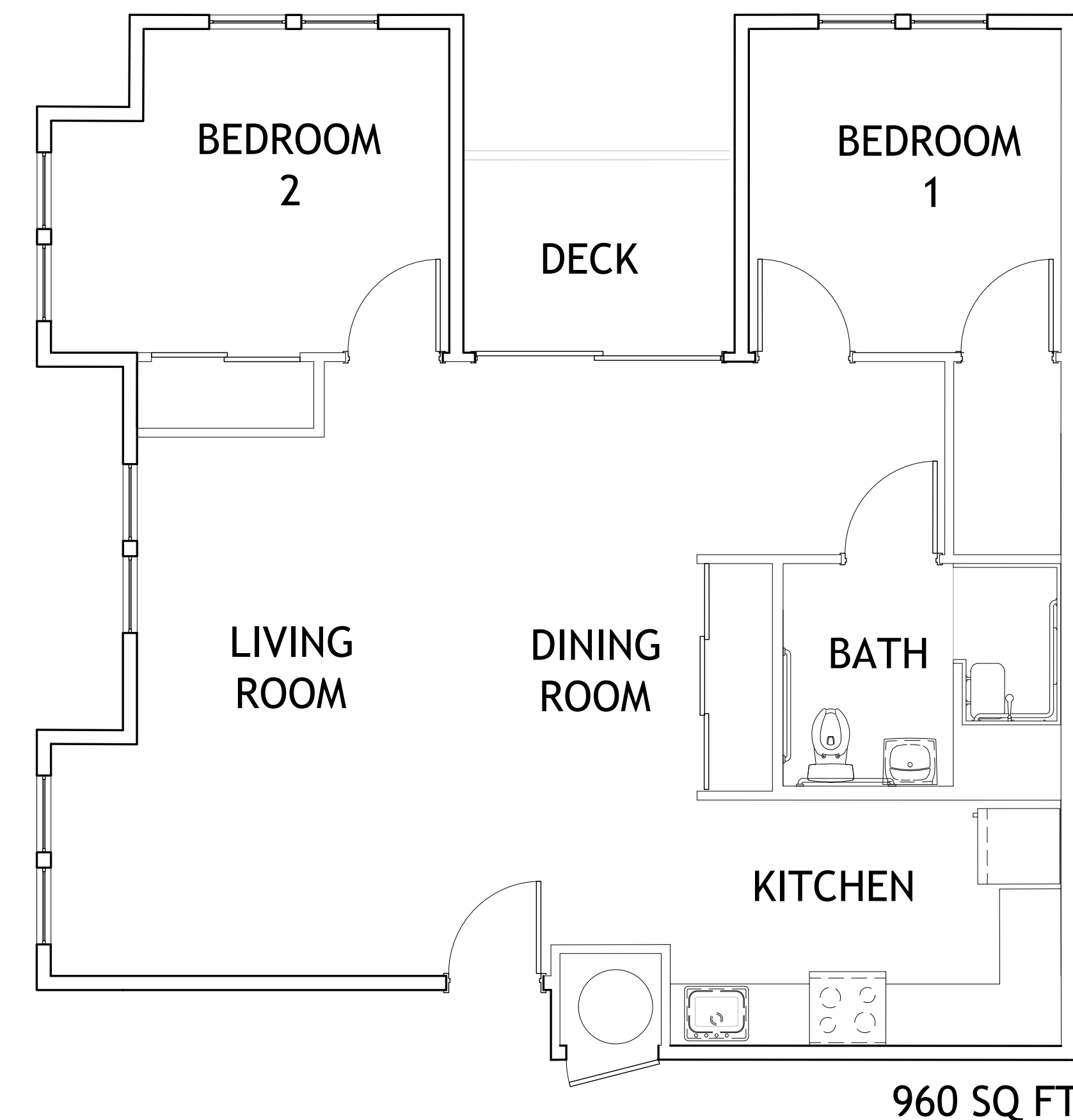
### RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



**9 PLAN UNIT A2.A  
TWO BEDROOM**



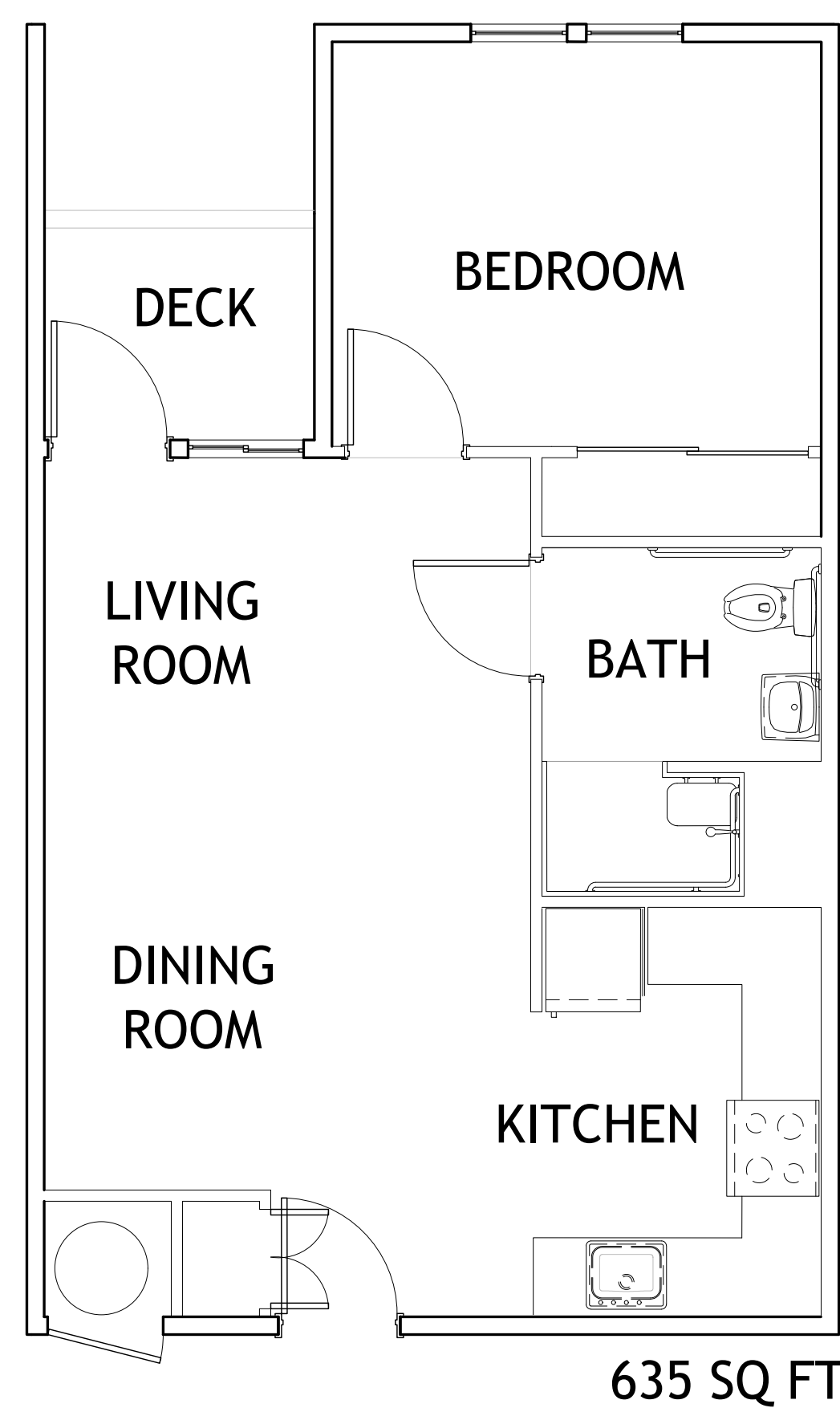
**7 PLAN UNIT A2.B  
TWO BEDROOM**



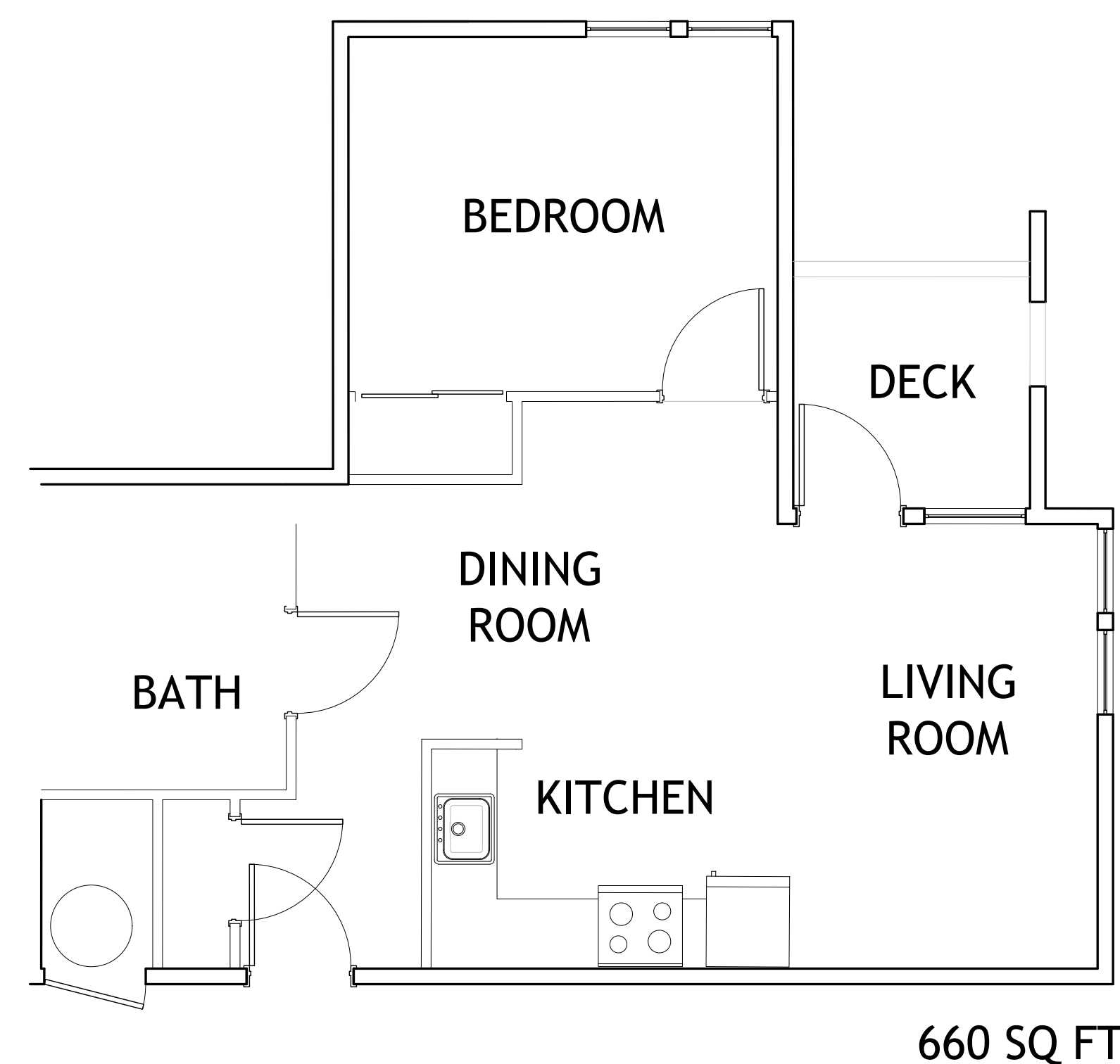
**5 PLAN UNIT A2.C  
TWO BEDROOM**



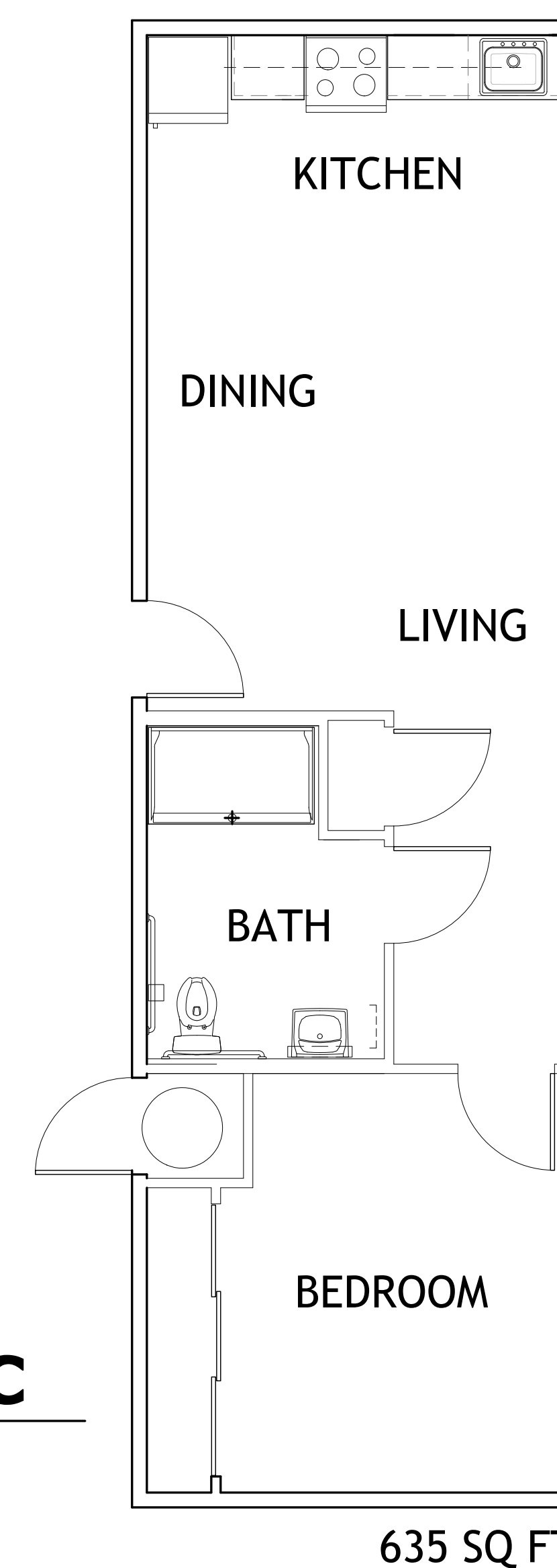
**3 PLAN UNIT A3.A  
THREE BEDROOM**



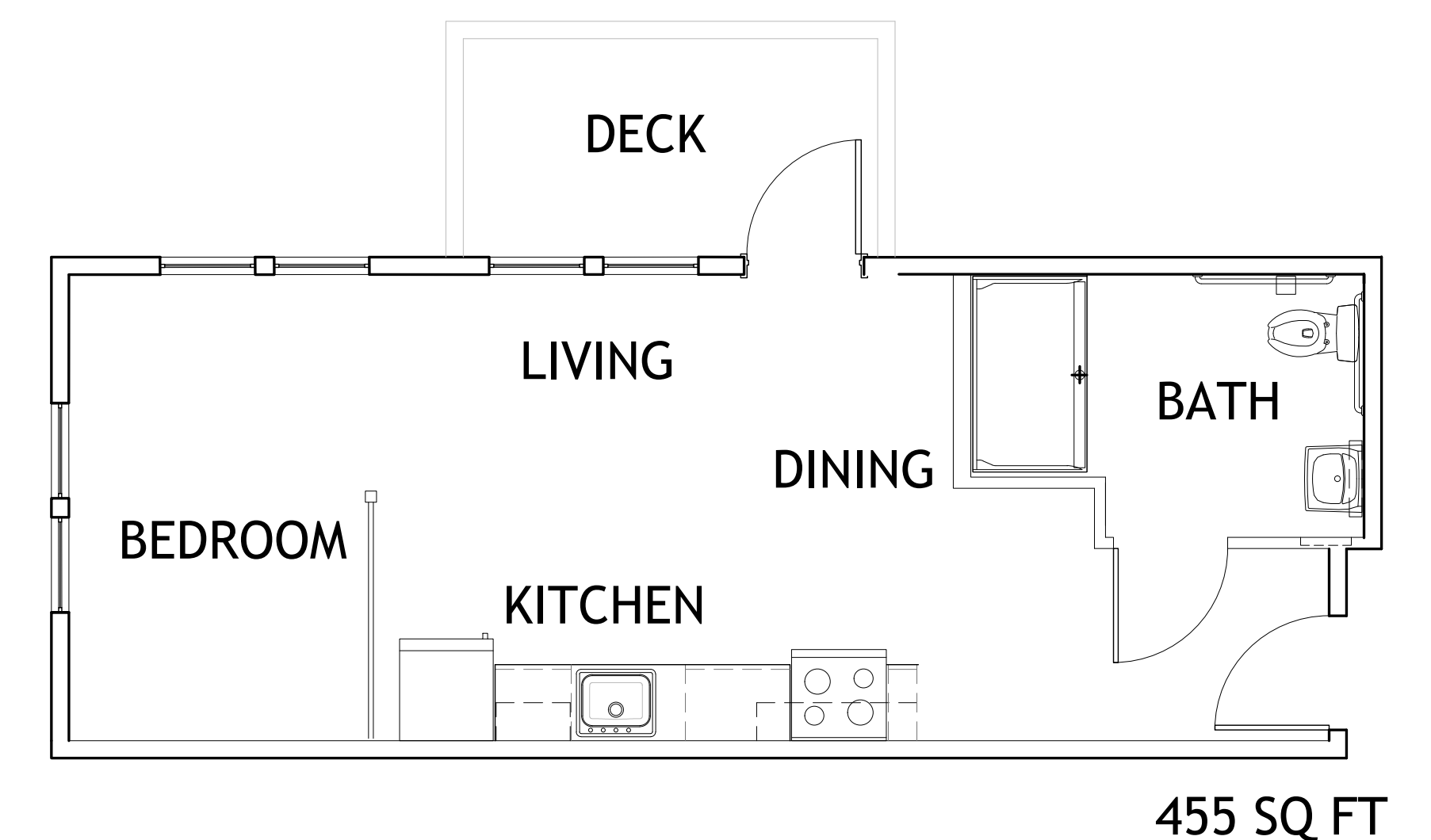
**8 PLAN UNIT A1.A  
ONE BEDROOM**



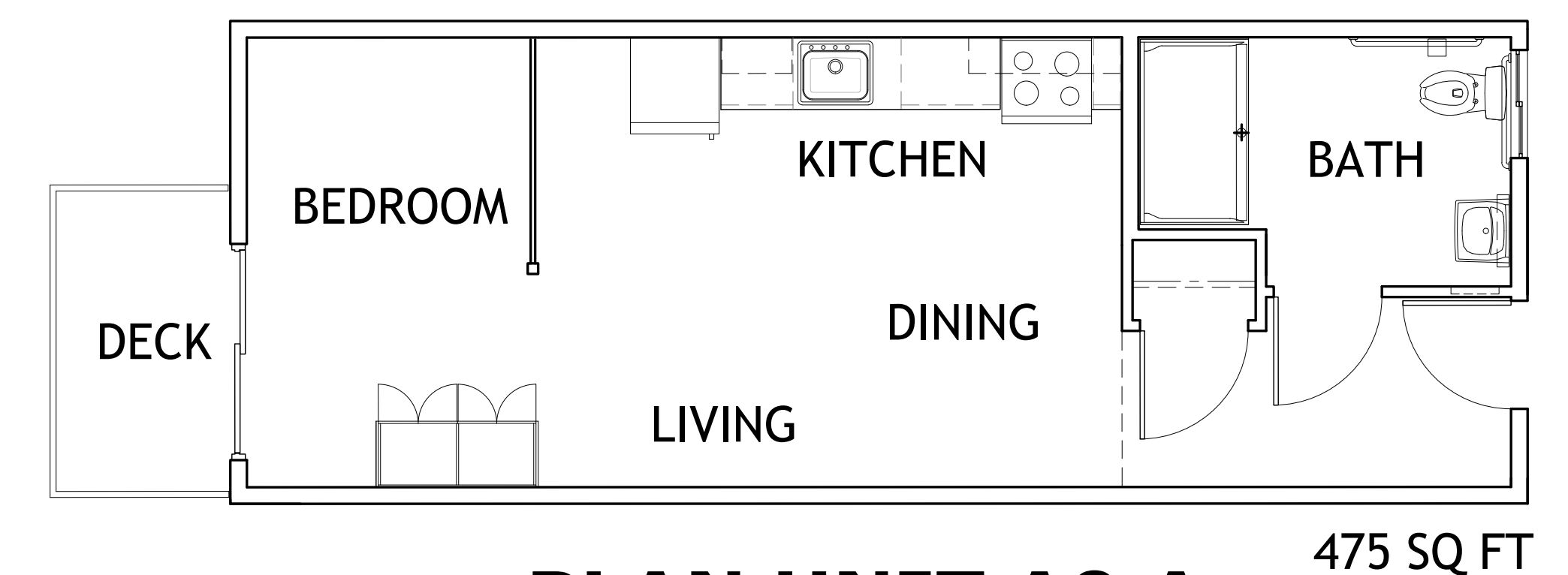
**6 PLAN UNIT A1.B  
ONE BEDROOM**



**4 PLAN UNIT A1.C  
ONE BEDROOM**



**2 PLAN UNIT A0.B  
SINGLE ROOM OCCUPANCY**



**1 PLAN UNIT A0.A  
SINGLE ROOM OCCUPANCY**

**SCALE ALL PLANS:**  
**1 inch = 4 feet**

APRIL 25, 2024  
DATE COUNCIL HEARING #1  
SEPTEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #1  
NOVEMBER 15, 2024  
DESIGN REVIEW SUBMISSION #2  
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SAUSALITO, CA  
415.332.0999

**SUNSET HEIGHTS FAMILY HOUSING**  
EUREKA CALIFORNIA  
RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION



RURAL COMMUNITIES HOUSING  
DEVELOPMENT CORPORATION  
UKIAH & ARCATA CALIFORNIA

**A4.1**



## Sunset Heights Project Description

### **PROJECT DESIGN OBJECTIVES AND PROJECT DESCRIPTION:**

In order to have a project to “fit” with the surrounding context, provide a project with quality architectural styles and build a project with high-quality, long-lasting materials the Sunset Heights project has been designed to respond to three objectives.

### **SURROUNDING CONTEXT:**

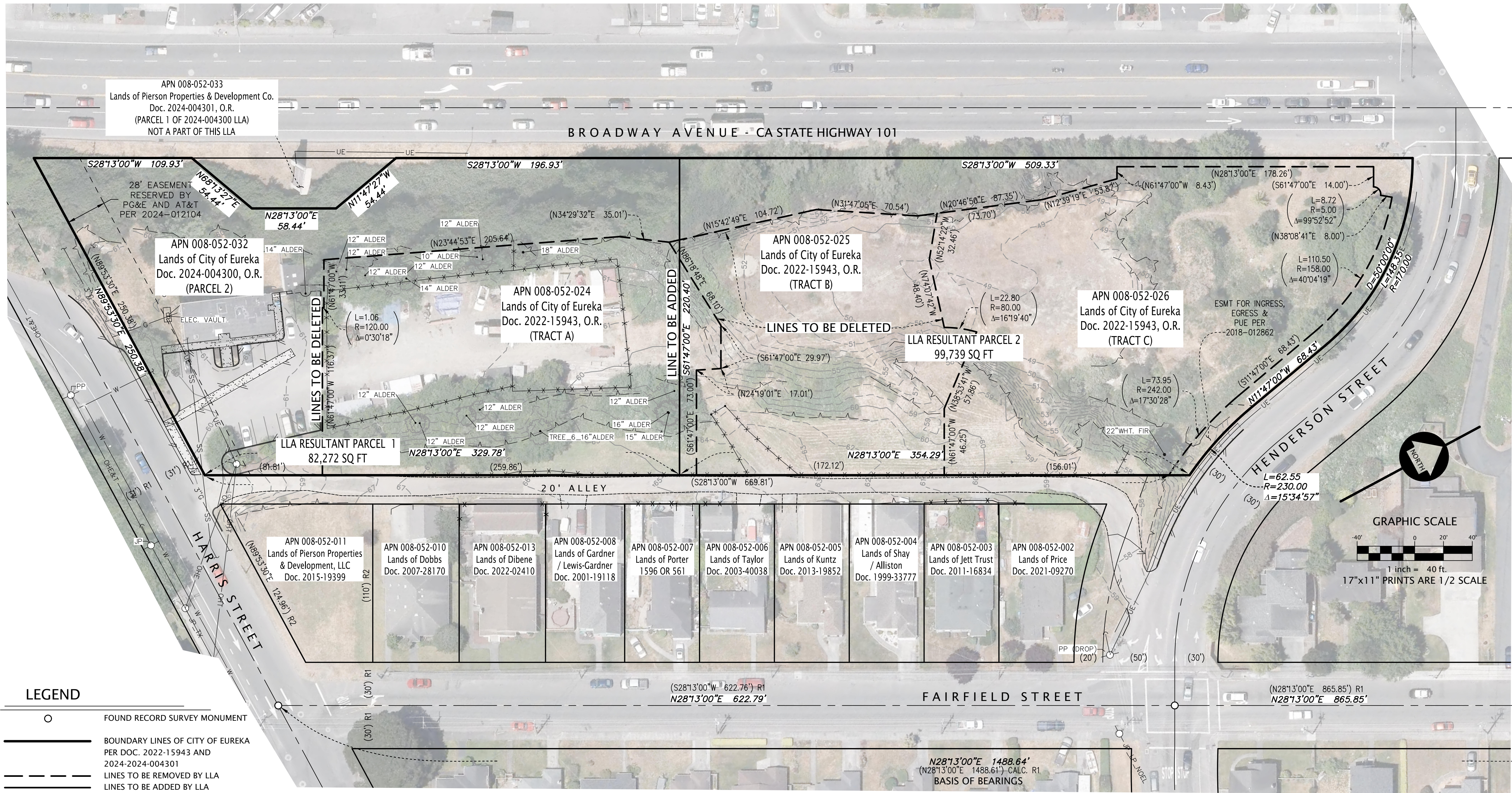
Objective number one is to create a project that fits, to the greatest extent possible, within the fabric of the existing neighborhood. To accomplish this, we employed three design tools. The topography slopes down as it moves away from the existing neighborhood. In certain locations there is a drop of 10 to 12 feet from the existing neighborhood to that where buildings were placed on the site. The first tool we used was to “tuck” an entire story of half the project into the slope so as to lower the overall height of the project relative to the surrounding neighborhood. The second tool was to break down the buildings into smaller parts mimicking the scale of the houses in the neighborhood. In the center of the development, we placed one- and two-story structures again mimicking that of the scale of the neighborhood. The third tool was to place the buildings on the site as far away from the existing neighborhood as possible. We placed landscaping, trees, circulation and a small parking lot between the proposed development and the surrounding neighborhood. The project provides building sizes, open space, and building separations that all work to create a well-balanced neighborhood scale and successfully provides a project that fits in with the neighborhood.

### **ARCHITECTURAL STYLE:**

Objective number two is to create an architectural style that enhances the existing neighborhood, is respectful of the historic styles in the City of Eureka, and one that, pushes forward new and interesting architectural forms. The secondary part of this objective is to create buildings with a vitality in the styles that breaks down the buildings into smaller interesting parts. The taller building elements are broken down with individual hip or flat roofed elements that hark back to more traditional architectural styles found throughout Eureka. This provides a backbone of traditional elements throughout the project while at the same time creating smaller scaled interesting elements across the face of the project. In the center of the project, we have inserted sloped roof elements that provide a new look or a break from the past. These roofs and the volumes below them stand out with their own individuality and vitality. The blending of architectural styles provides the project with windows to both the past and the future and a scale that has smaller building volumes allowing the overall project to fit within the existing neighborhood in a harmonious fashion.

### **HIGH QUALITY MATERIAL USE:**

Objective number three is to create long-lasting, high-quality buildings that will enhance the neighborhood throughout the life of the project. We have employed board and baton siding, shingle siding and a limited quantity of cement plaster siding to create authentic, good-looking building facades throughout the project. These materials are traditionally used to create both historically accurate architectural styles as well as more forward leaning appearances. The board and baton will be a cementitious product simulating wood and applied in separate pieces to the sides of the building. We have employed this product on numerous multifamily housing projects and it provides a lasting and authentic look. The shingles will also be a cementitious product that last long, and provide a high-quality look. Our material pallet will provide building facades that when properly maintained, will retain their intended architectural styles and enhance the neighborhood for many years into the future.



PARCEL INFORMATION

**Applicant:** Rural Communities Housing Development Corporation  
**Mailing Address:** C/O Beth Matsumoto  
499 Leslie Street  
Ukiah, CA 95482  
**Phone:** 707-845-8342  
**Email:** ematsumoto@rchdc.org  
**Agent:** Jesse Buffington  
Points West Surveying  
**Mailing Address:** 5201 Carlson Park Drive, Suite 3  
Arcata, CA. 95521  
**Phone:** 707-840-9510  
**Fax:** 707-840-9542  
**Email:** buffington@pointswestsurveying.com

**APNs:** 008-052-024, -025, -026 & -032

**Site Address:** None assigned

**Zoning:** R2 (Residential Medium)

**Minimum Lot Size:** 2,000 sf

**Front Setback:** 10 feet

**Side Setback - Exterior :** 5 feet

**Side Setback - Interior:** 0 feet

**Rear Setback alley:** 0 feet

**APN:** 008-052-032

**Address:** 1200 W. Harris St.

**Zoning:** SC (Service Commercial)

**Minimum Lot Size:** None specified

**Front Setback:** 0 feet

**Side Setback - Exterior :** 0 feet

**Side Setback - Interior:** 0 feet

**Rear Setback alley:** 0 feet

REFERENCES

- R1 The Official Map of the City of Eureka, by J.N. Lentell, RCE 4122, 5/7/1894 and updated in 1927, on file with the County of Humboldt as 001UR859B.
- R2 The Amended Map of Ocean Heights, by H.H. Hannah, LS 856, recorded in Book 11 of Maps, Pages 41-42, 4/5/1924.

LEGEND

- FOUND RECORD SURVEY MONUMENT
- BOUNDARY LINES OF CITY OF EUREKA PER DOC. 2022-15943 AND 2024-2024-004301
- LINES TO BE REMOVED BY LLA
- == LINES TO BE ADDED BY LLA
- ADJACENT PROPERTY LINES
- RIGHT OF WAY CENTERLINE
- EASEMENT LINES
- EDGES OF ASPHALT PAVEMENT
- EDGE OF TRAVELED WAY (DIRT ROAD)
- CONCRETE PAVING
- FENCE LINE
- TOP OF SLOPE
- TOPOGRAPHIC CONTOURS (ONE FOOT INTERVALS)
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC LINE
- OVERHEAD ELECTRIC LINE
- OVERHEAD TELECOM LINE
- OVERHEAD ELECTRIC & TELECOM LINES
- UNDERGROUND WATER LINE
- GAS METER
- ELECTRIC METER
- POWER POLE
- JOINT UTILITY POLE
- POLE WITH GUY ANCHOR
- FIRE HYDRANT
- WATER METER
- WATER VALVE

SURVEY NOTES:

- The purpose of this Plot Plan is to show a proposed Lot Line Adjustment (LLA) and merger, that will take four existing parcels and result in two new parcels which follow a more logical parcel layout. The purpose of the LLA is to allow for a development by Rural Community Housing Development Corporation in a more cohesive manner than would be possible with the current parcel configuration.
- The parcels are currently undeveloped. APN 008-052-032 previously had an office building and multiple accessory structures, but all structures have been removed
- Distances shown hereon are in feet and decimals thereof.
- Boundary information is shown based on the Preliminary Title Report by Fidelity National Title Company under Guarantee No. FHBT-FT02400418V, dated August 30, 2024, the Amended Map of the Ocean Heights Addition to the City of Eureka from 1924, and monument information shown on the Official Map of the City of Eureka adopted in 1894, updated in 1927. Lines of the City of Eureka parcels are shown based on the LLA recorded in Document Number 2018-12861 and the LLA recorded 2024-004300 between the City of Eureka and Pierson Company, which placed the sign for the Eureka Mall on a separate parcel (APN 008-052-053).
- Easements are shown based on the above referenced Preliminary Title Report. There are two easement listed. Item 11 is a 12' wide easement over the northeast portion of resultant Parcel 3 as shown hereon and recorded in Doc. No. 2018-012862, O.R. Item 13 is 28' wide right of way granted to the City along Harris Avenue as described in 770 OR 165 which the City of Eureka abandoned via Resolution No. 2013-31 and recorded in Document No. 2024-012104. PG&E and AT&T retained their rights to this easement.
- The subject parcel is served water and sewer by the City of Eureka, Gas and Electric service is provided by PG&E. Telephone is served by AT&T.

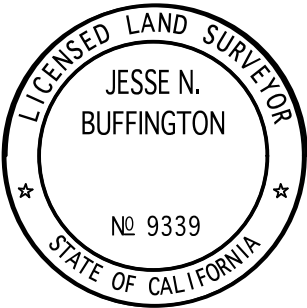
SURVEYOR'S STATEMENT

This map was prepared by me, or under my direction, and is based upon a field survey.

SIGNED Jesse N. Buffington

DATED REVISED 11/14/2024

Jesse N. Buffington  
PLS 9339



LLA LOT SIZES BEFORE LLA

APN:	008-052-024	41,703 SQ FT
APN:	008-052-025	30,531 SQ FT
APN:	008-052-026	50,876 SQ FT
APN:	008-052-032	58,901 SQ FT

LLA LOT SIZES AFTER LLA

PARCEL 1: APN 008-052-024 & PORTIONS OF APNS 008-052-032 & 008-052-025 82,272 SQ FT

PARCEL 2: APN 008-052-026 & PORTIONS OF APNS 008-052-024 & 008-052-025 99,739 SQ FT

LOT LINE ADJUSTMENT  
PLOT PLAN

APNs 008-052-024, -025, -026, and -032  
for

Rural Communities Housing  
Development Corporation

SECTION 28, T5N, R1W, HUMBOLDT MERIDIAN  
IN THE CITY OF EUREKA, HUMBOLDT COUNTY,  
STATE OF CALIFORNIA  
Date: November, 2023

SCALE: 1" = 40'

SHEET 1 OF 1

**POINTS WEST SURVEYING CO.**  
5201 Carlson Park Dr., Suite 3 - Arcata, CA 95521  
707-840-9510 - Phone 707-840-9542 - Fax



## PUBLIC WORKS DEPARTMENT

531 K Street • Eureka, California 95501-1146

Administration: 707-441-4203

Engineering: 707-441-4194

Utility Operations: 707-441-4364

[publicworks@eurekaca.gov](mailto:publicworks@eurekaca.gov) • [www.eurekaca.gov](http://www.eurekaca.gov)

To: Planning Department

From: Albert Figueroa, Assistant Engineer

Subject: Sunset Heights Design Review (DR-24-0005) and Lot Line Adjustment (LLA-24 0003)

Date: November 26<sup>th</sup>, 2024

Engineering has received and reviewed the submitted Design Review Plans and Lot Line Adjustment Plot Plan. Please address the comments below and provide an updated plan prior to building permit approval.

### 1. Site Access and Circulation

- a. One-way access should be provided off Henderson Street, through the site and onto Harris Street.
  - i. If access is one-way, a notice of future easement will be required for private access through the site.
- b. Configurations of the proposed driveways may require modifications to provide better visibility.

### 2. Site Drainage

- a. A post-construction stormwater management plan consistent with the Humboldt LID Manual will be required.

### 3. Alley Improvements

- a. Full alley grading, paving and necessary storm drain infrastructure to capture runoff will be required to the satisfaction of Public Works – Engineering.

### 4. Water Service

- a. Each parcel shall have their own dedicated water service connection.
  - i. Otherwise, a private utility easement will be required to share a water service.
- b. A water main extension will be required.
- c. Tie-in to the valve cluster at Fairfield and Henderson intersection and run the water main extension through the site or alley and tie-in to the end of line water main on Harris, west of the Fairfield and Harris intersection.
  - i. If the water meters and main are installed on the site, then an easement dedicated to the City will be required.

#### **Engineering**

Construction  
Development  
Transportation Safety  
Stormwater

#### **Field Operations**

Water Distribution  
Wastewater Collection  
Street Maintenance

Code Enforcement  
Pretreatment  
Equipment Operations

#### **Utility Operations**

Water Treatment  
Wastewater Treatment

- ii. If the water meters and main are installed in the alley, then the fire hydrants shall be private.
- 5. Sewer Service
  - a. Each parcel shall have their own dedicated sewer lateral connection.
    - i. Otherwise, a private utility easement will be required to share a sewer lateral.
  - b. Gravity sewer can be achieved by tying-in to the sewer manhole at Bayshore and Broadway or Henderson and Broadway intersections.
  - c. If the project chooses to tie-in to the sewer manholes at Harris and Fairfield or Henderson and Fairfield intersections a pressure sewer will most likely be required.
- 6. A Grading Plan will be required.
  - a. An Erosion and Sediment Control Plan (ESCP) will be required as part of the grading plan.
  - b. If there's over an acre of ground disturbance than a Stormwater Pollution Prevention Plan (SWPPP) will be required in-lieu of an ESCP.

Thank you,

Albert Figueroa  
Assistant Engineer

March 24, 2022

9710.03

Providence Supportive Housing  
800 Fifth Avenue, Suite 1200  
Seattle, Washington 98104

Attention: Walter Zisette

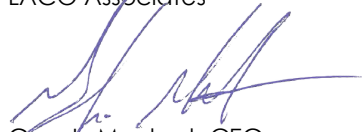
Subject: Geotechnical Exploration and Geohazard Report  
Providence Supportive Housing Development  
Fairfield Bluff, between Harris and Henderson Streets, Eureka, California

Dear Mr. Zisette:

LACO Associates is pleased to submit this report presenting the results of our Geotechnical Exploration and Geologic Hazards Evaluation for the proposed new residential developments in Eureka, Accessor's Parcel Numbers (APNs) 008-05-024, -025, -026.

If you have any questions, please contact me at (707) 443-5054.

Sincerely,  
LACO Associates



Gary L. Manhart, CEG  
Senior Engineering Geologist

GLM:naa

P:\9700\9710 Providence Supportive Housing\9710.03 Pierson Property Site Evaluation\08 Geology\Reports\9710.03 Geotechnical Exploration Geologic Hazard Report.docx

# Geotechnical Exploration and Geologic Hazard Report

Providence Supportive Housing Development  
Fairfield Bluff, between Harris and Henderson Streets, Eureka, California

March 24, 2022

Prepared for:  
Providence Supportive Housing

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## 1.0 INTRODUCTION

This report presents the results of our Geotechnical Exploration and Geologic Hazards Evaluation for the proposed future development of a 100-unit, three-story residential building at Assessor's Parcel Numbers (APNs) 008-05-024, -025, -026, located west of Fairfield Street on the Bluff, between Harris and Henderson Streets, Eureka, California ("Site," see Figure 1 – Site Vicinity Map). The site is also known as the Former Ocean View Subdivision.

Our scope of services is based on correspondence with Walter Zisette of Providence Supportive Housing (Client) dated February 1, 2022. We understand the proposed developments will consist of a three-story, wood or metal framed structure, to be used as a 100-unit apartment building. We anticipate the structure will have a footprint of 425 feet in length and 101 feet in width.

### 1.1 Scope of Services

- Review LACO's geologic soils reports and topographic maps as well as any additional information in LACO's database;
- excavation of up to two geologic borings to a maximum depth of 50 feet by a licensed drilling contractor under the supervision of a LACO-field geologist. LACO will log soils encountered during boring excavation and obtain bulk soil samples for laboratory testing, soils will be logged in general accordance with American Society for Testing and Materials (ASTM) D2488 (Visual Manual Procedures);
- Perform laboratory tests to assess soil classification, bearing capacity, strength, soil cohesion, and gradation of surface soils, as appropriate. Soil testing requirements will be determined by a Professional Geologist, Certified Engineering Geologist, and/or Professional Engineer following fieldwork and after examining soil samples in the lab;
- Perform engineering analyses to develop conclusions and recommendations regarding most suitable foundation type, bearing capacity, estimates of foundation settlement, design criteria for the recommended foundation type, lateral earth pressures, drainage, and construction considerations that may include the following as applicable:
  - Suitability of on-site material for fill
  - Fill placement and restrictions
  - Cut and fill slopes
  - Preliminary retaining wall design
  - Qualitative liquefaction potential based on mapped zones
  - Seismic Coefficients as provided by Structural Engineers Association of California and OSHPD Seismic Design Maps
  - Construction consideration based on the preceding
- Record the results of our exploration and analysis in a technical memorandum.
- Upon receipt of final construction drawings, LACO shall review final drawings for conformance to this geotechnical report and prepare a brief letter summarizing our conclusions. This assumes that there will be only one review. Additional review services will be billed on a time and material basis.

## 2.0 FIELD EXPLORATION AND LABORATORY TESTING

### 2.1 Field Exploration Program

Our engineering geologic reconnaissance was performed on February 3, 2022. Our subsurface exploration was performed on February 28, 2022, and included the excavation, sampling, and logging of two exploratory borings at the approximate locations shown on Figure 2 – Site Map. Borings GB-3 and GB-4 were advanced to depths between 21.5 and 51.5 feet below ground surface (bgs).

Our geologist logged the borings and obtained samples of the materials encountered. Soils were logged in general accordance with the American Society for Testing and Materials (ASTM) Test Procedure D2488 Visual-Manual Procedures. Logs of borings are presented in Appendix 1.

Borings were installed using track-mounted hollow-stem rotary auger equipped with 8-inch augers. Soil samples were collected with split-spoon samplers driven with a 140-pound auto-trip hammer falling 30 inches. Samplers used included a 2-inch outside diameter (OD) Standard Penetration Test (SPT) sampler. The number of hammer blows required to drive the samplers is presented in the logs. Sampler types used are indicated on the logs.

Additional information was obtained from LACO's previous evaluations of the site in 2007 in which two geotechnical borings (GB-1 and GB-2) and four backhoe pits (BP-1 through BP-4) were installed (Figure 2). The borings and pits were sampled and soils delivered to LACO's lab for analysis at that time.

### 2.2 Laboratory Testing

Undisturbed and disturbed soil samples collected during the field exploration were submitted to LACO's materials testing laboratory. Laboratory tests consisted of the following:

- Particle Size Analysis – Finer than No. 200 Sieve (ASTM D1140)
- Sieve Analysis (ASTM C136)
- Direct Shear (ASTM D3080)
- In-Place Unit Weight and Moisture Content (Consolidation and ASTM D2216/2937)
- Atterberg Limits (ASTM D4318)

Current laboratory test results along with the 2007 laboratory test results are included as Appendix 2 and are summarized in Table 1, below.

Table 1. Summary of Laboratory Test Results

Boring	Depth (feet bgs)	Unified Soil Classification System Soil Type	ASTM D1140/D422	ASTM D2216/2937	ASTM D-4318		
			Fines Content	Dry Unit Weight	Moisture Content	Plasticity Index	Liquid Limit
			(% finer than No. 200 sieve)	(pounds per cubic foot)	(%)	(%)	(%)
BP-1	3.5	SP-SM	-	122.7	7.5	-	-
BP-3	3.5	SM	-	107.8	20.6	-	-
BP-3	3.0	SM	-	101.6*	16.4*	-	-
GB-3	15	SW	11.4	-	-	-	-
GB-4	10	CL	-	-	-	12	37

\*Unit Weight and moisture from Direct Shear ASTM D-3080

Boring	Depth (feet bgs)	Unified Soil Classification System Soil Type	Sieve Analysis ASTM C-136		Direct Shear ASTM D-3080	
			Percent passing No.4 Sieve	Percent passing No.200 Sieve	Cohesion, c	Internal Angle of Friction
				(%)	(psf)	(phi)
BP-1	3.5	SP-SM	83.3	8.8	-	-
BP-3	3.0	SM	100	27.9	62	32.5

LACO will archive the soil samples collected for GB-3 and GB-4 for 60 days following the issuance of this report. Unless directed otherwise by the Client, all samples will be discarded after the 60-day archive period.

## 3.0 SITE AND SUBSURFACE CONDITIONS

### 3.1 Topography and Site Conditions

The Site consists of a roughly rectangular, approximately 5.2-acre lot east of Broadway Street in Eureka, California. The Site's western boundary comprises a bluff approximately 35 feet above Broadway, sloping at approximately 45 degrees. The Site is currently partially developed with an office building with construction material supply sheds, a storage yard, and asphaltic paved parking and driveway areas. The existing development is limited to the southern extent of the site. The remaining property is undeveloped and covered with grass and shrubs (Figure 2). The Site is generally flat with some step-down benches due to excavation of site soils. The Site is bordered to the north, south, and east by residential housing, and commercial property to the west of Broadway.

### 3.2 Geologic Setting

The Site is located within California's northern Coast Ranges Geomorphic Province, a seismically active region in which large earthquakes are expected to occur during the economic life span (50 years) of any developments on the subject property. Published mapping (McLaughlin et al, 2000) indicates the Site is underlain by Quaternary terrace deposits, consisting of non-marine sediments containing gravel, sand, silt, and clay deposited in a coastal plain environment. However, based on our site assessment and our experience in similar geologic settings in the project area, we interpret the site to be underlain by shallow marine deposits containing predominantly sands and silts to a depth of at least 50 feet below existing grade.

### 3.3 Seismicity

The Site is in a seismically active region where large earthquakes may be expected to occur during the economic life span (50 years) of the planned improvements. The seismicity of the area is dominated by the presence of the Cascadia subduction zone (CSZ) wherein oceanic crust of the Juan de Fuca/Gorda plate is being actively subducted beneath the leading edge of the North American plate. Plate convergence along the Gorda segment of the CSZ is occurring at a rate of about 30 to 40 millimeters per year (mm/yr) (Heaton & Kanamori, 1984). Petersen reports a convergence rate of 35 mm/yr for the entire segment of the CSZ (Petersen et al., 1996). Upper plate crustal deformation associated with the subduction of the Gorda plate is expressed as a 90-kilometer (km)-wide fold and thrust belt that comprises the accretionary complex along the North American plate margin (Carver, 1987).

Convergence within the accretionary complex is accommodated by growth of the fold and thrust belt (Carver and McCaig, 1996). Northwest-striking thrust faults, northeast-dipping thrust faults, and fault-related folds form imbricate thrust fans that merge into sole thrusts that extend into or near the interface between the Gorda and North American plates (Clarke and Carver, 1992). Where the fold and thrust belt extends on land between Cape Mendocino and Big Lagoon, a cumulative slip of greater than 15 kilometers (km) has been estimated from measured vertical separations of lower Pleistocene sediments across faults (Kelsey and Carver, 1988). Coupled with displacements of upper Pleistocene marine terraces, these relations indicate the fold and thrust belt is accommodating at least 20 mm/yr of northeast-southwest horizontal contraction (Clarke and Carver, 1992). The apparent youthfulness of these structures indicates the subduction zone is strongly coupled and compressive deformation within the North American plate margin is active (Clarke and Carver, 1992).

The closest active fault is the Fickle Hill fault zone, located approximately 0.5 km south of the Site. Other potentially causative faults in the vicinity of the Site include the Mad River fault zone approximately 4 km to the north and the Cascadia megathrust, approximately 66.5 km west of the Site (California Division of Mines and Geology, CDMG, 2000). The Site is not in a "Fault Rupture Hazard Zone" (Bryant and Hart, 2007), or within an area currently designated as a "Seismic Hazard Zone" by the State.

