

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA OFFICE  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
(415) 904-5260

# Th 3a



## ADMINISTRATIVE PERMIT

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Date: May 22, 1998Permit Application No. **1-98-009**

**APPLICANT(S): E.G. Ayers Distributing, Inc., Attn: Phil Ayers**

**PROJECT DESCRIPTION:** For a two story 2,100 sq.ft. office addition and a 29.5 ft. high 2,340 sq.ft. warehouse addition to an existing warehouse

**PROJECT LOCATION:** 5819 South Broadway, Eureka (Humboldt County) (APN(s) 305-101-28)

**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

*NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.*

This permit will be reported to the Commission at the following time and place:

DATE: **Thursday, June 11, 1998**

PHONE: (805) 963-0744

TIME: **Meeting begins at 9:00 AM, Item No. Th 3a**PLACE: **RADISSON HOTEL - SANTA BARBARA  
1111 E. Cabrillo Blvd., San Barbara, CA**

**IMPORTANT - Before you may proceed with development, the following must occur:**

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

**BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.**

Sincerely,  
PETER M. DOUGLAS  
Executive Director

By: ROBERT MERRILL  
Chief of Permits

**STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgement.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission Office.
2. **Expiration.** If development is not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit.

Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

1. Project and Site Description.

The applicants propose to construct a two story 2,100-square-foot office addition and a 29.5-foot-high, 2,340-square-foot warehouse addition to an existing warehouse building. The building is part of a wholesale food distribution business conducted at the site.

The project site is located at 5819 Broadway, south of Eich Road, in the Spruce Point/Humboldt Hill area south of Eureka. The property is developed with the aforementioned warehouse and one other large warehouse/garage structure. The existing development includes over 15,000 square feet of warehouse space and 1,000 square feet of office space.

Virtually all of the undeveloped portions of the parcel are either paved with asphalt or graveled for truck parking and outdoor storage. The parcel fronts on to a freshwater marsh ringed by willows and other riparian vegetation on the parcel to the northeast. The freshwater marsh and riparian vegetation extend around the southeast and southwest sides of the property as well. However, no wetlands exist on the applicant's parcel where development is currently proposed.

The proposed approximately 30-foot by 40-foot office addition will extend towards the front of the property from the northernmost and larger of the two existing buildings into an existing paved parking area. The attractively designed two story structure will have a stucco facade and a pitched roof made of corrugated metal. A covered entry way will extend a few feet from the front of the addition. The addition will be 27.75 feet high, approximately 6 feet taller than the portion of the building to which it will be attached.

The proposed approximately 30-foot by 78-foot warehouse addition will extend from the other end of the same building towards the rear of the property into an existing paved parking area. The corrugated metal siding, roof, and 29.5-foot-height of the addition will be consistent with the facade, roof, and height of the existing warehouse. The addition will include a new overhead door on its southeast side, but will have no other doors or windows.

2. Locating and Planning New Development.

Section 30250(a) of the Coastal Act states that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

The site is within a partially developed area along South Broadway, east of Highway 101. The parcel is designated in Humboldt County's Humboldt Bay Area Plan as Commercial General (CG) and is also zoned as CG with Coastal Resources Dependent, Flood Hazards and Wetlands Combining Zones (CG/C,F,W). The CG designation and zoning allows for the proposed office expansion as a principally permitted use and allows for the proposed warehouse addition as a conditionally permitted use. Humboldt County granted Conditional Use Permit No. CUP-22-97 for the project.

The proposed project will increase slightly the development's demand for water and sewer services as the proposed office addition includes additional restrooms. However, the property is served by a municipal sewer and water system and adequate water and sewer services are available.

Therefore, the proposed development is consistent with Section 30250(a) of the Coastal Act to the extent that the the project is located in a partially developed area with adequate public services able to accommodate it.

### 3. Environmentally Sensitive Habitat Areas.

Section 30240 of the Coastal Act provides, in applicable part, that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and that development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts that would significantly degrade such areas.

The subject parcel does not contain environmentally sensitive habitat but the adjoining parcels contain a freshwater marsh ringed by riparian habitat. Pre-Coastal Act development in the area and alleged illegal fills placed since passage of the Coastal Act have greatly diminished the original extent of the marsh. However, the marsh and associated seasonal wetlands still occupy sizable areas between South Broadway and Humboldt Hill Road to the east. In a March 25, 1980 letter to the Humboldt County Planning Department concerning the previously permitted but never-constructed warehouse project on the site, the Department of Fish and Game commented that numerous species of wildlife inhabit the marshes in the immediate vicinity of the project site. The letter notes that although many species such as skunks, weasels, voles and mice are seldom seen because of secretive or nocturnal habits, many others are commonly observed. Among those which may be readily seen are mallard, teal, scaup, bufflehead, scoter, coot, egret, heron, snipe, sandpipers and others. The letter goes on to note that all of the individual animals which occur in the marshes depend upon them for shelter, food and/or nesting areas. They cannot, for the most part, relocate to another habitat.

The proposed building additions will not adversely affect the freshwater marsh and riparian habitat on the adjoining parcels. The proposed office addition will be constructed more than 150 feet away from the closest sensitive habitat

and would be separated from the habitat by portions of the existing warehouse structure. While the proposed warehouse addition will be located a full 70 to 80 feet away from sensitive habitat to the southeast and southwest, the addition will be located as close as 30 feet to the sensitive habitat area to the northeast. However, the addition will not intensify the use of the area in a manner that could disturb the habitat values of the marsh. The side of the proposed addition closest to the marsh will not have windows and doors. The solid walls of that side of the structure will effectively screen the human activities within the building from birds and other wildlife using the marsh. Furthermore, the addition will replace an existing outdoor storage area at this location. There is much greater potential for human activity at the storage area to affect adjacent habitat than there is for activities inside the structure. In addition, the structure will not increase the amount of impervious surface on the site that could increase contaminant containing runoff to the marsh as the structure will be built on an area that is already paved.

Therefore, the Executive Director finds that the proposed project will not adversely affect adjacent wetland habitat and the proposed development is consistent with Section 30240 of the Coastal Act.

4. CEQA.

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The project does not have a significant adverse effect on the environment, within the meaning of CEQA. Therefore, the proposed development is consistent with the requirements of CEQA.

SPECIAL CONDITIONS: NONE.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing