

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877

MAILING ADDRESS:
P. O. BOX 4908
EUREKA, CA 95502-4908



F12b

March 21, 2008

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Robert S. Merrill, District Manager – North Coast District
James R. Baskin AICP, Coastal Program Analyst – North Coast District

SUBJECT: **CITY OF EUREKA LCP AMENDMENT NO. EUR-MAJ-2-07 (“C” STREET):** Concurrence with the Executive Director’s determination that the action of the City of Eureka accepting the Commission’s certification of LCP Amendment No. EUR-MAJ-2-07 is legally adequate. (For Commission review at the meeting of April 11, 2008 in Santa Barbara)

A. BACKGROUND:

The Commission acted on City of Eureka LCP Amendment No. EUR-MAJ-2-07 on February 8, 2008. The proposed amendment as submitted would have amended both the City’s Land Use Plan (LUP) and Implementation Program (IP) by changing the respective land use and zoning on 13 parcels adjacent to Humboldt Bay such that their LUP and IP designations were consistent with one another. The land use for the subject properties would predominantly be for coastal-dependent industrial use, with two parcels designated for commercial waterfront use. In addition, the submitted amendment requested text changes to the LUP to establish “incidental commercial uses” as a conditionally permitted use category within the Core Area coastal Dependent Industrial land use category.

The Commission rejected the amendment as submitted, but certified the proposed amendment to the LCP if modified with seven suggested modifications (see Attachment B). The suggested modifications included:

1. Revisions to the “Primary Use” and “Secondary Use” entries within the table of the LUP’s *Land Use and Community Design* chapter for the Core Waterfront Commercial (C-WFC) land use designation to match that of the respective “Principal Use” and “Conditional Uses” entries in Appendix B, Table B-1;

2. Similar changes to the narrative description and use table for the Core Coastal-Dependent Industrial (C-CDI) category. The changes included the addition of new verbiage in the LUP's *Land Use and Community Design* Chapter specifically addressing the qualified permissibility of "incidental commercial uses" within the C-CDI Area provided they are limited to types and scales of activities and physical development that would not impact the primary intended use of the sites for coastal-dependent industrial development. In addition, the current term "incidental commercial uses" was changed to "commercial uses incidental to the primary coastal dependent industrial use" to more clearly highlight the limitations imposed on these conditionally permissible uses and ensure that they are ancillary and accessory to the primary priority use category;
3. Establishing a new definition of the term "commercial uses incidental to the primary coastal dependent industrial use" within the LUP's Appendix A *Policy Document Glossary* which includes the same use qualifiers and limitations suggested for the land use and community design component, and indicates that the uses must be minor in significance, subordinate and directly related to the primary coastal dependent industrial uses for which the area is designated including, but not limited to sales of goods produced at the site or services provided at the site;
4. Modifying the proposed term "incidental commercial uses," intended for inclusion in the list of conditional permitted uses within Core Coastal Dependent Industrial designated areas as appears in Table B-1 of the General Plan Appendix B *Coastal Land Use Policy* to "commercial uses incidental to the primary coastal dependent industrial use" to better reflect the intended subservient nature of the use category;
5. Making five sets of text changes to sections of the City of Eureka General Plan Policy Document's *Summary*, *Land Use and Community Design*, and *Coastal Land Use Policy* (Appendix B) chapters, including additional language more clearly establishing the role of Appendix B in general and Table B-1 in particular, as comprising additional standards and qualifications on the host of city-wide general plan provisions, detailing: (a) which of the general plan's land use designations comprise the land use plan; (b) the sub-set of principal and conditional uses allowable within the coastal zone portions of the City; and (c) which of the general plan policies promulgated for the whole of the municipality address requisite coastal resources issues as directed by the Coastal Act. The modifications effectively revise Table B-1 to more fully illustrate how the 22-category sub-set of the general plan's 28 land use plan designations comprise the LUP's land use diagram and how these 22 categories are implemented through the 17 zoning district designations;
6. Establishing a definition in the IP for the "commercial uses incidental to the primary coastal dependent industrial use" development type similar to that provided in the LUP under Suggested Modification No. 3; and
7. Adding "commercial uses incidental to the primary coastal dependent industrial use" to the list of conditionally-permissible uses of the MC zoning district within the C-CDI

Area, specifically referencing the definition of the phrase described in Suggested Modification No. 6 above.

B. EFFECTIVE CERTIFICATION:

On March 4, 2008, the City of Eureka City Council held a public hearing and adopted Resolution No. 2008-08 acknowledging receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue permits in conformance with the modified LCP, and formally approved the necessary changes to the City's Land Use Plan (see Attachment No. C). On March 18, 2008, the City Council adopted Ordinance No. 722-C.S., revising the Implementation Program to include the amendments to the zoning district designations on 11 of the subject 13 parcels from Waterfront Commercial (CW) to Coastal Dependent Industrial (MC). In addition, the ordinance included the two sets of revisions to the text of the coastal zoning regulations, as set forth in Suggested Modifications Nos. 6 and 7, to: (1) establish a definition for the "commercial uses incidental to the primary coastal dependent industrial use;" and (2) add "commercial uses incidental to the primary coastal dependent industrial use" to the list of conditionally-permissible uses of the MC zoning district within areas designated C-CDI in the Land Use Plan (see Attachment No. D).

As provided in Section 13544 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the City of Eureka's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of City of Eureka LCP Amendment No. EUR-MAJ-2-07 shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the City of Eureka to accept the Commission's certification of Eureka LCP Amendment No. EUR-MAJ-2-07 to adopt the necessary changes to the City's Land Use Plan and Implementation Program are legally adequate, as noted in the attached letter, Attachment A (to be sent after Commission concurrence).

ATTACHMENT A:
LETTER OF DETERMINATION FOR EFFECTIVE CERTIFICATION OF
LCP AMENDMENT NO. EUR-MAJ-2-07

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE MAILING ADDRESS:
710 E STREET • SUITE 200 P. O. BOX 4908
EUREKA, CA 95501-1865 EUREKA, CA 95502-4908
VOICE (707) 445-7833
FACSIMILE (707) 445-7877



April __, 2008

Kevin Hamblin AICP, Director
City of Eureka – Community Development Department
531 K Street
Eureka, CA 95501-1165

SUBJECT: Effective Certification of City of Eureka LCP Amendment No. EUR-MAJ-2-07 –
Amendment to Land Use Plan and Implementation Program (“C” Street)

Dear Mr. Hamblin:

The Executive Director of the Coastal Commission has reviewed City Council’s Resolution No. 2008-08 and Ordinance No. 722-C.S. for effective certification of the City of Eureka LCP Amendment No. EUR-MAJ-2-07 (“C” Street).

The City’s resolution indicates that the County acknowledges receipt of and accepts the Commission’s resolution for certification and that the City agrees to issue permits in conformance with the modified certified local coastal program. In addition, the ordinance amending the City’s coastal zoning regulations incorporates the suggested modifications adopted by the Commission with respect to defining and enumerating “commercial uses incidental to the primary coastal dependent industrial use” as a conditional use type within Coastal Dependent Industrial (MC) zoning districts of the City’s Core Coastal Dependent Industrial (C-CDI) plan area.

The Executive Director has found that the City’s resolution fulfills the requirements of Section 13544(a) of the California Code of Regulations. In accordance with Section 13544(b) of the regulations, the Director has determined that the County’s actions are legally adequate.

The Coastal Commission concurred with this determination at its meeting of April 11, 2008 in Santa Barbara. Commission approval and the amendment process are now complete. If you have any questions, please contact James R. Baskin in our Eureka office at (707) 445-7833 or jbaskin@coastal.ca.gov.

Sincerely,

ROBERT S. MERRILL
District Manager

RSM:jrb/jrb/lt

**ATTACHMENT B:
COASTAL COMMISSION RESOLUTIONS AND SUGGESTED MODIFICATIONS
IN RE: LCP AMENDMENT NO. EUR-MAJ-2-07**

**CITY OF EUREKA LCP AMENDMENT NO. EUR-MAJ-2-07
("C" STREET)**

RESOLUTIONS AND SUGGESTED MODIFICATIONS

ADOPTED BY THE CALIFORNIA COASTAL COMMISSION ON FEBRUARY 8, 2008

I. RESOLUTIONS

A. Denial of Land Use Plan Amendment No. EUR-MAJ-2-07 as Submitted

RESOLUTION I:

The Commission hereby denies certification of the Land Use Plan Amendment No. EUR-MAJ-2-07 as submitted by the City of Eureka and adopts the findings set forth below on the grounds that the land use plan as amended does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Land Use Plan Amendment.

B. Approval of Land Use Plan Amendment No. EUR-MAJ-2-07 if Modified as Suggested

RESOLUTION II:

The Commission hereby certifies Land Use Plan Amendment No. EUR-MAJ-2-07 for the City of Eureka if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan Amendment if modified.

C. Denial of Implementation Plan Amendment No. EUR-MAJ-2-07 as Submitted

RESOLUTION III:

The Commission hereby denies certification of the Implementation Program submitted for the City of Eureka and adopts the findings set forth below on grounds that the Implementation Program Amendment as submitted does not conform with and is

inadequate to carry out the provisions of the Land Use Plan as certified. Certification of the Implementation Program Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

- D. Approval of Implementation Program Amendment No. EUR-MAJ-2-07 if Modified as Suggested

RESOLUTION IV:

The Commission hereby certifies the Implementation Program Amendment for the City of Eureka if modified as suggested on the grounds that the Implementation Program Amendment with the suggested modifications conforms with and is adequate to carry out the provisions of the Land Use Plan as certified. Certification of the Implementation Program if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

II. SUGGESTED MODIFICATIONS

The suggested modifications involve both the deletion of existing certified verbiage and the inclusion of new text within specified portions of the Land Use Plan or Zoning Regulations. Text changes proposed by the City are formatted in single underline and ~~strikethrough~~ for added and deleted text, respectively. Text suggested by the Commission staff to be deleted is shown in ~~double-strikethrough~~ typography, added text is shown in **bold double under-lined** font.

A. SUGGESTED MODIFICATIONS TO THE LAND USE PLAN:

SUGGESTED MODIFICATION NO. 1: The table of permissible primary and secondary uses for the Core Waterfront Commercial (C-WFC) land use designation, as set forth in Part II, Section 1 *Land Use and Community Design* of the LUP, shall be amended to read as follows:

CORE WATERFRONT COMMERCIAL (C-WFC)		
	Primary Uses	Secondary Uses
Ground Floor/ Street Level	Visitor Serving Retail Commercial Restaurants/Bars Hotels and Bed and Breakfast Inns Fisheries-Related Processing Fisheries-Related Recreation Fisheries-Related Retail	Office Multi-Unit Residential Artist Live-Work Space <u>Professional offices, multiple-family units, residential uses on the upper floors of multi-story structures; oil and gas pipelines; public works</u>

	<u>Hotels, motels, and visitor-serving developments, such as antique shops, art galleries, restaurants, taverns, commercial recreation facilities, and commercial fishing industry facilities.</u>	<u>projects; warehouses.</u>
Upper Floors	Office Multi-Unit Residential Artist Live-Work Space	Light Manufacturing/Assembly Storage

SUGGESTED MODIFICATION NO. 2: The narrative description of the Core Coastal-Dependent Industrial (C-CDI) land use designation and table of permissible primary and secondary uses, as set forth in Part II, Section 1 *Land Use and Community Design* of the LUP, shall be amended to read as follows:

The C-CDI designation is intended to reserve and protect land adjacent to Humboldt Bay for coastal-dependent and coastal-related industrial uses. The primary intent of this designation is to encourage fisheries-related industrial uses west of C Street. Certain secondary uses are also conditionally permitted (e.g., “commercial uses incidental to the primary coastal dependent industrial use” as defined) provided they are of a type and scale so as not to negatively impact the primary coastal-dependent industrial use of the site. The maximum FAR for buildings in the C-CDI designation is 0.50.

CORE COASTAL-DEPENDENT INDUSTRIAL (C-CDI)		
	Primary Uses	Secondary Uses
Ground Floor/ Street Level	Fisheries-Related Processing Boat Building and Repair Recreational Boating Operations Light Industrial/Industrial Warehouses <u>Uses that require a site on, or adjacent to, the Bay in order to be able to function at all, including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial fishing facilities, food fish processing plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.</u>	Artist Live-Work Space Incidental Commercial Uses <u>Oil and/or gas processing and treatment facilities serving offshore production, onshore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing plants, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses, commercial uses incidental to the primary coastal dependent industrial use.</u>
Upper Floors	Artist Live-Work Space	Offices

SUGGESTED MODIFICATION NO. 3: A definition of the term “commercial uses incidental to the primary coastal dependent industrial use” shall be appended to Appendix A – *Policy Document Glossary* of the LUP (*City of Eureka General Plan – Policy Document*) to read as follows:

Commercial Uses Incidental to the Primary Coastal Dependent Industrial Use– Those certain commercial uses allowed within the Core Coastal-Dependent Industrial Area which are minor in significance, and subordinate and directly related to the primary coastal-dependent industrial uses for which the area is designated. Commercial uses incidental to the primary coastal dependent use include, but are not limited to, retail sales and services of goods produced or functional work provided at the site, such as fish markets or seafood restaurants at commercial fish processing facilities, and facility tour areas.

SUGGESTED MODIFICATION NO. 4: The list of conditional uses within the Core Coastal Dependent Industrial (C-CDI) land use designation as enumerated in Table B-1 of Appendix B of the City of Eureka General Plan *Policy Document* shall be modified as follows:

Oil and/or gas processing and transport facilities serving offshore production, on shore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfalls and pipelines, fish waste processing plants, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses, ~~incidental commercial uses incidental to the primary coastal dependent industrial use.~~

SUGGESTED MODIFICATION NO. 5: The first two paragraphs of “1984 Local Coastal Program” segment of the General Plan Policy Document Part One *Summary* (pp. 7–8), the “Local Coastal Land Use Plan” segment of the General Plan Policy Document Part One *Summary* (pp. 11–12), the “Coastal Land Use Designations” segment of the General Plan Policy Document Part II Land Use and Community Design section (p. 1-9), Section B.4 of the General Plan Policy Document Appendix B (p. B-2), and Table B-1 of the General Plan Policy Document Appendix B Coastal Land Use Policy (pp. B-2 – B-6) shall be modified as follows:

1984 LOCAL COASTAL PROGRAM



In May 1984, the City of Eureka adopted its Local Coastal Program (LCP) in accordance with the California Coastal Act. The LCP included a Land Use Plan (LUP) that governed land use and development within the Coastal Zone. Upon adoption in 1984, the LUP superseded the 1977 General Plan and preexisting zoning for the area of Eureka within the Coastal Zone. The ~~LCP LUP~~ contains numerous goals and policies related to land use, ~~that~~ These goals and policies are implemented primarily through textual land use policies set forth in Part II, Section 1 through 8 of the General Plan and the prescriptive development standards enumerated for the various implementing zoning designations, which, in

~~the case of Eureka's LCP~~ **some cases**, are synonymous **in title** (~~i.e., with the~~ land use designations ~~also serve as zoning designations~~) **they implement** (e.g., **“Coastal-Dependent Industrial” (CDI) land use designation / “Coastal Dependent Industrial” (MC) zoning district**).

This ~~General Plan~~ **LUP, as may be further subsequently amended and certified by the Coastal Commission**, updates and supersedes the Land Use Plan of the 1984 Local Coastal Program. Appendix B describes ~~how~~ **which of** the land use maps, policies, and programs of the ~~LUP have been reflected in this plan~~ **overall City-wide General Plan comprise the Land Use Plan component of the City's LCP applicable to the portions of the City situated within the Coastal Zone**.

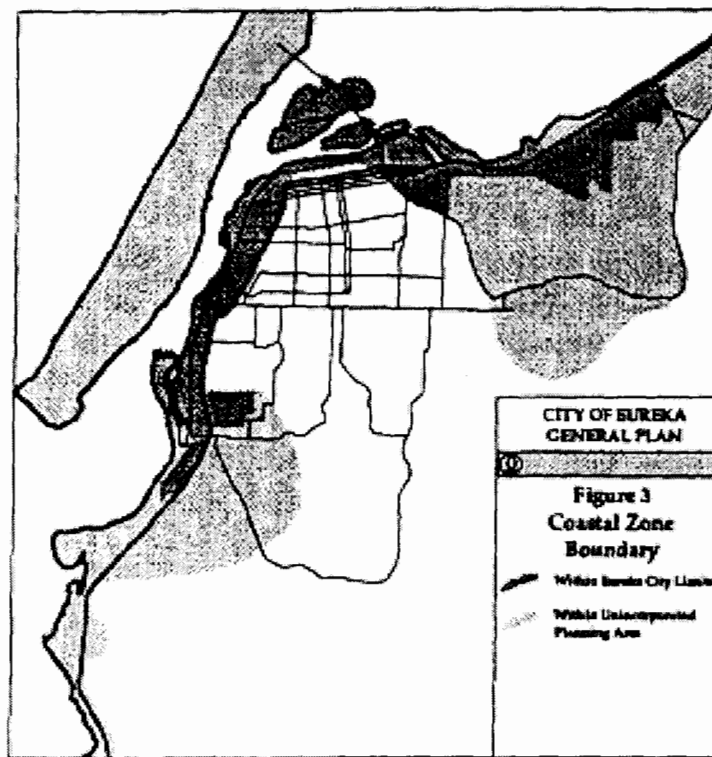
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**LOCAL COASTAL
LAND USE PLAN**

This *Policy Document* includes policies, programs, and proposals designed specifically to meet California Coastal Act requirements. This plan updates and, following Coastal Commission approval, will supersede the City's *Coastal Land Use Plan*, which was part of the City's *Local Coastal Program* adopted in 1984.

The California Coastal Act of 1976 requires every city and county lying partly or wholly within the designated coastal zone to prepare a Local Coastal Program. The Coastal Act defines a Local Coastal Program as “a local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions of this division at the local level.” (**Public** Resources Code Section 30108.6)

The policies, programs, and proposals in this *Policy Document* designed to meet Coastal Land Use Plan requirements apply only to land within the city limits of Eureka. Humboldt County’s own *Local Coastal Program* regulates land use and development within unincorporated coastal zone areas surrounding Eureka. Figure 3 shows both the incorporated and unincorporated areas falling within the coastal zone defined by state law.



In this *Policy Document*, policies, programs, standards, and plan proposals designed to meet Coastal Act requirements are noted with the following wave symbol: ☩ Policies, programs, standards, and plan proposals with the coastal notation, however, also apply outside the coastal zone unless their application is explicitly limited to the Coastal Zone. With regard to land use designations, Appendix B provides further detail as to the sub-set of General Plan categories applied to the coastal zone portions of the City (i.e., the LUP land use designations), the purposes for, and primary and conditional uses identified for each designation, and the zoning districts which would implement the various plan policies, programs, standards, and proposals.

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COASTAL LAND USE DESIGNATIONS

In preparing this General Plan, the City established land use designations that correspond essentially with all of the LCP designations. Table B-1 in Appendix B lists each designation appearing on the Land Use Diagram and indicates the LCP's Land Use Plan (LUP) designation with which it corresponds. The Coastal Act requires LCP

Land Use Plan designations to include more specificity than that required by State General Plan law. Accordingly, for each designation appearing on the General Plan Land Use Diagram within the incorporated area of the Coastal Zone, Table B-1 shows the corresponding LCP LUP designation, ~~and~~ the more detailed purpose description and use prescriptions contained in the LUP, and indicates the zoning district designations that would implement the plan provisions. Figure B-2 in Appendix B shows the Land Use Diagram land use designations for the area of the city within the Coastal Zone.

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B.4 GENERAL PLAN UPDATE COASTAL LAND USE POLICIES

In updating its General Plan, the City of Eureka has determined that the most effective way to address the separate legal requirements of State General Plan law and the California Coastal Act is to combine the goals, policies, and programs addressing these requirements into a single, unified document. In doing so, the City reviewed the land use maps and land use policies of the *1984 LCP* and determined which policies and programs should be incorporated into the updated citywide General Plan. The LCP originally contained a total of ~~47~~ 22 land use designations and 119 policies and implementing actions/programs. The following two subsections summarize how the General Plan addresses the coastal planning requirements in terms of the Land Use Diagram and its policies and programs. First, the following subsection describes: (1) how which of the 28 current land use designations on the General Plan Land Use Diagram compare with and reflect the designations from the 1984 LCP have been applied to the portions of the City within the coastal zone; (2) the corresponding zoning district designations that implement each land use designation; and (3) the more restrictive sub-set of principal and conditional uses identified in the General Plan Land Use and Community Design section permissible within the coastal zone portions of the City. The next subsection lists the policies and programs ~~from the 1984 LCP that have been incorporated into~~ of the General Plan, as well as policies and programs developed for the General Plan Update that address coastal issues and are applicable in reviewing coastal development permit applications for development within the Coastal Zone.

LAND USE DIAGRAM

In preparing the General Plan Update, the City established land use designations that essentially correspond with all of the LCP designations. Table B-1 lists each of the designations in the Policy Document and indicates the LCP designation with which it corresponds. The Coastal Act requires LCP Land Use Plan designations to include more specificity than that required by State General Plan law. For each of the designations appearing on the General Plan Land Use Diagram within the incorporated area of the Coastal Zone (see Figure B-1), Table B-1 shows the corresponding LCP Land Use Plan designation, the corresponding zoning district designation that implements the LUP designation, and the more detailed purpose descriptions and restrictive use prescriptions contained in the

coastal resource policies and standards of the LUP. Figure B-2 shows the *Draft Land Use Diagram* land use designations for the area of the city within the coastal zone.

GP Designation(s)	LCP-LUP Designation(s)	LCP LUP LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
<u>RR</u> <u>Rural Residential</u>	<u>No</u> <u>corresponding</u> <u>LUP</u> <u>designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
LDR Low Density Residential	<u>LDR</u> <u>Low Density Residential</u>	<u>RS-6000</u> <u>Urban One Family Residential – 6,000 sq.ft. Minimum Size</u> <u>RS-12,000</u> <u>One Family Residential – 12,000 sq.ft. Minimum Size</u>	To allow the development of residential uses making conservative use of urban land where adequate services are available.	Detached single family residences and accessory structures and uses.	Private institutions, private recreation facilities, oil and gas pipelines.
ER Estate Residential	<u>ER</u> <u>Estate Residential</u>	<u>RS-12,000</u> <u>Low Density One Family Residential – 12,000 sq.ft. Minimum Size</u>	To allow development of residential uses where the level of public services requires lot sizes larger than in urban residential areas	Detached single family residences and accessory structures and uses.	Private institutions, private recreation facilities, oil and gas pipelines.
MDR Medium Density Residential HDR High Density Residential	<u>MDR</u> <u>Medium Density Residential</u> <u>HDR</u> <u>High Density Residential</u>	<u>RM-2,500</u> <u>Medium Density Multi-Family Residential – 2,500 sq.ft. Minimum Size</u> <u>RM-1,000</u> <u>Multi-Family Residential – 1,000 sq.ft. Minimum Size</u>	To make effective use of limited urban land and to provide areas for concentrated residential uses and planned developments consistent with availability of public services and resource protection.	Single family residences, duplexes, bed and breakfast inns, and multiple family units.	Guest houses, private institutions, mobilehome parks, hotels, motels, churches and other religious institutions, oil and gas pipelines.
WFC Waterfront Commercial	<u>WFC</u> <u>Waterfront Commercial</u>	CW Waterfront Commercial	To protect and provide for nearshore development of	Hotels, motels, and visitor-serving developments,	Professional offices, multiple-family units, residential uses on the upper