## 4.0 SUBSURFACE CONDITIONS

### 4.1 In-Situ Soil Conditions

Initial site assessments and subsurface evaluations were conducted by LACO on November 8, 2007, and included the excavation of two geotechnical borings (GB-1 and GB-2) and four exploratory backhoe pits (BP-1, BP-2, BP-3, and BP-4; Figure 3 and Appendix 1). Our initial evaluations were supplemented by additional boring (GB-3 and GB-4) on February 28, 2022, to further assess subsurface conditions in the project area. New geotechnical borings along with the previous borings and backhoe pits were located to provide a reasonable assessment and cross-sectional view of subsurface conditions to the depths explored throughout the site of the proposed developments. The cross-sectional relationships were used in our slope stability analysis and are discussed in Appendix 3.

As observed in backhoe pits, our subsurface evaluation encountered approximately 1.5 to 2.5 feet of native topsoil and soft soil across most of the subject parcel. These materials are generally compressible and are therefore considered unsuitable for bearing structural loads.

Soils encountered below this surficial topsoil layer generally comprise heterogeneous sandy silt (ML), silty sand (SM), and poorly graded sands with silt and gravel (SP, SP-SM) alluvial deposits. A clay-rich unit (CL-ML) was observed at approximately 6 to 13 feet below grade within geotechnical borings GB-1, GB-2, and GB-4 and at approximately 4.3 feet below grade in backhoe pit BP-3. The sandy soils are medium dense to dense with a general increase in density with depth. Where clayey and or silty soils are present, they are generally firm to stiff. All geotechnical boring logs and backhoe pit logs are included in Appendix 1.

## 5.0 GEOLOGIC HAZARD ASSESSMENT

Potential geologic and soil hazards assessed for the project Site include seismic ground shaking, surface fault rupture, liquefaction and related phenomena, settlement, high groundwater, flooding, and swelling or shrinking soils. The assessments for these potential hazards are presented below.

### 5.1 Seismology and Seismic Ground Motions

As noted in Section 3.3 of this report, the Site is in a seismically active area. Given the proximity of the proposed structures to active seismic sources (Cascadia subduction zone and other active faults), there is a high probability that the Site will experience strong ground shaking during the 50-year economic lifespan of the proposed development. The spectral response accelerations for seismic analysis and design of the proposed structure, as prescribed by the 2019 California Building Code (CBC) and American Society of Civil Engineers "Minimum Design Loads and Associated Criteria for Buildings and Other Structures" (ASCE 7-16), is presented in Section 7.3 of this report.

#### 5.1.1 Historic Seismicity

The project Site is in an area of historical seismic activity with a number of large earthquakes occurring during historic times. As cataloged by Topozada and Branum (2002) and the United States Geologic Survey (USGS, 2010a), the epicenters of 25 significant historical earthquakes greater than moment magnitude 6 have occurred within 100 km of the Site.

Based on mapping by Topozada et al. (2000), the Site is within an area that has experienced one earthquake with a Modified Mercalli Intensity (MMI) of VII or greater between 1800 and 1999. This earthquake occurred on November 13, 1860, with an estimated magnitude of 5.5. The epicenter was in the Samoa area, approximately 2 km northwest of the Site. The Humboldt Times reported that the earthquake resulted in the cracking of plaster walls and the settlement of chimneys in the Site vicinity.

### 5.2 Co-Seismic Ground Deformation

#### 5.2.1 Surface Fault Rupture

The Site is not located within an Alquist-Priolo earthquake fault zone and, as such, does not require a trench-based fault rupture hazard evaluation (CDMG, 2000). Based on the distance between the Site and the closest active fault, the potential for surface fault rupture to occur within the Site is low.

### **5.2.2 Liquefaction**

The Site is located in an area considered to have a moderate to low liquefaction potential (CDMG, 1995)<sup>1</sup>. As discussed in Section 4.1 of this report, in general, the stratigraphy encountered consisted of an approximately 5 feet thick layer of low plasticity sandy clay (CL) overlying medium-dense to dense silty sand, overlying dense silty sands and poorly graded sands that extended to the maximum depth explored of 51.5 feet bgs. The Site and nearby topography are gently flat with an area in the northern portion that was mined for fill material used offsite resulting in a bluff face to the west of approximately 35 feet. Groundwater was encountered at a depth of approximately 44 feet bgs during drilling. Based on findings and mapped zones we consider the potential for liquefaction induced settlement to negatively affect the project to be low.

## **5.3 Slope Instability/Landsliding**

The property is situated on a bluff overlooking Broadway Street and Humboldt Bay to the west. Our site research found no record of historical instabilities at the site and our site review encountered no evidence of previous or ongoing slope instability within the project area. Cut slopes were observed on the northern portion of the property as a result of previous site grading activities. Our quantitative assessment of slope stability (Attachment 3) indicates that a setback from the top of the bluff of 33 feet is prudent and appropriate for this site. Based on the density of the native materials and provided our set-back recommendations are adhered to, we do not anticipate slope stability to negatively affect the proposed developments.

## **5.4 Flood Inundation**

According to FEMA Flood Insurance Rate Maps, Map Number 06023C0843G and 06023C0845G, effective June 21, 2017, the proposed development is outside of the Special Flood Hazard Area. Based on this FEMA flood hazard mapping and the Site elevation, the risk of flooding to impact the study area is low.

## **5.5 Tsunami Inundation**

According to the California Geological Survey (CGS) Tsunami Inundation Map for Emergency Planning: Arcata North Quadrangle (CGS, 2021), the Site is not located in an area anticipated to experience inundation. On the basis of this mapping and the Site elevation, the risk of tsunami inundation is considered to be negligible.

## **5.6 Expansive Soils**

Expansive soils represent a significant structural hazard to buildings where site and/or climatic conditions lead to seasonal or local fluctuations in soil moisture content. In general, in the vicinity of the Site, these fluctuations in moisture content can be expected to affect no more than the upper 3 to 4 feet bgs. Based on our subsurface exploration, the fine-grained, low plasticity native clays range from 4 to 9 feet below grade. Laboratory Atterberg limits test of the clayey soils encountered indicate Plasticity Indices of 10.4 percent, indicating low plasticity. Clays in this range have a low potential for expansion. Based on this assessment, the risk of expansive soils detrimentally affecting the site is considered to be low.

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<sup>1</sup> A state of soil liquefaction occurs when, as a result of cyclic fluctuations in pore fluid pressure, sediment grains lose contact with one another, causing a momentary loss of effective stress and consequently of shear strength. Liquefaction is most commonly initiated by earthquake ground motions. Soils in a saturated, loose state and less than approximately 50 feet bgs are the most susceptible to liquefaction.

## 5.7 Existing Fills

Evidence of previous excavation activities was observed during our investigation. A topographic low exists in the northwestern portion of the proposed site. According to a local resident, approximately 10 to 12 feet of material had been removed from this area and hauled offsite for a proposed development in the 1960s. These previous excavation activities are not anticipated to negatively affect the proposed project.

## 5.8 Shallow Groundwater

Groundwater was observed during our investigation in boring GB-3 at 44 feet bgs. Mottled soils were observed in two of the four backhoe pits (BP-3 and BP-4) beginning at depths of approximately 2.0 feet bgs. At the time of our site investigation, the groundwater was probably near the highest elevation at which it may be anticipated to rise to during the wet season. The soils underlying the project site appear to be well-drained. We do not anticipate groundwater to have a negative effect on the proposed project, provided our recommendations are adhered to.

## 5.9 Settlement Due to Static Loading

The settlement that may occur on this site depends on the type of foundation system and structural loads selected to support the proposed structures. Structures supported by conventional continuous perimeter spread footings in conjunction with a slab-on-grade, which are founded on suitable soils as recommended, are not expected to experience significant total and/or differential settlement. Due to the planned height and size of the structure and that no preliminary structural loads for the proposed buildings were provided at the preparation of this report, specific amounts of settlement were not assessed. Once specific plans are developed, and anticipated loads are provided to LACO we can estimate static settlement.

# 6.0 DISCUSSION AND CONCLUSIONS

Based on the results of our exploration program, we conclude the project is feasible from a geotechnical standpoint, provided the recommendations of this report are incorporated into the project design and construction. Our field investigations and evaluation of this property indicate that much of the project site is underlain by approximately 2.5 feet of unsuitable bearing material, including native topsoil and soft soils. However, undisturbed native soils consisting of firm to stiff sandy silts (ML), medium dense silty sands (SM), medium dense well-graded sands with silt and gravel (SW-SM), and poorly graded sands (SP, SP-SM), appear suitable to bear the anticipated structural loads.

The engineering geologic and geotechnical hazards to the proposed development on the Site are:

- Strong earthquake ground shaking
- weak and unsuitable near-surface soils
- The potential for seismically induced slope instability

Provided our recommendations are adhered to, the hazard of differential settlement can be mitigated through appropriately engineered foundation design. The risks associated with strong earthquake ground shaking can also be reduced, but may not be eliminated completely, by application of current codes and seismic design practices. The hazard of slope failure can be mitigated by setting structures for human occupancy back 33 feet from the top of the slope.

## 7.0 RECOMMENDATIONS

### 7.1 Site Preparation and Grading

At the locations of the proposed new buildings and exterior flatwork and extending at least 5 feet beyond, existing pavement, foundations, irrigation lines, and underground utilities not designated to remain should be properly demolished and removed from the Site. Areas should then be stripped of any vegetation and topsoil containing organic material. We estimate the depth of stripping will be approximately 6 to 12 inches. Fill and loose soil should then be removed to expose firm natural soil. The resulting subgrade should then be scarified to a depth of 6 inches, moisture conditioned, and compacted as described in Table 2.

#### 7.1.1 Utility Trench Backfill

Trench backfill quality and compaction should generally conform to the requirements of Section 7.1.2 (Table 2) of this report. Where trenches closely parallel a shallow foundation and the trench bottom is within a two horizontal to one vertical plane projected outward and downward from the foundation, concrete slurry (two-sack minimum) should be used to backfill that portion of the trench below this plane. The use of slurry backfill is not required where a narrow trench crosses a footing at or near a right angle.

#### 7.1.2 Structural Fill

Material used as fill should be free of organic material and rocks larger than 3 inches in greatest dimension, and conform to the following requirements:

Plasticity Index:	15 percent or less
Liquid Limit:	40 percent or less
Percent passing No. 200 sieve:	50 maximum; 10 minimum

Our exploration indicates the majority of on-site materials are maybe suitable for use as fill.

Table 2. Soil Compaction Recommendations

Fill Element	Relative Compaction*	Moisture Content*
General fill - raising of site grades	90 percent	Near Optimum
Upper 6 inches of subgrade beneath hardscape	90 percent	Near Optimum
Upper 6 inches of subgrade in pavement areas	95 percent	Near Optimum
Aggregate base rock beneath hardscape	95 percent	Near Optimum
Pipe bedding and utility trench backfill	90 percent	Near Optimum

\*Relative compaction refers to the ratio of the in place dry density of the soil to the maximum dry density as described in the latest edition of the ASTM D1557 compaction test procedure. Optimum moisture content is the water content as a percentage of the dry weight of the soil corresponding to the maximum dry density.

#### 7.1.3 Surface Drainage

The Site should be graded to provide positive drainage away from foundations. A minimum gradient of 3 percent should be maintained for hardscape areas within 5 feet of a structure where this does not conflict with ADA design requirements. A 5 percent gradient should be maintained for landscaped areas not

designed to receive foot traffic within 5 feet of a structure. The grading or landscaping design and construction should not allow water to pond on the Site within a minimum of 10 feet from any engineered structure, nor to migrate beneath any structure. Runoff from hardscaped areas, roofs, patios, and other impermeable surfaces should be contained, controlled, and collected in a tight-line pipe that outlets into the Site storm drainage or infiltration system.

## 7.2 Foundations

No specific foundation designs for construction on the proposed building sites addressed in this report have been provided to us. We did not observe any adverse soil conditions that require special attention within our geotechnical borings. Soils are suitably dense to accommodate typical code foundation types. We anticipate that a concrete continuous perimeter and isolated spread footings in combination with a concrete slab-on-grade, or mat slab-on-grade alone, will likely be utilized. In our opinion, these foundation types are appropriate for the existing site conditions.

For design purposes and for foundation elements embedded into firm native soil as recommended below, a bearing value of 1,500 psf for dead load plus long-term live load should be used. For short-term live loads (wind and seismic), the bearing capacity may be increased to 2,000 psf.

*Table 3. Maximum Allowable Bearing Pressures for Shallow Spread footings*

Loading Condition	Maximum Allowable Bearing Pressure (psf)
Dead plus long-term live loads	1,500
Total, including Wind or Seismic	2,000

All fill, topsoil, and soft or loose soil material within the building footprint and foundation excavations should be removed. All foundation elements should be founded in the suitably dense, native soils encountered beginning at depths of approximately 2.5 feet below grade, or suitably prepared and tested engineered fill. The foundation excavations should be checked by the project engineering geologist, or a designated representative, prior to the placement of any engineered fill, footing forms, or reinforcing steel. If site conditions vary from those described herein, LACO should be contacted for inspection prior to construction of any work.

Any concrete floor slab-on-grade (if utilized) should have a minimum thickness of 4 inches and should be reinforced and underlain by at least 8 inches of compacted select fill consisting of Class 1, Type A permeable material (per Caltrans) to act as a capillary moisture break. To reduce the potential for moisture migration through the slab-on-grade, a plastic membrane, at least 6 mil in thickness, should be placed on the prepared subgrade. Joints between plastic sheets and openings for utility pipes should be lapped and taped. Care should be taken during construction to protect the plastic membrane against punctures. The fill under the slab-on-grade should be based on firm undisturbed native soil. The difference, if any, between the 8 inches of select fill recommended for placement under the slab-on-grade and the depth to firm undisturbed native soil should be made up with engineered fill, placed, compacted, and tested as described below.

Lateral load resistance may be developed via: (1) skin friction between the footing bottoms and underlying soil; and (2) passive resistance between the vertical faces of footings. For design, use an allowable friction coefficient of 0.30 and a passive lateral bearing pressure of 150 pounds per cubic foot (pcf) equivalent fluid pressure. Passive pressure should be neglected in the upper 1 foot of soil unless confined by concrete slabs or pavements. If friction and passive resistances are to be combined, reduce the lesser value by 50 percent.

Footings adjacent to existing utility trenches or other footings should be deepened enough to bear below a 1:1 (horizontal to vertical) plane extending upwards from the bottom edge of the utility trench or footing excavation. A representative of the project geotechnical engineer should observe the footing excavations prior to the placement of reinforcing steel and concrete forms to check that they are founded in suitable bearing materials and have been properly cleaned of loose soil.

## 7.3 Seismic Design Parameters

Earthquake design parameters presented herein are based on the CBC and the standard "Minimum Design Loads and Associated Criteria for Buildings and Other Structures," (ASCE 7-16), which, in turn, is based on a maximum considered earthquake ground motion, defined as the motion caused by an event with a 2-percent probability of exceedance within a 50-year period (recurrence interval of approximately 2,500 years). We used site parameters of location (40.781434, -124.184025), site class D, and risk level II as project input to Seismic Design Maps tool co-developed by the Structural Engineers Association of California (SEAO) and California's Office of Statewide Health Planning and Development (OSHPD) (2022). Values of those inputs and model outputs are presented in Table 4.

We refer the building designer to the exemptions listed in ASCE 7-16 to determine whether a site-specific ground motion analysis is required.

Table 4. Seismic Design Parameters

Site Class	$F_a$	$F_v$	$S_s$	$S_1$	$S_{MS}$	$S_{M1}$	$S_{DS}$	$S_{D1}$	$T_s$
D	1.0	1.7	2.738	1.09	2.738	1.853	1.825	1.235	0.677

\*  $F_v$ ,  $S_{M1}$ , and  $S_{D1}$  may only be used for calculation of  $T_s$ .

$F_a$  – Short period coefficient to modify 0.2-second period of mapped spectral response accelerations for Site Class.

$F_v$  – Long period coefficient to modify 1.0-second period of mapped spectral response accelerations for Site Class.

$S_s$  – Mapped spectral response acceleration, 5 percent damped, at 0.2-second period for Site Class.

