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CITY OF CRESCENT CITY

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October 19, 2026 | For the October 19, 2026 City Council meeting

Continuation of Direct Notice and Written Public Comment

Additional planning approval records requiring factual and legal reconciliation

Primary direct notice recipient: Martha Rice, City Attorney.

Copies individually in their official capacities: Eric Wier, City Manager; Ethan Lawton, Contract Planner; Bob Brown, SHN planning-services representative; David Yeager, Public Works Director; Heather Welton, Community Development Specialist; Robin Altman, City Clerk.

City Council: Isaiah Wright, Mayor; Candace Tinkler, Mayor Pro Tem; Ray Altman, Council Member; Jason Greenough, Council Member; Steve Shamblin, Council Member.

Planning Commission and Architectural Review Committee: Raymond Walp, Planning Commission Chair; Kris DeCossio, Vice Chair; Paul Martinez, Commissioner; Shawna Hyatt, Commissioner; Debra Perius, Commissioner.

Purpose and record status

Ms. Rice and the individually named officials: I provide this continuation of my October 5, 2026 direct notice and written public comment. That notice and its evidence are incorporated by reference. This continuation presents six additional approved planning matters once, without repeating the projects addressed there. It identifies the published records, the governing requirements and the specific matters requiring reconciliation.

All six additional examples contain a demonstrated published-record error or internal contradiction. Two present direct written conflicts involving a mandatory approval predicate or the timing of a coastal condition. Other questions remain unresolved. These classifications concern the identified materials and approval components; they are not a claim that six permits have been judicially invalidated. The source register and accompanying PDF exhibits make the evidence reviewable.

This document is direct notice and written public comment for retention in the Council and Planning Commission records. My separate Council Request for Planning Services Accuracy Safeguards states the prospective action requested concerning Consent Calendar Item 5. This notice supplies the additional factual record and requests a specific response.

Responsibility for a factual and legal response

Martha Rice is the primary recipient for legal assessment and advice to the City concerning the conflicts identified here. The City Attorney's functions under CCMC 2.12.010, the City Manager's administration and supervision under Chapter 2.08, and planning administration under 2.30.020 are addressed in the incorporated notice. I ask the responsible officials to act within their respective authority and identify who will resolve each item. Naming an official does not attribute every historical vote or report to that person.

An approval vote does not supply a missing mandatory finding or reconcile contradictory facts. For an ordinary variance, Government Code 65906, CCMC 17.56 and Topanga require the necessary property comparison and a reasoned connection from evidence to findings and decision. Concise findings and incorporated evidence may suffice; the full hearing record and actual motion must be considered. Statutory housing concessions, parking waivers and disability accommodations require their own applicable tests. [L1-L3, L5, L9.]

Mandatory requirements for an ordinary variance

The controlling authority is *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, read with Government Code section 65906 and CCMC 17.56.010–.020. These are mandatory approval requirements, not optional report-writing preferences. The following identifies the precise requirements and their sources; it does not repeat previously noticed projects. This section supplements the variance issues incorporated from the first notice; none of the six additional project examples below is presented as a new ordinary-variance case.

1. Findings and substantial evidence. The agency must make findings even if its ordinance does not expressly demand them. Evidence must support the findings, and the findings must support approval. (Topanga, pp.514–515.)

2. Explain the reasoning. Findings must “bridge the analytic gap between the raw evidence and ultimate decision or order.” A reviewing court cannot invent the agency’s reasoning. (Id., p.515.)

3. Prove comparative deprivation. Identify relevant differences from nearby properties under identical zoning and why relief is necessary for substantial parity. Describing the subject lot alone is insufficient. (Id., pp.520–521.)

4. Applicant’s burden. The applicant must demonstrate eligibility before the agency; speculation about neighboring property cannot supply missing evidence. (Id., p.521.)

5. Benefits and expense do not substitute. Community benefits and additional conforming-development costs, without the required comparison, do not establish entitlement. (Id., pp.520–521.)

6. No special privilege. Without an affirmative showing of relevant differences from same-zone parcels, the exception in Topanga was an impermissible special privilege. (Id., p.522.)

State-law limits. Government Code section 65906 requires special circumstances of the property—such as size, shape, topography, location or surroundings—that cause strict zoning enforcement to deprive it of privileges enjoyed by nearby property under identical zoning. Conditions must prevent inconsistent special privileges. An ordinary variance cannot authorize an otherwise prohibited use. These statutory limits supplement, rather than replace, the City’s findings. [L1; Topanga, pp.511–512 & fn.5.]

Every local element must also be met. CCMC 17.56.010(A–F) requires exceptional property circumstances; necessity to preserve a substantial property right enjoyed by other property in the same vicinity and zone but denied here; no material detriment to public welfare or injury to nearby property or improvements; no adverse effect on the General Plan; a hearing at which the applicant substantiates the conditions; and an affirmative Commission determination that those conditions are met. Under 17.56.020 the Commission must announce its facts, reasons, decision and conditions in a formal report within twenty days after the hearing ends and preserve it permanently. Approval passage is the relevant decision; no newly obtained signature is demanded. [L2.]

Self-created hardship and chosen expansion. *Minney v. City of Azusa* (1958) 164 Cal.App.2d 12, 31–32, rejects self-induced hardship. *City of San Marino v. Roman Catholic Archbishop* (1960) 180 Cal.App.2d 657, 671–673, applies the applicant’s burden and rejects hardship resulting from its own expansion program and preferred use where a conforming use remained available. Accordingly, desired floor area, unit layout or operating expansion cannot alone establish a qualifying property hardship. Identify what the land requires, what the applicant chose, and why any supported conforming alternative does or does not answer the claimed deprivation. These are separate authorities; the self-created-hardship rule is not attributed solely to Topanga. [L22–L23.]

Scope of the test. The issue is demonstrated deprivation of comparable property privileges, not a universal requirement that no building of any kind can be constructed. A small, irregular or constrained parcel does not automatically qualify or fail. Concise findings can suffice if their reasoning is traceable. Statutory housing concessions, parking-waiver authority and disability accommodations must be assessed under their own governing rules rather than automatically treated as ordinary variances. [L1–L5, L9.]

Valhalla rehabilitation at 911 Pacific Avenue

October 12, 2023 | AR23-13 and PWR23-02 | Approved 5–0

Sources P2-04, agenda PDF pp.187–188,191–194,283–284 and minutes pp.4–5.

Demonstrated error. The report calculates 45 dwellings at 1.5 spaces each, or 67.5, and a 1,180-square-foot community center at one space per fifty square feet, or 23.6: a stated total of 91.1. It proposes 61 spaces but states a waiver of 28.1. On those inputs, 91.1 minus 61 is 30.1, while 91.1 minus 28.1 leaves 63. The demand, supply and waiver do not reconcile.

Legal significance and favorable evidence. CCMC Chapter 17.42 requires the actual baseline, fractional-space treatment and lawful reduction to be identified. The report supplies a real reduction rationale: no new dwellings, resident-serving facilities and accessibility changes. Those facts can support reduced or shared demand. The arithmetic error does not itself establish a shortage or absence of authority to approve rehabilitation. [L4.]

Environmental review and response requested. Class 32 materials include the existing 45 units and community facility. The remaining question is the actual construction/operational scope and lawful relief, rather than an assertion that no review occurred. Identify the correct baseline and rounding, reconcile the adopted waiver with the plan, and state whether any condition or finding needs correction. No mandatory EIR is established solely by the arithmetic.

Third and F Streets mixed use housing

January 11, 2024 | UP23-04 and AR23-07 | Approved 3–1

Sources P2-05, agenda PDF pp.15,22,24–25,29–30 and minutes pp.1–3.

Demonstrated errors. The report calls the project 33 units, but its building schedule lists eighteen, eight and six, totaling 32. Its bedroom schedule lists thirty one-bedroom and two two-bedroom units, also totaling 32. The report describes four concessions for its claimed qualifying all-affordable route, although Government Code 65915(d)(2)(D), operative January 1, 2024, provides five. Its cost-reduction denial criterion at p.24 omits the negative; the statutory ground concerns absence of qualifying reductions. [L5, L21.]

Legal significance and favorable evidence. The record grants a parking concession for ten spaces; ordinary parking ratios cannot simply be reapplied as though that relief did not exist. A lawful alternative density route may support the unit count. Base density, the CW mixed-use arrangement and any transit-dependent benefit must be demonstrated under the actual statute. No denial of a requested fifth concession is established by the incorrect description. [L5–L6.]

Environmental review and response requested. Class 32 is the stated route. The report describes a commercial laundromat while hearing evidence describes resident-only use. Housing and laundry activity are one project for the relevant impact analysis. Reconcile the final unit/bedroom count and laundry scope, correct the statutory descriptions, and identify the basis for the benefits actually awarded. These inconsistencies do not alone establish a significant effect or mandatory EIR.

Big E at 155 I Street

November 14, 2024 | UP24-07 | Approved 5–0; published proposed resolution PC2024-22

Sources P2-06, agenda PDF pp.18–23,35–37 and minutes pp.1–2.

Direct written conflict. At p.20 the report says alcohol is not incidental to the bar's other products, while proposed findings at p.21 and the proposed resolution at p.36 say it is incidental. CCMC 17.90.030(C)(4) requires incidental sales for the stated public-convenience-or-necessity route. These opposite descriptions require factual and legal reconciliation. [L7.]

Evidence that must be considered. The October 1 police response, recorded at p.23, approves with no concerns while noting the former bar's fights and planned monitoring. The later October 3 warning, quoted at p.20, identifies possible crime problems depending on management. The earlier favorable response must not be erased. The applicant's hearing statement about restaurant tenancy is relevant; the actual business and licensed premises must be identified. A small bar area in a larger mixed-use building does not alone establish that alcohol is incidental at the licensed establishment.

Environmental review and response requested. The report invokes Classes 1 and 32. Prior bar use and management measures are favorable evidence, but the change in intensity, hours and operations must fit an actual exemption. The current Class 1 interpretation concerns changed use, not merely low environmental risk. Crime concerns alone are not automatically CEQA physical effects. Identify the operative incidental-sales finding, the controlling police assessment and any actual hearing reconciliation. The minutes establish passage, not verbatim adoption of every proposed sentence. The conflict concerns the local alcohol/PCN component, not a proved increase in crime or an unlawful residential addition. [L15, L20.]

York Williams coastal residence and garages

February 13, 2025 | CDP24-02 | Approved 5–0

Sources P2-07, agenda PDF pp.90–94,141–145,149–150; minutes p.3; certified LUP pp.106–107.

Direct written deadline conflict. Certified LUP Policy 7.B.5 requires recordation of the no-shoreline-protection deed restriction before coastal development permit issuance. Published condition 7 instead permits compliance before final inspection or occupancy of a building permit relying on the coastal permit. Those are different stages. The Coastal Commission referral in the same packet quotes the earlier LUP deadline. [L8.]

Separate technical question. The December 12, 2024 engineering response is genuine evidence and addresses resistant rock, location, sections and runoff measures. It must be credited. Its qualitative conclusions do not themselves identify the projected 100-year factor-of-safety setback line required by LUP 7.B.3. Identify any additional qualifying calculation or accepted explanation. Neither a sixty-foot separation nor lack of a recovered calculation alone proves bluff failure or safety compliance.

Environmental review and response requested. Classes 3 and 32 are cited. Class 3 can address a single residence and associated garages; an unsupported Class 32 explanation does not automatically defeat that independent route. No categorical-exemption exception is established on the reviewed evidence. Reconcile condition 7 with the certified deadline and identify any operative replacement condition. Actual premature permit issuance or absent recordation is not established here. Address the separate stability requirement on its evidence. [L8, L15, L19.]

Redwood Coast Transit Center at 1000 Front Street

February 12, 2026 | AR26-01 and PC2026-02 | Approved 3–0 with Hyatt recused

Sources P2-08, agenda PDF pp.63,66,71,74–75,82–114 and minutes pp.3–4.

Demonstrated errors and scope conflict. The report says one hundred southern parking spaces minus sixteen removed leaves sixty-four; that subtraction yields eighty-four. The supporting environmental study uses 219,000 gallons per year and then 219,000 gallons per day for wastewater, a factor-of-365 difference. Its project description excludes decommissioning the existing terminal, while the transportation analysis relies on that terminal being decommissioned. These are specific numerical and project-scope conflicts.

Legal significance and favorable evidence. The packet contains substantial actual environmental analysis, including noise, transportation, hazards, utilities and cultural resources. It is incorrect to say no environmental review occurred. Even the report's lower parking figure exceeds its mall-only demand calculation; no actual shortage follows from the subtraction error alone. The terminal's own demand and the CW use authorization still require their actual bases. [L4, L6.]

Environmental review and response requested. The materials invoke Classes 1, 3, 4, 11 and 32; listing classes does not replace proof that one valid route covers the whole action. Explain whether terminal closure is integral, what independent review covers it, and how the noise analysis accounts for delayed electric-bus deployment and the nearby library. Correct the utility units before using capacity percentages. No actual plant-capacity exceedance, significant noise effect or mandatory EIR is proved by these conflicts. Reconcile the description, assumptions, calculations, actual use classification and adopted conditions. [L15.]

780 J Street demolition and eight unit development

May 14, 2026 | AR26-06 with AR25-06 aliases in the report | Approved 4–0 with Hyatt recused

Sources P2-09, agenda PDF pp.67–68,78–87,130–136; minutes reproduced in July 9 packet pp.7–12, approval at p.12.

Demonstrated errors. Eight units at 1.5 parking spaces each require twelve on the report's stated ratio, not sixteen. Twenty-four proposed spaces would exceed twelve by twelve, not eight. Correcting this error does not create a shortage. The report also contains conflicting application-year labels, calls demolition a vacant-parcel project, and describes a 36-unit mixed-use proposal and commercial activity inside the environmental analysis for the eight-unit residential proposal.

Legal significance and favorable evidence. The packet includes the City Attorney's actual historical-resource memorandum and code-enforcement, engineering and repair evidence. Historical significance, integrity and substantial adverse change require their own analysis; an unlisted building is not automatically excluded. Repair cost and an unsafe tag do not independently settle significance. The staff statement that retained integrity automatically defeats an exemption omits the separate significance and adverse-change requirements. No identified evidence here conclusively establishes an unlawfully demolished historical resource. [L11, L15.]

Environmental review and response requested. Class 32 must address the actual demolition and eight-unit project, not copied descriptions of a different project. The historical exception is addressed in the packet and must not be described as wholly ignored. For open space, proximity to Peterson Park is relevant under 17.43.060(G), but the Director's actual discretionary basis must be identified; absence of a separate signed waiver alone is not proof no determination occurred. Reconcile the project description and arithmetic, identify the operative open-space determination, and explain the significance/integrity finding on the actual evidence. No automatic EIR follows merely from age, an error or an unrecovered document. [L10–L11, L15.]

Specific response requested

Please provide a numbered, nonprivileged factual response matching the six matters above. For each, identify the controlling requirement, the actual operative motion or condition, the evidence resolving the stated conflict, and whether the report, finding or condition requires correction. If information is missing, identify the responsible official and a proposed completion date. If the City disagrees, identify the specific source and authority supporting its position.

Any review of an existing approval must use the lawful procedure, with applicable notice, hearing, finality and applicant rights respected. A newly supplied explanation is not automatically a retroactive cure. I request a public factual response and appropriate legal advice to the City; I do not request disclosure of privileged communications. The prospective management safeguards and requested Council timetable are stated in the separate Council submission.

Please retain this continuation and its exhibits as written public comment with the incorporated notice, distribute it to each named recipient, and include it in the relevant Council and Planning Commission public records.

Respectfully submitted
Thomas Beers
thomasbeers@yahoo.com



Source register

P2 identifiers retain their prior numbering for traceability. Page numbers are original one-based PDF pages. The accompanying notice PDF reproduces selected source pages after this text; those facsimiles are part of this submission. Earlier projects and evidence remain in the incorporated notice rather than being reproduced. The comprehensive working audit register is not appended to this notice.

P2-04 Valhalla rehabilitation

2023-10-12 agenda original PDF pages 187, 188, 191, 192, 193, 194, 283, 284.

Recorded minutes original PDF pages 4, 5.

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/agendas/27694.pdf>

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/minutes/13216.pdf>

P2-05 Third and F mixed use

2024-01-11 agenda original PDF pages 15, 22, 24, 25, 29, 30.

Recorded minutes original PDF pages 1, 2, 3.

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/agendas/28518.pdf>

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/minutes/13681.pdf>

P2-06 Big E approval

2024-11-14 agenda original PDF pages 18, 19, 20, 21, 22, 23, 35, 36, 37.

Recorded minutes original PDF pages 1, 2.

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/agendas/31556.pdf>

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/minutes/15999.pdf>

P2-07 Coastal residence

2025-02-13 agenda original PDF pages 90, 91, 92, 93, 94, 141, 142, 143, 144, 145, 149, 150.

Recorded minutes original PDF pages 3.

Certified LUP original PDF pages 106, 107.

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/agendas/32462.pdf>

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/minutes/16000.pdf>

P2-08 Transit Center

2026-02-12 agenda original PDF pages 63, 66, 71, 74, 75, 82, 87, 89, 92, 95, 96, 97, 98, 99, 103, 104, 105, 106, 107, 109, 110, 111.

Recorded minutes original PDF pages 3, 4.

<https://evogov.s3.us-west-2.amazonaws.com/meetings/205/agendas/36844.pdf>

<https://www.crescentcity.org/meetingfiles/98404/minutes/a3782d4e97954ad19dfec3fb1fc3f85.pdf>

P2-09 780 J Street

2026-05-14 agenda original PDF pages 67, 68, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 130, 131, 132, 133, 134, 135, 136.

Recorded minutes original PDF pages 7, 8, 9, 10, 11, 12.

<https://www.crescentcity.org/meetingfiles/99705/agendas/34e69b328ca344a9a8bb47ed4f4f60c5.pdf>

<https://www.crescentcity.org/meetingfiles/100450/agendas/b1923003a9574962bb72cad569523564.pdf>

Authorities

The following references support the propositions identified in the text. Current authorities inform the proposed review process; historical approvals are evaluated under the applicable decision-date law, subject to actual vesting and later law affecting available remedies.

L1 Government Code 65906

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65906.

L2 CCMC Chapter 17.56

<https://ecode360.com/44243242>

L3 Topanga Assn for a Scenic Community v County of Los Angeles 1974 11 Cal3d 506

<https://scocal.stanford.edu/opinion/topanga-assn-scenic-community-v-county-los-angeles-27785/>

L4 CCMC Chapter 17.42

<https://ecode360.com/44242794>

L5 Government Code 65915

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65915.