TABLE B-1

GENERAL PLAN - 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)
DESIGNATION CORRESPONDENCE

GP Designation(s)	LCP-LUP Designation(s)	LCP LUP LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
C-WFC Core Waterfront Commercial C-RC Core Retail Commercial	<u>C-WFC</u> <u>Core</u> <u>Waterfront</u> <u>Commercial</u> <u>C-RC</u> <u>Core Retail</u> <u>Commercial</u>		recreational, visitor-serving, and commercial fishing industry uses that relate to the presence of coastal resources.	such as antique shops, art galleries, restaurants, taverns, commercial recreation facilities, and commercial fishing industry facilities.	floors of multi-story structures, oil and gas pipelines, public works projects, warehouses.
NC Neighborhood Commercial	<u>NC</u> <u>Neighborhood</u> <u>Commercial</u>	CN Neighborhood Commercial	To allow the integrated development of neighborhood commercial centers providing for the economic well-being and convenience of the residents of the immediate area.	Retail sales, retail services, office and professional uses, personal service establishments.	Public and private Institutions, public works projects.
GSC General Service Commercial HSC Highway Service Commercial	<u>GSC</u> <u>General</u> <u>Service</u> <u>Commercial</u> <u>HSC</u> <u>Highway</u> <u>Service</u> <u>Commercial</u>	CS Service Commercial	To provide appropriately located areas for retail and wholesale commercial establishments that offer commodities and services required by residents of the city and its surrounding market area.	Retail stores, service establishments, amusement establishments, wholesale businesses, restaurants and soda fountains (not including drive-in establishments) and offices.	Drive-in theaters, drive-in restaurants, mobilehome and trailer parks.
C-RO Core- Residential Office	<u>C-RO</u> <u>Core-</u> <u>Residential</u> <u>Office</u>	OR Office/Multi- Family Residential	To provide opportunities for offices of a commercial character to locate outside	Single family residences, multi-family residences, administrative, business, and	Hotels, motels, boarding houses, private institutions, retail services compatible with principal uses.

TABLE B-1					
GENERAL PLAN – 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP LUP LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
			commercial districts and to provide opportunities for compatible mixed uses such as commercial and single and multiple family dwellings.	professional offices.	
CC Community Commercial	<u>CC Community Commercial</u>	CP Planned Shopping Center	To provide large sites at appropriate locations for major shopping centers serving the Humboldt Bay area and North Coast region. The site of such a center shall be planned as an integral unit reflecting high standards of site design, landscaping, traffic planning, and natural resources restoration or enhancement.	A variety of commercial establishments organized as an integrated regional center providing shopper goods and services (as opposed to convenience goods or neighborhood services) to the regional population.	Compatible non-commercial uses such as churches or charitable institutions, service stations, restaurants, and temporary, short-term uses.
<u>PO Professional Office</u>	<u>No corresponding LUP designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>MSC Medical Services Commercial</u>	<u>No corresponding LUP designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
C-CDI Core Coastal Dependent Industrial CDI Coastal	<u>C-CDI Core Coastal Dependent Industrial</u>	MC Coastal-Dependent Industrial	To protect and reserve parcels on, or adjacent to, the Bay for coastal-dependent and coastal-related	Uses that require a site on, or adjacent to, the Bay in order to be able to function at all.	Oil and/or gas processing and treatment facilities serving offshore production, onshore petroleum production facilities,

TABLE B-1					
GENERAL PLAN – 1984 LCP LAND USE <u>PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)</u> DESIGNATION CORRESPONDENCE					
GP Designation(s)	<u>LCP-LUP Designation(s)</u>	LCP LUP <u>LCP-IP (Zoning) Designation(s)</u>	Purpose(s)	Principal Use(s)	Conditional Uses
Dependent Industrial			uses.	including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial fishing facilities, food fish processing plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.	electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing plank, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses, incidental commercial uses incidental to the primary coastal dependent industrial use. ¹
<u>CDI Coastal Dependent Industrial</u>	<u>CDI Coastal Dependent Industrial</u>	<u>MC Coastal-Dependent Industrial</u>	<u>To protect and reserve parcels on, or adjacent to, the Bay for coastal-dependent and coastal-related uses.</u>	<u>Uses that require a site on, or adjacent to, the Bay in order to be able to function at all, including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial fishing facilities, food fish processing</u>	<u>Oil and/or gas processing and treatment facilities serving offshore production, onshore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing plank, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses.</u>

¹ This portion of the suggested modification reiterates LUP Suggested Modification No. 1. See Part One, Section II.a. above.

TABLE B-1					
GENERAL PLAN – 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	<u>LCP-LUP Designation(s)</u>	<u>LCP LUP LCP-IP (Zoning) Designation(s)</u>	Purpose(s)	Principal Use(s)	Conditional Uses
				<u>plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.</u>	
GI General Industrial	<u>GI General Industrial</u>	MG General Industrial	To provide sites suitable for the development of general and heavy industrial uses.	General manufacturing, boiler works, concrete mixing and hatching, chemical products manufacture, breweries and distilleries, meats products processing and packaging, structural steel products manufacturing.	Processing of oil and gas, electrical generating and distribution facilities, animal and fish reduction plants, oil and gas pipelines, offices.
LI Light Industrial	<u>LI Light Industrial</u>	ML Limited Industrial	To provide sites for industries that can operate in close proximity to commercial uses with minimum adverse impact.	Light manufacturing processing plants, machine shops, storage yards, trucking terminals, automobile servicing and repair, warehousing, wholesaling, and existing offices.	Professional and business offices, retail sales, oil and gas pipelines.
A Agricultural	<u>A Agricultural</u>	AG AC Coastal Agriculture/ Farmed or Grazed Wetlands	To protect agricultural lands and give special protection to	Farm-related structures (including barns, sheds, and farmer	Wetland restoration projects; nature study, aquaculture, and similar resource-dependent activities;

TABLE B-1

GENERAL PLAN – ~~1984~~ LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)
DESIGNATION CORRESPONDENCE

GP Designation(s)	<u>LCP-LUP Designation(s)</u>	<u>LCP LUP LCP-IP (Zoning) Designation(s)</u>	Purpose(s)	Principal Use(s)	Conditional Uses
		<u>Agricultural</u>	lands which are also farmed or grazed wetlands, for long-term productive agricultural and wildlife habitat uses.	occupied housing). Structures necessary for the continuance of the existing operation of the farmed wetlands may be located on an existing farmed wetland parcel only if no alternative upland location is available for such purpose, and the structures are sited and designed to minimize the adverse environmental effects on the farmed wetland. (Expanding farming operations into non-farmed wetlands by diking or otherwise altering the functional capacity of the wetland is not permitted.)	incidental public purposes which temporarily impact the resources of the area, such as burying cable and pipes; oil and gas pipelines. No division of existing agricultural parcels, except for agricultural leases, shall be permitted.
<u>T</u> <u>Timberland</u>	<u>No corresponding LUP designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
NR Natural	<u>NR</u> <u>Natural</u>	NR Natural Resources	To protect, enhance, and	Management for fish and	Wetland restoration, educational/scientific

TABLE B-1

GENERAL PLAN – 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)
DESIGNATION CORRESPONDENCE

GP Designation(s)	<u>LCP-LUP Designation(s)</u>	<u>LCP LUP LCP-IP (Zoning) Designation(s)</u>	Purpose(s)	Principal Use(s)	Conditional Uses
Resources	<u>Resources</u>		restore environmentally sensitive habitat areas, and to allow limited resource-dependent uses consistent with the continuance of such habitat areas.	wildlife habitat.	study, pedestrian access, oil and gas pipelines, aquaculture, and leasing for scientific and educational use.
PQP Public/Quasi-Public	<u>PQP Public/Quasi-Public</u>	P Public Facilities	To protect sites appropriate for the development of public and private sector civic service facilities.	Essential services including sewage treatment facilities, fire and police stations, hospitals, and schools; public and private facilities including offices, libraries, cemeteries, and clinics.	
PQP Public/Quasi-Public (Woodley Island)	<u>PQP Public/Quasi-Public (Woodley Island)</u>	PF/M Public Facilities/Marina	To encourage, protect, maintain, and provide public commercial marina fishing boat and related fishing industry facilities at the Woodley Island Marina consistent with all of the uses granted to the Humboldt Bay Harbor, Recreation, and Conservation Commission in	Docks, piers (including recreational fishing piers), and wharves; boat launching facilities; commercial fishing facilities, commercial fishing boat berthing facilities; recreational boating facilities; recreational boat berthing	A third restaurant, including incidental onsite sales and processing of fish, provided that such uses shall not displace current or projected demand for principal uses and necessary support facilities, including parking. Conditional uses shall be designed and located so as not to interfere with permitted uses.