$S_1$  – Mapped spectral response acceleration, 5 percent damped, at 1.0-second period for Site Class (in %g).

$S_{MS}$  – Maximum considered earthquake spectral response acceleration, 5 percent damped, at 0.2-second for Site Class effects (in %g).

$S_{M1}$  – Maximum considered earthquake spectral response acceleration, 5 percent damped, at 1.0-second period for Site Class effects (in %g).

$S_{DS}$  – Design spectral response acceleration, 5 percent damped, at 0.2-second period (in %g).

$S_{D1}$  – Design spectral response acceleration, 5 percent damped, at 1.0-second period (in %g).

$T_s$  – Transition period, ratio  $S_{D1}/S_{DS}$ .

## 7.4 Construction Considerations

### 7.4.1 Temporary Slopes and Trench Excavations

The contractor is responsible for the stability of temporary slopes and trenches excavated at the Site and the design and construction of any required shoring. Shoring and bracing should be provided in accordance

with all applicable local, state, and federal safety regulations, including the current OSHA excavation and trench safety standards. Because of the potential for variable soil conditions, field modifications of temporary cut slopes may be required. Unstable materials encountered on the slopes during the excavation should be trimmed off, even if this requires cutting the slope back at flatter inclinations.

## 8.0 FUTURE GEOTECHNICAL SERVICES

### 8.1 Plan Review

To better assure conformance of the final design documents with the recommendations contained in this report and provide static settlement recommendations, LACO's geotechnical department should review the completed project plans prior to construction. The plans should be made available for our review as soon as possible after completion so we can better assist in keeping your project schedule on track.

### 8.2 Construction Observation and Testing

LACO should be retained to observe and test the earthwork and foundation installation phases of construction in order to: (1) check that subsurface conditions exposed during construction are substantially the same as those interpolated from our limited subsurface exploration, on which the analysis and design were based; (2) observe compliance with the geotechnical aspects and specifications presented in the approved plans; and (3) allow design changes in the event that subsurface conditions differ from those anticipated. The recommendations in this report are based on limited subsurface information. The nature and extent of variation across the Site may not become evident until construction. If variations are then exposed, it will be necessary to re-evaluate our recommendations.

## 9.0 LIMITATIONS

This report has been prepared for the exclusive use of the Client, its design team, contractors and consultants, and appropriate public authorities for specific application to the proposed Site improvements. LACO has exercised a standard of care equal to that generated for this industry to ensure the information contained in this report is current and accurate. The opinions presented in this report are based upon information obtained from subsurface excavations, a site reconnaissance, review of geologic maps and data available to us, and upon local experience and engineering judgment, and have been formulated in accordance with generally accepted geotechnical engineering practices that exist in California at the time this report was prepared. In addition, geotechnical issues may arise that are not apparent at this time. No other warranty, expressed or implied, is made or should be inferred. A brochure prepared by ASFE (Association of Firms Practicing in the Geosciences) has been included in Appendix 4 of this report. We recommend that all individuals reading this report also read this brochure.

Data generated for this report represent information gathered at that time and at the widely spaced locations indicated. Subsurface conditions may be highly variable and difficult to predict. As such, the recommendations included in this report are based, in part, on assumptions about subsurface conditions that may only be observed and/or tested during subsequent project earthwork. Accordingly, the validity of these recommendations is contingent upon review of the subsurface conditions exposed during construction in order to check that they are consistent with those characterized in this report. Upon request, LACO can discuss the extent of (and fee for) observations and tests required to check the validity of the recommendations presented herein.

The opinions presented in this report are valid as of the present date for the property evaluated. Changes in the condition of the property can occur over time, whether due to natural processes or the works of man, on this or adjacent properties. In addition, changes in applicable standards of practice can occur, whether from legislation or the broadening of knowledge. Accordingly, the opinions presented in this report may be invalidated, wholly or partially, by changes outside our control. Therefore, this report is subject to review and should not be relied upon after a period of three years, nor should it be used, or is it applicable, for any property other than that evaluated. This report is valid solely for the purpose, site, and project described in this document. Any alteration, unauthorized distribution, or deviation from this description will invalidate this report. LACO assumes no responsibility for any third-party reliance on the data presented. Additionally, the data presented should not be utilized by any third-party to represent data for any other time or location.

## 10.0 REFERENCES

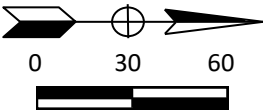
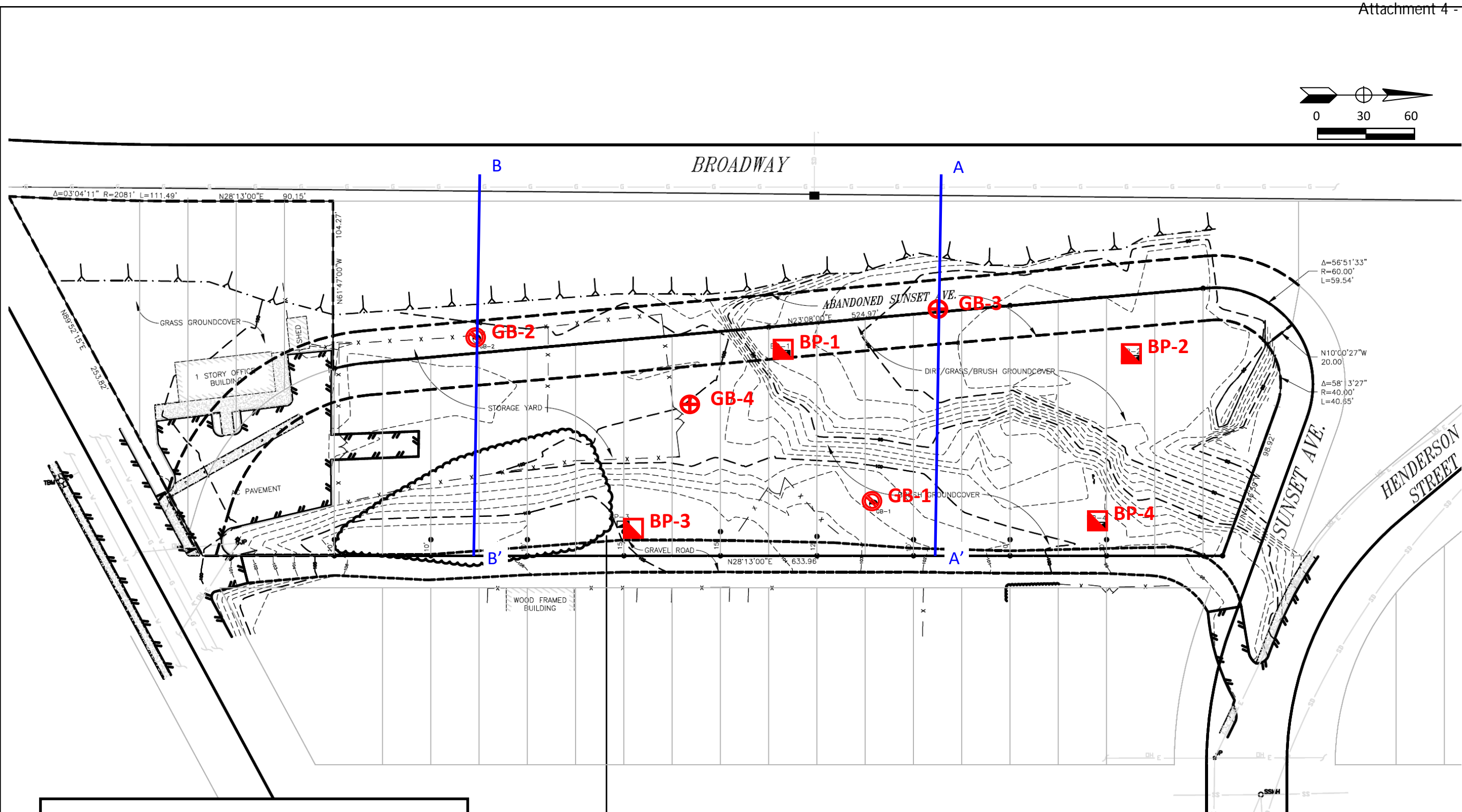
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## FIGURES

<b>Figure 1</b>	<b>Site Vicinity Map</b>
<b>Figure 2</b>	<b>Site Map</b>
<b>Figure 3</b>	<b>Geologic Map</b>

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Legend

**BP-1**

11/9/07 Backhoe Pit Location

**GB-1**

11/8/07 Boring Location

**GB-3**

2/28/22 Boring Location

LACO

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BY GLM

DATE 2/10/22

CHECK

SCALE 1"=60'

Geologic Soils Report, Providence Supportive Housing  
Eureka, California

Site Map

FIGURE

2

JOB NO.

9710.03

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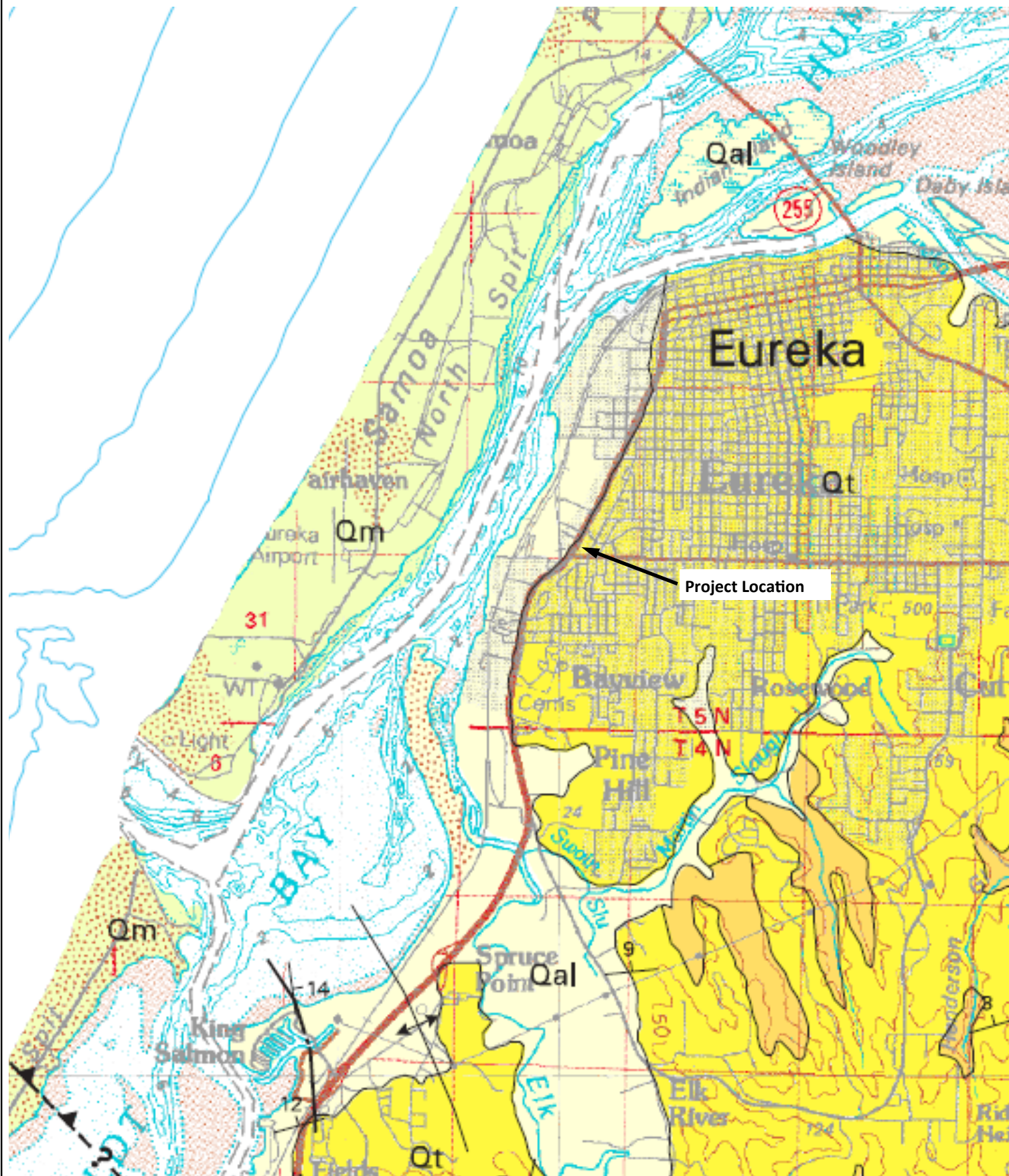
PROJECT	Geologic Soils Report
CLIENT	Providence Supportive Housing
LOCATION	Eureka, California
	Geologic Map

Attachment 4 - Page 100

BY	GLM
DATE	2/10/22
CHECK	
SCALE	1" = 4000'

FIGURE	3a
JOB NO.	9710.03

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### DESCRIPTION OF MAP UNITS

**Ks** Sedimentary rocks (Lower Cretaceous)

## MAP SYMBOLS

**Fossil locality and number**

# Phase I Environmental Site Assessment Update

Project B (City ID Nos. City—6, 7, 8, & 9)  
Sunset Heights, Eureka,  
Humboldt County, California  
APNs: 008-052-027, 008-052-024,  
008-052-025, and 008-052-026

**Prepared for:**

**City of Eureka  
Development Services—Planning**

**March 2023**

**023021.200**



**Phone:** (707) 441-8855 **Email:** [info@shn-engr.com](mailto:info@shn-engr.com)  
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812 W. Wabash Avenue, Eureka, CA 95501-2138

Reference: 023021.200

March 7, 2023

Kristen M. Goetz, Principal Planner  
City of Eureka Development Services—Planning  
531 K Street  
Eureka, CA 95501

By E-Mail: kgoetz@eurekaca.gov

**Subject: Phase I Environmental Site Assessment Update, Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Humboldt County, Eureka, California; APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Dear Kristen M. Goetz:

Enclosed is our Phase I environmental site assessment (ESA) update for the properties identified as Humboldt County Assessor's parcel numbers (APNs) 008-052-027, 008-052-024, 008-052-025, and 008-052-026. These four parcels are located east of Broadway Street, on Sunset Heights, between West Henderson and West Harris streets. SHN understands that the City of Eureka (City) is completing this Phase I ESA as a requirement prior to the lease or sale of the properties.

As part of our detailed Phase I ESA update, SHN encountered no past or present land uses that may have generated or caused the release of regulated or hazardous materials within the immediate area of the subject property, as defined in ASTM-International (ASTM) Standard E1527-13 and E1527-21.

SHN's research completed for the subject property included site reconnaissance; reviews of historical topographic maps, street directories, Sanborn maps, and aerial photographs; review of agency records; conducting personal and telephone interviews; and completing the land use questionnaire.

No historical recognized environmental conditions (RECs) for the subject property were identified.

Historical RECs for adjacent sites evaluated during our site assessment process included:

- Former underground storage tanks (USTs) have been closed on adjacent sites and along Broadway Street. Sites along Broadway Street are lower in elevation and do not appear to have impacted the subject property. One UST Site is at a higher elevation; however, it has a case closed status and is at a distance where there is a low risk of impacting the subject property.



Kristen M. Goetz, City of Eureka

**Phase I ESA, Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Humboldt County, Eureka, California; APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

March 7, 2023

Page 2

Based upon the findings from this Phase I ESA update, SHN believes that the potential RECs on adjacent properties have been evaluated, and the information presented within have adequately addressed potential concerns regarding the past land uses. As such, we do not believe that a Phase II ESA is necessary.

If you have any comments or concerns, please call me at (707) 845-5909.

Respectfully submitted,

**SHN**



Roland Rueber, PG.  
Project Manager

RMR/MLC/PNB:ame

Enclosure: Report



# **Phase I Environmental Site Assessment Update Project B (City ID Nos. City—6, 7, 8 & 9), Sunset Heights, Eureka, Humboldt County, California**

Prepared for:

**City of Eureka**

**Development Services—Planning**

Prepared by:



812 W. Wabash Ave.  
Eureka, CA 95501-2138  
(707) 441-8855

March 2023

QA/QC: RMR   
Reference: 023021.200

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## Abbreviations and Acronyms

<b>Term</b>	<b>Definition</b>
AAI	all appropriate inquiry
APN	Assessor's parcel number
ASTM	ASTM-International
CA FID UST	Registered Storage Tanks Facility Inventory Database
CalEPA	California Environmental Protection Agency
Cal-Sites	Department of Toxic Substances Control hazardous sites listings
CCR	California Code of Regulations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS	Comprehensive Environmental Response Compensation and Liability Information System
CERS	California Environmental Reporting System
CFR	Code of Federal Regulations
CHMIRS	California Hazardous Material Incident Report System
City	City of Eureka
CORTESE	State Water Resource Control Board (LUST), the Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (Cal-Sites) listings
CRL	Confirmed Release List and Inventory
CUPA	Certified Unified Program Agency
DOQQ	digital orthophoto quarter quadrangle
DTSC	Department of Toxic Substances Control
ECSI	Environmental Cleanup Site Information System
EDR	Environmental Data Resources, Incorporated
EPA	U.S. Environmental Protection Agency
ERNS	Emergency Response Notification System
ESA	environmental site assessment
FEMA	Federal Emergency Management Agency
FEMA UST	FEMA-owned UST
FRDS PWS	Federal Reporting Data System public water system
GeoTracker	State Water Resources Control Board GeoTracker
HCDEH	Humboldt County Division of Environmental Health
HIST Cortese	Hazardous Waste and Substances Sites
HMBP	hazardous material business plan
HMIRS	Hazardous Materials Information Reporting Systems
LQG	large quantity generator
LUCIS	local land use control information
LUST	Leaking Underground Storage Tank Incident Reports database
NAIP	National Agriculture Imagery Program
NPL	National Priorities List
NR	no reference
NWI	National Wetland Inventory
PICO	Pierson Investment Company
PG&E	Pacific Gas and Electric
R2	Residential Medium
RCRA	Resource Conservation and Recovery Act



<b>Term</b>	<b>Definition</b>
RCRA NONGEN/NLR	Resource Conservation and Recovery Act Non-Generators/No Longer Regulated
REC	recognized environmental condition
RWQCB	North Coast Regional Water Quality Control Board
SC	Service Commercial
SMARTS	Stormwater Multiple Application and Report Tracking System
SWEEPS UST	Statewide Environmental Evaluation and Planning System Underground Storage Tank listing
SWF/LF	Solid Waste Facilities/Landfill Site database
SWRCB	State Water Resource Control Board
USC	United States Code
USDA	U.S. Department of Agriculture
USGS	United States Geological Survey
UST	underground storage tank



# 1.0 Introduction

## 1.1 Purpose

In February 2023, SHN conducted a Phase I environmental site assessment (ESA) update for the properties identified as Humboldt County Assessor's parcel numbers (APNs) 008-052-027, 008-052-024, 008-052-025, and 008-052-026 (subject property). The subject property is located east of Broadway Street on Sunset Heights, between West Henderson Street and West Harris Street. Vicinity and subject property maps are included as Figures 1 and 2, respectively. This Phase I ESA update was requested by the City of Eureka (City) Development Services—Planning, in support of providing due diligence prior to the development of the properties.

The purpose of conducting a Phase I ESA is to assess the subject property, largely based on current circumstances, with respect to the presence or absence in the environment of regulated or hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and Department of Toxic Substances Control (DTSC) Title 22 of the California Code of Regulations (CCR). This Phase I ESA was prepared in general accordance with ASTM-International (ASTM) Standard Practice E1527-13 and E1527-21 for the Phase I ESA process.

This Phase I ESA was also conducted in accordance with the regulations and sections according to the U.S. Environmental Protection Agency (EPA) Final Rule, which pertains to standards and practices for all appropriate inquiries (AAI). The AAI Rule requires the environmental professional to include an opinion regarding additional appropriate investigation, if any, to detect the presence of hazardous substances or petroleum products. This practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner defense to CERCLA liability; that is, practices that constitute "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice," as defined in 42 United States Code (USC) 9601 (35)(B).

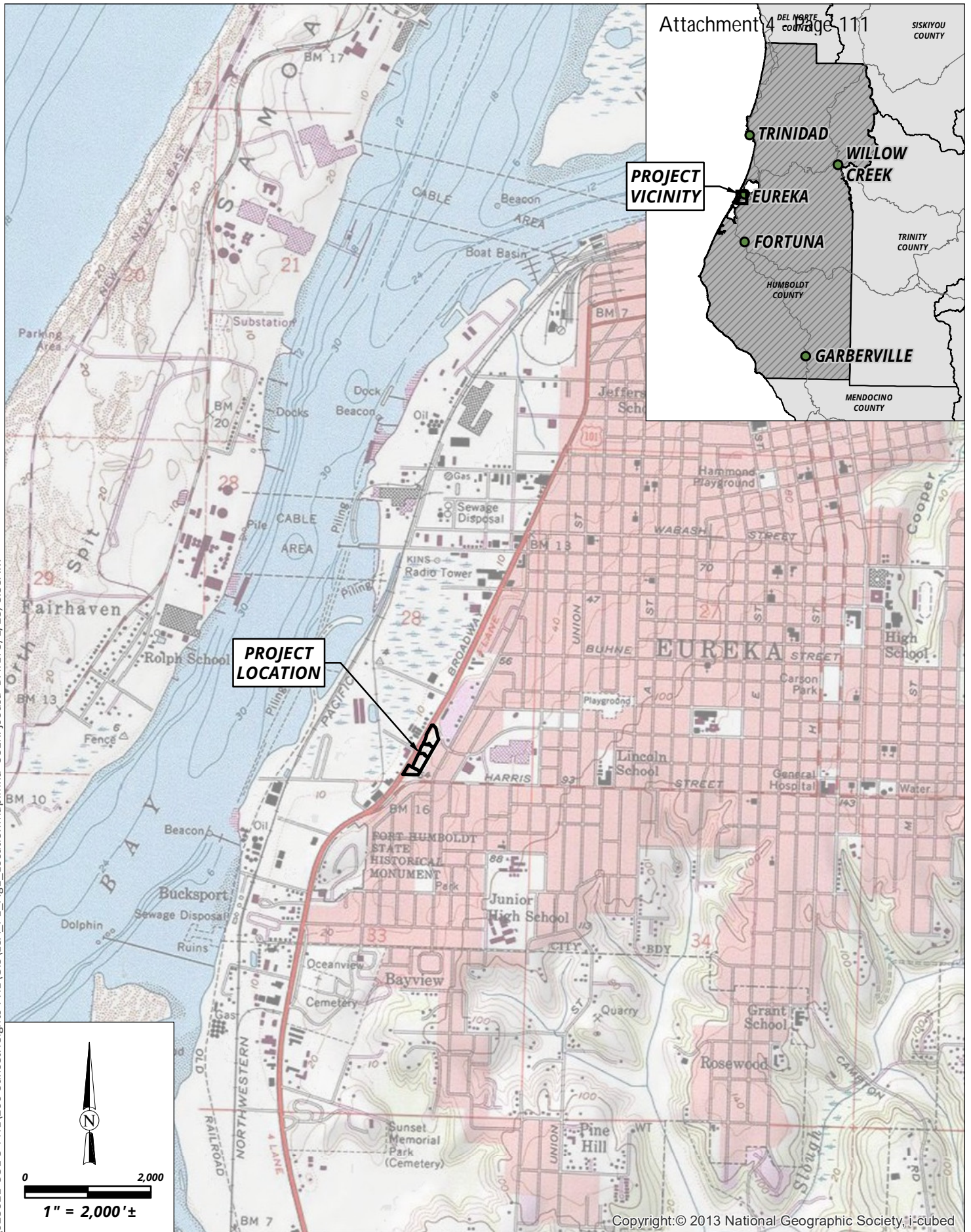
This report has been prepared on behalf of, and for the exclusive use of, the City of Eureka, and their designated representatives; furthermore, it is subject to and issued in connection with the agreement with SHN and the provisions thereof.

## 1.2 Involved Parties

**Table 1. Involved Parties**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Current Property Owner and Site Contact	
Name: City of Eureka	Phone Number: (707) 441-4144
Mailing Address: 531 K Street, Eureka, CA 95501	
Client Information	
Name: Kristen M. Goetz, Principal Planner City of Eureka—Development Services, Planning	Phone Number: (707) 441-4166
Mailing Address: 531 K Street, Eureka, CA 95501	





City of Eureka Development Services, Planning  
Phase 1 Environmental Site Assessment Update  
Eureka, California


**Project Location Map**  
**Project B - Sunset Heights**  
March 2023 - 023021.200


**Figure**  
**1**



P:\Eureka\2023\023021-COE-5-PH1\200-SunsetHeights-PH1\GIS\ESA\_P1\_Fig2\_SiteMap.mxd USER: jsousa DATE: 3/1/23, 8:52AM

**EXPLANATION**

 **PARCEL BOUNDARY**

  
0 200  
1" = 200'±

**PHOTO SOURCE:**  
USDA NAIP, 2020

### 1.3 Scope of Work

In accordance with ASTM Standard E1527-13 and E1527-21, SHN performed the following ESA services in preparation of this document:

- Conducted field reconnaissance of the subject property to look for evidence of existing or potential soil and groundwater contamination, or other potential recognized environmental conditions (RECs).
- Provided color photographs of the subject property (Appendix 1).
- Conducted a survey of the subject property vicinity to identify businesses or facilities that may use, produce, and/or store reportable quantities of hazardous materials or generate hazardous waste. SHN conducted a perimeter survey of the immediately adjacent properties for obvious signs of potential contaminant migration.
- Reviewed local and regional geological and groundwater conditions in the vicinity of the subject property. Identified existing or proposed municipal infrastructure for the subject property and vicinity, including potable water, wastewater, and stormwater provisions, as mandated by the ASTM guidelines.
- Reviewed and/or discussed selected regulatory agency files and records that are maintained at the North Coast Regional Water Quality Control Board (RWQCB), City of Eureka, and the Humboldt County Division of Environmental Health (HCDEH) to evaluate whether the subject property or any of the immediately adjacent properties are likely to be potential hazardous materials threat to the subject property (Appendix 2).
- Examined aerial photographs of the subject property taken over an approximate 82-year period and reviewed the available United States Geological Survey (USGS) topographic maps, historical city street directories, and Sanborn Fire Insurance maps (Appendix 3). Additionally, SHN reviewed the Assessor's parcel map, other maps of interest, and other reasonably ascertainable standard sources for developing a continuous site history dating back to the first known development, as recommended by the ASTM guidelines.
- Using the ASTM-designated search radii, SHN reviewed publicly available federal, state, county, and other regulatory agency lists and databases (including Comprehensive Environmental Response Compensation and Liability Information System [CERCLIS], National Priorities List [NPL], and several other federal, tribal, and state listed sites) with known hazardous materials contamination and/or registered underground storage tanks (USTs) that are presently or were previously located on or near the subject property (Appendix 4).
- Reviewed and completed a land use questionnaire (supplied by SHN). The user of this Phase I ESA and owner of the subject property is the City of Eureka. Kristen M. Goetz completed the User questionnaire and Site Assessment questionnaire as a representative for the City of Eureka. The City of Eureka and SHN have completed the required site observation questionnaires for the subject property (Appendix 5).
- Identified and commented on the existence and significance of potential data gaps.
- Identified any RECs (if applicable).
- Provided an opinion regarding the need for additional appropriate investigation.
- Commented on the potential for vapor intrusion, as required by ASTM E1527-13 and E1527-21.



## 2.0 Site Overview

### 2.1 Location

City of Eureka—Project B sites are comprised of four parcels identified as Humboldt County Assessor's parcel numbers (APNs) 008-052-027, 008-052-024, 008-052-025, and 008-052-026 (subject property). The subject property is located east of Broadway Street on Sunset Heights, between West Henderson Street and West Harris Street, in the City of Eureka, Humboldt County, California. The approximate elevation of the subject property ranges from approximately 20 to 40 feet above mean sea level, according to the topographic maps.

The subject property consists of four parcels connected in a line that is generally oriented north to south. The southern-most parcel (APN 008-052-027, Lot #6) is located adjacent to West Harris Street and is occupied by a vacant office building and parking lot. Moving north, the next parcel (APN 008-052-024, Lot #7) is occupied by a construction and storage yard, which contains shipping containers and portable sheds that store miscellaneous construction tools and supplies as well as some large equipment storage from the previous occupant. The previous occupants, Pierson Investment Company (PICO) and Pierson Properties & Development LLC, are in the process of relocating. The two northern parcels (APNs 008-052-025, Lot #8; and 008-052-026, Lot #9) are undeveloped and are vegetated with grass, shrubs, and some trees.

Parcel 008-052-027 is zoned Service Commercial (SC), while the remaining parcels are zoned Residential Medium (R2) under the jurisdiction of the City of Eureka. The subject property is situated outside the Coastal Zone, and predominant land use within the general area includes residential and commercial (City, 2022).

Mean annual rainfall in the area is approximately 40 inches.

### 2.2 Subject Property Description

The subject property is situated in the southern portion of the City of Eureka (City). The subject property is comprised of four parcels, connected in a line that is generally oriented north to south. The southern parcel (APN 008-052-027) is approximately 0.58 acres in size and is zoned as Service Commercial. The office building that occupies this parcel was moved onto the subject property and was remodeled in 1999, and historically had an address of 1200 West Harris Street. Moving north, the next parcel (APN 008-052-024) is 0.96 acres in size and is zoned as Residential Medium. The two northern parcels (APNs 008-052-025 and 008-052-026) are undeveloped and are zoned Residential Medium (City, 2022).

The upper portion of the subject property is perched on top of a marine terrace that sits approximately 40 feet above mean sea level (MSL). There is a steep, vegetated hillside that runs adjacent to the western side of the subject property, which drops down from the terrace surface to Broadway Street (U.S. Highway 101). The three southern parcels are generally flat, while the northern parcel displays hummocky terrain and is sloped to the north.

### 2.3 Utility Features

Utility features are present and associated with parcel 008-052-027 and described below.



### 2.3.1 Sewer

The subject property is connected into the City of Eureka's sewer system. There are no known leachfields or septic tanks on the subject property, although there is a lift station to pump wastewater into the City's wastewater collection system.

### 2.3.2 Water Supply

The subject property is connected to the City of Eureka's water system. There are no known water supply wells on the subject property.

### 2.3.3 Stormwater

The parking area is paved, and stormwater flows south to S. Harris street which has storm drains.

### 2.3.4 Electricity and Fiber Optics

Electricity is supplied by Pacific Gas and Electric (PG&E) from a power pole on the southeastern side of the parking area. No overhead lines were observed; therefore, it is assumed that electrical and communications lines run underground to the building. Utility lines traverse the eastern border of the construction yard and supply electricity to some of the sheds and trailers.

### 2.3.5 Natural Gas

A PG&E gas meter and other utility hookups are situated on the south side of the office building.

## 2.4 Adjacent Properties

**North:** Immediately north of the subject property is West Henderson Street, which is a paved, three-lane, one-way street. West Henderson Street intersects with Broadway Street (U.S. Highway 101) northwest of the subject property. North of West Henderson Street are commercial and residential areas.

**West:** Immediately west of the subject property is a vegetated, steep hillside, that drops approximately 20 feet down to Broadway Street (U.S. Highway 101). Broadway Street is a paved, four-lane road with a middle converging lane. Immediately west of Broadway Street are commercial buildings, parking lots, paved streets, and sidewalks.

**South:** Immediately south of the subject property is West Harris Street, which is a paved, three-lane, one-way street. West Harris Street intersects with Broadway Street (U.S. Highway 101) approximately 0.25 miles southwest of the subject property. South of West Harris Street are residential areas.

**East:** Immediately east of the subject property is an alleyway that provides access to the backside of a row of residential structures that face Fairfield Street. East of the residential structures are additional paved roads and neighborhoods with some commercial buildings.

During the site walk, SHN did not observe any evidence of a hazardous materials release or potential release onto the subject property from the adjoining sites. Site reconnaissance photographs of the subject property and adjacent sites are included in Appendix 1.