L6 CCMC Chapter 17.23

<https://ecode360.com/44241478>

L7 CCMC 17.90.030

<https://ecode360.com/44245581>

L8 Certified Crescent City Local Coastal Program and PRC 30604

<https://www.crescentcity.org/media/Community-Development/General%20Plan%20Documents/Local%20Coastal%20Plan%202011.pdf>

L9 CCMC Chapter 17.92 and fair housing accommodation law

<https://ecode360.com/44245675>

L10 CCMC 17.43.060

<https://ecode360.com/44242940>

L11 PRC 21084.1 and CEQA Guidelines 15064.5 and 15300.2(f)

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=21084.1.

L15 CEQA Guidelines 15378 15301 15302 15303 15304 15305 15311 15332 and 15300.2

<https://www.law.cornell.edu/regulations/california/14-CCR-15300.2>

<https://www.law.cornell.edu/regulations/california/14-CCR-15332>

<https://www.law.cornell.edu/regulations/california/14-CCR-15378>

<https://www.law.cornell.edu/regulations/california/14-CCR-15301>

<https://www.law.cornell.edu/regulations/california/14-CCR-15302>

L16 Berkeley Hillside Preservation v City of Berkeley 2015 60 Cal4th 1086 1104–1117

<https://law.justia.com/cases/california/supreme-court/2015/s201116.html>

L17 Wollmer v City of Berkeley 2011 193 CalApp4th 1329 1354–1355

<https://law.justia.com/cases/california/court-of-appeal/2011/a128121/>

L18 Salmon Protection and Watershed Network v County of Marin 2004 125 CalApp4th 1098 1106–1108

<https://law.justia.com/cases/california/court-of-appeal/2005/a105592.html>

L19 California Building Industry Assn v Bay Area Air Quality Management District 2015 62 Cal4th 369 386–392

<https://law.justia.com/cases/california/supreme-court/2015/s213478.html>

L20 Sunflower Alliance v Department of Conservation California Supreme Court June 25 2026 S287414

<https://law.justia.com/cases/california/supreme-court/2026/s287414.html>

L21 Government Code 65915 operative January 1 2024 and HCD April 2026 State Density Bonus Law fact sheet

<https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/density-bonus-law.pdf>

L22 Minney v. City of Azusa (1958) 164 Cal.App.2d 12, 31–32

<https://law.justia.com/cases/california/court-of-appeal/2d/164/12.html>

L23 City of San Marino v. Roman Catholic Archbishop (1960) 180 Cal.App.2d 657, 671–673

<https://law.justia.com/cases/california/court-of-appeal/2d/180/657.html>

**CITY OF CRESCENT CITY
REGULAR PLANNING COMMISSION MEETING
AGENDA ITEM: #4**



STAFF REPORT

MEETING DATE: Thursday, October 12, 2023
TO: Planning Commission
FROM: Community Development Department, Planning & Zoning
Ethan Lawton, City Planner / Consultant
SUBJECT: Public Hearing: Remodel of an existing 45-unit residential-only development and new community center (Site Plan & Architectural Design Review and Parking Waiver)
APPLICATION NUMBER: AR23-13/PWR23-02

SECTION 1: BACKGROUND INFORMATION

APPLICANT:
GreenShoots Communities LLC

REPRESENTATIVE:
Raymond Junior

PROPERTY OWNER:
Synergy Valhalla LLC

PROPERTY LOCATION:
911 Pacific Ave
Crescent City, CA 95531
APN: 118-020-027-000

PARCEL SIZE:
+/- 2.63 acres / +/- 114,562 sf

PROJECT SIZE:
2.63 acres / 114,562 sf



*Figure 1: Project Parcel
ParcelQuest (September 2023)*

SECTION 2: SUMMARY OF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed accessory storage building:

1. **AR23-13** (Site Plan & Architectural Design Review) permitted use (CCMC §17.16.080).
2. **PWR23-02** (Parking Waiver Request) waiver of parking regulations (CCMC §17.42.130).

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SECTION 3: PROPOSED PROJECT DESCRIPTION

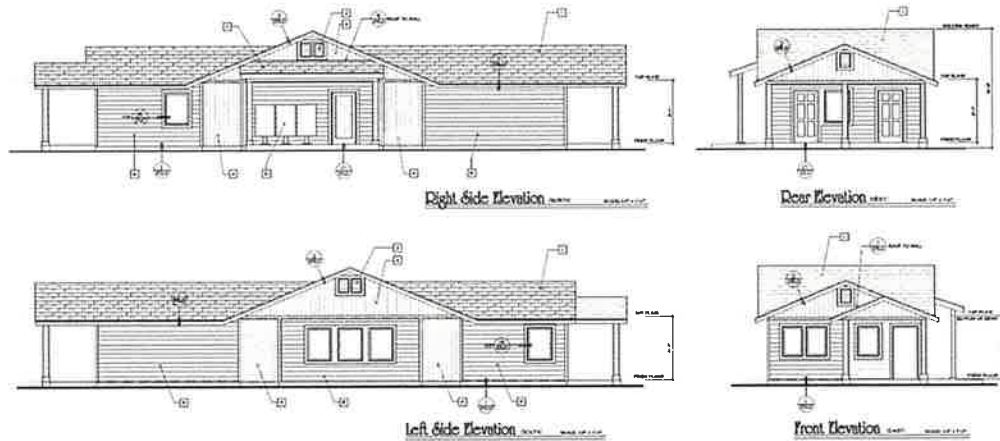


*Figure 2: Proposed Community Center
Sheet A4.3 (September 9, 2023) See Attachment A: AR23-13/PWR23-02 Application.*

GS Valhalla, LP is requesting a proposed remodel of an existing 45 unit residential-only development and a 1,180-sf new community center on 2.63-acre developed parcel within the R-3 Zone (High-Density Residential District) located at 911 Pacific Avenue (APNs 118-020-027). The remodel includes 5-units, 5-parking spaces, and selected walkways, to be converted to accessible standards. Additionally, the entire exterior of the development will be replaced with interior improvements, subject to the Site Plan & Architectural Design Review (CCMC §17.16.080).

NECESSARY FINDING #1:

GS Valhalla, LP has submitted a Site Plan & Architectural Design Review (AR23-13) and a parking waiver request (PWR23-02) for a proposed remodel of an existing 45 unit residential-only development and a new community center on 2.63-acre developed parcel within the R-3 Zone (High-Density Residential District) located at 911 Pacific Avenue (APNs 118-020-027).

NOTICE OF PUBLIC HEARING: A Notice of Public Hearing was submitted to the Del Norte Triplicate newspaper (on 9/18/23) to be published (on 9/27/23) in print/online circulation and provided to the Commissioners (on 9/19/23). A similar Notice of Public Hearing was mailed (on 9/28/23) to the property owners within 300-ft of the project location (CCMC §17.46.050) as required (Cal. Gov. Code §65090 & §65094).

NECESSARY FINDING #2:

The Planning Commission has considered this proposed project on this date at a duly noticed public hearing, staff report, and public testimony.

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SECTION 6: SITE PLAN & ARCHITECTURAL DESIGN REVIEW



Figure 5: Proposed Site Plan
Sheet A1.1 (September 9, 2023) See Attachment A: AR23-13/PWR23-02 Application.

The proposed remodel of an existing 45-unit residential-only development with a new community center is a permitted use within the R-3 Zone (CCMC §17.16.080) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed Site Plan & Architectural Design Review application (AR23-13 -Attachment A) shall be approved or denied (CCMC §17.46.040(A)), based on the following standards:

1. Architectural Design (CCMC §17.46.010(A)):

The proposed project will improve high-density residential-only development, which is consistent with other high-density residential-only uses by adjacent residences (See Attachment A: AR23-13/PWR23-02 Application).

2. Zoning (CCMC §17.46.035(A)):

The proposed project is considerate of existing and potential uses of the proposed location and (with Site Plan & Architectural Design Review and Parking Waiver Request) is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code. (See Section 1: Background Information and Section 4: Project Description).

3. Parking (CCMC §17.16.060(A) & §17.46.035(A)):

The project site is already developed with the 62 off-street parking spaces. The reconfiguring of parking spaces to add 5 accessible spaces would reduce (by 1 space) the total to 61 off-street parking spaces. The 1,180-sf new community center would require an additional one parking

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space for each 50-sf floor area (CCMC §17.42.060(L)(2)), resulting in 23.6 spaces. The 45-unit residential-only development requires 1.5 spaces per unit (CCMC §17.42.040(B)), resulting in 67.5 spaces. The proposed project is requesting a parking waiver for 28.1 spaces, from the required 91.1 spaces for the 45-unit residential only development and (1,180-sf) new community center. Therefore, with a parking waiver, the proposed project is consistent with parking requirements. (See Section 7: Parking Waiver Request).

4. Landscaping (CCMC §17.46.035(A) & §17.43.010(B)):

The renovation plan is expected to leave most of the existing landscaping in place with the exception of the area where the Manager/Community Room/Laundry will be built and the trees which will need to be removed as part of redoing the parking lot for appropriate drainage and ADA requirements. Any grass which is required to be replaced will be replaced with like for like. Foliage/shrubs which need to be replaced will be replaced with native species and their variants. Therefore, the proposed landscaping is consistent with landscaping requirements.

5. Fencing (CCMC §17.16.060(B) & §17.46.035(A)):

The proposed project includes an in-kind replacement fence for the existing 6-ft wood fence and is therefore consistent with fencing requirements. Any future fencing would be subject to a fence permit.

6. Signage (CCMC §17.16.060(C) & §17.46.035(A)):

The proposed project does not include any proposed signage, none are required, and is therefore consistent with signage requirements. Any future signage will be subject to a sign permit.

7. Right-of-Way (CCMC §17.46.035(A) & §17.46.070):

The project site is already developed with sidewalks and public roads. None are proposed or required; therefore, the proposed project is consistent with sidewalk and street requirements.

8. Utilities (CCMC §17.46.035(A) & §17.46.070):

The project site currently maintains existing underground provisions of water, sewage, and drainage facilities. None are proposed or required; therefore, the proposed project is consistent with public services requirements.

NECESSARY FINDING #5:

The proposed site plans and designs of structures satisfies the Site Plan & Architectural Design Review requirements (CCMC §17.46.010 & §17.46.035), in that the structures:

- a. *Are compatible, both in harmony and in appearance with the neighborhoods;*
- b. *Reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems;*
- c. *Avoid monotonous and otherwise nonaesthetic development injurious to the overall community;*
- d. *Provide a [means] to encourage full development of streets servicing the properties;*
- e. *Assures full installation of all public utilities necessary to serve such properties; and*
- f. *Is consistent with the applicable zoning, parking and landscaping, fencing, signage, street, sidewalk and public services requirements.*

*City of Crescent City - Regular Planning Commission Meeting
Staff Report - Agenda Item: #4*

SECTION 7: PARKING WAIVER REQUEST

The proposed remodel of an existing 45-unit residential-only development and new community center has proposed 61 off-street parking spaces. The applicant has submitted a parking waiver request (PWR23-02) to waving 28.1 spaces, from the required 91.1 off-street parking spaces. This request may be granted by the Planning Commission (CCMC §17.42.130(A)), subject to the following: (CCMC §17.42.130(B)):

1. The effect on present and future traffic (CCMC §17.42.130(B)(1)):

The 45-unit residential-only development already exists, while some units are expanded for accessibility purposes, no new units are proposed. The reduction of spaces allows the conversion of existing spaces to meet accessible parking standards. While a new community center is proposed, it will serve existing residents who already park within the development.

2. The effect on neighborhoods (CCMC §17.42.130(B)(2)):

The 45-unit residential-only development already exists, while some units are expanded for accessibility purposes, no new units are proposed. The reduction of spaces allows the conversion of existing spaces to meet accessible parking standards. While a new community center is proposed, it will serve existing residents who already park within the development.

3. The effect on the stability and adequacy of the site to accommodate the proposed use (CCMC §17.42.130(B)(3)):

The 45-unit residential-only development already exists, while some units are expanded for accessibility purposes, no new units are proposed. The reduction of spaces allows the conversion of existing spaces to meet accessible parking standards. While a new community center is proposed, it will serve existing residents who already park within the development.

4. Any other conditions hereinafter specified (CCMC §17.42.130(B)(4)):

See Attachment B: Conditions of Approval.

NECESSARY FINDING #6:

The proposed project satisfies the parking waiver requirements (CCMC §17.42.130), in that the waiver request:

- a. Does not significantly affect the present and future traffic;*
- b. Does not significantly affect the neighborhoods;*
- c. Does not significantly affect the stability and adequacy of the site to accommodate the proposed use; and*
- d. Any other parking requirements and conditions;*

City of Crescent City - Regular Planning Commission Meeting
Staff Report - Agenda Item: #4

SECTION 8: ENVIRONMENTAL DETERMINATION SUMMARY

The proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to following sections of the CEQA Guidelines:

§15332. In-Fill Development Projects, Class 32 consists of the proposed project:

(a) Is consistent with the applicable general plan designation, policies, and zoning designation and regulations:

The proposed project is consistent with the Crescent City General Plan's Residential Multi-Family (15-30) land use designation and is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code (with Site Plan & Architectural Design Review and Parking Waiver Request);

(b) Development occurs within city limits on a project site (<5 acres) substantially surrounded by urban uses:

The project site is located in the City of Crescent City, is approximately 2.630 acres, and is located adjacent to existing residential uses;

(c) Site has no value, as habitat for endangered, rare, or threatened species:

The project will be located on a site that has had past disturbances, is already developed and is surrounded by paved surfaces and contains no habitat for rare, threatened, or endangered species;

(d) Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality:

The project proposes a remodel to an existing 45-unit residential-only development with a new community center in a developed residential area that already services residential use and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;

(e) Site can be adequately served by all required utilities and public services:

The site is surrounded by and is already adequately served by utilities and public services.

NECESSARY FINDING #7:

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) under §15332 (In-fill Development) of the CEQA Guidelines.

SECTION 9: INTER-DEPARTMENTAL PLANNING REFERRALS

The Inter-Departmental Planning Referrals were provided (on 9/25/23) to other City departments which included the following comments/conditions:

Police Department: Approved with "None" (9/26/23).

Fire and Rescue: Approved with "All fire lane access and curbing must remain accessible to fire apparatus." (9/26/23)

**CITY OF CRESCENT CITY
PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE**



RESOLUTION NO. PC2023-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT CITY APPROVING A SITE PLAN & ARCHITECTURAL DESIGN REVIEW AND PARKING WAIVER REQUEST FOR A REMODEL OF AN EXISTING 45-UNIT RESIDENTIAL-ONLY DEVELOPMENT AND NEW COMMUNITY CENTER

WHEREAS, GS Valhalla, LP has submitted a Site Plan & Architectural Design Review (AR23-13) and a parking waiver request (PWR23-02) for a proposed remodel of an existing 45 unit residential-only development and a new community center on 2.63-acre developed parcel within the R-3 Zone (High-Density Residential District) located at 911 Pacific Avenue (APNs 118-020-027);

WHEREAS, the Planning Commission has considered this proposed project on this date at a duly noticed public hearing, staff report, and public testimony;

WHEREAS, the Planning Commission finds that the proposed project is consistent with the Crescent City General Plan's Residential Multi-Family (15-30) land use designation;

WHEREAS, the Planning Commission finds that the proposed project (with Site Plan & Architectural Design Review and a Parking Waiver) is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code;

WHEREAS, the Planning Commission finds that proposed site plans and designs of structures satisfies the Site Plan & Architectural Design Review requirements (CCMC §17.46.010 & §17.46.035), in that the structures:

- a. Are compatible, both in harmony and in appearance with the neighborhoods;
- b. Reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems;
- c. Avoid monotonous and otherwise nonaesthetic development injurious to the overall community;
- d. Provide a [means] to encourage full development of streets servicing the properties;
- e. Assures full installation of all public utilities necessary to serve such properties; and
- f. Is consistent with the applicable zoning, parking and landscaping, fencing, signage, street, sidewalk and public services requirements.

WHEREAS, the Planning Commission finds that the proposed project satisfies the parking waiver requirements (CCMC §17.42.130), in that the waiver request:

- a. Does not significantly affect the present and future traffic;
- b. Does not significantly affect the neighborhoods;
- c. Does not significantly affect the stability and adequacy of the site to accommodate the proposed use; and
- d. Any other parking requirements and conditions;

*A Site Plan & Architectural Design Review and Parking Waiver
For Remodeling an Existing 45-unit Residential-only Development and new Community Center*

WHEREAS, the Planning Commission finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) under §15332 (In-fill Development) of the CEQA Guidelines.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City determines that the Site Plan & Architectural Design Review (AR23-13) and Parking Waiver Request (PWR23-02) to allow GS Valhalla, LP to remodel of an existing 45 unit residential-only development and a new community center on 2.63-acre developed parcel within the R-3 Zone (High-Density Residential District) located at 911 Pacific Avenue (APNs 118-020-027), be approved subject to the Conditions of Approval (Attachment B).

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 12th day of October 2023, by the following polled vote.

AYES:
NOES:
ABSTAIN:
ABSENT:

Ray Walp, Chairperson

ATTEST:

Heather Welton, Community Development Specialist

building will have its own community areas that can be utilized for birthday parties and such. There will be a lighted cross walk across E street. Durable materials will be for construction to help maintain the longevity. She said there will be EV charging parking spots and a covered walkway that takes you from the parking spaces to the lobby.

Commissioner Tinkler asked about the flat roofs and the drainage.

John with KFA Architects said a lot of time was spent on the waterproofing for the design.

Commissioner Tinkler said she really likes this project. She likes the blending of the seniors and multi families living together and the proposed development is not in the tsunami zone.

Commissioner Shamblin said he fears parking will spill out into the city streets.

The following citizens addressed the commission:

Doug Syvelster, City Resident (submitted via e-mail)- Stated he was against the project as described and that the density is the highest allowable by law. He said the developer would be exempt from regulations such as how development would affect traffic, wildlife, and water quality.

Chairman Walp closed the public hearing at 7:50pm.

On a motion by Vice Chair Wendt, seconded by Commissioner Shamblin and carried unanimously on a 5-0 polled vote, the City of Crescent City Planning Commission and Architectural Review Committee Adoped Resolution No. PC2023-012, a Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review for a Multi-family and Senior Housing development consistent with the State Density Bonus Law.

4. Public Hearing: AR23-13/PWR23-02 – GS Valhalla, LP [911 Pacific Avenue; APNs 118-020-027]

Chairman Walp opened the public hearing at 7:53pm.

Ethan Lawton, Contract City Planner, gave a slideshow presentation. He said the proposed project is requiring site plan and architectural review for a proposed accessory building and a parking waiver. There is a proposed remodel of the 45 residential units and the proposed accessory building is a construction of a new community center. The proposed project is consistent with the general plan and the Crescent City's High-Density Residential District (R-3) zoning code. The proposed site plans and designs of structures satisfies the site plan and architectural design review. The parking waiver is to waive 28.1 parking spaces so that the new community center can be constructed. The 45 units already exist, the reduction of spaces allows the conversion of existing spaces to meet accessible parking standards for existing residents who already park within the development. The proposed project is CEQA exempt.

Applicant Raymond Junior spoke about the new proposed community center and the

parking waiver. He said the parking waiver will not affect parking for the current residents that park in the development.

The remodel was discussed on a commission level.

There was no public comment.

Chairman Walp closed the public hearing at 8:17pm.

On a motion by Commissioner Wendt, seconded by Commissioner Tinkler and carried unanimously on a 5-0 polled vote, the City of Crescent City Planning Commission and Architectural Review Committee approved a Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review and Parking Waiver Request for a remodel of an existing 45-unit residential-only development and new community center.

CONTINUING BUSINESS:

None.

NEW BUSINESS:

None.

REPORTS, CONCERNS, REFERRALS:

In accordance with Gov't Code §54954.2(a)(2), Planning Commissioners or staff may briefly respond to public comment, make brief announcements or reports, or ask questions for clarification. Planning Commissioners or the Commission may also direct staff to report back on any matter at a subsequent meeting or to place a matter of business on a future agenda.

Eric Wier, City Manager, said the city was selected to receive the California Clean Grant. He thanked Bridget Lacey and Dave Yeager for their hard work on the grant application. The grant will continue Front Street construction. He said the city was also awarded a grant for the pedestrian trails.

Ethan Lawton, Contract City Planner, thanked the commission on reviewing their first state density bonus application. He said the Housing Element is still under review. The planning staff are currently updating documents such as staff reports and incorporating new items. He said MyGov isn't quite working out with the planning as hoped and still has some items that needs to be fixed. The signs ordinance is expected to come back before the commission soon.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Walp adjourned to the regular meeting at 8:22pm of the City of Crescent City Planning Commission and Architectural Design Review Committee scheduled for Thursday, November 9, 2023, at 5:30 p.m. in the Wastewater Treatment Plant (WWTP), 210 Battery Street, Crescent City, CA 95531.

*City of Crescent City - Regular Planning Commission Meeting
Staff Report - Agenda Item: #1*

SECTION 3: PROPOSED PROJECT DESCRIPTION

LNL Design and Construction has submitted a Conditional Use Permit Application (UP23-04) and Site Plan & Architectural Design Review (AR23-07) for a proposed mixed-use development (including a 33-unit low-income residential-only development and a commercial laundromat) on a vacant parcel located at the southwestern corner of 3rd & F Streets (APN 118-060-022). This mixed-use development consists of 3 structures connected by one roof with 2 breeze ways (See Attachment A: UP23-04/AR23-07 Application):

Building 1: (36' wide by 145'4" long) consists of 18 residential units; eight 1-bedroom and one 2-bedroom apartments on the first floor with an additional eight 1-bedroom and one 2-bedroom apartments on the second floor.

Building 2: (36' wide by 60' long) consists of 8 residential units; four 1-bedroom apartments on the first floor with an additional four 1-bedroom apartments on the second floor.

Building 3: (36' wide by 60' long) consists of 6 residential units and commercial space; two 1-bedroom apartments, an office space, and public laundromat space on the first floor with an additional four 1-bedroom apartments on the second floor.

The complex will provide 10 paved off-street parking spaces 8' wide and 18' long including 2 EV charging stations and 2 ADA parking spaces (1 of which will be Van ADA). Off-street parking is further addressed under Section 6 (State Density Bonus Law Consistency) and Section 8 (Site Plan & Architectural Design Review) below.

FIGURE 3-1: PROPOSED MIXED USE DEVELOPMENT



Source: Site Plan (November 11, 2023) See Attachment A: UP23-04/AR23-07 Application

The proposed mixed-use development is located within the Visitor and Local Commercial (VLC) General Plan land use designation (See Section 6: State Density Bonus Law Consistency) and within the Waterfront Commercial District (C-W) zoning designation (See Section 5: Zoning Consistency).

The proposed mixed-use development requires a Conditional Use Permit (See Section 7:

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SECTION 6: STATE DENSITY BONUS LAW CONSISTENCY

The proposed 33-unit residential development is limited by the allowable density within the Waterfront Commercial District (C-W) Zoning designation and the Visitor Local Commercial (VLC) General Plan (GP) land use designation. While the C-W zone allows a maximum density of sixty dwelling units per acre (CCMC §17.23.030(G)), the GP (VLC) allows a maximum density of 15 units per acre (See Section 4: General Plan Consistency and Section 5: Zoning Consistency). The proposed project site is 0.48-acres/20,908-sf which would allow 28.8-units through C-W zone and 7-units through the GP. This would result in the proposed project density exceeding the C-W zone by 4.2-units and the GP by 26-units.

TABLE 6-1: DENSITY CALCULATION				
Project Parcels	Bldg.	Proposed Units	C-W Zoning Allows	GP Allows
0.48 acres 20,908 sf	1, 2, & 3	33-units	28.8-units (4.2-units over)	7-units (26-units over)

C-W Zoning vs GP Density: Even though the C-W zone would allow the proposed development, the GP would not allow the development of 33 residential units. Because, in instances where the Zoning Ordinance conflicts with the GP, the GP always prevails (*Leshar Communications, Inc. v. City of Walnut Creek*, (1990) 52 Cal. 3d 531, 540). The remainder of the analysis will use the GP density calculation when discussing the proposed project's density and bonus assessment. While the proposed project is limited in allowable density through the GP, the State Density Bonus Law can override the GP density limitations (*Anderson v. City of San Jose*, 2019 Cal. App. LEXIS 1182, 2019 WL 6317875, slip op. at p. 3, 18).

State Density Bonus Law: The “*intent behind the Density Bonus Law is to allow [the City] to reduce or even eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance in exchange for affordable units*” (Gov. Code §65915(u)(1)) and “*to further incentivize the construction of very low, low-, and moderate-income housing units*” (Gov. Code §65915(u)(1)). When an applicant applies to the City, in writing, for a Density Bonus, subject to a recorded affordability restriction of 55 years the applicant is to receive several incentives according to the affordability of the development (Gov. Code §65915) in exchange for providing affordable residential units.

Applicability: The applicant has applied for 100% Affordable (See Affordable Housing subsection below) Housing Development (80% Low-Income & 20% Moderate-Income) meaning that “*of all units in the shared housing building development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households*” (Gov. Code §65915(b)(1)(G)). This option provides for 4 incentives (Gov. Code §65915(d)(2)(D)) and if the housing development is located within 0.5-mile of major transit stop, the city shall not impose any maximum controls on density (Gov. Code §65915(f)(3)(D)(ii)).

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- A. The concession or incentive does result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted units (Gov. Code §65915(d)(1)(A));
- B. The concession or incentive would have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households (Gov. Code §65915(d)(1)(B));
- C. The concession or incentive would be contrary to state or federal law (Gov. Code §65915(d)(1)(C)).

1. Density: The proposed 33-unit residential development on a 0.48-acre/20,908-sf project site, exceeds (by 26-units) the GP maximum density of 15 dwelling units per acre, totaling 7 units. However, because this proposed project is 100 % Affordable (80% Low-Income & 20% Moderate-Income), the State Density Bonus Law provides that if the housing development is located within 0.5-mile of major transit stop, the city shall not impose any maximum controls on density (Gov. Code §65915(f)(3)(D)(ii)) to this project, allowing an additional +26-units to be added to the development. Including the Density Bonus, the developer is allowed to develop an unlimited number of units within the height limit and setbacks. Therefore, making the proposed 33-dwelling units, without any incentive/ concession, consistent with the State Density Bonus Law. The proposed project has 4 incentives/ concessions remaining.

TABLE 6-2: DENSITY BONUS CALCULATION					
Project Parcels	Bldg.	Proposed Units	GP Allows	Unlimited Density Bonus	Total Allowed
0.48-acre / 20,908-sf	1, 2, & 3	33-units	7-units (26-units over)	+Unlimited units*	Unlimited units*
*Manager units are excluded per State Density Bonus Law (Gov. Code §65915(b)(1)(G))					

2. Parking: The proposed 10 off-street parking spaces does not meet (by 40 spaces) the minimum 1.5 spaces per “three or more family dwellings” (CCMC §17.42.040(B)) totaling 49.5 spaces which would be rounded up to 50 spaces (CCMC §17.42.030). However, the State Density Bonus Law provides a more relaxed parking ratio per bedroom (BR): 1 space per 0-1 BR and 1.5 spaces per 2-3 BR (Gov. Code §65915(p)(1)(A-C)) to this project (30 1-BR and 2 2-BR), lowering (by 15 spaces) the minimum off-street parking spaces, totaling 33 spaces. Therefore, the proposed 10 off-street parking spaces does not meet (by 23 spaces) the standard minimum 33 off-street parking space with the State Density Bonus Law. Additionally, because this proposed project has 4 incentives/concessions that can be used towards local development standards (Gov. Code §65915(d)(2)(D)), the applicant is applying 1 incentive/concession to the off-street parking requirements. Therefore, making the proposed 10 off-street parking spaces, with 1 applied incentive/concession, consistent with the State Density Bonus Law. The proposed project, with 1 used, has 3 incentives/concessions remaining.

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TABLE 6-3: PARKING RATIO CALCULATION					
Parcel	Bedroom	Proposed Spaces	C-W Zoning	Density Bonus Law	Incentive / Concession
0.48-acre / 20,908-sf	30 (1-BR)	8-spaces (0.5 = 1-BR)	45-spaces (1.5 = MF)	30-spaces (1 = 1-BR)	Covers 22-spaces
	2 (2-BR)	2-spaces (0.5 = 1-BR)	3-spaces (1.5 = MF)	3-spaces (1.5 = 2-BR)	Covers 1-space
Total	33-units	10-spaces	48-spaces (38 under)	33-spaces (23 under)	Covers 23-spaces
<i>*0.5-spaces were rounded up to 1.0-space (CCMC §17.42.030 & Gov. Code §65915(p)(4))</i>					

The applicant may initiate judicial proceedings if the city refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This paragraph shall not be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in §65589.5(d)(2), upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact (Gov. Code § 65915(d)(3)). The city, county, or city and county shall bear the burden of proof for the denial of a requested concession or incentive (Gov. Code § 65915(d)(4)).

REQUIRED FINDING #5 (BY THE COMMISSION):

- ☐ The proposed project satisfies the State Density Bonus requirements (CCMC § 17.48.030 & Gov. Code § 65915), in that:
- a. The proposed project is found to qualify for bonus units under State guidelines (GP 1-5).
 - b. The proposed project is 100% affordable (80% Low-Income & 20% Moderate-Income) (Gov. Code § 65915(b)(1)(G)).
 - i. Rent for at least 20 percent of the units on the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code (Gov. Code § 65915(c)(1)(B)(i)).
 - ii. Rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee (Gov. Code § 65915(c)(1)(B)(ii)).
 - c. The proposed project is a low- or very-low-income or senior citizen housing project developed in compliance with Section 65915 et seq. (CCMC §17.48.030(A)).
 - d. In exchange for the density bonus, the developer shall guarantee the units will be maintained for very-low- and low-income households for 55 years, or longer. The guarantee shall be in the form of a deed restriction or other legally binding and enforceable document acceptable to the city council (Gov. Code § 65915(c)(1)(A), GP 1-5, and CCMC §17.48.030(A)).
 - i. The document shall be recorded with the Del Norte County recorder prior to the issuance of a building permit (CCMC §17.48.030(A)).
 - ii. The applicant shall comply with Crescent City Housing Authority procedures for the physical maintenance of the units (CCMC §17.48.030(A)).

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The project site currently is adjacent to existing underground provisions of water, sewage, and drainage facilities.

REQUIRED FINDING #7 (BY THE COMMISSION):

- ☐ The proposed site plans and designs of structures satisfies (with consistency with the State Density Bonus Law) the Site Plan & Architectural Design Review requirements (CCMC §17.46.010 & §17.46.035), in that the structures:
- a) Are compatible, both in harmony and in appearance with the neighborhoods;*
 - b) Reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems;*
 - c) Avoid monotonous and otherwise nonaesthetic development injurious to the overall community;*
 - d) Provide a [means] to encourage full development of streets servicing the properties;*
 - e) Assures full installation of all public utilities necessary to serve such properties; and*
 - f) Is consistent with the applicable zoning, parking and landscaping, fencing, signage, street, sidewalk and public services requirements.*

SECTION 9: ENVIRONMENTAL DETERMINATION SUMMARY

The proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to following sections of the CEQA Guidelines:

A. Class 32 §15332. In-Fill Development Projects, consists of the proposed project:

1. Is consistent with the applicable general plan designation, policies, and zoning designation and regulations:

The proposed project is consistent with the Crescent City General Plan's Visitor Local Commercial (VLC) land use designation and is consistent with the Crescent City's Waterfront Commercial District (C-W) Zoning Code (with consistency with the State Density Bonus Law requirements, a Conditional Use Permit, and Site Plan & Architectural Design Review);

2. Development occurs within city limits on a project site (<5 acres) substantially surrounded by urban uses:

The project site is located in the City of Crescent City, is approximately 0.48 acres, and is located adjacent to existing residential and commercial uses;

3. Site has no value, as habitat for endangered, rare, or threatened species:

The project will be located on a site that has had past disturbances, and is surrounded by paved surfaces and contains no habitat for rare, threatened, or endangered species;

4. Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality:

The project proposes mixed-use in a developed residential and commercial area that already services residential and commercial uses and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;

5. Site can be adequately served by all required utilities and public services:

The site is surrounded by and is already adequately served by utilities and public services.

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REQUIRED FINDING #8 (BY THE COMMISSION):

☐ The proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 32 §15332 (In-fill Development) of the CEQA Guidelines.

SECTION 10: INTER-DEPARTMENTAL PLANNING REFERRALS

The Inter-Departmental Planning Referrals were provided (on 11/16/23 and 11/28/23) to the other City departments which included the following comments/conditions:

- A. Police Department:** Approved (on 11/27/23) with *“No concerns overall, would like to make sure the unit numbering is 100-s for the bottom floor and 200’s for the second floor. This will help with response time and locating apartments.”*
- B. Fire and Rescue:** Approved (on 11/29/23) with *“Address: Each unit and building address shall be visible and practical for Police and Fire. Response: 2022 CFG Section 505 (recommend meeting with Fire/Police to determine specific addressing). Sprinklers: All sprinkler design and installation shall adhere to CFG 2022 Section 903 and appropriate NFPA codes. Fire/Emergency/Ambulance personnel loading zone w/ striping for fire/medical gurney access in breezeway/parking areas: 2022 GFG 503.3. Adequate clearance in front parking access for fire lane and apparatus access: minimum 20-foot width in all lane areas... 2022 GFG 503.2.1, 503.2.2. *Note: All staircases/egress from 2nd story has been verified as acceptable according to code requirements...no further stairs will be required.”*
- C. Building Department:** Informal comments were provided to the applicant and were incorporated into the revised resubmittals.
- D. Public Works Department:** Approved (on 11/30/23) with *“Concerns - Lack of parking but allowed per State mandate. All utilities and improvements within the City ROW appear to be / or will be addressed with their building permit application submittal.”* Additional conditions are added to Attachment B: Conditions of Approval.

REQUIRED FINDING #9 (BY THE COMMISSION):

☐ The proposed project is to be subject to the Conditions of Approval found in Attachment B.

SECTION 11: PLANNING COMMISSION ACTION OPTIONS

- A. APPROVAL.** Making all the required findings.
 - **“I move to adopt Resolution PC2024-01, read by title only: A Resolution of the Planning Commission of the City of Crescent City Approving a Conditional Use Permit and Site Plan & Architectural Design Review for a mixed-use development**



**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**
Commission Members: Ray Walp, Chairperson • John Wendt, Vice-Chair
• Candace Tinkler • Steve Shamblin • Kristine DeCossio

Incorporated April 13, 1854

web: www.crescentcity.org

**MINUTES
REGULAR MEETING
Thursday, January 11, 2024, at 5:30 p.m.
WWTP, 210 Battery Street, Crescent City, CA 95531**

I. CALL TO ORDER: Chairman Walp called the meeting to order at 5:35p.m.

ROLL CALL: Commissioners present: Commissioner Candace Tinkler, Commissioner Kristine DeCossio, Vice-Chair John Wendt and Chairman Ray Walp

Commissioner Absent: Commissioner Steve Shamblin

Staff present: City Manager Eric Wier, Community Development Director Bob Brown (Virtually), Public Works Director Dave Yeager, Contract Planner Ethan Lawton, and Community Development Specialist Heather Welton

II. PUBLIC COMMENT:

There was no public comment.

III. APPROVAL OF MINUTES:

On a motion by Vice Chair Wendt, seconded by Commissioner Tinkler, and carried unanimously on a 4-0 polled vote, with Commissioner Shamblin absent, the City of Crescent City Planning Commission and Architectural Review Committee approved the August 10, 2023 and November 9, 2023 meeting minutes as presented.

IV. AGENDA ITEMS:

- 1. A Public Hearing to consider a Conditional Use Permit (Application UP23-04) and Site Plan & Architectural Design Review (Application AR23-07) for LNL's mixed-use development (including 33-low-income residential units and a commercial laundromat), located at the southwestern corner of 3rd & F Streets (APN 118-060-022).**

PLANNING COMMISSION MINUTES

Ethan Lawton gave a brief background and presentation. The items before the Planning Commission tonight are a site plan and architectural design review and parking waiver request. He said the project is a 33 unit low income residential only unit with a commercial laundromat. It will be three structures connected by one roof. He said the complex will have ten off street parking spaces that will include two EV charging stations and two ADA parking spaces. He said the applicants will have a state density bonus law waiver for the reduction of parking spaces from the required 50 spaces. The intent behind the Density Bonus Law is to allow the City to reduce or even eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance in exchange for affordable units and the proposed project will be 100% affordable housing. The state density program allows four incentives or waivers for this project, with one being used for parking the applicants will have three remaining. Ethan said the proposed project is exempt from CEQA. Interdepartmental referrals were sent out to city staff and the Police Department approved and asked for unit numberings to be addresses in the 100's for the bottom floor and 200's for the second floor, Fire and Rescue approved and asked that each unit and building address be visible and practical for Police and Fire response. Building Department and Public Works Department approved.

Building setbacks were discussed on a commission level.

Parking was discussed on a commission level.

The elevations were discussed on a commission level.

Ethan wanted to stress how the State Density Project law allows for the parking benefit due to the low-income housing.

Commissioner Tinkler asked how the parking is being applied to the commercial laundromat that will be at the location.

Ethan said a parking ratio was not included for the commercial business; he said it was an oversight.

Chairman Walp recommends having the apartment complex hand out dash tags for people that live in the apartment complex and park on the street.

Accessibility and safety were discussed on a commission level.

The building features were discussed on a commission level.

Applicant Jeremy said per density bonus he isn't required to have any parking. He said he is open to suggestions and options. He said that the City and LNL have spoken about some city right of way parking on F Street.

Chairman Walp asked if he was open to the placards for the cars parking on the street.

Applicant Jeremy answered yes.

Chairman Walp asked about the design, what was presented looked like blank walls without windows.

Jeremy said almost every wall has a window.

Vice Chair Wendt asked the reason of wanting to reduce the parking.

Applicant Jeremy said he wanted to place as much housing as possible at the location. He also wanted to let the commission know the laundromat was for tenants.

The laundromat was discussed on a commission level.

Applicant Ben said that they have multiple rentals around Crescent City. He said they are creating housing for people that are low income. He said the County just approved millions for pallet housing for people and they aren't concerned on parking. He said the main reason is housing and to get people into houses.

Applicant Leonard said that the complex can be transitional housing too, helping someone get back on their feet.

Applicant Jeremy said at one of their rentals three of the six units have cars.

The following residents addressed the commission:

Misty Malloroy, City Resident. She lives near the proposed project. She said the church in the area near the proposed project already takes up a lot of on street parking, she said the last few years she worked with homeless and knows how important the need for housing is. She said the locations isn't good, she said it's also in the tsunami zone. She would like to have the developers build a privacy fence between their property and hers.

Vice Chair Wendt asked if the city could require fencing.

City Manager Eric Wier said the city does not, fencing would need to be discussed between the required parties.

Fencing was discussed on a commission level.

On a motion by Chairman Walp, seconded by Commissioner DeCossio, and carried unanimously on a 3-1 polled vote, with commissioner Tinkler voting no and Commissioner Shamblin absent, the City of Crescent City Planning Commission and Architectural Review Committee adopted Resolution PC2024-01, read by title only: A resolution of the Planning Commission of the City of Crescent City Approving a Conditional Use Permit and Site Plan & Architectural Design Review for a mixed-use development (including 33-low-income residential units and a commercial laundry mat).

Chairman Walp called a break at 7:13pm.

The meeting reconvened at 7:20pm.

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- g) Will be placed on a site that is both suitable and adequate for the proposed use;*
- h) Will have a minor effect on present and future traffic and that such use will not become a nuisance to the neighborhood; and*
- i) Provides adequate off-street parking, loading, landscaping, and screening.*

SECTION 7: SALE OF ALCOHOLIC BEVERAGE REVIEW PROCESS

In addition to the Conditional Use Permit requirements (CCMC § 17.54.010) the proposed sale of alcoholic beverages requires additional review as *"conditions of approval will vary with each application including location, on-sale or off-sale business, public convenience and necessity, and any other, city, state, and federal laws that may apply"* (CCMC § 17.90.030), and subject to the following standards:

STANDARD REQUIREMENTS:

7.1. Commercial Zones (CCMC § 17.90.030(D)):

The sale of alcoholic beverages for off-premises consumption may only be allowed by conditional use permit in the C-1, C-2, and C-W zones (CCMC § 17.90.030(D)).

7.2. Conditional Use Permit (CCMC § 17.90.030(A)):

See Section 6: Conditional Use Permit Review.

7.3. Crime Reporting District (CCMC § 17.90.030(A)(3)):

On Thursday, October 3, 2024, at 1:58 PM Richard Griffin, Chief of Police of the City of Crescent City, in correspondence with City Staff, stated, *"I am worried that this may add to crime issues in the area, based on what happened previously in that area when the bar was there. It will fully depend on the atmosphere that management sets there. But there is a very good potential of it."*

7.4. Proximity Distance (CCMC § 17.90.030(A)(4)):

The proposed project site has a proximity distance of ~2,230-ft from a school (Crescent Elk Middle School), 175-ft from a park (Beachfront Park), ~175-ft from a playground (Beachfront Park), ~450-ft from a recreational center (Fred Endert Municipal Pool), ~430-ft from a daycare (Del Norte Child Care Council).

7.5. 1,000-ft Radius (CCMC § 17.90.030(A)(1)):

Below is a list of all establishments, with incidental service of beer and/or wine in the same category of alcoholic beverage sales or service, within a one-thousand-foot (1,000-ft) radius of the proposed project site:

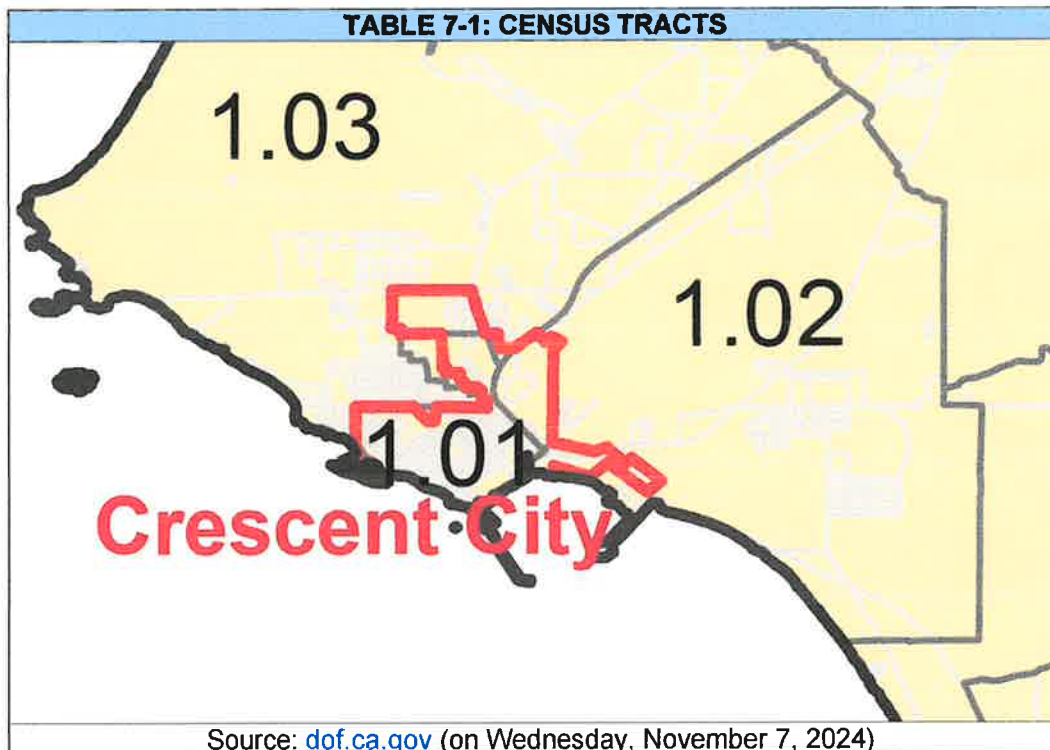
There are no Type 48 Licenses within 1,000-ft. (Source: ABC website (<https://www.abc.ca.gov/licensing/licensing-reports/licenses-by-county-and-census-tract/>) on June 20, 2024).

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STATE REQUIREMENTS:

7.6. Census Tract (CCMC § 17.90.030(A)(2)):

According to the ABC website on Wednesday, November 6, 2024, the proposed project site is located within Census Tract 1.01 (See Table 7-1: Census Tracts) consisting of 10 existing On-Sale Type 48 Licenses.



7.7. ABC Overconcentration (CCMC § 17.90.030(A)(1)):

On Thursday, November 7, 2024, at 4:45 PM Bryan Daley, a Licensing Representative of the Department of Alcoholic Beverage Control in correspondence with City staff stated, "For Big E Bar LLC, ABC also determined that the census tract is unduly concentrated. Attached is the worksheet (See Attachment D: ABC Form 245). Note that even though Big E Bar concerns the same census tract as Chipotle, the numbers in the attached worksheet have changed for a few reasons: (a) I just re-ran the numbers for Big E Bar to create the attached, (b) in the time since Chipotle applied, two additional on-sale licenses have issued in this census tract, and (c) in the time since Chipotle applied, ABC updated its numbers for county population, total number of licenses, and ratio of license to population."

7.8. Public Convenience or Necessity (CCMC § 17.90.030(B)):

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On Thursday, November 7, 2024, at 4:45 PM Bryan Daley, a Licensing Representative of the Department of Alcoholic Beverage Control in correspondence with City staff stated, *"For this one, since it's a type 48, ABC can't make the public convenience or necessity determination under the ABC Act unless/until City fails to act for 90 days. Again, I'm talking about the state laws that we follow, and the City's Municipal Code may require City to make a finding in each instance."*

7.9. PCN Findings (CCMC § 17.90.030(C)(1-4)):

7.9.1. Economic/GP: The proposed establishment will promote the city's economic health and is consistent with the VLC general plan land use designation and any applicable specific plan policies to further district purposes.

7.9.2. Violations: The applicant has not operated a licensed establishment, which has been the subject of verified complaints, or violations regarding alcohol, public safety or nuisance statutes or regulations On Thursday, October 3, 2024, at 1:58 PM Richard Griffin, Chief of Police of the City of Crescent City, in correspondence with City Staff, stated, *"To My knowledge this is correct."*

7.9.3. Crime: The police department has reported that the proposed establishment would not be expected to add to crime in the area. On Thursday, October 3, 2024, at 1:58 PM Richard Griffin, Chief of Police of the City of Crescent City, in correspondence with City Staff, stated, *"I am worried that this may add to crime issues in the area, based on what happened previously in that area when the bar was there. It will fully depend on the atmosphere that management sets there. But there is a very good potential of it."*

7.9.4. Incidental: The alcoholic beverages sold by the applicant are not incidental to the other products available for sale at the establishment (Big E Bar) but are limited to a small portion of the building facilitating other uses (commercial/residential).

ADDITIONAL CONSIDERATIONS:

7.10. Distance Consideration (CCMC § 17.90.030(E)(1-5)):

The Planning Commission may take into consideration the proximity of the proposed alcohol retailer with parcels occupied by A) Schools (public or private): Crescent Elk Middle School (~2,230-ft); B) Churches or other places of worship: The Meeting Place of the Church in Crescent City (~350-ft); C) Hospitals, clinics, or other health care facilities: United Indian Health Services (~320-ft); D) Public parks and playgrounds: Beachfront Park (~1,880).

7.11. REQUIRED FINDINGS BY THE COMMISSION:

The Planning Commission finds that the proposed sale of alcoholic beverages meets the conditions of approval (CCMC § 17.90.030) and is considered a Public Convenience or Necessity (CCMC § 17.90.030(C)(1-4)), in that:

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- a) The Conditional Use Permit requirements are satisfied (CCMC § 17.90.030(A));*
- b) A 1,000-ft Radius of same category of alcoholic beverage sales or service were considered (CCMC § 17.90.030(A)(1));*
- c) ABC determined there were an overconcentration of on-sale licenses (CCMC 17.90.030(A)(1));*
- d) ABC License within the Census Tract were considered (CCMC § 17.90.030(A)(2));*
- e) The local Crime Reporting District were considered (CCMC § 17.90.030(A)(3));*
- f) The Proximity Distance of schools, parks, playgrounds, recreational centers, day cares, and similar uses were considered (CCMC § 17.90.030(A)(4));*
- g) The application may not be approved unless all of the findings of Public Convenience or Necessity are made (CCMC § 17.90.030(B));*
- h) The proposed establishment will promote the city's economic health, and is consistent with the VLC general plan land use designation and any applicable specific plan policies to further district purposes (CCMC § 17.90.030(C)(1));*
- i) The applicant has not operated a licensed establishment, which has been the subject of verified complaints, or violations regarding alcohol, public safety or nuisance statutes or regulations (CCMC § 17.90.030(C)(2));*
- j) The police department has reported that the proposed establishment would not be expected to add to crime in the area (CCMC § 17.90.030(C)(3));*
- k) The alcoholic beverages sold by the applicant are incidental to the other products available for sale at the establishment (CCMC § 17.90.030(C)(4));*
- l) Off-premises consumption may only be allowed by conditional use permit in the C-1, C-2, and C-W zones (CCMC § 17.90.030(D)); and*
- m) The Distance of schools, churches, hospitals, public parks and playgrounds, similar uses, and residential uses were considered (CCMC § 17.90.030(E)(1-5)).*

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SECTION 8: ENVIRONMENTAL DETERMINATION SUMMARY

The proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the following sections of the CEQA Guidelines:

8.1. Class 1 § 15301(a). Existing Facilities, consists of the proposed project:

1. Interior or exterior alterations:

The proposed project proposes a changed use within an existing structure.

8.2. Class 32 § 15332. In-Fill Development Projects, consists of the proposed project:

1. Is consistent with the applicable general plan designation, policies, and zoning designation and regulations:

The proposed project is consistent with the Crescent City General Plan's Visitor Local Commercial (VLC) land use designation and is consistent with the Crescent City's Waterfront Commercial District (C-W) Zoning Code;

2. Development occurs within city limits on a project site (<5 acres) substantially surrounded by urban uses:

The project site is located in the City of Crescent City, is approximately 0.19 acres, and is located adjacent to existing commercial uses;

3. Site has no value, as habitat for endangered, rare, or threatened species:

The project will be located on a site that has had past disturbances, is already developed and is surrounded by paved surfaces and contains no habitat for rare, threatened, or endangered species;

4. Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality:

The project proposes mixed-use (commercial/residential) in a developed mixed-use (commercial/residential) area that already services commercial/residential uses and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;

5. Site can be adequately served by all required utilities and public services:

The site is surrounded by and is already adequately served by utilities and public services.

8.3. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 § 15301(a) (Existing Facilities) and Class 32 § 15332 (In-fill Development) of the CEQA Guidelines, in that the proposed project:

- a) *Proposes a changed use within an existing structure;*
- b) *Is consistent with the Crescent City General Plan's VCL (Visitor and Local Commercial) land use designation and is consistent with the Crescent City's Waterfront Commercial (C-W) Zoning Code (with Conditional Use Permit);*
- c) *Is located in the City of Crescent City, is approximately 0.19 acres, and is located adjacent to existing commercial uses;*

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- d) Is located on a site which has had past disturbances, contains existing development, and is surrounded by paved surfaces containing no habitat for rare, threatened, or endangered species;*
- e) Is within a developed commercial area that already services commercial use and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts; and*
- f) Is surrounded by and is already adequately served by utilities and public services.*

SECTION 9: INTER-DEPARTMENTAL PLANNING REFERRALS

The Inter-Departmental Planning Referrals were provided (on 10/01/24) to other City departments which included the following comments/conditions:

9.1. Police Department: *Approved with "No comments or concerns from Police Department. Was a former bar in the same location, will be monitored if issues arise again in how it was managed. Previous bar had a lot of issues with fights and excessive drinking." (10/01/24)*

9.2. Fire and Rescue: None

9.3. Building Department: None

9.4. Public Works Department: None

9.5. REQUIRED FINDING BY THE COMMISSION:

The proposed project is to be subject to the Conditions of Approval found in Attachment B.

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL DESIGN REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * John Wendt, Vice-Chair
Candace Tinkler * Steve Shamblin * Kristine DeCossio



Incorporated April 13, 1854

web: www.crescentcity.org

RESOLUTION NO. PC2024-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT CITY APPROVING A CONDITIONAL USE PERMIT (APPLICATION UP24-07) GRANTING RSRD LLC'S REQUEST FOR THE SALE OF ALCOHOLIC BEVERAGES AND EXPANSION OF RESIDENTIAL USE

WHEREAS, RSRD LLC (Nate Goodman) has submitted a Conditional Use Permit (Application UP24-07) requesting the sale of alcoholic beverages and expansion of residential use in an existing mixed-use structure within the C-W zone (Waterfront Commercial District) located at 155 I Street, Crescent City, CA 95531 (APN 118-070-016-000);

WHEREAS, the Planning Commission has considered this proposed project on this date at a duly noticed public hearing, staff report, and public testimony;

WHEREAS, the Planning Commission finds that the proposed project is consistent with the Crescent City General Plan's VLC (Visitor and Local Commercial) land use designation, in that the proposed project:

- a. *Is categorized as "other uses requiring a conditional use permit" within the VLC;*
- b. *"Provides for a combination of commercial uses including visitor-serving commercial uses, local-serving commercial uses, and regional-serving commercial uses" within the VLC;*
- c. *Is supported by the General Plan goals (1.B, 1.G, 1.F, G, & 3.D) and policies (1.A.2, 1.A.3, 1.B.1, 1.F.2, 1.F.3, 1.G.1, & 1.I.1, 2.A.2, 2.B.9, 2.D.1); and*
- d. *Is supported by the 6th Cycle Housing Element goal (HG-1) and policies (HP-1.2 & HP-1.7).*

WHEREAS, the Planning Commission finds that the proposed project (with a Conditional Use Permit) is consistent with the Crescent City's Waterfront Commercial District (C-W) Zoning Code, in that the proposed project:

- a) *Is not located within the Coastal Zone and is not appealable to the Coastal Commission;*
- b) *Is consistent with the "sale of alcohol" which requires "approval of a conditional use permit by the planning commission" (CCMC § 17.90.010);*
- c) *Is consistent with the "residential uses located above the ground floor of commercial structures not to exceed sixty units per acre density" with a Conditional Use Permit (CCMC § 17.23.030(G));*
- d) *"Provide[s] for a mixture of commercial shops and services, accommodation uses, and public services in the downtown area which is adjacent to Beachfront Park and the Crescent City harbor area which serves a mixture of tourists, seasonal and year-round residents" (CCMC § 17.22.010); and*

A Conditional Use Permit

For the Sale of Alcoholic Beverages and Expansion of Residential Use

e) *Is subject to all zoning regulations (CCMC § 17.23.010).*

WHEREAS, the proposed use satisfies the Conditional Use Permit requirements (CCMC § 17.54.010(B)), in that the proposed use:

- e. *Is compatible with other existing and potential uses within the general area;*
- f. *Will not result in a significant impact on noise, smoke, dust, fumes, vibration, odors, and hazards;*
- g. *Will be placed on a site that is both suitable and adequate for the proposed use;*
- h. *Will have a minor effect on present and future traffic and that such use will not become a nuisance to the neighborhood; and*
Provides adequate off-street parking, loading, landscaping, and screening;

WHEREAS, the Planning Commission finds that the proposed sale of alcoholic beverages meets the conditions of approval (CCMC § 17.90.030) and is considered a Public Convenience or Necessity (CCMC § 17.90.030(C)(1-4)), in that:

- a) *The Conditional Use Permit requirements are satisfied (CCMC § 17.90.030(A));*
- b) *A 1,000-ft Radius of same category of alcoholic beverage sales or service were considered (CCMC § 17.90.030(A)(1));*
- c) *ABC determined there were an overconcentration of on-sale licenses (CCMC § 17.90.030(A)(1));*
- d) *ABC License within the Census Tract were considered (CCMC § 17.90.030(A)(2));*
- e) *The local Crime Reporting District were considered (CCMC § 17.90.030(A)(3));*
- f) *The Proximity Distance of schools, parks, playgrounds, recreational centers, day cares, and similar uses were considered (CCMC § 17.90.030(A)(4));*
- g) *The application may not be approved unless all of the findings of Public Convenience or Necessity are made (CCMC § 17.90.030(B));*
- h) *The proposed establishment will promote the city's economic health, and is consistent with the VLC general plan land use designation and any applicable specific plan policies to further district purposes (CCMC § 17.90.030(C)(1));*
- i) *The applicant has not operated a licensed establishment, which has been the subject of verified complaints, or violations regarding alcohol, public safety or nuisance statutes or regulations (CCMC § 17.90.030(C)(2));*
- j) *The police department has reported that the proposed establishment would not be expected to add to crime in the area (CCMC § 17.90.030(C)(3));*
- k) *The alcoholic beverages sold by the applicant are incidental to the other products available for sale at the establishment (CCMC § 17.90.030(C)(4));*
- l) *Off-premises consumption may only be allowed by conditional use permit in the C-1, C-2, and C-W zones (CCMC § 17.90.030(D)); and*
- m) *The Distance of schools, churches, hospitals, public parks and playgrounds, similar uses, and residential uses were considered (CCMC § 17.90.030(E)(1-5));*

WHEREAS, the Planning Commission finds that the proposed project is determined to be categorically exempt from the California Environmental Quality Act

*A Conditional Use Permit
For the Sale of Alcoholic Beverages*

(CEQA) under Class 1 § 15301(a) (Existing Facilities) and Class 32 § 15332 (In-fill Development) of the CEQA Guidelines, in that the proposed project:

- a) Proposes a changed use within an existing structure;*
- b) Is consistent with the Crescent City General Plan's VCL (Visitor and Local Commercial) land use designation and is consistent with the Crescent City's General Commercial (C-2) Zoning Code (with Conditional Use Permit);*
- c) Is located in the City of Crescent City, is approximately 0.47 acres, and is located adjacent to existing commercial uses;*
- d) Is located on a site which has had past disturbances, contains existing development, and is surrounded by paved surfaces containing no habitat for rare, threatened, or endangered species;*
- e) Is within a developed commercial area that already services commercial use and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts; and*
- f) Is surrounded by and is already adequately served by utilities and public services.*

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City that the Conditional Use Permit (Application UP24-07) granting RSRD LLC's (Nate Goodman) request for the sale of alcoholic beverages and expansion of residential use in an existing mixed-use structure at the address above be approved subject to the Conditions of Approval (Attachment B):

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 14th day of November 2024, by the following polled vote.

AYES:
NOES:
ABSTAIN:
ABSENT:

Ray Walp, Chairperson

ATTEST:

Heather Welton, Community Development Specialist

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL DESIGN REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * John Wendt, Vice-Chair
Candace Tinkler * Steve Shamblin * Kristine DeCossio



Incorporated April 13, 1854

web: www.crescentcity.org

MINUTES - REGULAR PLANNING COMMISSION MEETING

Thursday, November 14, 2024, at 5:30 P.M.

Wastewater Treatment Plant (WWTP), 210 Battery Street, Crescent City, CA 95531

PART I - CALL TO ORDER & ROLL CALL

Chair Walp called the meeting to order at 5:30 p.m.

Commissioners present: Commissioner Candace Tinkler, Commissioner Kristine DeCossio, Commissioner Steve Shamblin, Vice Chair John Wendt, Chair Ray Walp

Staff present: City Manager Eric Wier, City Attorney Martha Rice, Public Works Director Dave Yeager, Contract Planner Ethan Lawton and Community Development Specialist Heather Welton

PART II - PUBLIC COMMENT PERIOD

None.

PART III - APPROVAL OF MINUTES

1. Approve September 12, 2024 meeting minutes as presented.

On a motion by Vice Chair Wendt, seconded by Commissioner DeCossio and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee approved the September 12, 2024 minutes as presented.

PART IV - AGENDA ITEMS:

1. A Public Hearing to consider a Conditional Use Permit (Application UP24-07) requesting the sale of alcoholic beverages and expansion of residential use at 15 I Street.

Planner Lawton gave a slideshow presentation.

Over saturation of facilities with alcoholic beverages use permits was discussed on a commission level.

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE**

Applicant Nathan Goodman said he will be an asset to the community. He said he has been working hard on the building and has given it a face lift. He said a lease was just signed with a takeout restaurant to go in the building. He said one of the locations in the building is already rented by a restaurant and it is doing amazing business wise.

Training and procedures were discussed on a commission level.

There was no public comment.

On a motion by Commissioner Tinkler, seconded by Commissioner Shamblin and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee approved a Conditional Use Permit (Application UP24-07) granting Big E Bar LLC's request for the sale of alcoholic beverages and expansion of residential use.

2. A Public Hearing to consider a Conditional Use Permit (Application UP24-08) requesting the sale of alcoholic beverages at Chipotle Mexican Grill at 895 L Street..

Planner Lawton gave a slideshow presentation.

Applicant Brett on behalf of Chipotle Mexican Grill spoke. He said there are about 2000 restaurants throughout the country and the majority of them offer alcoholic beverages and follow ABC laws very closely.

There was no public comment.

On a motion by Vice Chair Wendt, seconded by Commissioner Tinkler and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2024-23: A Resolution of the Planning Commission of the City of Crescent City Approving a Conditional Use Permit (Application UP24-08) granting Chipotle Mexican Grill's request for the sale of alcoholic beverages.

3. A Discussion concerning amendments to the Site Plan and Architectural Review (Chapter 17.46), Use Permits (Chapter 17.54), and Variances (Chapter 17.56) ordinances of the City's Municipal Code.

Planner Lawton gave a slideshow presentation.

Site plan and architectural review were discussed on a commission level.

Parking waivers were discussed on a commission level.

Thursday, November 14, 2024

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Regular PC Meeting - Minutes

City of Crescent City - Regular Planning Commission Meeting
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§17.84G.010 [California Coastal Zone Resource Protection - Procedures Natural and Man-made Hazards Avoidance] Purpose.

This chapter implements applicable provisions of the local coastal program for ensuring the avoidance and minimization of risks associated exposure to natural and man-made hazards, including geologic, flooding, wildfire, and toxic materials, by providing standards for the review, authorization, and conditioning of new development and land uses consistent with the requirements of the California Coastal Act.

17.84G.040 [California Coastal Zone Resource Protection - Procedures Natural and Man-made Hazards Avoidance] Supplementary findings.

In addition to the findings for approval or conditional approval of a coastal development permit as required by Section 17.84.033, the following supplementary findings, based on factual evidence, shall be made for new development or uses occurring in or in proximity to hazardous areas:

- A. General. The development meets all development standards of Section 17.84G.050.*
- B. Development or uses in to geologic, flooding, and wildfire hazard areas. The development or use has been designed and sited to:*
- 1. Minimize risks to life and property;*
 - 2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Analysis. According to the Report submitted with the following findings, it stated, "Given that the proposed setback from the coastal bluff is over 3 times the height of the bluff; that the coastal bluff at this location is resistant to future erosion; that the potential for mass wasting or earthflow of the underlying soil and rock formations affecting any portions of the subject property are low; and the presence of a 'wide, sandy beach' seaward of the 'low bluff,' all lead to the conclusion that the proposed single-family residential development of the site will not expose persons and property to geologic instability, or destruction of the site or surrounding area, or require protective devices that alter natural landforms along bluffs and cliffs."

Additionally, as stated above, the Report stated that the applicant is proposing a design feature to manage site drainage and prevent sedimentation of coastal resources, which includes, "Presently, any storm water accumulations which do not infiltrate into site soils flow overland in an easterly direction toward the Taylor Street and 6th Street intersection with Pebble Beach Drive. At this location, tributary runoff enters the City storm drain (via a drainage inlet) which discharges to the beach. The proposed drainage measures will include collection of runoff from roofs and paved areas into tight-lined pipes discharging through the street curb and into the existing City gutter and storm drain. This will reduce storm water infiltration into site soils, resulting in a (small) reduction in the moisture content of the site soils during wet periods/rain events and

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slightly reducing the potential for earthflows which "typically become active under high moisture conditions."

As part of the approval process, the project's drainage design will be incorporated as a condition of approval. The design will be required to be approved during the Building Permit review by Public Works and must be inspected and approved by Public Works before the certificate of occupancy is issued. Therefore, the proposed project, as designed and conditioned in Attachment B, is consistent with the provisions of the local coastal program for ensuring the avoidance and minimization of risks associated with exposure to natural and man-made hazards, including geologic, flooding, wildfire, and toxic materials.

REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed use satisfies the Coastal Development Permit requirements (CCMC §17.84.033).

SECTION 8: ENVIRONMENTAL DETERMINATION SUMMARY

The proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to following sections of the CEQA Guidelines:

8.1. Class 32 §15332. In-Fill Development Projects, consists of the proposed project:

1. Is consistent with the applicable general plan designation, policies, and zoning designation and regulations:

The proposed project is consistent with the Crescent City General Plan's SF 2-6 (Residential Single-Family 2-6 DU) land use designation and is consistent with the Crescent City's CZ-R1 (Coastal Zone – Low-Density Residential District) Zoning Code (with a Coastal Development Permit);

2. Development occurs within city limits on a project site (<5 acres) substantially surrounded by urban uses:

The project site is located in the City of Crescent City, is approximately 0.23 acres, and is located adjacent to existing residential uses;

3. Site has no value, as habitat for endangered, rare, or threatened species:

The project will be located on a site that has had past disturbances, and is surrounded by paved surfaces and contains no habitat value for rare, threatened, or endangered species;

4. Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality:

The project proposes a single-family residence with two attached garages in a developed residential area that already is developed with residential uses and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;

5. Site can be adequately served by all required utilities and public services:

The site is surrounded by utilities and public services.

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8.2. Class 3 §15303(a) (New Construction), consists of the proposed project:

1. One-Three single-family residences, or a second dwelling unit in a residential zone in urbanized areas:

The proposed project is a new single-family residence with two attached garages in a residential zone and in urbanized area.

8.3. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 3 §15303(a) (New Construction) and Class 32 §15332 (In-fill Development) of the CEQA Guidelines, in that the proposed project:

- a) *Is consistent with the Crescent City General Plan's SF2-6 (Residential Single-Family 2-6 DU) land use designation and is consistent with the Crescent City's CZ-R1 (Coastal Zone – Low-Density Residential District) Zoning Code (with Conditional Use Permit);*
- b) *Is located in the City of Crescent City, is approximately 0.23 acres, and is located adjacent to existing residential uses;*
- c) *Is located on a site which has had past disturbances and is surrounded by paved surfaces containing no habitat for rare, threatened, or endangered species;*
- d) *Is within a developed residential area that already services residential uses and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;*
- e) *Is surrounded by utilities and public services; and*
- f) *Is a single-family residence in a residential zone and in urbanized area.*

SECTION 9: INTER-DEPARTMENTAL PLANNING REFERRALS

The Inter-Departmental Planning Referrals were provided (on 01/08/25) to other City departments which included the following comments/conditions:

9.1. Police Department: Approved with "No comments or concerns from police department" on 01/08/25.

9.2. Fire and Rescue: None

9.3. Building Department: None

9.4. Public Works Department: None

9.5. California Coastal Commission:

- 1. "It appears that the house is single story and 30ft tall – is that correct?"
- 2. This site is subject to geologic erosion and hazards risks, as shown by the

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current situation on Pebble Beach Drive very close to this proposed house. Has there been any discussion of or submission of alternative designs to increase the setback from the bluff, such as a reduced footprint and/or building a two-story rather than one-story house?

3. The following policies should be taken into consideration when evaluating this CDP (as well as all other applicable Hazards policies in Section 7 of the Crescent City LCP):
 - a. Crescent City LCP Policy 7.A.1 states, "New development shall minimize risks to life and property in areas of high geologic, flood and fire hazard, assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."
 - b. LCP Policy 7.B.1 states: "All ocean front and blufftop development shall be sized, sited and designed to minimize risk from wave run-up, flooding, and beach and bluff erosion hazards, and avoid the need for a shoreline protective structure at any time during the life of the development."
4. The CDP should be conditioned in compliance with LCP Policy 7.B.5, which states: "New development on ocean fronting parcels shall only be approved with conditions requiring that no shoreline protective structure be allowed to be constructed in the future to protect the development from bluff erosion. Prior to the issuance of a coastal development permit for the development, a deed restriction acceptable to the Planning Director shall be recorded memorializing the prohibition on future shoreline protective structures."
5. In addition to the above condition, we also recommend that the City condition the CDP on the applicant and all successors agreeing to remove the development permitted under the CDP when bluff retreat and erosion reaches the point where the structure is threatened. (I can send some examples that other jurisdictions have used for CDPs for houses on blufftop lots.)"
6. It is recommend that the City wait to hold a hearing on this CDP until receiving this information, which will inform how Crescent City LCP Policy 7.A.1 is being met, which states "New development shall minimize risks to life and property in areas of high geologic, flood and fire hazard, assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs." This analysis should include how the structure would meet the requirements in LCP Policy 7.A.1 for its 75-year economic life. The slope stability analysis should define the FS=1.5 setback. The bluff retreat

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analysis should apply the additive approach (FS=1.5 setback plus bluff retreat setback).

9.5. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed project is to be subject to the Conditions of Approval found in Attachment B.

SECTION 10: PLANNING COMMISSION ACTION OPTIONS

10.1 APPROVAL. Making all the required findings.

- **"I move to adopt Resolution PC2025-02, read by title only: A Resolution of the Planning Commission of the City of Crescent City Approving a Coastal Development Permit (Application CDP24-02) for Timothy York and Bridget Williams (Williams Lyon) request for a single-family residence with two attached garages and future converted ADU.**
- Planning staff will send the applicant an approval letter, after the 10-day appeal period (CCMC §17.84.030), along with the resolution, as adopted by the Planning Commission during the public hearing. The applicant would be granted approval on their CDP24-02 application, allowing the construction of a single-family residence with two attached garages, together with such conditions, shall be signed, dated, and mailed to the applicant (CCMC §17.84.30.040). The planning commission secretary shall place one copy of the approved plans in the files of the planning commission (CCMC §17.46.040(C)).

10.2 DENIAL. Denying one, or more, of the required findings.

- **"I move to deny the Coastal Development Permit (Application CDP24-02) due to the requirements not being fully satisfied, specifically regarding _____."**
- Planning staff will send the applicant a denial letter stating why the application was denied. The applicant would not be allowed to develop the garage.

10.3 REQUEST ADDITIONAL INFORMATION. Requiring additional information to make the necessary findings.

- **"I move to request additional information regarding _____ be brought back to the March 13, 2025 (or, time certain, Special) Planning Commission meeting for consideration."**
- Planning staff will follow up with the applicant requesting any additional information, which will continue this item on the next scheduled Planning Commission meeting agenda scheduled for Thursday, March 13, 2025, or a specific alternative Special Planning Commission meeting.

Action by the Planning Commission shall be final unless action of the commission is appealed (CCMC §17.84.040(B)). If no action is taken by the commission sixty days

LEE TROMBLE ENGINEERING

240 Douglas Park Drive
Crescent City, CA 95531

Phone (707) 464-1293

FAX (707) 465-8358

December 12, 2024

Attn: Leanna Brotherton
Crescent City
Department of Community Development
377 "J" Street
Crescent City, CA 95531

re: Geologic and Hazards Information
York Residence (CDP24-02)
APN 118-150-01

Dear Ms. Brotherton:

As you know, Tim and Bridget York have submitted an application to construct a new single family residence at the corner of 7th Street and Pebble Beach Drive in Crescent City (APN 118-150-01, Del Norte County). As you also know, the proposed location of the residence is about 75 feet from the coastal bluff which is on the opposite side of Pebble Beach Drive. This, then, is to provide the City with specific relative Geologic and Hazards information demonstrating that the project meets certain criteria, including:

- That the project will not expose persons and property to geologic, flooding, or wildfire hazards.
- Create or significantly contribute to erosion, geologic instability, or destruction of the site or surrounding area, or require protective devices that alter natural landforms along bluffs and cliffs.
- Result in potential spillage of crude oil, gas, petroleum products, or hazardous substances.

On behalf of the York's, this is to provide the City with the documentation. The information presented herein has been supplemented and revised from that presented in my report dated December 3, 2024 to address Item 1 from your December 10, 2024 Incomplete Application Letter.

Please find attached my plot plan which includes the approximate building to property line setbacks. Based on this plot, along with my field measurements, the residence will be setback approximately 27 feet from the inland (northerly) curb line of Pebble Beach Drive, which will establish the south (ocean facing) side of the residence over 70 feet from the top of the

coastal bluff. The coastal bluff at this location lies about 6 to 8 feet west of the southerly curb line of Pebble Beach Drive. The coastal bluff along the ocean frontage of the home is about 18 to 25 feet high and has an inclination of roughly 1.3: 1.0 (ratio of horizontal: vertical). Attached are my approximate cross sections which depict the position of the beach and coastal bluff relative to Pebble Beach Drive and the residence. Assuming a well-built home designed and constructed in accordance with the latest applicable building code standards, one can assume that the primary, if not only, geologic concern at this site is the stability of the coastal bluff.

The coastal bluff stability information presented herein are entirely taken from "Engineering Geologic Mapping Along Pebble Beach Drive, Crescent City, California" dated December 5, 2017 prepared by SHN Consulting Engineers & Geologists, hereinafter referred to as the "SHN Report" (with quotations taken from SHN Report narrative). The SHN Report focused on a segment of Pebble Beach Drive, which included that segment directly in front of, and adjacent to, the subject residence. The mapping, information, results and discussion in the SHN Report clearly outline factors contributing to coastal bluff retreat and include identification of "the most problematic existing areas" for this segment of Pebble Beach Drive.

With reference to the SHN Report for a detailed discussion of coastal bluff instability in the study area, I can partly summarize SHN's conclusions of the primary factors related to slope stability. Briefly, the primary considerations are "distribution of rock within the mélange at the base of the bluff", e.g. "blocky Kjf... consisting of significant rock blocks", and "shaly Kjf which is associated with active or recent slumps". SHN's precursor to the referenced SHN Report (SHN's Geologic Assessment, Brother Jonathan Lookout, dated April 20, 2017) identified that "stability within the coastal bluff is highly dependent upon the presence or absence of large rock blocks. Where significant rock blocks are present, offering resistance to ocean wave generated erosion, headlands form". Further, the more recent SHN Report concludes that "mitigation strategies related to reducing the potential for coastal bluff retreat would use the rocky areas as resistant points to anchor stabilization improvements in the intervening weak, erosion prone areas". The accuracy of the information presented in the SHN Report is evidenced by their depiction of "the most vulnerable segment" as the area south of the intersection of 8th Street, which, as is well known, was the location of an earthflow slide failure last winter.

Please find attached "Map Sheet 4" from the SHN Report. On my plot plan I have plotted my graphical interpretation of the location of the "blocky Kjf" relative to the position of the proposed residence. As seen on plot plan, the proposed residence is essentially centered on a segment of the bluff composed of the "blocky Kjf", indicating that the bluff at this location is "resistant to future erosion".

The SHN Report also identifies other factors, such as the height of the coastal bluff and the presence of a "narrow, rocky beach" versus a "wide, sandy beach". The height of the coastal bluff varies from about 20 to 24 feet adjacent to the intersection of 7th Street and Pebble Beach Drive to about 15 to 18 feet at Pebble Beach Drive and 6th Street. Further, the easterly transition from a "narrow, rocky beach" to a "wide, sandy beach" occurs seaward of the intersection of Pebble Beach Drive and 7th Street. The SHN Report concludes that "it appears that there is a reduced potential for wave action to reach the low bluff along the sandy beach". My graphical interpretation of the approximate location of the beach transition (taken from the SHN Report) is shown on my plot plan.

Also please find attached a reprint of City Boring B-2, drilled and logged by GR Sundberg, Inc., October 2020. The location of the B-2 Boring is shown on my plot plan. From review of the boring log, Boring B-2 documents "very dense, moderate to strong" cemented sand below a depth of 7 feet, and "Mudstone and Sandstone" at a depth of 10 to 40 feet. Given these underlying soil types, and that the height of the embankment (coastal bluff) along the Pebble Beach Drive frontage at the property varies from about 18 to 25 feet, the probability of slope failure affecting any of the property frontage during the economic life span of the project is low.

In summary, given that the proposed setback from the coastal bluff is over 3 times the height of the bluff; that the coastal bluff at this location is resistant to future erosion; that the potential for mass wasting or earthflow of the underlying soil and rock formations affecting any portions of the subject property are low; and the presence of a "wide, sandy beach" seaward of the "low bluff", all lead to the conclusion that the proposed single family residential development of the site will not expose persons and property to geologic instability, or destruction of the site or surrounding area, or require protective devices that alter natural landforms along bluffs and cliffs.

The parcel is not in a flood hazard zone and is not subject to flood hazards.

Wildfire hazards are not a concern at this location.

The project will not increase the potential for spills of crude oil, gas, petroleum products or other hazardous substances.

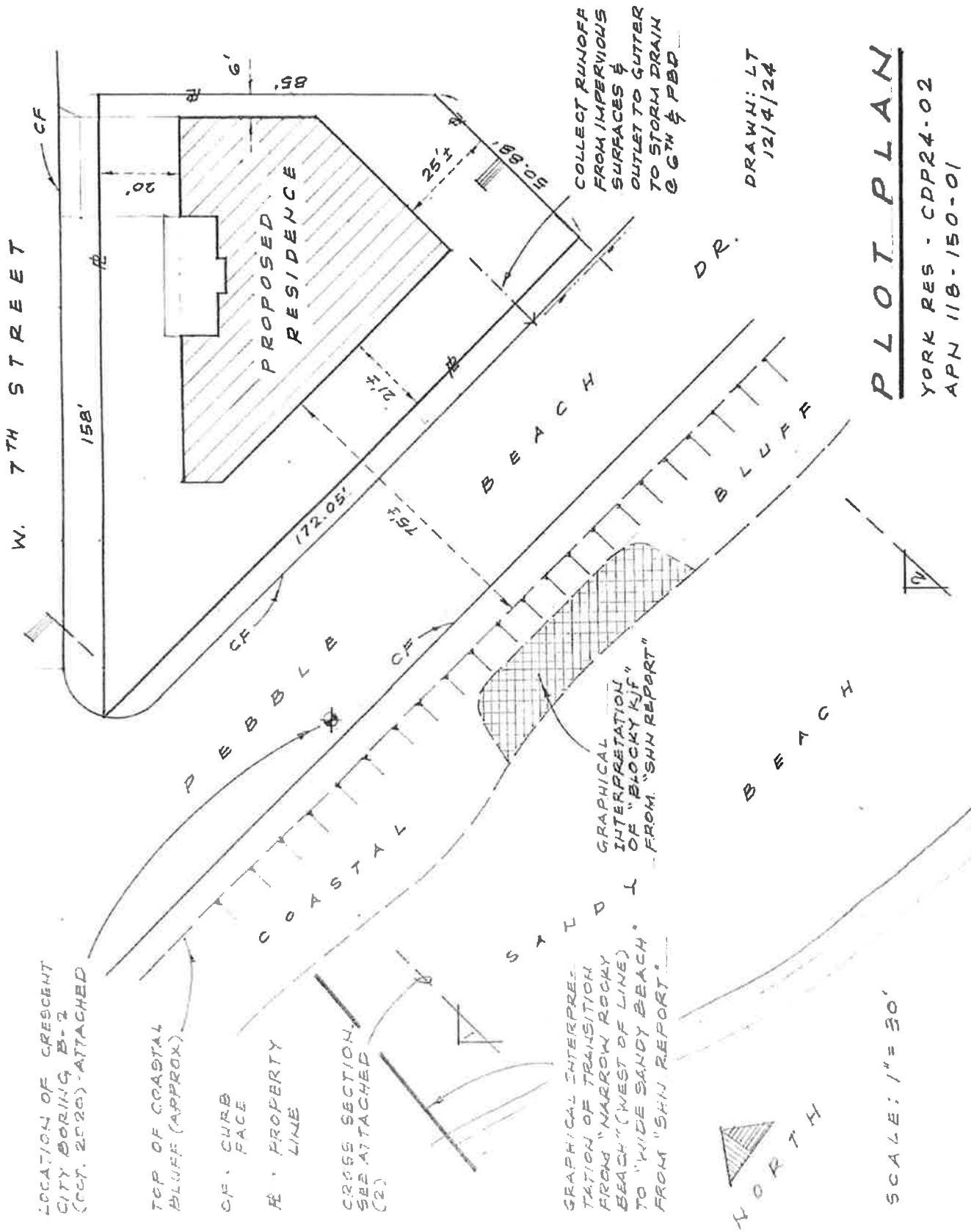
It is important that mitigations be undertaken to control site drainage to prevent sedimentation of coastal resources. Presently, any storm water accumulations which do not infiltrate into site soils flow overland in an easterly direction toward the Taylor Street and 6th Street intersection with Pebble Beach Drive. At this location, tributary runoff enters the City storm drain (via a drainage inlet) which discharges to the beach. The proposed drainage mitigations will include collection of runoff from roofs and paved areas into tight-lined pipes discharging through the street curb and into the existing City gutter and storm drain. This will reduce storm water infiltration into site soils, resulting in a (small) reduction in the moisture content of the site soils during wet periods/ rain events and slightly reducing the potential for earthflows which "typically become active under high moisture conditions".

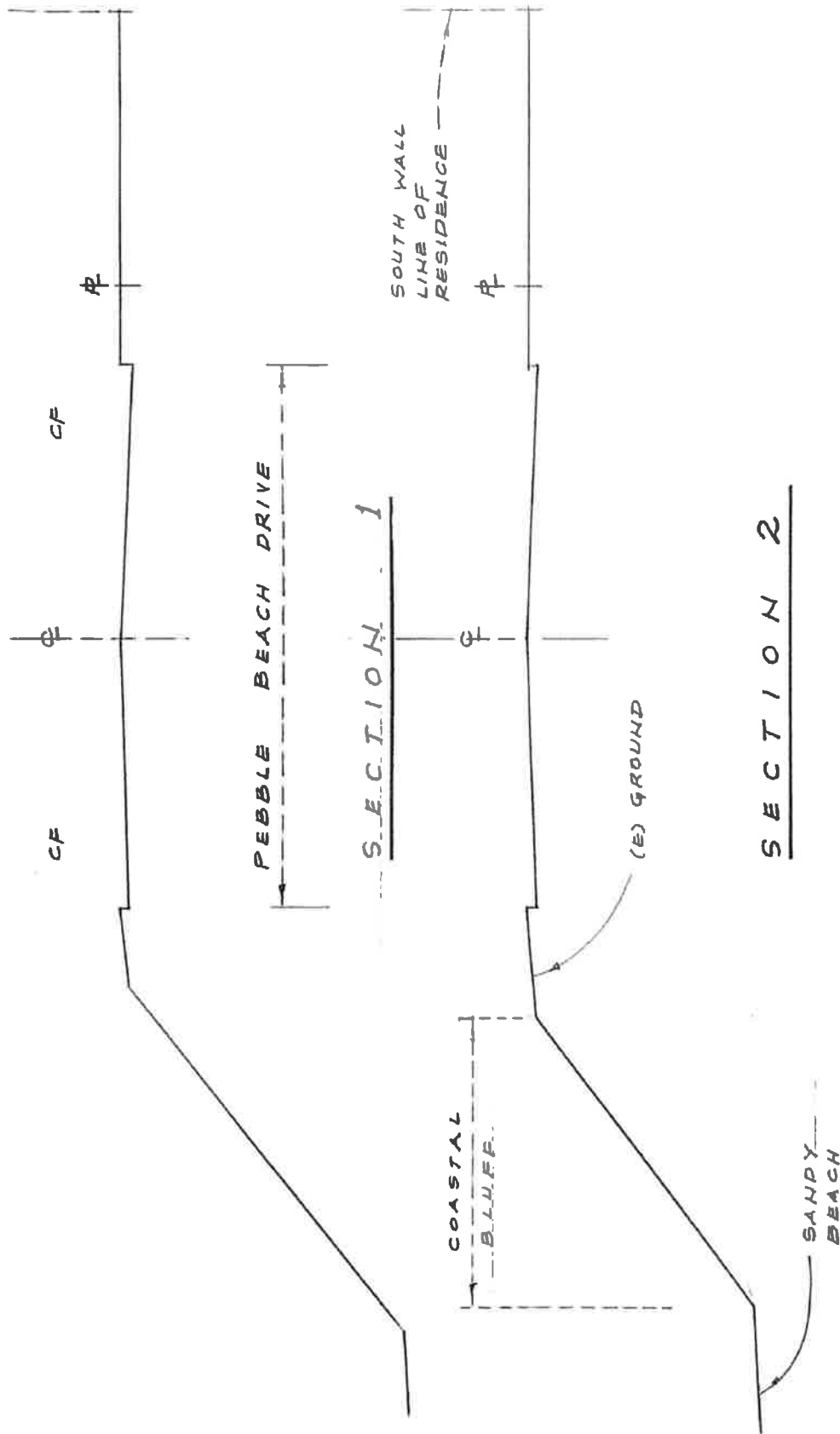
I trust this provides the City with the documentation of certain specific criteria needed to process this application. If you have any questions, or if you need any additional information, please don't hesitate to call me.

Very truly yours,

Lee Tromble







SCALE: 1" = 10' H & V
DRAWN: L.T.
12/3/24

CROSS SECTIONS

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL DESIGN REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * John Wendt, Vice-Chair
Steve Shamblin * Kristine DeCossio * Shawna Hyatt



Incorporated April 13, 1854

web: www.crescentcity.org

CONDITIONS OF APPROVAL
Coastal Development Permit – Application CDP24-02

On February 13, 2025, the Planning Commission of the City of Crescent City approved, by adopting Resolution PC2025-01, to grant a Coastal Development Permit (Application CDP24-02) for the proposed development of a single-family residential dwelling (2,290 sf) with two attached garages (522 sf and 718 sf) on a vacant parcel within the CZ-R1 (Coastal Zone Low-Density Residential District), located on South Pebble Beach Drive and West 7th Street (APN 118-150-001), subject to the following conditions:

1. **Zoning.** The applicant shall be required to maintain compliance with all requirements of the City's Municipal Code including, but not limited to, Chapter 17.61 and Chapter 17.84 (Coastal Zone - Low-Density Residential District & Coastal Zone Coastal Development Permits and Appeals).
2. **Coastal Development Permit.** The approved project shall be developed according to the approved proposed development (Application CDP24-02) submitted 12/12/2024 or as modified by the Planning Commission.
3. **Departments.** The applicant shall comply with permit requirements of the City of Crescent City's Public Works Department, Police Department, Fire & Rescue, Finance Department, and Community Development Department, as applicable.
4. **Final Plans.** Any permit that is issued or any development or action approved on appeal shall be subject to reasonable terms and conditions in order to ensure that such development or action will be in accordance with the Coastal Development Permit provisions (CCMC § 17.84.034).
5. **Amendments.** Any substantial changes in the proposed development approved by the city which may be required by the project consultants or department staff shall require an amendment to the permit or a new coastal development permit (CCMC § 17.84G.050(A)(2)).
6. **Drainage Design:** The applicant shall implement the proposed drainage design features to manage site drainage and prevent sedimentation of coastal resources as described in the geological and hazards information report dated 12/12/2024. The design must be reviewed and approved by the Public Works Department during the Building Permit review and fully inspected and approved by Public Works prior to the issuance of the certificate of occupancy.

Attachment B
Conditions of Approval

7. **Deed Restriction:** Prior to the final inspection or issuance of a certificate of occupancy on any building permit in reliance of this Coastal Development Permit (Application CDP24-02), the applicant as landowner shall execute and record a deed restriction, in a form and content acceptable to the Coastal Permit Administrator and City Counsel, which shall provide that:
- a. The landowner understands that the site may be subject to extraordinary geologic and erosion hazards and the landowner assumes the risk from such hazards;
 - b. The landowner agrees to indemnify and hold harmless the City of Crescent City, its successors in interest, advisors, officers, agents and employees against any and all claims, demands, damages, costs, and expenses of liability (including without limitation attorneys' fees and costs of the suit) arising out of the design, construction, operation, maintenance, existence or failure of the permitted project including, without limitation, all claims made by any individual or entity or arising out of any work performed in connection with the permitted project;
 - c. The landowner agrees that any adverse impacts to the property caused by the permitted project shall be fully the responsibility of the applicant;
 - d. The landowner shall not construct any bluff or shoreline protective devices to protect the subject single family residence, the guest cottage/accessory dwelling, garage, septic system, or other improvements in the event that these structures are subject to damage, or other erosional hazards in the future;
 - e. The landowner shall remove the house and its foundation, the family care unit/accessory dwelling, garage, septic system, or other improvements permitted under this Coastal Development Permit (application CDP24-02) when bluff retreat reaches the point where the structure is threatened. In the event that portions of the house, garage, foundations, leach field, septic tank, or other improvements associated with the residence fall to the beach or ocean before they can be removed from the bluff top, the landowner shall remove all recoverable debris associated with these structures from the beach and ocean and lawfully dispose of the material in an approved disposal site. The landowners shall bear all costs associated with such removal;
 - f. The document shall run with the land, bind all successors and assigns, and shall be recorded free of all prior liens and encumbrances, except for tax liens.

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE**

There was no public comment.

On a motion by Commissioner Shamblin, seconded by Commissioner Hyatt and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2025-02: A Resolution of the Planning Commission of the City of Crescent City Approving a Coastal Development Permit (Application CDP24-02) for Timothy York and Bridget Williams (Williams Lyon) request for the development of a single-family residential dwelling.

4. Planning Commission Elections.

Vice Chair Wendt nominated Commissioner Shamblin as Chair.

On a motion by Vice Chair Wendt, seconded by Chair Walp, with a 5-0 vote, Commissioner Shamblin was voted Chair.

Chair Shamblin nominated Commissioner Walp as Vice Chair.

On a motion by Chair Shamblin, seconded by Commissioner DeCossio, with a 5-0 vote, Commissioner Walp was voted Vice Chair.

PART V – STAFF UPDATES TO PLANNING COMMISSION

Direction from the commission was to have the commercial cannabis regulations ordinance come back for discussion on a future agenda.

Underground utilities were discussed on a commission level.

Commissioner Wendt spoke about an annual poetry contest in Bend, OR. He said the winning poem is then stamped into the next city sidewalk that is poured. He thinks its neat and something the city should look into.

Director Yeager gave an update on the Pebble Beach slide. He said the sidewalks, curbs and gutters are installed. Next the road will be fixed.

The Pebble Beach slide was discussed on a commission level.

PART VI – ADJOURNMENT:

There being no further business to come before the Commission, Chair Shamblin adjourned the meeting at 7:45 p.m. to the regular meeting of the City of Crescent City Planning Commission and Architectural Review Committee scheduled for Thursday March 13th, 2025 at 5:30 p.m.

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7.B. GEOLOGIC HAZARDS

Goals

Goal 7.B.1. To minimize the loss of life, injury, and property damage due to seismic hazards.

Policies

- 7.B.1.** All ocean front and blufftop development shall be sized, sited and designed to minimize risk from wave run-up, flooding, and beach and bluff erosion hazards, and avoid the need for a shoreline protective structure at any time during the life of the development.
- 7.B.2.** Applications for development located in or near an area subject to geologic hazards, shall be required to submit a geologic/soils/geotechnical study that identifies all potential geologic hazards affecting the proposed project site, all necessary mitigation measures and demonstrates that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. Such study shall be prepared consistent with the requirements of Coastal Zoning Code.
- 7.B.3.** Blufftop Setback. All development located on a blufftop shall be setback from the bluff edge a sufficient distance to ensure that it will be stable for a projected 100-year economic life. Stability shall be defined as maintaining a minimum factor of safety against sliding of 1.5 (static) or 1.1 (pseudostatic). This requirement shall apply to the principal structure and accessory or ancillary structures. Slope stability analyses and erosion rate estimates shall be performed by a qualified Certified Engineering Geologist (CEG), Registered Civil Engineers (RCE), Geotechnical Engineer (GE) or a group of the aforementioned specialists approved by the City, with expertise appropriate to the site and anticipated hazard conditions.
- 7.B.4.** Siting and design of new blufftop development and shoreline protective devices shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 100-year economic life of the structure, taking into consideration the 100-year storm event and storm surge.

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- 7.B.5.** New development on ocean fronting parcels shall only be approved with conditions requiring that no shoreline protective structure be allowed to be constructed in the future to protect the development from bluff erosion. Prior to the issuance of a coastal development permit for the development, a deed restriction acceptable to the Planning Director shall be recorded memorializing the prohibition on future shoreline protective structures.
- 7.B.6.** Land divisions, including subdivisions, lot splits, lot line adjustments, and conditional certificates of compliance that create new shoreline or blufftop lots, shall not be permitted unless the land division can be shown to create lots which can be developed safe from geologic hazard and without requiring a current or future bluff or shoreline protection structure. No new lots shall be created that could require shoreline protection or bluff stabilization structures at any time.
- 7.B.7.** Where feasible, lands subject to severe geologic hazards shall be utilized for low intensity park and recreational activities or open space.

Other Initiatives

- The City should require all public and private schools within the City to undergo periodic inspections and upgrading, when necessary, to ensure conformity to current Field Act Standards.
- The City shall petition appropriate Federal and State agencies to aid in a study of coastal bluff erosion and its impact on the Crescent City Harbor. The study should include:
 - the source of harbor deposition material, specifically the impact of beach erosion north of Battery Point;
 - the impact harbor deposition has on beach sand replenishment south of Crescent City Harbor;
 - the impact of harbor dredging practices on the former hospital site west of Front and A St.;
 - the impact of harbor dredging on potential tsunamis hazard;
 - the direct and indirect costs of harbor dredging to the City; and
 - the economic benefit of harbor dredging to the City.