TABLE B-1

GENERAL PLAN – 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)
DESIGNATION CORRESPONDENCE

<u>GP Designation(s)</u>	<u>LCP-LUP Designation(s)</u>	<u>LCP LUP LCP-IP (Zoning) Designation(s)</u>	<u>Purpose(s)</u>	<u>Principal Use(s)</u>	<u>Conditional Uses</u>
			permit NCR-76-C-369 and by City of Eureka Planning Commission permit resolutions 76-25 and 78-39.	facilities not to exceed 20% of the total number of permitted berths two restaurants; offices and shops directly related to marine uses; ice vending stations; marine and boat sales, services, and repairs; on-site sales and processing of fish incidental to permitted restaurants; public access facilities; and parking areas to support other permitted uses.	
<u>CGC Civic Government Center</u>	<u>No corresponding LUP designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>PR Park and Recreation</u>	<u>No corresponding LUP designation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
WC Water Conservation	<u>WC Water Conservation</u>	WC Conservation Water	To protect, enhance, and restore valuable fish, wildlife, and sensitive habitat areas, and to provide for limited resource-dependent uses and public	Management for fish and wildlife habitat.	Aquaculture or similar resource-dependent activities; restoring previously dredged depths in navigation channels, boat launching ramps; incidental public service purposes, including, but not limited to,

TABLE B-1

GENERAL PLAN - 1984 LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP)
DESIGNATION CORRESPONDENCE

GP Designation(s)	<u>LCP-LUP Designation(s)</u>	LCP LUP <u>LCP-IP (Zoning) Designation(s)</u>	Purpose(s)	Principal Use(s)	Conditional Uses
			recreation, including on piers, in estuarine waters.		burying cables and pipes or inspection of piers; restoration purposes; nature study; limited public recreation and public access facilities, including piers; oil and gas pipelines.
WD Water Development	<u>WD Water Development</u>	WD Water Development <u>Water</u>	To provide for port and harbor-related uses of estuarine water consistent with resource protection policies.	Maintenance dredging of previously dredged navigation channels.	New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities restoring previously dredged depths in navigation channels, turning basins, vessel berthing and mooring areas and boat launching facilities; incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of intake and out-fall lines; restoration purposes; nature study, aquaculture, or similar resource-dependent activities; public access and public recreation facilities, including piers.

Source: ~~City of Eureka Local Coastal Program~~, as revised July 17, 1984.

B. SUGGESTED MODIFICATIONS TO THE IMPLEMENTATION PLAN:

SUGGESTED MODIFICATION NO. 6: A new definition of the term “commercial uses incidental to the primary coastal dependent industrial use” shall be appended to Section 10-5.2906 *Definitions* of the Coastal Zoning Regulations module of the IP to read as follows:

COMMERCIAL USES INCIDENTAL TO THE PRIMARY COASTAL DEPENDENT INDUSTRIAL USE. Those certain commercial uses allowed within the Core Coastal-Dependent Industrial Area which are minor in significance, subordinate to, and directly related to the primary coastal-dependent industrial uses for which the area is designated. Commercial uses incidental to the primary coastal dependent industrial use include, but are not limited to, retail sales and services of goods produced or functional work provided at the site, such as fish markets or seafood restaurants at commercial fish processing facilities, and facility tour areas.

SUGGESTED MODIFICATION NO. 7: Section 10-5.29153 of the City of Eureka Local Coastal Program’s *Zoning Regulations of the City* (Conditional Uses in Coastal Dependent Industrial zoning districts) shall be modified to read as follows:

The following conditional uses shall be permitted in accord with the provisions of Article 24 of this chapter:

Access support facilities;
Boat launching and berthing facilities;
Electrical generating or other facilities which require intake, outfalls, or pipelines;
Fish waste processing plants;
Fishing piers;
Ice and cold storage facilities;
OCS oil and/or gas processing and treatment facilities;
Oil and gas pipelines;
Onshore petroleum production;
Outfalls;
Warehouses serving permitted uses;
Commercial uses incidental to the primary coastal dependent industrial use (within the Core Coastal-Dependent Industrial Area).

Existing developed parcels in existence as of January 1, 1984 of less than one acre located in a coastal-dependent industrial district shall be allowed to be developed with coastal-related or general industrial uses if they are not proposed for consolidation with other parcels to permit a new or expanded coastal-dependent industrial use and are not adjacent to the shoreline.

ATTACHMENT C:
CITY OF EUREKA RESOLUTION NO. 2008-08

RECEIVED

MAR 17 2008

RESOLUTION NO. 2008-08

DEPARTMENT OF
COMMUNITY DEVELOPMENT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EUREKA APPROVING AN AMENDMENT TO THE LAND USE
PLAN PORTION OF THE ADOPTED AND CERTIFIED CITY OF
EUREKA LOCAL COASTAL PROGRAM**

WHEREAS, the Local Coastal Program Amendment includes amendments to the text of the Land Use Plan portion of the adopted and certified Local Coastal Program; and

WHEREAS, the proposed Land Use Plan amendment will change the text to include incidental commercial uses as secondary uses in the Core-Coastal Dependent Industrial plan designation; and

WHEREAS, the proposed Land Use Plan amendment will modify the main text of the General Plan and Appendix B to remove all Appendix-related ambiguities consistent with the findings adopted by the Coastal Commission for certification of the City's 1997 LCP amendment which included Appendix B as part of the updated LUP; and

WHEREAS, on February 8, 2008, the California Coastal Commission certified the amendments to the Local Coastal Program.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Eureka as follows:

SECTION 1. The narrative description of the Core Coastal-Dependent Industrial (C-CDI) land use designation and table of permissible primary and secondary uses, as set forth in Part II, Section 1 Land Use and Community Design of the LUP, is amended to read as follows:

The C-CDI designation is intended to reserve and protect land adjacent to Humboldt Bay for coastal-dependent and coastal-related industrial uses. The primary intent of this designation is to encourage fisheries-related industrial uses west of C Street. Certain secondary uses are also conditionally permitted (e.g., "commercial uses incidental to the primary coastal dependent industrial use" as defined) provided they are of a type and scale so as not to negatively impact the primary coastal-dependent industrial use of the site. The maximum FAR for buildings in the C-CDI designation is 0.50.

CORE COASTAL-DEPENDENT INDUSTRIAL (C-CDI)		
	Primary Uses	Secondary Uses
	Uses that require a site on, or adjacent to, the Bay in order	Oil and/or gas processing and treatment facilities

	<p>to be able to function at all, including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial fishing facilities, food fish processing plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.</p>	<p>serving offshore production, onshore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing plants, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses. commercial uses incidental to the primary coastal dependent industrial use.</p>
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SECTION 2. A definition of the term “commercial uses incidental to the primary coastal dependent industrial use” is appended, in alphabetical order, to Appendix A – *Policy Document Glossary* of the LUP (*City of Eureka General Plan – Policy Document*) to read as follows:

Commercial Uses Incidental to the Primary Coastal Dependent Industrial Use – Those certain commercial uses allowed within the Core Coastal-Dependent Industrial Area which are minor in significance, and subordinate and directly related to the primary coastal-dependent industrial uses for which the area is designated. Commercial uses incidental to the primary coastal dependent use include, but are not limited to, retail sales and services of goods produced or functional work provided at the site, such as fish markets or seafood restaurants at commercial fish processing facilities, and facility tour areas.