## 2.5 Preliminary Title Report

A title report was provided by the City of Eureka and is included in Appendix 2. Several easements were noted in the report.

## 2.6 Synopsis of Results of Previous Environmental Investigations–EDR Database

Using the ASTM Standard Practice E1527-13 and E1527-21 recommended search radii, SHN reviewed the EDR database, which tracks sites with known hazardous materials and hazardous material releases (Appendix 4). EDR did not identify any potential or confirmed state or federal “Superfund” site located on or immediately adjacent to the subject property during its review of the EPA’s CERCLIS and NPL databases.

The subject property does not appear on the EPA’s Emergency Response Notification System (ERNS) database or contain any business or facility that is listed as a Resource Conservation and Recovery Act (RCRA) large quantity generator (LQG). SHN reviewed databases regarding hazardous materials contamination that are maintained by the following agencies:

- U.S. Environmental Protection Agency (EPA)
- National Priority List (NPL) sites
- Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) sites
- Federal RCRA sites
- Federal Emergency Response Notification System (ERNS) sites
- State and tribal–equivalent CERCLIS; Confirmed Release List and Inventory (CRL); and Environmental Cleanup Site Information System (ECSI)
- State and tribal landfill and/or solid waste disposal site lists; Solid Waste Facilities database (SWF/LF)
- State and tribal leaking storage tank lists: Leaking Underground Storage Tank database (LUST)
- State and tribal registered storage tanks lists; Underground Storage Tank database (UST)
- Federal listing of Federal Emergency Management Agency (FEMA)-owned USTs (FEMA UST)

Many other lists, such as, Brownfield sites, open dump inventories, illegal dump sites, historical and old closed solid waste disposal sites, clandestine drug labs, federal CERCLA and local lien information, local land use control information (LUCIS), Hazardous Materials Information Reporting Systems (HMIRS), and spill data regarding oil and hazardous materials reported to the Environmental Response Program



## 3.0 Environmental Setting

### 3.1 Regional Physiography

#### 3.1.1 General Physiography

According to the EDR report (Appendix 4), the subject property is not included in the National Wetland Inventory (NWI) mapping and is not located within the 100-year flood zone.

#### 3.1.2 Tectonic Setting

The subject property is located within a region of active tectonic deformation, with large-scale features. Northwestern California is in a complex tectonic region dominated by northeast-southwest compression associated with collision of the Gorda and North American tectonic plates. The Gorda plate is being actively subducted beneath North America, north of Cape Mendocino, along the southern part of what is commonly referred to as the Cascadia subduction zone. This plate convergence has resulted in a broad fold-and-thrust belt along the western edge of the accretionary margin of the North American plate. In the Humboldt Bay region, this fold-and-thrust belt is manifested as a series of northwest-trending, southeast-vergent thrust faults. These faults are active and can generate moderate-to-large magnitude earthquakes. The subject property is not located within an Alquist-Priolo Zone.

### 3.2 Soil Conditions

According to the EDR report, geology in the vicinity of the subject property was mapped as Cenozoic Quaternary deposits. The dominant upper soil component in the vicinity of the subject property is Ferndale, a Class B silt loam with moderate infiltration rates (Appendix 4).

### 3.3 Groundwater Conditions

According to the EDR report, the federal USGS, and the Federal Reporting Data System Public Water System (FRDS PWS) well information, no active public supply well is listed as being within 1 mile of the site. Groundwater beneath the site is estimated to be flowing to the west, toward Humboldt Bay.

## 4.0 Results of Investigation

### 4.1 Field Reconnaissance

SHN staff performed the field reconnaissance on February 2, 2023, which consisted of a visual inspection of the subject property, noting any potential sources or evidence of a hazardous materials release, location and alignment of utilities, site drainage patterns, uses of adjacent parcels, potential for migration from offsite sources, and any other pertinent or unusual information that would aid in the development of this Phase I ESA update. Photo locations showing site features observed during the site reconnaissance are included on Figure 3. Prior to the site walk, SHN reviewed aerial photographs, topographic maps, and Sanborn maps of the subject property.

#### 4.1.1 APN 008-052-027 (Lot #6)

The southern-most parcel is developed with an office building and paved parking lot, previously owned and occupied by PICO and Pierson Properties & Development, LLC. The Pierson company is in the



EXPLANATION

-  PHOTO LOCATION
-  PARCEL BOUNDARY

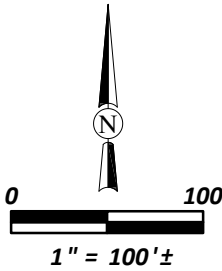
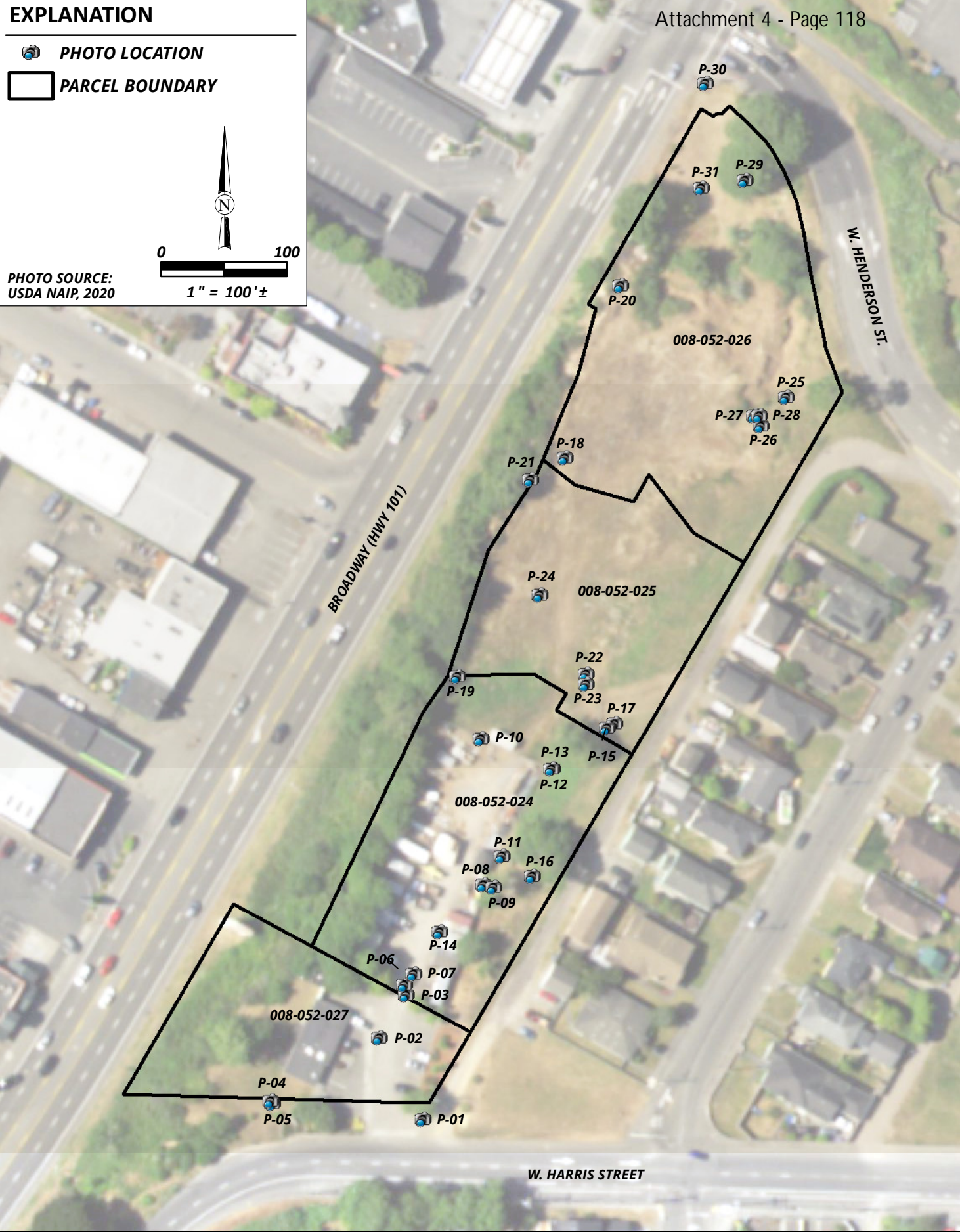


PHOTO SOURCE:  
USDA NAIP, 2020



P:\Eureka\2023\023021-COE-5-PH1\200-SunsetHeights-PH1\GIS\ESA\_P1\_Fig3\_PhotoLocations.mxd USER: jsousa DATE: 3/1/23, 8:56AM

process of relocating off the subject property. The office building is a single-story building that faces east. The main entrance is located on the east side of the building and faces the parking lot. There is one power pole located on the southeast corner of the parking lot, but no overhead electrical lines were observed to run from the pole to the office building. For this reason, it is assumed that the office building is supplied through underground electrical connections. Electrical and gas hookups were observed to be connected to the building on the southwest side. The concrete cover of a sewage storage tank was observed on the southern side of the office building. An employee of the Pierson company informed SHN personnel that sewage is pumped from the property to the City of Eureka's sewer main, which is uphill along West Harris Street. The parking lot is slightly sloped south and likely drains toward West Harris Street. Photo locations P-01 through P-05 were taken on this parcel and are included in Appendix 1.

#### **4.1.2 APN 008-052-024 (Lot #7)**

The equipment yard and storage area are located immediately north of the office building on the adjoining parcel, and this area is fenced and gated. The equipment yard ground is comprised of broken asphalt, with gravel and dirt in some areas. The storage facilities consist primarily of mobile shed units and large shipping containers. Conduit lines that house utility lines that feed some of the trailers and sheds were observed to run along the eastern and western border of the construction yard. Tools, equipment, and construction materials were noted to be stored in a tidy fashion. A mobile trailer and some large equipment were observed to be parked in the area. Soil staining was observed under a piece of stored equipment. Several empty, approximately 55-gallon pickle barrels were observed under one of the covered storage areas. A V-Max industrial size vacuum system was stored onsite.

Photo locations P-06 through P-17 were taken on this parcel and are included in Appendix 1.

#### **4.1.3 APN 008-052-025 (Lot #8)**

This parcel was observed to be vegetated and undeveloped. The parcel is shaped like a basin with edges being approximately 5 to 10 feet higher in elevation than the center of the parcel. This could be a result of excavation that occurred when the quarry that was identified in the historical aerial photographs occupied the northern part of the site. A small pile of concrete debris with some rebar was observed on the parcel. Photo locations P-18, P-19, and P-21 through P-24 were taken on this parcel and is included in Appendix 1. Based upon interviews with former employees, the sandy soil was excavated and used for development of the adjacent subdivision.

#### **4.1.4 APN 008-052-026 (Lot #9)**

The northern most parcel appeared to be the most heavily trafficked. Numerous small trails were found as well as multiple areas that contained trash and debris. The parcel is undeveloped and is vegetated with grass and some shrubbery and trees. The trash and debris piles are primarily located in nooks within the taller vegetation. The southern portion of the parcel is relatively flat; however, the northern part of the parcel dips to the north and is characterized by hummocky terrain. A tribute post was found on the northwest part of the parcel. Photo locations P-20 and P-25 through P-31 were taken on this parcel and are included in Appendix 1.



## 4.2 Project Vicinity

### 4.2.1 Historical Use Information on Surrounding Area Properties

Sites within a 1-mile radius of the subject property are known or suspected to have stored and/or used regulated materials, and/or have had hazardous material releases, including leaking USTs. SHN reviewed the listings included in the EDR Radius Map Report (Appendix 4) for proximity to the subject property, position relative to groundwater flow direction, and constituents of concern. Table 2 presents sites located within 1/8-mile of the subject property.

**Table 2. Agency-Listed Sites**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

EDR Map ID	Site Name	Address	Elevation	Distance (miles)	Agency Database Listing
22-26	UNOCAL Service Station (#5680); UNOCAL Mall Union SS #5680	2916 Central Avenue	Higher	0.177	LUST <sup>a</sup> , RCRA LQG <sup>b</sup> , CORTESE <sup>c</sup> , CERS <sup>d</sup> , HIST CORTESE <sup>e</sup> , HIST UST <sup>f</sup> , SWEEPS UST <sup>g</sup> , CA FID UST <sup>h</sup>
1	B & T Hydraulics Inc	1235 Mill St	Lower	0.038	SWEEPS UST, CA FID UST
2	Redwood Oil Co/Eureka	2906 Broadway	Lower	0.044	RCRA NONGEN / NLR <sup>i</sup>
3	Down To Earth Automotive	2930 Broadway St, Ste D	Lower	0.047	RCRA NONGEN / NLR
4	Red Cherry Glass	2940 Broadway St, # E	Lower	0.054	CHMIRS <sup>j</sup> , CUPA LISTINGS <sup>k</sup>
5	B&T Hydraulics, Former	1235 Bayshore Way	Lower	0.057	CUPA LISTINGS, NON-CASE INFO
6-10	Redwood Oil Co—Broadway Chevron Gasoline Station	2806 Broadway St	Lower	0.093	CUPA LISTINGS, CERS HAZ WASTE <sup>l</sup> , CERS TANKS <sup>m</sup> , CERS, EDR HIST AUTO <sup>n</sup> , UST <sup>o</sup>
11	Kithanh Phansavang	2828 Fairfield St	Lower	0.116	RCRA NONGEN / NLR
12	Chris Cringle Saw Shop	3080 Broadway	Lower	0.125	LUST, CORTESE, HIST CORTESE, CERS

<sup>a</sup> LUST: Leaking Underground Storage Tank Database

<sup>b</sup> RCRA LQG: Resource Conservation and Recovery Act Large Quantity Generator

<sup>c</sup> CORTESE: State Water Resource Control Board (LUST), the Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (Cal-Sites) hazardous sites listings

<sup>d</sup> CERS: California Environmental Reporting System

<sup>e</sup> HIST CORTESE: Historic State Water Resource Control Board (LUST), the Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (Cal-Sites) listings

<sup>f</sup> HIST UST: Historical UST Registered Database

<sup>g</sup> SWEEPS UST: Statewide Environmental Evaluation and Planning System Underground Storage Tank listing

<sup>h</sup> CA FID UST: Registered Storage Tanks Facility Inventory Database

<sup>i</sup> RCRA NONGEN / NLR: Resource Conservation and Recovery Act Non Generators/No Longer Regulated

<sup>j</sup> CHMIRS: California Hazardous Material Incident Report System

<sup>k</sup> CUPA Listings: Certified Unified Program Agency listings

<sup>l</sup> CERS HAZ WASTE: California Environmental Reporting System (CERS) list of sites in the California Environmental Protection Agency (CalEPA) Regulated Site Portal which fall under the Hazardous Chemical Management,



Hazardous Waste Onsite Treatment, Household Hazardous Waste Collection, Hazardous Waste Generator, and RCRA LQ HW Generator programs

<sup>m</sup> CERS TANKS: California Environmental Protection Agency (CalEPA) Regulated Site Portal which fall under the Aboveground Petroleum Storage and Underground Storage Tank regulatory programs

<sup>n</sup> EDR HIST AUTO: EDR listings of potential gas station/filling station/service station sites

<sup>o</sup> UST: Underground Storage Tank Database

## 4.2.2 Sanborn Maps

Sanborn maps provided by EDR were reviewed (Table 3), and a copy of the Certified Sanborn Map Report is included in Appendix 3.

**Table 3. Sanborn Map Summary**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Year	Description
1957	Target property is unmapped.
1958	Target property is unmapped.
1964	Target property is unmapped.
1967	Target property is unmapped.
1969	Target property is unmapped.
1988	A row of dwellings (structures with label “D”) has been developed immediately east of the subject property, between Fairfield Street and Sunset Avenue. Additional dwelling structures continue to the east. The subject property is shown as undeveloped, aside from a road that is labeled as being a closed section of Sunset Avenue. The west side of Broadway Street is shown as developed with two motels, a hydraulic equipment repair shop, a truck repair shop, and several unlabeled buildings. The area south of Harris Street is shown as developed, with most buildings labeled as dwellings. The area north of Henderson is also shown as developed with dwellings.

## 4.2.3 Topographic Maps

SHN reviewed topographic maps with coverage of the subject property (Appendix 3). A description of the features observed at the site and surrounding properties is presented in Table 4.

**Table 4. Topographic Maps Summary**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Year	Description
1933	In general, the City of Eureka is shown as developed with many structures and grided road system. One structure is shown as developed on Fairfield Street, immediately east of the subject property. The neighborhoods immediately surrounding the subject property are not shown as densely developed with structures.
1942	Similar to previous.
1947	Similar to previous.
1951	Additional structures are shown as developed west of the subject property, across U.S. Highway 101. The site remains shown as undeveloped.



**Table 4. Topographic Maps Summary**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Year	Description
1958	The density of structures on the west side of U.S. Highway 101 continues to increase. Larger structures are mapped, indicative of the industrial and commercial uses in the area west of U.S. Highway 101. The subject property remains shown as undeveloped.
1959	Structures are mapped west and north of the subject property. The subject property remains shown as undeveloped. The areas east and south are shown as similar to the previous map.
1972	Similar to previous.
2012	Other than roads and topography, individual features are not shown.
2015	Similar to previous.
2018	Similar to previous.

#### 4.2.4 Business Directory

SHN reviewed city directories provided by EDR (Appendix 3). SHN contacted the Humboldt County Assessor's Office on February 7, 2022, to inquire about the address for the four parcels. The Assessor identified the address to be 1200 West Harris Street for all four parcels. The business directories provided by EDR do not have any information for the address 1200 West Harris Street.

Due to a proposed development for the subject property, the City recently assigned new addresses for the parcels listed below:

- APN 008-052-026 – 2950 and 2955 Sunset Heights
- APN 008-052-025 – 2962 and 2967 Sunset Heights
- APN 008-052-024 – 2974, 2979, and 2980 Sunset Heights

As these are new addresses, they were not included in the city directory search, which was focused on the historical address of 1200 West Harris Street.

#### 4.2.5 Aerial Photographs

SHN reviewed aerial photos of the subject property taken during the past 82 years (Appendix 3), which were provided by EDR. A description of the features observed at the site and surrounding properties is presented in Table 5.



**Table 5. Historical Aerial Photographs Summary<sup>a</sup>**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Year	Source	Description
1941	USDA <sup>b</sup>	The subject property is shown as undeveloped. One structure is developed near the intersection of West Harris Street and Fairfield Street. The area south of the subject property is largely undeveloped. The areas east and north of the subject property are shown as having some developed structures and the established grided street pattern. The area west of the subject property, across U.S. Highway 101, is largely undeveloped except for a couple large structures.
1954	USDA	The density of streets and structures has increased north, south, and east of the subject property. The subject property is still shown as being undeveloped. A large patch of vegetation has been removed on the north side of the subject property, and there appears to be an operation of some kind occupying the cleared area. Additional structures have been constructed immediately east of the subject property along Fairfield Street. West of the subject property, across U.S. Highway 101, has been developed with large structures and additional roads. What appear to be stacks of lumber now occupy the field areas west of U.S. Highway 101.
1957	USGS <sup>c</sup>	Similar to previous.
1969	USGS	A large shopping center has been constructed several blocks east of the subject property and development has continued in the areas to the south. A large swath of vegetation has been cleared from the north end to south end of the subject property. There still appears to be an operation of some kind (soil quarry) occupying the northern end of the subject property. The vegetation removal is likely related to that operation. The area west of U.S. Highway 101 appears to continue to be used for commercial and industrial purposes.
1972	USGS	Similar to previous.
1983	USDA	Areas surrounding the subject property appear similar to previous years. The operation that was located on the north end is gone. Vegetation appears to be reclaiming the cleared area.
1990	USGS/DOQQ <sup>d</sup>	Similar to previous, except that Bayshore Mall has been constructed west of U.S. Highway 101 in the area previously occupied by timber products.
1993	USGS	Image is of poor quality, but in general appears similar to the previous.
1998	USGS	Image is of poor quality, but in general appears similar to the previous.
2005	USDA/NAIP <sup>e</sup>	A new structure and a paved parking area have been constructed at the southern end of the subject property (APNs 008-052-024 and 008-052-027). The northern end of the subject property remains undeveloped (APNs 008-052-025 and 008-052-026). Surrounding areas appear similar to previous photos.
2009	USDA/NAIP	Similar to previous.
2012	USDA/NAIP	Similar to previous.
2016	USDA/NAIP	Similar to previous, although some vegetation has been removed from the northern parcel.



<sup>a</sup> Scale: 1 inch = 500 feet

<sup>b</sup> USDA: U.S. Department of Agriculture

<sup>c</sup> USGS: United States Geological Survey

<sup>d</sup> DOQQ: Digital Orthophoto Quarter-Quadrangle

<sup>e</sup> NAIP: National Agriculture Imagery Program

## 5.0 Site History and Operations

### 5.1 General Description

Based upon our interviews, and reviews of historical Sanborn maps, the historic aerial photographs, and city directories; SHN has summarized the general site history as presented in Table 6.

**Table 6. Subject Property History**  
**Project B (City ID Nos. City—6, 7, 8, & 9), Sunset Heights, Eureka, California;**  
**APNs 008-052-027, 008-052-024, 008-052-025, and 008-052-026**

Date (Approximate)	Name and/or Operations	Site Owner(s)
Prior to 1941	Undeveloped	Unknown
1954 to 1972	Soil Quarry Operation	Pierson Company
1983 to early 1998	Undeveloped	Pierson Investment Company (PICO)
Early 1999 to 2022	PICO Office and Construction Yard	Pierson Properties & Development, LLC
2022-present	Vacant office building and undeveloped parcels	City of Eureka

### 5.2 Operations Using, Storing, or Disposing of Hazardous Substances

The Environmental Data Resources, Incorporated (EDR) database and the Humboldt County Division of Environmental Health (HCDEH) did not indicate that a Hazardous Materials Business Plan (HMBP) was on file for the subject property.

### 5.3 Description of Environmental Permits Held

The HCDEH regulates hazardous materials storage and use in the county. SHN reviewed the State Water Resources Control Board (SWRCB) GeoTracker database and confirmed with HCDEH staff that there are no environmental permits for the subject property.



## 5.4 Regulatory Agency Contacts

### 5.4.1 Humboldt County Division of Environmental Health

In January 2022, SHN contacted the HCDEH and was provided a complaint investigation form (Appendix 2). On December 11, 2009, the HCDEH investigated a report of unknown substances in the alley behind the subject property. On December 21, 2009, a contractor removed and disposed of the materials.

In January 2023, SHN contacted the HCDEH requesting a file review regarding any record of hazardous material storage at the subject property. The HCDEH confirmed there are no files regarding storage or use of hazardous materials for the subject property (Dorney, 2023).

In February 2023, SHN conducted a search of Accela Citizen Access for the County of Humboldt (Accela, 2023). For City Lot #7 (APN 008-052-024), Record No. EH-HAZA-22-000017 was issued for one geotechnical boring using a hollow stem auger, with a proposed work date of February 14, 2022 (Appendix 2).

### 5.4.2 State Water Resources Control Board

SHN accessed the SWRCB GeoTracker website and obtained information pertaining to one upgradient site within a 0.177-miles radius that formerly contained a leaking underground storage tank (LUST). The UNOCAL Mall Union, located on Central Avenue, is listed as Case Closed (1THU367). Due to the location of the UNOCAL site, and its closed case status, it is unlikely that this regulated site poses a significant threat to the subject property.

SHN also accessed the SWRCB's Stormwater Multiple Application and Report Tracking System (SMARTS). The subject property is not subject to stormwater regulations.

### 5.4.3 City of Eureka Planning and Building Department

In January 2023, SHN contacted the City of Eureka Building Division and confirmed they did not have a file for the subject property. Follow up inquiries revealed several documents on file for a proposed development of the subject property. The staff report and design plans for the proposed development do not contain information on the historical use of the subject property that would be useful for this Phase 1 evaluation.

## 5.5 Personnel Interviews

Kirsten M. Goetz, representative of the City of Eureka, completed the Phase I ESA site assessment and user questionnaires as part of the ESA process. These questions were developed to address potential areas of concern from a hazardous materials perspective that may be present on the subject property and/or known RECs as defined in ASTM Standard E1527-13 and E1527-21. Questionnaires are presented in Appendix 5.

Kristen M. Goetz, City Planner, was not aware of any environmental cleanup lien or government notification relating to past or recurrent violations with respect to the property. To the best of her knowledge, there is no past or pending lawsuit concerning a release or threatened release of hazardous substance or petroleum products involving the property by any owner or occupant of the property.



## 6.0 Discussion

### 6.1 Findings

An REC, as defined in ASTM Standard Practice E1527-13 and E1527-21, means:

“...the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”

No RECs were identified at the subject property.

**A controlled REC** is defined as an REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (as evidenced by issuing a no further action letter), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. A controlled REC shall be listed as an REC. There is no controlled REC associated with the subject property.

**A historical REC** is defined as a past release of any hazardous substance or petroleum product that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority without subjecting the property to any required controls, such as property use restrictions, activity and use limitations, institutional controls, and/or engineering controls. There is no historic REC associated with the subject property.

Historic RECs for adjacent sites evaluated during our site assessment process included six sites within the search radius that formerly contained USTs and are listed as case closed or are lower in elevation.

Based upon the Phase I ESA findings, these sites do not appear to have impacted the subject property.

**A business environmental risk** is defined as a risk that can have a material environmental or environmentally driven impact on the business associated with the current or planned use of commercial real estate, not necessarily limited to those environmental issues required to be investigated by ASTM Standard E1527-13 and E1527-21. Consideration of business environmental risk issues may involve addressing one or more non-scope considerations.

Construction materials such as paints, solvents, and fuels are considered business environmental risks, though all construction materials were observed to be stored in a tidy fashion onsite.

The potential presence of asbestos containing materials and/or lead based paint in the buildings is considered a business environmental risk.

No potential or confirmed state or federal Superfund site is located on, or immediately adjacent to, the subject property. However, a few agency-listed sites have experienced unauthorized hazardous materials releases; these sites are situated within a ¼ mile of the subject property. To date, none of these agency-listed sites is known to have impacted the subject property.



SHN's research conducted for the subject property included interviews with people that are knowledgeable about the site and reviews of historical maps, aerial photographs, and agency records. This ESA revealed that the subject property was historically used as a quarry of some kind, with the primary quarry operation being on the northern most parcel.

SHN did not find any evidence that the activities conducted prior to 1933 have impacted the subject property.

**De minimis condition** is defined by ASTM as "a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies." A condition determined to be a de minimis condition is not considered a recognized environmental condition (REC) nor a controlled recognized environmental condition (CREC).

SHN observed soil staining under a piece of stored equipment which is considered a *de minimus* condition. The staining is limited and is not indicative of any larger hazardous materials release that may have occurred in the past.

## 6.2 Potential for Vapor Intrusion

Given the review of regulatory cases within the vicinity of the subject property and the past uses of the subject property, the potential for volatile organic compounds in site soil and groundwater and potential for vapor intrusion at the site is low.

## 7.0 Conclusions and Recommendations

SHN has performed a Phase I ESA update in conformance with the scope and limitations of ASTM Standard Practice E1527-13 and E1527-21 for the subject property located at APNs 008-052-027, -024, -025, and -026. Any exceptions to, or deletions from this practice are described in Section 9 of this report.

As part of our detailed investigation of the subject property, SHN encountered no evidence of past land uses that may have generated or caused the release of regulated or hazardous materials. As defined in ASTM E1527-13 and E1527-21, SHN is not recommending any further action, such as a Phase II ESA.

## 8.0 Limitations

Information contained in this ESA was obtained in part from EDR (Appendix 4). SHN derived the data in this report primarily from visual inspections, examination of records in the public domain, and interviews with selected individuals with information about the property.

Except as otherwise stated in this report, SHN has not attempted to verify the accuracy or completeness of any such information. The passage of time, manifestation of latent conditions, or occurrence of future events may require further exploration at the property; analysis of the data; and re-evaluation of the findings, observations, and conclusions expressed in this report.



Because of the limitations stated above, the findings, observations, and conclusions expressed by SHN in this report are not, and should not be considered, an opinion concerning the compliance of any past or present owner or operator of the property with any federal, state, or local laws or regulations. No warranty or guarantee, express or implied, is made with respect to the data reported or findings, observations, and conclusions expressed in this report. Such data, findings, observations, and conclusions are based solely on conditions in existence at the time of the investigation and are not representative of areas of the property that were not readily accessible or observable.

No ESA can wholly eliminate uncertainty regarding the potential for an REC in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with a property; this practice recognizes reasonable limits of time and cost.

The ASTM Standard E1527-13 and E1527-21 guidance document states that one of the objectives of a Phase I ESA is to identify the subject property's usage back to when the property was first developed or back to 1940 (whichever is earlier). The preparation of this Phase I ESA did not deviate significantly from the guidelines presented in ASTM E1527-13 and E1527-21.

## 9.0 Data Gaps

SHN identified several data gaps during the Phase I ESA. City Directories provided by EDR were not able to be used to identify historical uses of the subject property because the mailing address 1200 West Harris Street is not listed in the City Directories. Much of the ground surface at the two southern parcels could not be observed, due to the presence of equipment and material storage.



## 10.0 Statement of Qualifications of Environmental Professionals

SHN's project team included Roland Rueber, Julia Maddox, and Roger Klakken. Roger conducted the site walk, and Julia did research and prepared the report. Roland Rueber is a Registered Geologist in the State of California and has worked for SHN for more than 20 years. Roland provided the quality assurance and quality control for this site assessment.

We declare that, to the best of our professional knowledge and belief, we meet the definition of an Environmental Professional as defined in §312.10 of 40 Code of Federal Regulations (CFR) 312. We have the specific qualifications based on education, training, and experience to assess a property of this nature, history, and setting of the subject property. We have developed and performed the All Appropriate Inquiries (AAI) in conformance with the standards and practices set forth in 40 CFR Part 312.

  
**Roland Rueber**  
*Professional Geologist*

  
**Date**



## 11.0 References

### 11.1 Published References

- Accela Citizen Access for the County of Humboldt (Accela). (February 8, 2022). Hazmat Monitoring Well and Boring Permit Application. For City Lot #7 (APN 008-052-024), Record No. EH-HAZA-22-000017. Accessed February 2023 at: <https://aca-prod.accela.com/humboldt/Default.aspx>.
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- State Water Resources Control Board. Geotracker website. (Accessed January 2022). <https://geotracker.waterboards.ca.gov/search>.
- State Water Resources Control Board. SMARTS website. (Accessed January 2022). <https://smarts.waterboards.ca.gov/smarts/faces/SwPublicUserMenu.xhtml>.



U.S. Government Publishing Office. (January 23, 2000). "42 United States Code (USC) § 9601 Definitions [CERCLA Section 101] (35)(B)(i): Reason to Know, All Appropriate Inquiries." Washington, D.C.:GPO.

## 11.2 Written and Verbal Communications

Goetz, M Kristen. (February 3, 2023). City of Eureka-Development Services-Planning Division. Conducted a file review and confirmed there was no file for the subject property.

Dorney, Makenna. (January 31, 2023). HCDEH representative. Conducted HCDEH environmental file review for the subject property.

Mueller, Sienna. (February 2023) City of Eureka-Building Division representative. Conducted a file review and confirmed there was no file for the subject property.

City of Eureka. (2022). Email providing comments on zoning, addresses, and building/planning department files.

Gonzales, Jose. (January 24, 2022). HCDEH representative. Conducted HCDEH environmental file review for the subject property.

Pierson, Gregory. (January 21, 2022). President and owner of Pierson Properties & Development, LLC (Owners). Completed the Phase I ESA User and Site Assessment questionnaires.

Ruybal, Zachary. (January 28, 2022). City of Eureka-Building Division representative. Conducted a file review and confirmed there was no file for the subject property.

