

**CALIFORNIA COASTAL COMMISSION**

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ARCATA, CA 95521  
VOICE (707) 826-8950  
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# F8b

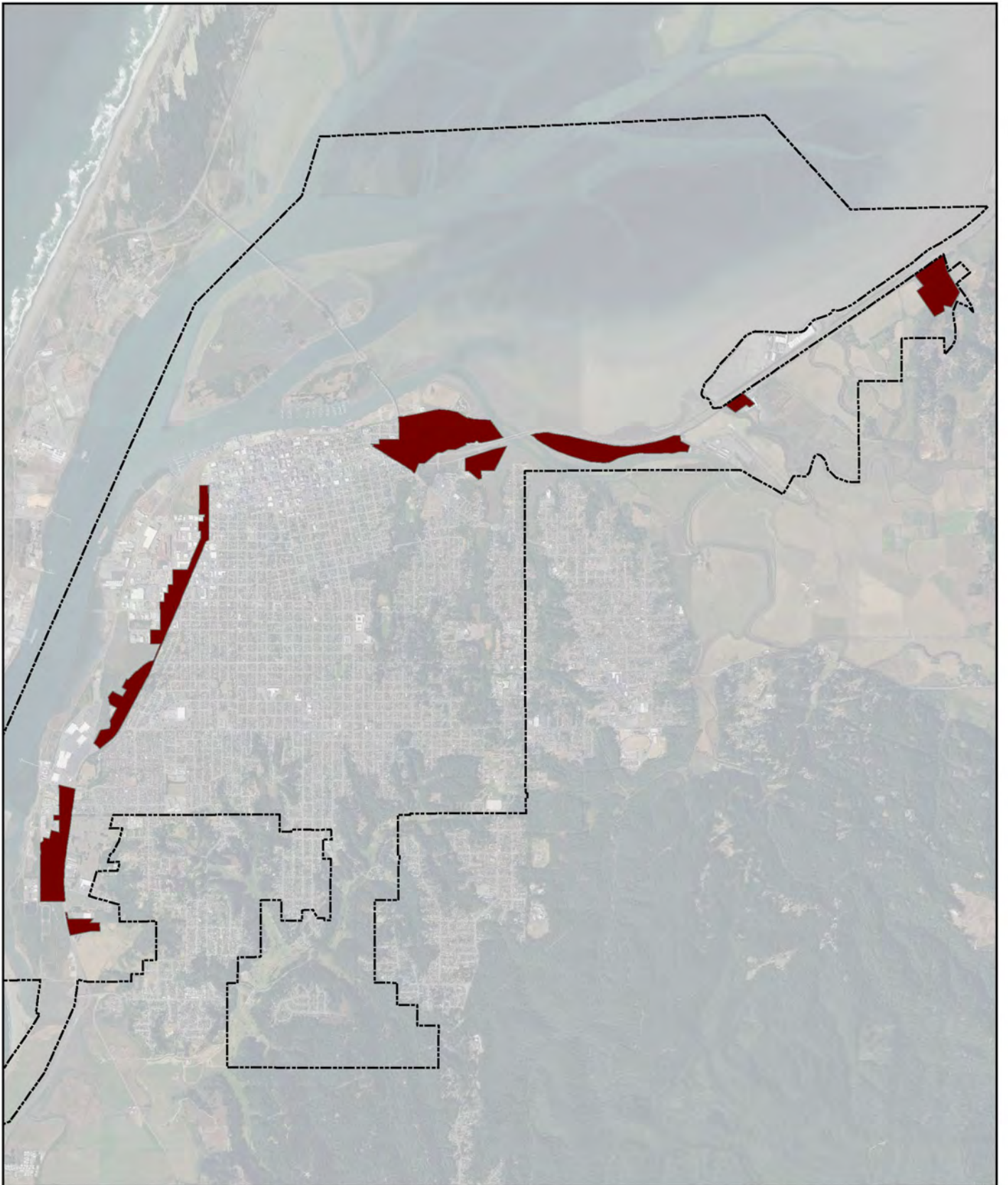
## LCP-1-EUR-17-0049-2 (EMERGENCY SHELTERS)

October 9, 2020

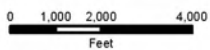
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Scale: 1" = 4000'