SECTION 3. The first two paragraphs of “1984 Local Coastal Program” segment of the General Plan Policy Document Part One *Summary* (pp. 7–8) is amended as follows:

1984 LOCAL COASTAL PROGRAM



In May 1984, the City of Eureka adopted its Local Coastal Program (LCP) in accordance with the California Coastal Act. The LCP included a Land Use Plan (LUP) that governed land use and development within the Coastal Zone. Upon adoption in 1984, the LUP superseded the 1977 General Plan and preexisting zoning for the area of Eureka within the Coastal Zone. The LUP contains numerous goals and policies related to land use. These goals and policies are implemented primarily through textual land use policies set forth in

Part II, Section 1 through 8 of the General Plan and the prescriptive development standards enumerated for the various implementing zoning designations, which, in some cases, are synonymous in title with the land use designations they implement (e.g., "Coastal-Dependent Industrial" (CDI) land use designation / "Coastal Dependent Industrial" (MC) zoning district).

This LUP, as may be further subsequently amended and certified by the Coastal Commission, updates and supersedes the Land Use Plan of the 1984 Local Coastal Program. Appendix B describes which of the land use maps, policies, and programs of the overall City-wide General Plan comprise the Land Use Plan component of the City's LCP applicable to the portions of the City situated within the Coastal Zone.

SECTION 4. The "Local Coastal Land Use Plan" segment of the General Plan Policy Document Part One *Summary* (pp. 11-12) is amended as follows:

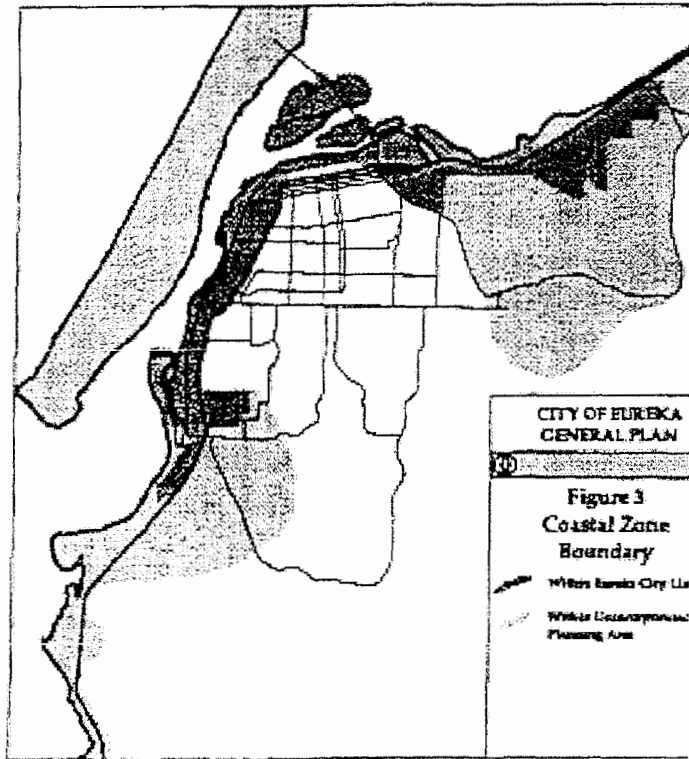
**LOCAL COASTAL
LAND USE PLAN**

This *Policy Document* includes policies, programs, and proposals designed specifically to meet California Coastal Act requirements. This plan updates and, following Coastal Commission approval, will supersede the City's *Coastal Land Use Plan*, which was part of the City's *Local Coastal Program* adopted in 1984.

The California Coastal Act of 1976 requires every city and county lying partly or wholly within the designated coastal zone to prepare a Local Coastal Program. The Coastal Act defines a Local Coastal Program as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions of this division at the local level." (Public Resources Code Section 30108.6)

The policies, programs, and proposals in this *Policy Document* designed to meet Coastal Land Use Plan requirements apply only to land within the city limits of Eureka. Humboldt County's own *Local Coastal Program* regulates land use and development within unincorporated coastal zone areas surrounding Eureka.

Figure 3 shows both the incorporated and unincorporated areas falling within the coastal zone defined by state law.



In this *Policy Document*, policies, programs, standards, and plan proposals designed to meet Coastal Act requirements are noted with the following wave symbol: ☩ Policies, programs, standards, and plan proposals with the coastal notation, however, also apply outside the coastal zone unless their application is explicitly limited to the Coastal Zone. With regard to land use designations, Appendix B provides further detail as to the sub-set of General Plan categories applied to the coastal zone portions of the City (i.e., the LUP land use designations), the purposes for, and primary and conditional uses identified for each designation, and the zoning districts which would implement the various plan policies, programs, standards, and proposals.

Section 5. The table of permissible primary and secondary uses for the Core Waterfront Commercial (C-WFC) land use designation, as set forth in Part II, Section 1 *Land Use and Community Design* of the LUP, is amended to read as follows:

CORE WATERFRONT COMMERCIAL (C-WFC)		
	Primary Uses	Secondary Uses
	Hotels, motels, and visitor-serving developments, such as antique shops, art galleries, restaurants, taverns, commercial recreation facilities, and commercial fishing industry facilities.	Professional offices, multiple-family units, residential uses on the upper floors of multi-story structures; oil and gas pipelines; public works projects; warehouses.

Section 6. The “Coastal Land Use Designations” segment of the General Plan Policy Document Part II Land Use and Community Design section (p. 1-9) is amended as follows:

COASTAL LAND USE DESIGNATIONS

In preparing this General Plan, the City established land use designations that correspond essentially with all of the LCP designations. Table B-1 in Appendix B lists each designation appearing on the Land Use Diagram and indicates the LCP’s Land Use Plan (LUP) designation with which it corresponds. The Coastal Act requires LCP Land Use Plan designations to include more specificity than that required by State General Plan law. Accordingly, for each designation appearing on the General Plan Land Use Diagram within the incorporated area of the Coastal Zone, Table B-1 shows the corresponding LCP LUP designation, the more detailed purpose description and use prescriptions contained in the LUP, and indicates the zoning district designations that would implement the plan provisions. Figure B-2 in Appendix B shows the Land Use Diagram land use designations for the area of the city within the Coastal Zone.

SECTION 7. Section B.4 of the General Plan Policy Document Appendix B (p. B-2) is amended as follows:

B.4 GENERAL PLAN UPDATE COASTAL LAND USE POLICIES

In updating its General Plan, the City of Eureka has determined that the most effective way to address the separate legal requirements of State General Plan law and the California Coastal Act is to combine the goals, policies, and programs addressing these requirements into a single, unified document. In doing so, the City reviewed the land use maps and land use policies of the 1984 LCP and determined which policies and programs should be incorporated into the updated citywide General Plan. The LCP originally contained a total of 22 land use designations and 119 policies and implementing

actions/programs. The following two subsections summarize how the General Plan addresses the coastal planning requirements in terms of the Land Use Diagram and its policies and programs. First, the following subsection describes: (1) which of the 28 current land use designations on the *General Plan Land Use Diagram* have been applied to the portions of the City within the coastal zone; (2) the corresponding zoning district designations that implement each land use designation; and (3) the more restrictive subset of principal and conditional uses identified in the *General Plan Land Use and Community Design* section permissible within the coastal zone portions of the City. The next subsection lists the policies and programs of the *General Plan*, as well as policies and programs developed for the General Plan Update that address coastal issues and are applicable in reviewing coastal development permit applications for development within the Coastal Zone.

