

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
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**LCP-1-EUR-20-0009-1 PART B
(CITY OF EUREKA CS DISTRICT HEIGHT LIMIT)**

JULY 8, 2021

EXHIBITS

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July 9, 2021

City of Eureka Development Services - Planning
Attn: Lisa Savage, Senior Planner
531 K Street
Eureka, CA 95501

RE: Effective Certification of the City of Eureka's Local Coastal Program (LCP)
Amendment No. LCP-1-EUR-20-0009-1 Part B (CS District Height Limit)

Dear Ms. Savage:

The Executive Director of the Coastal Commission has reviewed City Council Resolution No. 2021-24 and Ordinance No. 996-C.S. for effective certification of the City of Eureka's LCP Amendment No. LCP-1-EUR-20-0009-1, Part B, approved with a suggested modification by the Coastal Commission at its February 12, 2021 meeting. By its actions on May 18, 2021, the City has formally acknowledged and accepted the Commission's certification of the LCP amendment, including the one suggested modification, and agrees to issue coastal development permits in conformance with the certified LCP as amended.

The Executive Director has found that the City's resolution and ordinance fulfill the requirements of Section 13544(a) of Title 14 of the California Code of Regulations. In accordance with 14 CCR sec. 13544(b), the Director has determined that the City's actions are legally adequate. The Coastal Commission concurred with this determination at its meeting of July 8, 2021.

Commission approval and the amendment process are now complete. As always, Commission staff remains available to assist you and your staff as you continue to update and implement the City's LCP. If you have any questions, please contact me by phone (707-826-8950) or electronic mail (Melissa.Kraemer@coastal.ca.gov).

Sincerely,

MELISSA B. KRAEMER
North Coast District Supervisor

EXHIBIT NO. 1
LCP AMENDMENT APPLICATION NO.
LCP-1-EUR-20-0009-1 Part B
(City of Eureka CS District Height Limit)
Notification of Effective Certification (draft)

RESOLUTION NO. 2021-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA REQUESTING
CERTIFICATION OF THE MODIFIED TEXT AND LOCAL COASTAL PROGRAM
(LCP) ORDINANCE TO INCREASE THE COASTAL SERVICE COMMERCIAL (CS)
ZONE DISTRICT HEIGHT LIMIT FROM 35 FEET TO 55 FEET**

WHEREAS, the City of Eureka desires to certify language to modify the Text and Local Coastal Program (LCP) ordinance to increase the Coastal Service Commercial (CS) Zone District height limit from 35 feet to 55 feet; and

WHEREAS, in January, 2020, the City of Eureka adopted an ordinance amending the Text and Local Coastal Program (LCP) to increase the Coastal Service Commercial (CS) Zone District height limit from 35 feet to 55 feet; and

WHEREAS, in February, 2020, the City transmitted the Text and Local Coastal Program Amendment applications to the California Coastal Commission for certification; and

WHEREAS, on February 12, 2021, the California Coastal Commission adopted a Resolution certifying Implementation Plan Amendment No. LCP-1-EUR-20-0009-1, Part B, for the City of Eureka if modified as suggested.

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

Section 1: The City of Eureka acknowledges receipt of California Coastal Commission Resolutions 1 and 2 as adopted by the Coastal Commission on February 12, 2021 and on file with the Department of Development Services.

Section 2: The City of Eureka accepts and agrees to the modifications suggested by the California Coastal Commission by adopting Ordinance 996-C.S.


Section 3: The City of Eureka agrees to maintain the building height limit of 35 feet within the Coastal Service Commercial (CS) Zone District inland of Highway 101 northeast of Eureka Slough.

Section 4: The City Council requests the Coastal Commission accept the Executive Director's determination that the resolution by the City of Eureka is legally adequate; and files the determination with the Secretary of Resources.

**EXHIBIT NO. 2
LCP AMENDMENT APPLICATION NO.
LCP-1-EUR-0009-1 PART B
(CITY OF EUREKA CS DISTRICT HEIGHT LIMIT)
(page 1 of 4)**

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 18th day of May, 2021 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MOULTON, BAUER, BERGEL
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS ARROYO



Susan Seaman, Mayor of the City of Eureka

Attest:




Pamela J. Powell, City Clerk

Approved as to Administration:



Miles Slattery, City Manager

Approved as to form:



Robert N. Black, City Attorney

AN ORDINANCE OF THE CITY OF EUREKA
AMENDING TITLE 10, CHAPTER 5 OF THE EUREKA MUNICIPAL CODE TO
MAINTAIN THE BUILDING HEIGHT LIMIT OF 35 FEET WITHIN THE COASTAL
SERVICE COMMERCIAL (CS) ZONE DISTRICT INLAND OF HIGHWAY 101
NORTHEAST OF EUREKA SLOUGH

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

Section 1.

Title 10, Chapter 5, Section 201, Basic Requirements for all Districts, is hereby amended to read as follows (*the remainder of the text in the table is unchanged and is omitted*):

District	Maximum Height of Main Structure Sec. 10-5.210
CS	<u>35 ft. inland of Highway 101 northeast of Eureka Slough; 55 ft. elsewhere</u>


PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 18th day of May, 2021 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MOULTON, BAUER, BERGEL
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS ARROYO




Kim Walford Bergel, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the ___ day of ___, 2021, and hereby approved.



Susan Seaman, Mayor

Approved as to Administration:




Miles Stattery, City Manager

Approved as to form:



Robert Black, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 15th
day of June, 2021.



Pamela J. Powell, City Clerk