Legend

- Service Commercial (CS)
- Zones- Coastal Only

Eureka City Limits

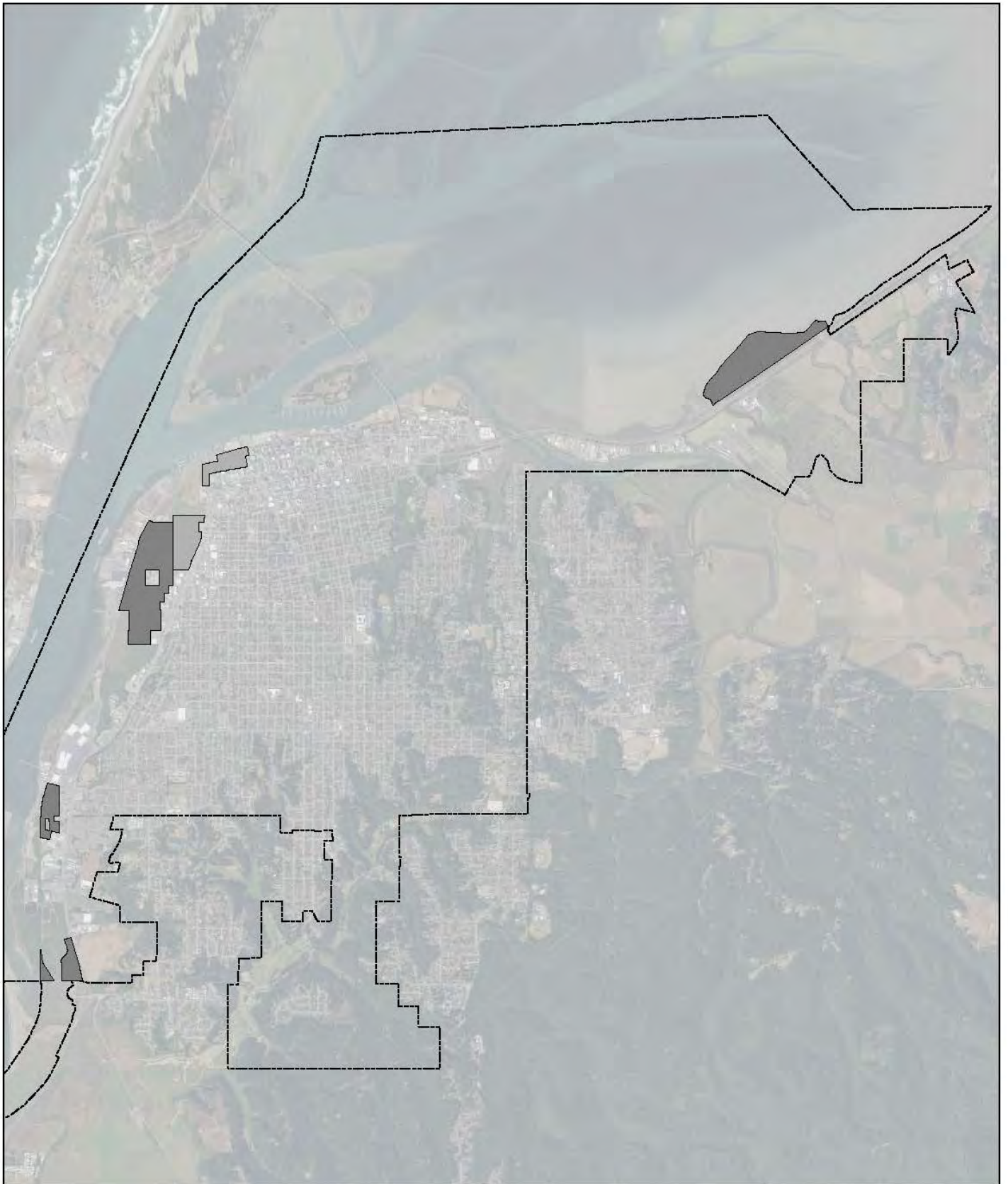
Coastal CS-Service Commercial Districts



Figure 1

Date: 10/23/2019

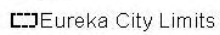
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Scale: 1" = 4000'



Legend



Coastal ML & MG  
Districts



Figure 1

Date: 9/2/2020

Created By: rtopolewski

RESOLUTION No. 2017- 35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA  
TRANSMITTING AMENDMENTS TO THE IMPLEMENTATION PLAN AND THE LAND  
USE PLAN OF THE ADOPTED AND CERTIFIED CITY OF EUREKA LOCAL  
COASTAL PROGRAM PERTAINING TO EMERGENCY SHELTERS TO THE  
CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION**