Additionally, the City should request of the U.S. Army Corps of Engineers a more detailed study of the critical coastline erosion areas in and adjacent to Crescent City, to ascertain the feasibility of installing seawalls, as recommended by the Corps.

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL DESIGN REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * Kristine DeCossio, Vice-Chair
Shawna Hyatt * Debra Perius * Vacant



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT
AGENDA ITEM #3

TO: Chairperson Walp and Members of the Planning Commission

FROM: Community Development Department, Planning & Zoning
Ethan Lawton, Contract City Planner

BY: Community Development Department, Planning & Zoning
Ethan Lawton, Contract City Planner

DATE: Thursday, February 12, 2026

SUBJECT: A Public Hearing to consider a Major Site Plan & Architectural Design Review (Application AR26-01) for Redwood Coast Transit Authority's proposed Transit Center, located at 1000 Front Street (APN 118-070-025)

SECTION 1: EXECUTIVE SUMMARY

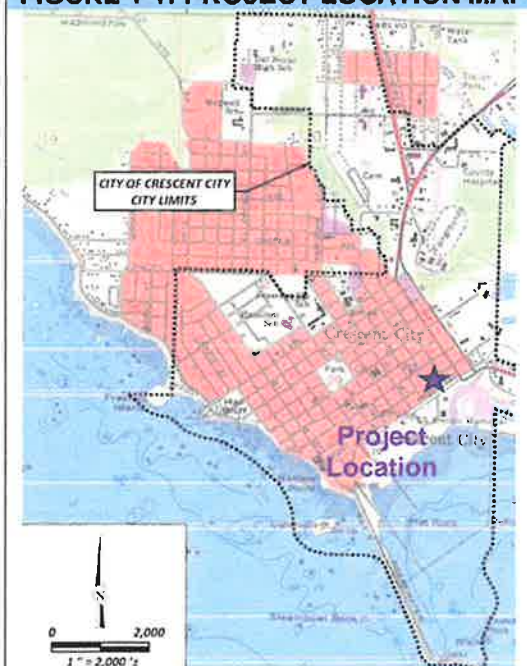
Redwood Coast Authority has submitted a Site Plan & Architectural Design Review (Application AR26-01) for a proposed Transit Center, located at 1000 Front Street (APN 118-070-025).

STAFF RECOMMENDS: "Motion to adopt Resolution No. PC2026-02, A Resolution of the Planning Commission of the City of Crescent City Approving a Major Site Plan & Architectural Design Review (Application AR26-01) granting Redwood Coast Transit Authority's Transit Center"

ATTACHMENTS:

- A) AR26-01 Application
- B) AR26-01 Conditions of Approval
- C) Resolution No. PC2026-02

FIGURE 1-1: PROJECT LOCATION MAP



Source: Housing Element (December 2022)

*City of Crescent City – Regular Planning Commission Meeting
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SECTION 3: PROPOSED PROJECT DESCRIPTION

Redwood Coast Authority has submitted a Site Plan & Architectural Design Review (Application AR26-01) (See ATT. A) for a proposed Transit Center within the C-W Zone (Waterfront Commercial District), located at 1000 Front Street (APN 118-070-025).

The Project is currently in the conceptual design phase. Building permits requiring project design details will be obtained from Crescent City prior to start of construction. The Project consists of the following:

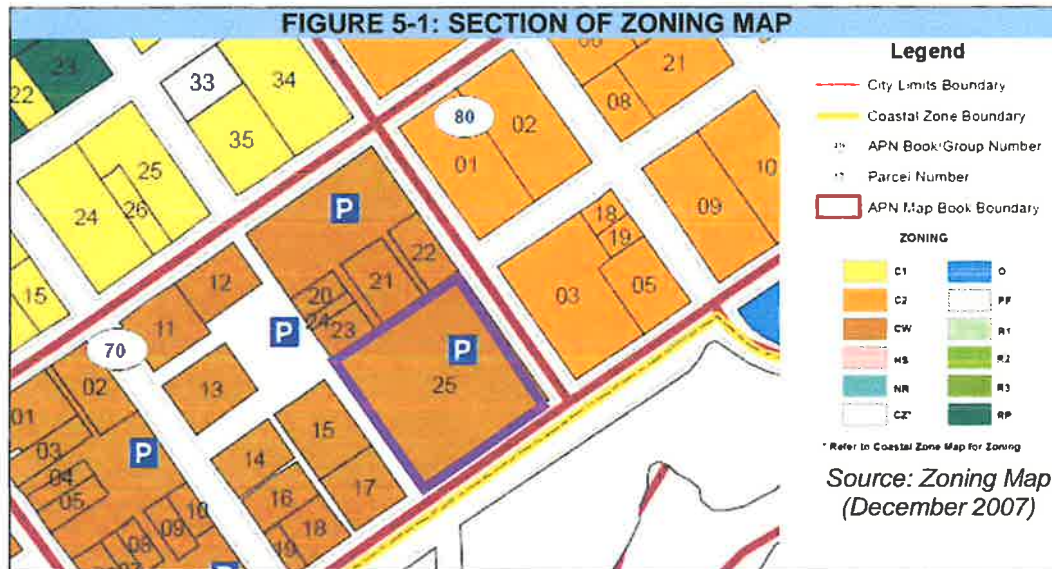
- Construction and development activities associated with development of an up to 700-sq. ft., 1-story transit kiosk building OR an up to 500-sq. ft., 2-story transit kiosk building for ticket sales, staff amenities, two (2) ADA-compliant public restrooms and one (1) driver restroom, drinking water fountain, vending machines, and potential office rooms
 - Public safety measures, including lighting, security cameras, and a staffed building from Monday to Sunday, 7 a.m. to 6 p.m.
 - Redevelopment of existing onsite circulation and associated signage, including separate circulation routes for passenger vehicles and buses
 - Improvements to pedestrian access, including ADA-accessible parking spaces, sidewalks, and pedestrian-designated walkways and crosswalks
 - Designation of approximately four (4) off-street bus bays
 - Bicycle racks for cyclist parking
 - Seating for waiting passengers and pedestrians
 - Trenching associated with upgrades to utilities and services, including electrical, water, wastewater, and fire protection services (e.g., fire riser or hydrant, as needed)
 - Existing electric vehicle charging stations will remain; Majority of existing parking spaces will be retained as feasible (exact number of onsite parking spaces is to be determined)
 - Potential modification of existing drainage and stormwater systems or construction of additional drainage features, as required
 - Establishment and maintenance of new and existing green spaces and landscaped areas
 - Installation and regular maintenance of trash and recycling bins
 - Connection and integration of off-site developments to the improvements associated with Front Street and the Beachfront Park area as well as K Street area improvements
- Note that the off-site improvements along K Street or Front Street, including the demission of the existing transit facility, are not a part of this Project

City of Crescent City - Regular Planning Commission Meeting
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SECTION 5: ZONING CONSISTENCY

The proposed Transit Center is located on a vacant parcel within the Waterfront Commercial District (C-W) Zone (See Figure 5-1: Section of Zoning Map).

5.1. COASTAL: This proposed project is not located within the Coastal Zone and is not appealable to the Coastal Commission.



5.2. USE: The C-W Zoning District principally permits "recreational facilities such as...public access" (CCMC § 17.23.020(D)) as the intended uses provides "for a mixture of commercial shops and services, accommodation uses, and public services in the downtown area which is adjacent to Beachfront Park and the Crescent City harbor area which serves a mixture of tourists, seasonal and year-round residents" (CCMC § 17.23.010(A)).

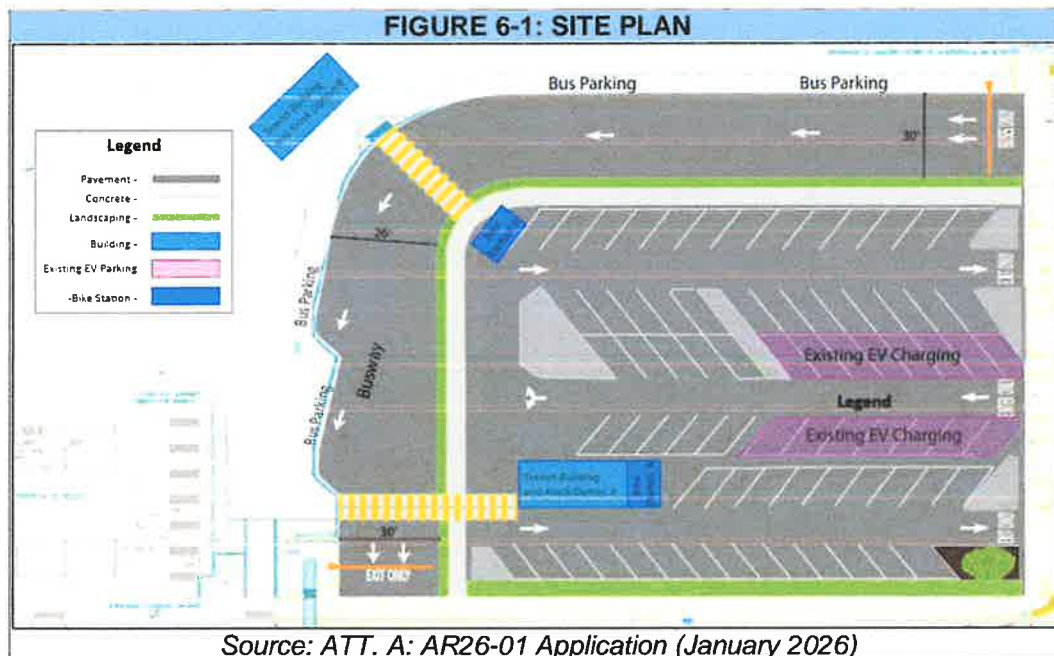
5.3. ZONING: The proposed Transit Center is a use consistent with the C-W Zoning District and is similar to some of the surrounding uses (See Table 5-1: Comparison of surrounding Properties).

TABLE 5-1: COMPARISON OF SURROUNDING PROPERTIES		
Vicinity	Zoning District	Current Use
Project Property	C-W (Waterfront Commercial)	Public Parking & Electrical Car Charging
North	C-W (Waterfront Commercial)	Mason Mall
South	CZ-O (Coastal Zone – Open Space)	Beachfront Park & Crescent City - Del Norte County Visitor Center

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SECTION 6: ARCHITECTURAL DESIGN REVIEW

The proposed Transit Center is located on a parcel with an existing parking lot and is a permitted use within the C-W Zone (CCMC § 17.23.020(D)) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed Site Plan & Architectural Design Review shall be approved or denied (CCMC §17.46.040(A)), based on the following standards:



6.1. Zoning (CCMC § 17.46.035(A)):

The proposed project is considerate of existing and potential uses of the proposed location and is consistent with the Crescent City's Waterfront Commercial District (C-W) Zoning Code (with a Site Plan & Architectural Design Review). (See Section 5: Zoning Consistency).

6.2. Parking (CCMC §§ 17.23.060(A) & 17.46.035(A)):

The proposed project includes 74 off-street parking spaces on the southern part of the parcel. The parcel contains an existing 100-spaces and will remove 16-spaces for bus parking and loading zones. This provides 18,500-sf of shopping center space within the Mason Mall (10,625-sf) as 1-space is required for every 250-sf commercial use (CCMC 17.42.060(C)(5)). This does not include the northern part of the parcel containing 72 existing off-street parking spaces which can accommodate an additional 18,000-sf commercial space. Therefore, the proposed project is consistent with parking requirements. The maintenance of off-street parking spaces is included in the Conditions of Approval (Attachment B).

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6.3. Landscaping (CCMC §§ 17.46.035(A) & 17.43.010(B)):

The proposed project includes minor green space improvements including trees and low-lying plants that are consistent with landscaping requirements. The maintenance of landscaping is included in the Conditions of Approval (Attachment B).

6.4. Fencing (CCMC §§ 17.23.060(B) & 17.46.035(A)):

The proposed project does not include any fencing. Any future fencing would be subject to a fence permit.

6.5. Signage (CCMC §§ 17.23.060(C) & 17.46.035(A)):

The proposed project does not include any signage at this time. Any future signage will be subject to a sign permit.

6.6. Right-of-Way (CCMC §§ 17.46.035(A) & 17.46.070):

The proposed project contains existing development of public sidewalks and street trees within City right-of-way in conjunction with Public Works Department and standards. Therefore, the proposed project is consistent with sidewalk and street requirements.

6.7. Utilities (CCMC §§ 17.46.035(A) & 17.46.070):

The proposed project includes hook-ups to existing underground provisions of water, sewage, electrical, and drainage facilities accessible to the parcel. Therefore, the proposed project is consistent with public services requirements.

6.8. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed site plans and designs of structures satisfy the Site Plan & Architectural Design Review requirements (CCMC §§ 17.46.010 & 17.46.035), in that the structures:

- a) *Reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems;*
- b) *Avoid monotonous and otherwise nonaesthetic development injurious to the overall community;*
- c) *Provide a [means] to encourage full development of streets servicing the properties;*
- d) *Assures full installation of all public utilities necessary to serve such properties; and*
- e) *Is consistent with the applicable zoning, parking and landscaping, fencing, signage, street, sidewalk and public services requirements.*

CRESCENT CITY TRANSIT CENTER
PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA
CATEGORICAL EXEMPTION
APN: 118-070-025-000

Lead Agency:



City of Crescent City
Community Development Department, Planning & Zoning
377 J Street,
Crescent City, CA 95531

Prepared By:



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Prepared For:



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December 2025

PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA

CRESCENT CITY TRANSIT CENTER

1. INTRODUCTION

The Crescent City Transit Center Project (Project) is seeking an Architectural Review Permit from the City of Crescent City (City) and is thus subject review under the California Environmental Quality Act (CEQA). The Project qualifies for use of CEQA Guidelines Categorical Exemption under §15301 Class 1- Existing facilities, §15303 Class 3 New Construction of Small Structures, §15304 Class 4 – Minor Alterations to Land, §15311 Class 11 - Accessory structures, and §15332 Class 32 - In-fill Development for implementation of the proposed Transit Center Project and as required by the CEQA; California Public Resources Code [PRC] 21000 et seq.) and in compliance with the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).

The Project is consistent with the applicable general plan and zoning, is within the City limits and surrounded by developed urban uses, is less than 5 acres in size, does not contain valuable habitat for special-status species, can be adequately served by all required utilities and public services, and would not create significant impacts relating to the environmental factors listed in CCR Title 14, Div 6, Ch. 3, Appendix G, as analyzed in Section 4 of this document. Furthermore, none of the exceptions in §15300.2 apply to the Project. Therefore, the Project is anticipated to meet the requirements for a to §15332 Class 32 Exemption.

The City, acting as the Lead Agency under CEQA, has evaluated the potential environmental effects of the Proposed Project and determined that it would not result in significant impacts. The Project is eligible for approval under the Categorical Exemptions listed above. This document provides the environmental analysis supporting the City's use of those exemptions.

2. PROJECT OVERVIEW AND BACKGROUND

2.1. PROPOSED PROJECT SUMMARY

The proposed Project ("Project") is seeking an Architectural Review Permit for the development of the Crescent City Transit Center, located at 1000 Front Street on APN 118-010-025-000 in Crescent City (Appendix A, *Figure 1*). The Project would replace the existing transit center, which is currently a section of curb on Front Street in front of the Del Norte County Visitor and Cultural Center. The new Transit Center is proposed on an existing approximately 1.75-acre paved, developed parking lot, centrally located in downtown Crescent City near existing public facilities. The Transit Center is proposed to include improved pedestrian facilities, public restrooms, public confections / vending machines, circulation routes for buses, off-street bays for buses, seating areas, public transportation facilities, a bus ticket kiosk and office building, and onsite security measures. The bus ticket kiosk building is proposed to be staffed for additional enhanced security. The Project would include appurtenant site preparation, trenching, landscaping, circulation / pedestrian improvements, repaving/restriping, and utility upgrades. The existing vehicle charging stations would be retained onsite. The majority of general parking spaces would be maintained on site, as feasible.

2.2. PROJECT OBJECTIVE

The Project involves the relocation and redevelopment of the existing transit center on Front Street, between K Street and U.S. 101, in front of the Del Norte County Visitor and Cultural Center. Currently, the existing transit center consists of a pull-out bus lane and two bus stops with limited seating and no passenger facilities and does not adequately meet community needs related to safety, security, space, or amenities.

The Project would provide a modernized transit hub designed to minimize environmental impacts and improve passenger safety, route efficiency, transit connectivity, and overall mobility and accessibility. The Project is consistent with the goals and policies of the Crescent City Municipal Code (CCMC), the Crescent City General Plan (CCGP), the adjacent Beachfront Park Improvements Project, and the Downtown Specific Plan.



PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA

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2.4. SITE DESCRIPTION AND EXISTING CONDITIONS

The Project site (APN 118-070-025-000) is located within City limits, outside of the Coastal Zone (*Figure 1*). The site is approximately 1.75 acres in size and is located in close proximity to US Highway 101 and other existing central downtown City facilities, including the Del Norte County Library, the Redwood National and State Parks buildings, Beachfront Park and associated trails, coastal areas, and existing shops and businesses. The property is owned by Crescent City and will be leased to RCTA to operate the Transit Center through 2045 with options to extend.

The parcel is currently a parking lot with electric vehicle charging stations, including six (6) Tesla charging stations (*Figure 2, Figure 3*). In total, the parking lot contains 131 spaces. The site is currently connected to electricity provided by Pacific Power. Existing ornamental trees, lighting, ruderal grass areas, pedestrian walkways, and parking spaces are located onsite. A small storage container is located in the southwest corner of the property. Per aerial imagery, the site has operated as a parking lot for at least the last 3 decades (Google Earth, 2025).

The parcel is zoned Waterfront Commercial (CW), which is a zoning district intended to provide for a mixture of commercial shops and services, accommodation uses, and supportive activities (*Figure 4*). The parcel has a General Plan Land Use Designation of Visitor and Local Commercial (VLC), which similarly is intended for a combination of visitor-serving commercial uses and accessory support services.

The site is designated as an Urban Area under Public Resources Code (PRC) §21094.5 and §21071, and is located only half a block from a designated Existing Major Transit Stop (including the current transit center) and Stops along High-Quality Transit Corridors, as defined by PRC §21155 (CEQA Site Check Map, 2025).

With regard to hazards, the property is located within a Tsunami Evacuation Zone (Crescent City Tsunami Evacuation Map, February 2021). No Alquist-Priolo Fault Zones or areas prone to liquefaction or landslide are located on or near the parcel (California Geological Survey, 2025). The site is in a Local Responsibility Area, served by Crescent City Fire and Rescue, and is not located within a Very High or High CAL FIRE Hazard Severity Zone.