LAND USE DIAGRAM

In preparing the General Plan Update, the City established land use designations that essentially correspond with all of the LCP designations. Table B-1 lists each of the designations in the Policy Document and indicates the LCP designation with which it corresponds. The Coastal Act requires LCP Land Use Plan designations to include more specificity than that required by State General Plan law. For each of the designations appearing on the General Plan Land Use Diagram within the incorporated area of the Coastal Zone (see Figure B-1), Table B-1 shows the corresponding LCP Land Use Plan designation, the corresponding zoning district designation that implements the LUP designation, and the more detailed purpose descriptions and restrictive use prescriptions contained in the coastal resource policies and standards of the LUP. Figure B-2 shows the *Draft Land Use Diagram* land use designations for the area of the city within the coastal zone.

Section 8. Table B-1 of the General Plan Policy Document Appendix B Coastal Land Use Policy (pp. B-2 – B-6) is amended as follows:

TABLE B-1 GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
RR Rural Residential	No corresponding LUP designation	N/A	N/A	N/A	N/A
LDR Low Density Residential	LDR Low Density Residential	RS-6000 One Family Residential – 6,000 sq.ft. Minimum Size RS-12,000 One Family Residential – 12,000 sq.ft. Minimum Size	To allow the development of residential uses making conservative use of urban land where adequate services are available.	Detached single family residences and accessory structures and uses.	Private institutions, private recreation facilities, oil and gas pipelines.

TABLE B-1

GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE

GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
ER Estate Residential	ER Estate Residential	RS-12,000 One Family Residential – 12,000 sq.ft. Minimum Size	To allow development of residential uses where the level of public services requires lot sizes larger than in urban residential areas	Detached single family residences and accessory structures and uses.	Private institutions, private recreation facilities, oil and gas pipelines.
MDR Medium Density Residential	MDR Medium Density Residential	RM-2,500 Multi-Family Residential	To make effective use of limited urban land and to provide areas for concentrated residential uses and planned developments consistent with availability of public services and resource protection.	Single family residences, duplexes, bed and breakfast inns, and multiple family units.	Guest houses, private institutions, mobilehome parks, hotels, motels, churches and other religious institutions, oil and gas pipelines.
HDR High Density Residential	HDR High Density Residential	RM-1,000 Multi-Family Residential			
WFC Waterfront Commercial	WFC Waterfront Commercial	CW Waterfront Commercial	To protect and provide for nearshore development of recreational, visitor-serving, and commercial fishing industry uses that relate to the presence of coastal resources.	Hotels, motels, and visitor-serving developments, such as antique shops, art galleries, restaurants, taverns, commercial recreation facilities, and commercial fishing industry facilities.	Professional offices, multiple-family units, residential uses on the upper floors of multi-story structures, oil and gas pipelines, public works projects, warehouses.
C-WFC Core Waterfront Commercial	C-WFC Core Waterfront Commercial				
C-RC Core Retail Commercial	C-RC Core Retail Commercial				
NC Neighborhood Commercial	NC Neighborhood Commercial	CN Neighborhood Commercial	To allow the integrated development of neighborhood commercial centers providing for the economic well-being and convenience of the residents of the immediate area.	Retail sales, retail services, office and professional uses, personal service establishments.	Public and private institutions, public works projects.
GSC General Service Commercial	GSC General Service Commercial	CS Service Commercial	To provide appropriately located areas for retail and wholesale commercial establishments that offer commodities and services required by residents of the city	Retail stores, service establishments, amusement establishments, wholesale businesses, restaurants and soda fountains (not including drive-in establishments) and offices.	Drive-in theaters, drive-in restaurants, mobilehome and trailer parks.
HSC Highway Service Commercial	HSC Highway Service Commercial				

TABLE B-1 GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
			and its surrounding market area.		
C-RO Core-Residential Office	C-RO Core-Residential Office	OR Office/Multi- Family Residential	To provide opportunities for offices of a commercial character to locate outside commercial districts and to provide opportunities for compatible mixed uses such as commercial and single and multiple family dwellings.	Single family residences, multi-family residences, administrative, business, and professional offices.	Hotels, motels, boarding houses, private institutions, retail services compatible with principal uses.
CC Community Commercial	CC Community Commercial	CP Planned Shopping Center	To provide large sites at appropriate locations for major shopping centers serving the Humboldt Bay area and North Coast region. The site of such a center shall be planned as an integral unit reflecting high standards of site design, landscaping, traffic planning, and natural resources restoration or enhancement.	A variety of commercial establishments organized as an integrated regional center providing shopper goods and services (as opposed to convenience goods or neighborhood services) to the regional population.	Compatible non-commercial uses such as churches or charitable institutions, service stations, restaurants, and temporary, short-term uses.
PO Professional Office	No corresponding LUP designation	N/A	N/A	N/A	N/A
MSC Medical Services Commercial	No corresponding LUP designation	N/A	N/A	N/A	N/A
C-CDI Core Coastal Dependent Industrial	C-CDI Core Coastal Dependent Industrial	MC Coastal- Dependent Industrial	To protect and reserve parcels on, or adjacent to, the Bay for coastal-dependent and coastal-related uses.	Uses that require a site on, or adjacent to, the Bay in order to be able to function at all, including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial	Oil and/or gas processing and treatment facilities serving offshore production, onshore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing

TABLE B-1					
GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
				fishing facilities, food fish processing plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.	plank, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses, commercial uses incidental to the primary coastal dependent industrial use.
CDI Coastal Dependent Industrial	CDI Coastal Dependent Industrial	MC Coastal-Dependent Industrial	To protect and reserve parcels on, or adjacent to, the Bay for coastal-dependent and coastal-related uses.	Uses that require a site on, or adjacent to, the Bay in order to be able to function at all, including, but not limited to: docks, waterborne carrier import and export facilities, ship building and boat repair, commercial fishing facilities, food fish processing plants, marine services, marine oil terminals, OCS service bases and pipelines serving offshore facilities.	Oil and/or gas processing and treatment facilities serving offshore production, onshore petroleum production facilities, electrical generating or other facilities which require ocean intake-outfall and pipelines, fish waste processing plank, ice and cold storage facilities, fishing piers, boat launching and berthing facilities, access support facilities, warehouses.
GI General Industrial	GI General Industrial	MG General Industrial	To provide sites suitable for the development of general and heavy industrial uses.	General manufacturing, boiler works, concrete mixing and hatching, chemical products manufacture, breweries and distilleries, meats products processing and packaging, structural steel products manufacturing.	Processing of oil and gas, electrical generating and distribution facilities, animal and fish reduction plants, oil and gas pipelines, offices.
LI Light Industrial	LI Light Industrial	ML Limited Industrial	To provide sites for industries that can operate in close proximity to commercial uses with minimum adverse impact.	Light manufacturing processing plants, machine shops, storage yards, trucking terminals, automobile servicing and repair, warehousing,	Professional and business offices, retail sales, oil and gas pipelines.

TABLE B-1 GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
				wholesaling, and existing offices.	
A Agricultural	A Agricultural	AC Coastal Agricultural	To protect agricultural lands and give special protection to lands which are also farmed or grazed wetlands, for long-term productive agricultural and wildlife habitat uses.	Farm-related structures (including barns, sheds, and farmer occupied housing). Structures necessary for the continuance of the existing operation of the farmed wetlands may be located on an existing farmed wetland parcel only if no alternative upland location is available for such purpose, and the structures are sited and designed to minimize the adverse environmental effects on the farmed wetland. (Expanding farming operations into non-farmed wetlands by diking or otherwise altering the functional capacity of the wetland is not permitted.)	Wetland restoration projects; nature study, aquaculture, and similar resource-dependent activities; incidental public purposes which temporarily impact the resources of the area, such as burying cable and pipes; oil and gas pipelines. No division of existing agricultural parcels, except for agricultural leases, shall be permitted.
T Timberland	No corresponding LUP designation	N/A	N/A	N/A	N/A
NR Natural Resources	NR Natural Resources	NR Natural Resources	To protect, enhance, and restore environmentally sensitive habitat areas, and to allow limited resource-dependent uses consistent with the continuance of such habitat areas.	Management for fish and wildlife habitat.	Wetland restoration, educational/scientific study, pedestrian access, oil and gas pipelines, aquaculture, and leasing for scientific and educational use.
PQP Public/Quasi-Public	PQP Public/Quasi-Public	P Public	To protect sites appropriate for the development of public and private sector civic service facilities.	Essential services including sewage treatment facilities, fire and police stations, hospitals, and schools; public and private facilities including offices,	

TABLE B-1					
GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE					
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
				libraries, cemeteries, and clinics.	
PQP Public/Quasi-Public (Woodley Island)	PQP Public/Quasi-Public (Woodley Island)	PF/M Public Facilities/Marina	To encourage, protect, maintain, and provide public commercial marina fishing boat and related fishing industry facilities at the Woodley Island Marina consistent with all of the uses granted to the Humboldt Bay Harbor, Recreation, and Conservation Commission in permit NCR-76-C-369 and by City of Eureka Planning Commission permit resolutions 76-25 and 78-39.	Docks, piers (including recreational fishing piers), and wharves; boat launching facilities; commercial fishing facilities, commercial fishing boat berthing facilities; recreational boating facilities; recreational boat berthing facilities not to exceed 20% of the total number of permitted berths two restaurants; offices and shops directly related to marine uses; ice vending stations; marine and boat sales, services, and repairs; on-site sales and processing of fish incidental to permitted restaurants; public access facilities; and parking areas to support other permitted uses.	A third restaurant, including incidental onsite sales and processing of fish, provided that such uses shall not displace current or projected demand for principal uses and necessary support facilities, including parking. Conditional uses shall be designed and located so as not to interfere with permitted uses.
CGC Civic Government Center	No corresponding LUP designation	N/A	N/A	N/A	N/A
PR Park and Recreation	No corresponding LUP designation	N/A	N/A	N/A	N/A
WC Water Conservation	WC Water Conservation	WC Conservation Water	To protect, enhance, and restore valuable fish, wildlife, and sensitive habitat areas, and to provide for limited resource-dependent uses and public recreation, including on piers,	Management for fish and wildlife habitat.	Aquaculture or similar resource-dependent activities; restoring previously dredged depths in navigation channels, boat launching ramps; incidental public service purposes, including, but not limited to, burying

TABLE B-1

GENERAL PLAN – LCP LAND USE PLAN (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE

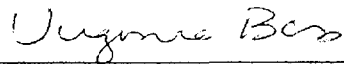
GP Designation(s)	LCP-LUP Designation(s)	LCP-IP (Zoning) Designation(s)	Purpose(s)	Principal Use(s)	Conditional Uses
			in estuarine waters.		cables and pipes or inspection of piers; restoration purposes; nature study; limited public recreation and public access facilities, including piers; oil and gas pipelines.
WD Water Development	WD Water Development	WD Development Water	To provide for port and harbor-related uses of estuarine water consistent with resource protection policies.	Maintenance dredging of previously dredged navigation channels.	New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities restoring previously dredged depths in navigation channels, turning basins, vessel berthing and mooring areas and boat launching facilities; incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of intake and out-fall lines; restoration purposes; nature study, aquaculture, or similar resource-dependent activities; public access and public recreation facilities, including piers.

SECTION 9 The City Council directs that the amendments to the Land Use Plan take effect immediately upon adoption of this Resolution.


PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the fourth day of March 2008, by the following vote:

AYES:	COUNCIL MEMBERS: GLASS; ENDERT; LEONARD; KERRIGAN; JONES
NOES:	COUNCIL MEMBERS: NONE
ABSENT:	COUNCIL MEMBERS: NONE
ABSTAIN:	COUNCIL MEMBERS: NONE

ATTEST:




 Virginia Bass
 Mayor



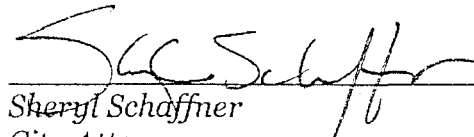
 Kathleen Franco Simmons
 City Clerk

APPROVED AS TO ADMINISTRATION:

APPROVED AS TO FORM:



 David W. Tyson
 City Manager



 Sheryl Schaffner
 City Attorney

**ATTACHMENT D:
CITY OF EUREKA ORDINANCE NO. 722-C.S.**

**ORDINANCE AMENDING THE IMPLEMENTATION PLAN OF
THE ADOPTED AND CERTIFIED LOCAL COASTAL PROGRAM
CONCERNING COMMERCIAL USES INCIDENTAL TO THE
PRIMARY COASTAL DEPENDENT INDUSTRIAL USE**

Be It Ordained by the City Council of the City of Eureka as Follows:

SECTION 1. Eureka Municipal Code Title 15, Chapter 156, § 156.006 DEFINITIONS (also referenced as Article 29, Part 1, Section 10-5.2906 of the zoning regulations of the City for the coastal zone) is hereby amended to include the following in alphabetical order:

COMMERCIAL USES INCIDENTAL TO THE PRIMARY COASTAL DEPENDENT INDUSTRIAL USE. Those certain commercial uses allowed within the Core Coastal-Dependent Industrial Area which are minor in significance, subordinate to, and directly related to the primary coastal-dependent industrial uses for which the area is designated. Commercial uses incidental to the primary coastal dependent industrial use include, but are not limited to, retail sales and services of goods produced or functional work provided at the site, such as fish markets or seafood restaurants at commercial fish processing facilities, and facility tour areas.

SECTION 2. Eureka Municipal Code Title 15, Chapter 156, § 156.076(D) *Conditional Uses* (also referenced as Article 29, Part 1, Part 15, Section 10-5.29153 of the zoning regulations of the City for the coastal zone) is hereby amended as follows:

(1) The following conditional uses shall be permitted in accord with the provisions of Article 24 of this chapter:

- (a) Access support facilities;
- (b) Boat launching and berthing facilities;
- (c) Electrical generating or other facilities which require intake, outfalls, or pipelines;
- (d) Fish waste processing plants;
- (e) Fishing piers;
- (f) Ice and cold storage facilities;
- (g) OCS oil and/or gas processing and treatment facilities;
- (h) Oil and gas pipelines;
- (i) Onshore petroleum production;
- (j) Outfalls;


(k) Warehouses serving permitted uses; and
(l) Commercial uses incidental to the primary coastal dependent industrial use (within the Core Coastal-Dependent Industrial Area).

(2) Existing developed parcels in existence as of January 1, 1984 of less than one acre located in a coastal-dependent industrial district shall be allowed to be developed with coastal-related or general industrial uses if they are not proposed for consolidation with other parcels to permit a new or expanded coastal-dependent industrial use and are not adjacent to the shoreline.

SECTION 3. This ordinance becomes effective immediately and automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

THIS ORDINANCE IS HEREBY PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the eighteenth day of March, 2008, by the following vote:

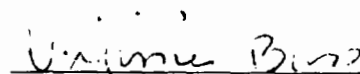
AYES: COUNCIL MEMBERS: GLASS, LEONARD, KERRIGAN, JONES
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: ENDERT
ABSTAIN: COUNCIL MEMBERS: NONE



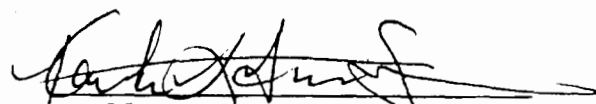
Mike Jones
Mayor Pro Tem

The above ordinance was submitted to me on the 20th day of March, 2008, and I hereby approve the same.

ATTEST:




Virginia Bass
Mayor

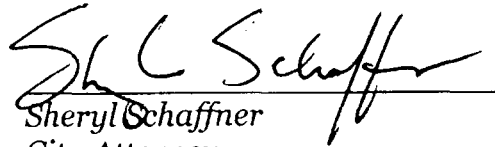


Kathleen Franco Simmons
City Clerk

APPROVED AS TO ADMINISTRATION:


David W. Tyson
City Manager

APPROVED AS TO FORM:


Sheryl Schaffner
City Attorney