WHEREAS, the City of Eureka desires to amend the City of Eureka Local Coastal Program to allow Emergency Shelters in certain zone districts within the coastal zone; and

WHEREAS, an amendment to both the Implementation Plan and the Land Use Plan portions of the City of Eureka's Local Coastal Program are required; and

WHEREAS, the amendments to the Implementation Plan portion of the Local Coastal Program add "Emergency Shelters" as principally permitted uses within the Service Commercial (CS), General Industrial (MG), and Limited Industrial (ML) zone districts within the coastal zone with the issuance of a shelter permit; and

WHEREAS, the amendments to the Land Use Plan portion of the Local Coastal Program add "Emergency Shelters pursuant to SB2" to the purposes and principal uses in the General Service Commercial (GSC), General Industrial (GI), and Limited Industrial (MI) land use designations in Table B-1 of Appendix B; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, on March 30, 2017 and on April 14, 2017, a "*Notice of Availability of Draft Local Coastal Program Amendments and Notice of Planning Commission Public Hearing*" for the draft amendments were mailed to 47 local, state and federal agencies; the Humboldt County Library; one newspaper of general circulation and 11 radio stations; and

WHEREAS, on March 31, 2017 and on April 21, 2017, the same Notices were published in the Times-Standard, a daily newspaper of general circulation; and

WHEREAS, the Notices advised of a public hearing scheduled before the Planning Commission on April 10, 2017 and before the City Council on May 2, 2017; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, the mailings on March 30, 2017 and April 14, 2017, and the publications on March 31, 2017 and April 21, 2017, were at least ten days prior to the scheduled public hearings; and

WHEREAS, pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for Local Coastal Programs and Local Coastal Program Amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA; and

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WHEREAS, at the public hearing held by the Planning Commission on April 10, 2017 there were no persons who provided testimony in favor of or opposed to the Local Coastal Program Amendments; and

WHEREAS, upon closing the public hearing, the Planning Commission considered the amendments to the Local Coastal Program and declined to take action to recommend that the Council approve the amendments; and

WHEREAS, the City Council held a public hearing on May 2, 2017, to consider the Local Coastal Program Amendments. No persons provided testimony in favor of or against the Local Coastal Program Amendments; and

WHEREAS, on May 2, 2017, upon closing the public hearing, the City Council considered the Local Coastal Program Amendments and the Planning Commission's denial, and took action to introduce Bill No. 935-C.S. to amend the Eureka Municipal Code Title 10 Chapter 5 pertaining to Emergency Shelters; and

WHEREAS, on May 16, 2017, the City Council took action to waive reading, read by title only and adopt Bill No. 935-C.S.; and

WHEREAS, on May 16, 2017, the City Council adopted "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 pertaining to Emergency Shelters;" and

WHEREAS, Section 13515(c) of Title 14 Code of Regulations requires that there be a minimum of six weeks (42 days) between the "Notice of Public Hearing" for the draft Local Coastal Program Amendments and the City's final action; and

WHEREAS, the City Council's final action on the Local Coastal Program Amendments occurred on May 16, 2017, which is 47 days following the first mailing of the Notice of Public Hearing on March 30, 2017 and 46 days following the publication of the first notice in the Times-Standard.

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

**SECTION 1.** Amending the text of the Local Coastal Program is a "project" for the purposes of CEQA. However, pursuant to CEQA Guidelines Section 15304(e), the project is exempt because it involves only minor temporary use of land and will have negligible or no permanent effects on the environment.

Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for LCP Amendments have been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by the California Environmental Quality

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Act (CEQA). Therefore, local governments are not required to undertake environmental analysis of proposed LCP Amendments. Therefore, based on the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the amendments to modify the Local Coastal Program.

**SECTION 2.** The City Council hereby finds that the amendments to the Implementation Plan and the Land Use Plan conform to Chapter 3 of the Coastal Act.

**SECTION 3.** The City Council hereby finds that the Local Coastal Program Amendments, which amend the Implementation Plan and the Land Use Plan, are consistent with the adopted Land Use Plan and are not known to create any conflicts or contradictions to adopted Plan policy, nor any inconsistencies within the General/Land Use Plan itself, and furthermore, are generally found to be consistent with existing General/Land Use Plan objectives to protect the public health, safety, peace, comfort, convenience, prosperity and general welfare in the City of Eureka.

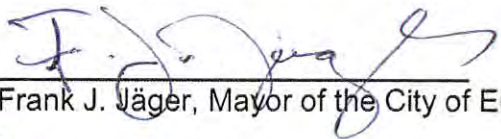
**SECTION 4.** The City Council hereby declares that pursuant to Coastal Act Section 30510(a), the City of Eureka will carry out the Emergency Shelter Local Coastal Program Amendments in a manner fully consistent with the California Coastal Act.

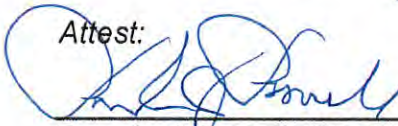
**SECTION 5.** The City Council directs Staff to transmit the adopted Local Coastal Program Amendments pertaining to Emergency Shelters to the Coastal Commission for approval and certification.

**SECTION 6.** The City Council directs that the amendments to the Local Coastal Program take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

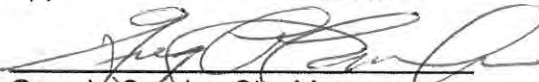
PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 16th day of May, 2017, by the following vote:

AYES: COUNCIL MEMBERS: BRADY, MESSNER, BERGEL, ALLISON, ARROYO  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:

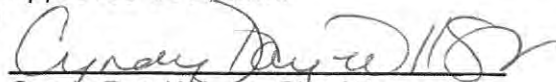
  
Frank J. Jäger, Mayor of the City of Eureka

Attest:  
  
Pamela J. Powell, City Clerk

Approved as to Administration:

  
Greg L. Sparks, City Manager

Approved as to form:

  
Cyndy Day-Wilson, City Attorney

**RESOLUTION No. 2017-36**

**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 PERTAINING TO EMERGENCY SHELTERS**

WHEREAS, on May 2, 2017, the City Council of the City of Eureka initiated an amendment to the City of Eureka Local Coastal Program to allow Emergency Shelters in certain zone districts within the coastal zone; and

WHEREAS, the Local Coastal Program Amendment includes amendments to the text of the Implementation Plan and Land Use Plan portions of the Local Coastal Program; and

WHEREAS, the proposed amendment to the Implementation Plan will allow "Emergency Shelters" as principally permitted uses within the Service Commercial (CS), General Industrial (MG), and Limited Industrial (ML) zone districts within the coastal zone with the issuance of a shelter permit; and

WHEREAS, the proposed amendment to the Land Use Plan portion of the Local Coastal Program will add "Emergency Shelters pursuant to SB2" to the purposes and principal uses in the General Service Commercial (GSC), General Industrial (GI), and Limited Industrial (MI) land use designations in Table B-1 of Appendix B; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, on March 30, 2017, and on April 14, 2017, a "*Notice of Availability of Draft Local Coastal Program Amendments and Notice of Planning Commission Public Hearing*" for the draft amendments were mailed to 47 local, state and federal agencies; the Humboldt County Library; one newspaper of general circulation and 11 radio stations; and

WHEREAS, on March 31, 2017 and on April 21, 2017, the same Notices were published in the Times-Standard, a daily newspaper of general circulation; and

WHEREAS, the Notices advised of a public hearing scheduled before the Planning Commission on April 10, 2017 and before the City Council on May 2, 2017; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, the mailing on March 30, 2017, and April 14, 2017, and the publications on March 31, 2017, and on April 21, 2017, were at least ten days prior to the scheduled public hearings; and

WHEREAS, pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for Local Coastal Programs and Local Coastal Program Amendments have been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA; and

WHEREAS, at the public hearing held by the Planning Commission on April 10, 2017 there were no persons who provided testimony in favor of or opposed to the Local Coastal Program Amendments; and



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WHEREAS, upon closing the public hearing, the Planning Commission considered the amendments to the Local Coastal Program and declined to take action to recommend that the Council approve the amendments; and

WHEREAS, the City Council held a public hearing on May 2, 2017, to consider the Local Coastal Program Amendments. No persons provided testimony in favor of or against the Local Coastal Program Amendments; and

WHEREAS, on May 2, 2017, upon closing the public hearing, the City Council considered the Local Coastal Program Amendments and the Planning Commission's denial, and took action to introduce Bill No. 935-C.S. to amend the Eureka Municipal Code Title 10 Chapter 5 pertaining to Emergency Shelters; and

WHEREAS, on May 16, 2017, the City Council took action to waive reading, read by title only and adopt Bill No. 935-C.S.; and

WHEREAS, on May 16, 2017, the City Council adopted "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 Eureka Local Coastal Program;" and

WHEREAS, Section 13515(c) of Title 14 Code of Regulations requires that there be a minimum of six weeks (42 days) between the "Notice of Public Hearing" for the draft Local Coastal Program Amendments and the City's final action; and

WHEREAS, the City Council's final action on the Local Coastal Program Amendments occurred on May 16, 2017, which is 47 days following the first mailing of the Notice of Public Hearing on March 30, 2017 and 46 days following the publication of the first notice in the Times-Standard.

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

**SECTION 1.** Amending the text of the Local Coastal Program is a "project" for the purposes of CEQA. However, pursuant to CEQA Guidelines Section 15304(e), the project is exempt because it involves only minor temporary use of land and will have negligible or no permanent effects on the environment.

Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for LCP Amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by the California Environmental Quality Act (CEQA). Therefore, local governments are not required to undertake environmental analysis of proposed LCP Amendments. Therefore, based on the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the amendments to modify the Local Coastal Program.

**SECTION 2.** The City Council hereby finds that the amendment to the Land Use Plan conforms to Chapter 3 of the Coastal Act.

**SECTION 3.** The City Council hereby finds that the amendment to the Land Use Plan portion of the Local Coastal Program for Emergency Shelters is consistent with the adopted Land Use Plan and is not known to create any conflicts or contradictions to adopted Plan policy, nor

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any inconsistencies within the General/Land Use Plan itself, and furthermore, is generally found to be consistent with existing General/Land Use Plan objectives to protect the public health, safety, peace, comfort, convenience, prosperity and general welfare in the City of Eureka.

**SECTION 4.** The City Council hereby declares that pursuant to Coastal Act Section 30510(a), the City of Eureka will carry out the Emergency Shelter Local Coastal Program Amendments in a manner fully consistent with the California Coastal Act.

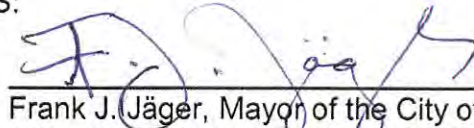
**SECTION 5.** The City Council hereby approves a change in the Land Use Plan, Appendix B, Table B-1, an excerpt of which is shown in Exhibit "A" attached hereto, to allow "Emergency Shelters pursuant to SB2" in certain districts in the coastal zone.

**SECTION 6.** The City Council directs that the amendment to the Land Use Plan, Appendix B, Table B-1 supersede the previously adopted Land Use Plan, Appendix B, Table B-1, to allow Emergency Shelters in certain districts.


**SECTION 7.** The City Council directs that the amendments to the Local Coastal Program take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 16th day of May, 2017, by the following vote:

AYES: COUNCIL MEMBERS: BRADY, MESSNER, BERGEL, ALLISON, ARROYO  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:

  
Frank J. Jäger, Mayor of the City of Eureka

Attest:

  
Pamela J. Powell, City Clerk

Approved as to Administration:

  
Greg L. Sparks, City Manager

Approved as to form:

  
Cyndy Day-Wilson, City Attorney

Attachment: Exhibit "A" – Excerpt of Land Use Plan, Appendix B, Table B-1

Exhibit A to “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 pertaining to Emergency Shelters”

(EXCERPT – REMAINDER OF TABLE B-1 REMAINS UNCHANGED)

<b>TABLE B-1</b>					
<b>GENERAL PLAN – LCP LAND USE (LUP) AND IMPLEMENTATION PROGRAM (IP) DESIGNATION CORRESPONDENCE</b>					
<b>GP Designation(s)</b>	<b>LCP-LUP Designation(s)</b>	<b>LCP-IP (Zoning) Designation(s)</b>	<b>Purpose(s)</b>	<b>Principal Use(s)</b>	<b>Conditional Uses</b>
GI General Industrial	GI General Industrial	MG General Industrial	To provide sites suitable for the development of general and heavy industrial uses, and emergency shelters pursuant to SB2.	General manufacturing, boiler works, concrete mixing and hatching, chemical products manufacture, breweries and distilleries, meats products processing and packaging, structural steel products manufacturing, emergency shelters pursuant to SB2.	Processing of oil and gas, electrical generating and distribution facilities, animal and fish reduction plants oil and gas pipelines, offices.
GSC General Service Commercial  HSC Highway Service Commercial	GSC General Service Commercial  HSC Highway 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 and its surrounding market area, and emergency shelters pursuant to SB2.	Retail stores, service establishments, amusement establishments, wholesale businesses, restaurants and soda fountains (not including drive-in establishments) and offices, emergency shelters pursuant to SB2.	Drive-in theaters, drive-in restaurants, mobile home and trailer parks.
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, and emergency shelters pursuant to SB2.	Light manufacturing processing plants, machine shops, storage yards, trucking terminals, automobile servicing and repair, warehousing, wholesaling, and existing offices, emergency shelters pursuant to SB2.	Professional and business offices, retail sales, oil and gas pipelines.

BILL NO. 935-C.S.  
ORDINANCE NO. 857-C.S.

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING TITLE 10 CHAPTER 5 OF  
THE EUREKA MUNICIPAL CODE PERTAINING TO EMERGENCY SHELTERS**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:**

**Section 1.**

Title 10, Chapter 5, Article 2.5 Emergency Shelters is hereby *added* as follows:

**Article 2.5 Emergency Shelters**

**Sec. 10-250. Purpose and Intent.**

In addition to the objectives prescribed in § 155.002 of this chapter, this section is added to achieve the following purposes:

(a) To comply with Senate Bill 2 (Cedillo, 2007) which amended state housing law to require that local governments:

(1) Identify at least one zone of sufficient capacity where emergency shelters are permitted by right;

(2) Define transitional and supportive housing as residential uses subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

(b) To provide for the placement of emergency shelters within the City as principally permitted uses subject to the same level of entitlement requirement as other principally permitted uses within the same zoning district;

(c) To address the special needs and characteristics of emergency shelters;

(d) To ensure housing provided by emergency shelters will meet building, health, safety and access standards;

(e) To provide sufficient open space, parking and circulation to meet the needs of the emergency shelter;

(f) To provide compatibility with other uses allowed within the zoning districts in which emergency shelters are located; and

(g) To provide a safe environment for persons at emergency shelters.

**Sec. 10-5.251. Emergency shelters in permitted zones.**

Emergency shelters shall be principally permitted land uses within the Service Commercial Zoning District (CS), the Light Industrial Zoning District (ML), and the General Industrial Zoning District (MG) with the issuance of a shelter permit as prescribed in this section. Emergency shelters located within the Coastal Zone shall comply with Article 29 (Coastal Development Permit Procedures).

**Sec. 10-5.252 Shelter Permit Required.**

In accordance with the provisions of this section, a shelter permit application

**BILL No. 935-C.S**

**ORDINANCE No. 857-C.S.**

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shall be approved by the City Council, and obtained prior to occupation of any qualified site by an emergency shelter, and prior to approval of either a building permit or a change of occupancy permit, if required.

**Sec. 10-5.253 Shelter Permit Application Requirements.**

**10-5.253.1. Application forms.**

(a) Applications for shelter permits shall be filed with the Director, and shall be on forms supplied by the Department for shelter permits. Applications shall include the following information:

- (1) Name and address of the applicant;
- (2) Statement that the applicant is the owner or the authorized agent of the owner of the property on which the emergency shelter is proposed to be located;
- (3) Address and assessor's parcel number of the property; and
- (4) Statement indicating the precise manner of compliance with each of the applicable provisions of the section and chapter.

**10-5.253.2. Maps.**

- (a) The application shall be accompanied by the following plans and drawings:
- (1) A scaled site plan showing the existing and projected uses on the site, and including the existing uses on parcels surrounding the site for at least 300 feet;
  - (2) An accurate, scaled set of elevations and floor plans for the building which show how the building will meet required building standards; and
  - (3) Information detailing how the emergency shelter will meet the required site standards.

**10-5.253.3. Fees.**

The application shall be accompanied by a fee established by resolution of the Council to cover the cost of handling the application as prescribed in this section.

**Sec. 10-5.254. Compliance with Development Standards.**

All emergency shelters located within the City shall comply with the development standards contained within this section. The application of the development standards shall occur at the time of issuance of a shelter permit approved by the City Council.

**Sec. 10-5.255. Site Development Standards.**

**10-5.255.1 Buildings.**

(a) Buildings used as emergency shelter sites shall meet all handicapped access, health, safety, building and fire standards. Non-conforming buildings shall not be used for emergency shelters. Prior to occupancy, a Change of Occupancy permit, which indicates the building has met the required building standards, must be approved by the City Building Official. The Building Official shall determine the number of persons allowed to occupy the building. The Building Official shall also make the determination of occupant loading using the Uniform Building Code, as adopted by the City.

**BILL No. 935-C.S****ORDINANCE No. 857-C.S.**

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(b) Buildings used as emergency shelter sites shall provide housing accommodations and support services to homeless persons on a day to day basis, with a duration of stay not to exceed one year. Emergency shelters are intended to provide interim, temporary housing to occupants for whom other housing options are not readily available or affordable, and are not intended to provide long term housing needs.

(c) A minimum of one parking space for every eight occupants allowed at the shelter, plus an additional one parking space for each two employees on a shift at the site, shall be provided on-site. All parking provided shall meet the standards for access, parking, loading, and landscaping provided in this chapter.

(d) Exterior security lighting shall be provided at all access points to the building and within all parking areas. Lighting shall be placed so as to light the interior of the parking areas, and shall be placed so as to not create glare or impact adjoining parcels.

(e) Signs placed on-site shall meet all requirements of this chapter. Sign standards shall be applied according to the zoning district in which the shelter site is located.

(f) No emergency shelter shall be placed within 1,000 feet of any pre-school, nursery school, or schools for students in kindergarten through 12th grade or within 300 feet of another emergency shelter.

(g) Any preparation, storage, or serving of food on the premises shall comply with the requirements for such use as required by the Humboldt County Public Health Department.

(h) Child-care provided on-site shall meet the standards required by the State of California for day care facilities.

(i) Open Space shall be provided on-site at a ratio of five square feet per occupant allowed at the shelter. The number of occupants shall be as determined by the City Building Official. The parking provided for the site, or any paved area, shall not count as required open space. Open space provided shall meet all other standards as required for residential uses as described in § 155.035 of this chapter.

(j) Storage areas, including garbage and recycling areas located exterior to the building, shall be screened with a six foot opaque barrier acceptable to the City.

**10-5.255.2. Open Space.**

(a) Open Space may be used as emergency shelter sites in order to provide housing accommodations and support services to homeless persons on a day to day basis, with a duration of stay not to exceed one year. Emergency shelters are intended to provide interim, temporary housing to occupants for whom other housing options are not readily available or affordable, and are not intended to provide long term housing needs.

(b) A minimum of one parking space for every eight occupants, plus an additional one parking space for each two employees on a shift at the shelter site, shall be provided on-site. All parking provided shall meet the standards for access, parking, loading, and landscaping provided in this chapter.

(c) Exterior security lighting shall be provided at all access points to the site and within all parking areas. Lighting shall be placed so as to light the interior of the parking areas, and shall be placed so as to not create glare or impact adjoining parcels.

(d) Signs placed on-site shall meet all requirements of this chapter. Sign

**BILL No. 935-C.S****ORDINANCE No. 857-C.S.**

Page 4

standards shall be applied according to the zoning district in which the shelter site is located.

(a) No emergency shelter shall be placed within 1,000 feet of any pre-school, nursery school, or schools for students in kindergarten through 12th grade or within 300 feet of another emergency shelter.

(f) Any preparation, storage, or serving of food on the premises shall comply with the requirements for such use as required by the Humboldt County Public Health Department.

(f) Child-care provided on-site shall meet the standards required by the State of California for day care facilities.

(g) Open Space shall be provided on-site at a ratio of five square feet per occupant allowed at the shelter. The number of occupants at the site shall be as determined by the City Building Official. The parking provided for the site, or any paved area, shall not count as required open space. Open space provided shall meet all other standards as required for residential uses as described in § 155.035 of this chapter.

(h) Storage areas, including garbage and recycling areas located at the site, shall be screened with a six foot opaque barrier acceptable to the City.

**Sec. 10-5.256. Shelter Operation.**

(a) Shelter operators shall either be a government agency, or a private for non-profit, or a non-profit organization which can demonstrate the ability to meet the standards required for shelter operation.

(b) Methods of demonstrating this ability shall include but not be limited to demonstrating past experience in operating the type of shelter proposed, oversight by another organization with past experience in operating the same type of shelter proposed, or the ability to obtain or otherwise meet the State requirements for operators of facilities for mentally disordered, handicapped persons, alcoholism or drug abuse facilities or for health/community care facilities.

(c) A minimum of one employee for every 30 occupants in the shelter must be on-site during the hours of operation of the shelter.

(d) Shelter operators shall provide a program which details the supervision of shelter occupants. The program shall include a means by which the surrounding neighborhood will be kept free from garbage, unattended or inoperable vehicles or other surplus items left by shelter occupants. All such items left on-site at the shelter shall be screened as approved by the City.

(e) Shelter operators shall ensure that the County Mental Health and Public Health Departments shall have access to the shelter site to provide direct services to the shelter occupants.

(f) Support services which maintain separate offices at the shelter site shall meet the parking standards for their particular use as required by this chapter. Support services which share office space with shelter office space will be counted with that space for the purpose of determining parking requirements.

(g) Shelter operators shall provide a program acceptable to the Eureka Police Department which addresses the need for the coordination of police services to the site and the surrounding neighborhood. The program submitted shall address the need for private security personnel supplied by the shelter operators.

**BILL No. 935-C.S**  
**ORDINANCE NO. 857-C.S.**  
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(h) Shelter operations shall comply with the ambient noise levels established at the shelter site.

**Sec. 10-5.257. No Landlord Tenant Relationship.**

The occupancy of any Building or Open Space pursuant to this Chapter shall **not** create a landlord tenant relationship between any individual at an emergency shelter/site, the City, the Shelter permit holder, or Shelter operator.

**Section 2.**

Title 10, Chapter 5, Article 9 [C Commercial Districts] Section 10-5.903 [Permitted and conditional uses], Subparagraph (a) is hereby amended to read as follows (*the remainder of the text in the table is unchanged and is omitted*):

	CN	CP	CC	CW	CS
Electrical repair shops			P		P
Emergency shelters pursuant to the requirements and regulations contained in Section 10-5.250 (Emergency Shelters)					P
Employment agencies.			P		P

**Section 3.**

Title 10, Chapter 5, Article 10 [M Industrial Districts], Section 10-5.1003 [Permitted uses], Subsection 10-5.1003.1. (a) [ML Light Industrial Districts] is hereby amended to read as follows (*the remainder of the text in the section is unchanged and is omitted*):

- (20) Dairy products plants:
- (20.1) Emergency shelters pursuant to the requirements and regulations contained in Section 10-5.250 (Emergency Shelters);
- (21) Freight forwarding terminals;

**Section 4.**

Title 10, Chapter 5, Article 29 [Coastal Development Permit Procedures], Part 13, [CS – Service Commercial District], Section 10-5.29132 [Permitted uses], is hereby amended to read as follows (*the remainder of the text in the section is unchanged and is omitted*):

- Electric repair shops:
- Emergency shelters pursuant to the requirements and regulations contained in Section 10-5.250 (Emergency Shelters);
- Employment agencies;

**Section 5.**

Title 10, Chapter 5, Article 29 [Coastal Development Permit Procedures], Part 16, [ML – Limited Industrial Districts], Section 10-5.29162 [Permitted uses], is hereby amended to read as follows (*the remainder of the text in the section is unchanged and is omitted*):

- Dairy products plants:
- Emergency shelters pursuant to the requirements and regulations contained in Section 10-



**BILL No. 935-C.S**

**ORDINANCE No. 857-C.S.**

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5.250 (Emergency Shelters);


Freight forwarding terminals;

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 16th day of May, 2017 by the following vote:

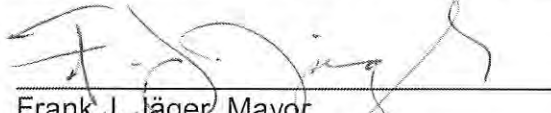
AYES: COUNCILMEMBERS BRADY, MESSNER, BERGEL, ALLISON,  
ARROYO

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS


  
Marian Brady, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the 14th day of June, 2017, and hereby approved.

  
Frank J. Jäger, Mayor


*Approved as to Administration:*

*Approved as to form:*

  
Greg L. Sparks, City Manager

  
Cyndy Day-Wilson, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 14th day of June, 2017.

  
Pamela J. Powell, City Clerk