The site is an existing, paved parking lot. No waterbodies, wetlands, sensitive habitats, migration corridors, or significant natural resources are located onsite (US Fish & Wildlife Service, 2025). Per aerial imagery, the nearest creek and associated riparian habitat is Elk Creek, located across Front Street and approximately 260 feet south of the property (Google Earth, 2025).

2.5. SURROUNDING LAND USES

The Project site is bound by Front Street to the south / southeast, K Street to the east / northeast, existing shops to the north/northwest, and the County library to the west/southwest. Surrounding zoning designations include non-coastal Waterfront Commercial (CW), non-coastal General Commercial (C2), and coastal zone Open Space (CZ-O). Architectural Review is required for all parcels in the Waterfront Commercial (WC) zone per CCMC §17.23.070. The Beachfront Park and Del Norte County Visitor and Cultural Center are located across Front Street from the Project site to the south, and the Redwood National and State Park Headquarters are located across the street from the Project site to the east (locations 1 and 3 in *Figure 4*). Wild Rivers Community Foundations (location 17 in *Figure 4*) and the Del Norte County Library (location 15 in *Figure 4*) are located to the west/southwest of the parcel. Directly northwest of the Project site are existing commercial shops and businesses, including a hair salon, an insurance agency, and a property management company (locations 20-24 in *Figure 4*).



PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA

CRESCENT CITY TRANSIT CENTER

3. DETAILED PROJECT DESCRIPTION

The Project is currently in the conceptual design phase. Building permits requiring project design details will be obtained from Crescent City prior to start of construction. The Project consists of the following (Figure 6):

- Construction and development activities associated with development of an up to 700-sq. ft., 1-story transit kiosk building OR an up to 500-sq. ft., 2-story transit kiosk building for ticket sales, staff amenities, two (2) ADA-compliant public restrooms and one (1) driver restroom, drinking water fountain, vending machines, and potential office rooms
- Public safety measures, including lighting, security cameras, and a staffed building from Monday to Sunday, 7 a.m. to 6 p.m.
- Redevelopment of existing onsite circulation and associated signage, including separate circulation routes for passenger vehicles and buses
- Improvements to pedestrian access, including ADA-accessible parking spaces, sidewalks, and pedestrian-designated walkways and crosswalks
- Designation of approximately four (4) off-street bus bays
- Bicycle racks for cyclist parking
- Seating for waiting passengers and pedestrians
- Trenching associated with upgrades to utilities and services, including electrical, water, wastewater, and fire protection services (e.g., fire riser or hydrant, as needed)
- Existing electric vehicle charging stations will remain; Majority of existing parking spaces will be retained as feasible (exact number of onsite parking spaces is to be determined)
- Potential modification of existing drainage and stormwater systems or construction of additional drainage features, as required
- Establishment and maintenance of new and existing green spaces and landscaped areas
- Installation and regular maintenance of trash and recycling bins
- Connection and integration of off-site developments to the improvements associated with Front Street and the Beachfront Park area as well as K Street area improvements
 - o Note that the off-site improvements along K Street or Front Street, including the decommissioning of the existing transit facility, are not a part of this Project

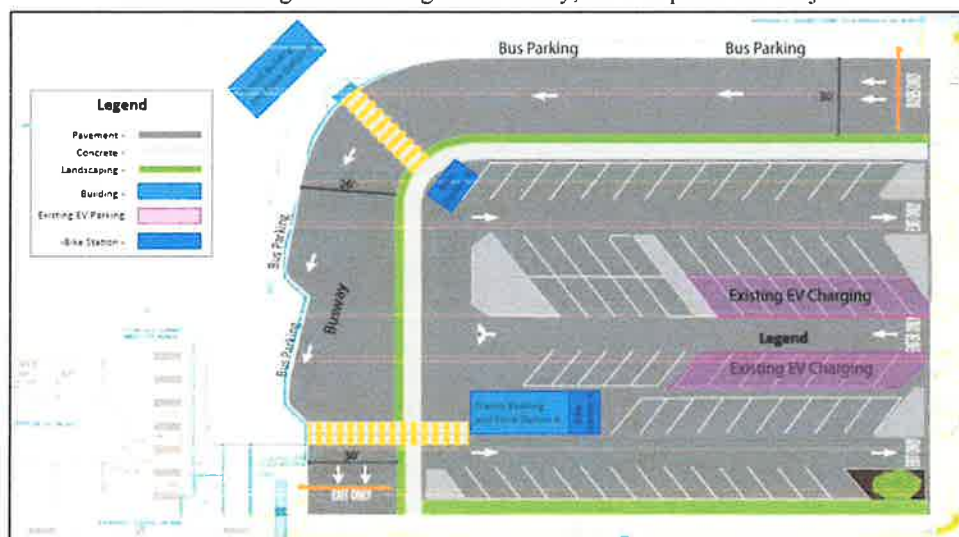


Figure 6: Proposed Crescent City Transit Center Concept Design (Source: Green DOT Transportation Solutions, 2025 – See Appendix A for details)



PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA

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4. ENVIRONMENTAL ANALYSIS

4.1. AESTHETICS

The Project site is located just west of Highway 101, which is eligible to be designated as a scenic highway in the vicinity of the Project (CalTrans, 2025). Scenic resources in the vicinity of the Project site include the Pacific Ocean to the south and west, the Battery Point Lighthouse to the southwest, the Elk Creek riparian area to the east and northeast, and the Redwood and National State Parks to the east. In addition, the Crescent City General Plan (CCGP) identifies the following coastal scenic resources within the vicinity: Elk Creek Bridge, the B Street Pier, Battery Point and the Battery Point Lighthouse, and the Fisherman's Memorial at Citizen's Dock. In addition, the Howe Drive / Beachfront Park designated Coastal Scenic Corridor is located in the vicinity of the Project site. There are no historic buildings or rock outcroppings within the Project site.

The Project involves construction of a new building and associated development for a transit hub on an existing paved parking lot. The building would either be a smaller, up to 500-sq. ft. two-story building with a maximum height of 35 feet (more likely to be 25-30 feet), or a single-story, 700-sq. ft. building with a maximum height of 20 feet. The proposed development would not be visible from an officially-designated scenic highway, as the highway nearest to the site is eligible to be designated. The scale, nature, and location of the proposed development would not alter views of any identified coastal or scenic resource, and would not impact the Coastal Scenic Corridor located near the Project site. While some ornamental trees may be removed, they are not considered a scenic resource and are not located adjacent to a scenic resource. Construction equipment would temporarily impair quality of public views within the Project area vicinity, however, these would be temporary in nature. Any onsite landscaping would be subject to the Landscaping Ordinance requirements in the Crescent City Municipal Code (CCMC) 17.43. In addition, the Project would not conflict with the policies of the CCGP, including Policy 5.E.1 and 5.E.7.

Additional light sources could be added to the Project site as part of development of the transit hub. However, the site is an urban area that already contains light sources, and streetlights exist along Front Street. New lighting would improve pedestrian safety and would be downcast and confined to the site. All lighting would be installed in a manner consistent with City policies and building standards, as well as the California Building Code (CBC). Project structures would be required to be consistent with the CCGP and CCMC for height, massing, and design. The proposed building would require Architectural Review and approval prior to construction. Therefore, impacts would be less than significant.

4.2. AGRICULTURE AND FORESTRY RESOURCES

The site is not zoned for agriculture or forestry use, and does not contain agriculture or forestry resources. The site does not contain forestland, prime agricultural soils, or farmland of statewide importance, and is not under a Williamson Act contract. No impact would occur.

4.3. AIR QUALITY

The Project site is an existing parking lot located in the North Coast Air Basin (NCAB), which extends 250 miles from Sonoma County in the south to the Oregon border in the north. Project activities are subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD) and the California Air Resources Board (CARB). The NCUAQMD 2025 Annual Network Plan and Assessment for Ambient Air Monitoring states that Del Norte County is in "attainment" for all air quality pollutants.

In determining whether a project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to projects in the review process. The NCUAQMD has not formally adopted specific significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review and Prevention of Significant Deterioration, Section 5.1 – BACT. Due to the



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size and type of project proposed, the Project is not expected to exceed any of these emissions rates during either construction or operation of the Project.

In addition to CARB and NCUAQMD regulations, the local CCGP include goals and policies applicable to this Project to protect and improve air quality in the Crescent City region, including Policies 6.E.3, 6.E.4, 6.E.5, and 6.E.6.

The Project would involve trenching, grading, scraping, minor earthwork, removal of existing asphalt, paving, striping, building construction, and installation of signage and lights. These construction activities would temporarily produce emissions, including diesel engine exhaust and particulate matter, associated with construction equipment and construction workers traveling to and from the site. Construction would be temporary, and would comply with all applicable federal and state regulations for sources of air pollutants to comply with BACT emission rates for stationary sources and NCUAQMD BMPs (e.g., no idling of vehicles).

The Project site is an existing paved parking lot that already generates vehicle traffic, and associated emissions, from use. Operation of the Project would generate GHGs from buses, which are already present at the existing transit center location. Additionally, RCTA has recently secured funding to purchase up to 11 electric buses as soon as 2027 or 2028, which will ultimately reduce GHG emissions.

Energy to power the transit center building would come from Pacific Power, which already provides energy to the site. Build-out of the Project ultimately aims to expand public transit in Crescent City by providing a safe, convenient, and accessible location for the public to utilize Crescent City public transportation more efficiently and frequently. Therefore, long-term operation of the Project is not anticipated to generate new vehicle trips but rather would likely reduce vehicle trips and associated pollutant emissions. The Project is not anticipated to generate objectionable odors.

Given the limited nature of construction of the Project, the Project's adherence to all applicable federal and state regulations, the Project's location in an area with "attainment" status for all criteria pollutants, and that operation of the Project would ultimately *reduce* single-use vehicle traffic by increasing public transportation efficiency, construction and operation of the Project would not generate significant amounts of criteria pollutants that would exceed thresholds or substantially impact sensitive receptors, cause the City to achieve non-attainment status, and would not conflict with any air quality plan, including applicable air quality policies of the CCGP. Impacts would be less than significant.

4.4. BIOLOGICAL RESOURCES

The Project site is an existing, paved parking lot in the urbanized area of the City (CEQA Site Check, 2025). The site has been developed for decades, and no waterbodies, wetlands, sensitive habitats, migration corridors, or significant natural resources are located onsite (US Fish & Wildlife Service, 2025, *Figure 7*). Per aerial imagery, the nearest creek and associated riparian habitat is Elk Creek, located across Front Street and approximately 260 feet south of the property (Google Earth, 2025, *Figure 7*). The site does not provide connectivity to nearby sensitive habitats such as Crescent City Harbor, Elk Creek, or coastal dunes. No wetland indicators are present onsite. The site is located outside of the Coastal Zone. Vegetation onsite is limited to ornamental trees throughout the parking lot and small patches of ruderal grasses.



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Figure 7: Subject Parcel Proximity to known streams, wetlands, and sensitive habitats (Source: US Fish & Wildlife Service, 2025, north is towards the top of the page)

A desktop review of the site and a search of available biological databases was conducted for the Project. To evaluate the potential special status species that could occur in the area, the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDDB) was consulted. Special-status plant or animal species include species listed under the California Endangered Species Act (CESA), the federal Endangered Species Act (ESA), or CDFW's Species of Special Concern (SSC). A one-quadrant search in CNDDDB for special-status species was conducted for the Crescent City quad, where the Project site is located. The Crescent City Quad has 105 special-status species, including 41 animal species, 39 plant species, and 3 sensitive natural communities (See the full list in Appendix B).

Special-status animal species located within the Crescent City Quadrangle include the following:

- Five (5) potential amphibian species, including the Pacific tailed frog (*Ascaphus truei*), Del Norte salamander (*Plethodon elongatus*), northern red-legged frog (*Rana aurora*), foothill yellow-legged frog – North Coast DPS (*Rana boylei* pop. 1), and southern torrent salamander (*Rhyacotriton variegatus*).
- 20 potential bird species, including the northern harrier (*Circus hudsonius*), white-tailed kite (*Elanus leucurus*), marbled murrelet (*Brachyramphus marmoratus*), rhinoceros auklet (*Cerorhinca monocerata*), tufted puffin (*Fratercula cirrhata*), Cassin's auklet (*Ptychoramphus aleuticus*), Aleutian cackling goose (*Branta hutchinsii leucopareia*), great egret (*Ardea alba*), great blue heron (*Ardea herodias*), American bittern (*Botaurus lentiginosus*), black-crowned night heron (*Nycticorax nycticorax*), western snowy plover (*Charadrius nivosus nivosus*), American peregrine falcon (*Falco peregrinus anatum*), bank swallow (*Riparia riparia*), fork-tailed storm-petrel (*Hydrobates furcatus*), osprey (*Pandion haliaetus*), black-capped chickadee (*Parus atricapillus*), California brown pelican (*Pelecanus occidentalis californicus*), northern spotted owl (*Strix occidentalis caurina*), and rufous hummingbird (*Selasphorus rufus*).
- Six (6) potential fish species, including the green sturgeon – northern DPS (*Acipenser medirostris* pop. 2), tidewater goby (*Eucyclogobius newberryi*), longfin smelt (*Spirinchus thaleichthys*), Pacific lamprey (*Entosphenus tridentatus*), coast cutthroat trout (*Oncorhynchus clarkii*), coho salmon, (*Oncorhynchus kisutch* pop. 2), and steelhead – Klamath Mountains Province DPS (*Oncorhynchus mykiss irideus* pop. 1).



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- Five (5) potential insect species, including the obscure bumble bee (*Bombus caliginosus*), western bumble bee (*Bombus occidentalis*), Fort Dick limnephilus caddisfly (*Limnephilus atercus*), Yontocket satyr (*Coenonympha tullia yontockett*), and Oregon silverspot butterfly (*Speyeria zerene hippolyta*).
- Five (5) potential mammal species, including the North American porcupine (*Erethizon dorsatum*), southern sea otter (*Enhydra lutris nereis*), Humboldt marten (*Martes caurina humboldtensis*), Guadalupe fur seal (*Arctocephalus townsendi*), Steller sea lion (*Eumetopias jubatus*), and Townsend's big-eared bat (*Corynorhinus townsendii*).
- Three (3) potential mollusk species, including the rocky coast Pacific sideband (*Monadenia fidelis pronotis*), Chace juga (*Juga chacei*), and marsh walker (*Pomatiopsis chacei*).
- One (1) potential reptile species, the northwestern pond turtle (*Actinemys marmorata*).

Special-status Sensitive Natural Communities include the Coastal and Valley Freshwater Marsh, Coastal Brackish Marsh, and Northern Coastal Salt Marsh. A full list of vascular plant species and lichens can be found in Appendix B.

The Project site is paved with minimal biological resource value to support sensitive-status species. The ornamental trees and disturbed groundcover are typical of developed sites and do not provide high quality habitat. None of the Sensitive Natural Communities listed in the quadrangle are located onsite, and none of the rare plants have been mapped on the primarily paved site. Existing vegetation is limited to ornamental trees and non-native grass associated with the parking area, which are typical of developed sites and do not provide high quality habitat for native species, including plants or animals. The site lacks water bodies, wetlands, riparian areas, or other habitat conditions typically required to support the amphibians, fish, mammals, invertebrates, and plants documented in the surrounding Quadrangle per CNDDDB.

As such, the most likely potential sensitive species to occur onsite would be bird species. Of the twenty (20) listed special-status bird species potentially located in the Project's quadrangle (listed in *Table 1*, below), eight (8) have mapped low, medium, or high predicted habitat areas provided by CNDDDB that overlap with the Project site (shown by the shaded rows in *Table 1*). Of those eight (8) species, all have "low" or "very low" potential to occur onsite and/or be impacted by the Project based on the onsite available habitat.

Table 1: Potential Project-Related Impacts to Special-Status Bird Species

Bird Species (Common Name)	Special Status	Mapped Onsite Predicted Habitat (CNDDDB BIOS)	Potential to Occur Onsite and be Impacted by the Project
Northern Harrier	CDFW Species of Special Concern (SSC)	Medium	Low potential – requires open grasslands/wetlands not present onsite
White-tailed Kite	CDFW Fully Protected (FP)	High	Low potential – requires open foraging areas and large nest trees, absent onsite
Marbled Murrelet	FESA Threatened / CESA Endangered	Not within Predicted Habitat or Final Critical Habitat	No potential – requires old-growth forest for nesting and marine waters for foraging
Rhinoceros Auklet	None – Monitored by CDFW	Not within Predicted Habitat	No potential – requires offshore islands/cliffs for nesting
Tufted Puffin	SSC	Not within Predicted Habitat	No potential – requires marine waters and offshore burrows/cliffs
Cassin's Auklet	SSC	Not within Predicted Habitat	No potential – nests on offshore islands, forages in marine waters
Aleutian Cackling Goose	FESA Delisted, Monitored by CDFW	Low	Low potential – requires estuarine/marsh foraging and roosting habitat



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Great Egret	None – Monitored by CDFW	High	Low potential – requires wetlands, marshes, or open water for foraging, which are located nearby but not onsite
Great Blue Heron	None – Monitored by CDFW	High	Low potential – requires wetlands, riparian areas, or large trees near water, which are located nearby but not onsite
American Bittern	None – Monitored by CDFW	Not within Predicted Habitat	No potential – requires emergent wetlands and marshlands
Black-crowned Night Heron	None – Monitored by CDFW	Medium	Low potential – requires riparian, wetland, or aquatic habitats
Western Snowy Plover	FESA Threatened / SSC	Not within Predicted Habitat	No potential – requires sandy beach or dune habitat
American Peregrine Falcon	FESA/CESA Delisted	High	Very low potential – may occasionally forage in urban areas but no nest habitat onsite
Bank Swallow	CESA Threatened	Not within Predicted Habitat	No potential – requires vertical riverbanks or cliffs for nesting
Fork-tailed Storm-Petrel	SSC	Not within Predicted Habitat	No potential – requires offshore marine waters for foraging
Osprey	None – Monitored by CDFW	Not within Predicted Habitat	No potential – requires open water and tall nesting structures
Black-capped Chickadee	None – Monitored by CDFW	Not within Predicted Habitat	No potential – requires forested habitat, not ornamental trees in urban setting
California Brown Pelican	FESA/CESA Delisted, FP	Not within Predicted Habitat	No potential – requires coastal marine and roosting habitats along shorelines
Northern Spotted Owl	FESA / CESA Threatened, SSC	Not within Predicted Habitat or Final Critical Habitat	No potential – requires large tracts of old-growth forest
Rufous Hummingbird	USFWS Bird of Conservation Concern	Medium	Low potential – could pass through during migration but no foraging/nesting habitat onsite

As the site lacks native vegetation, prey resources, and specialized nesting or foraging habitats, it does not provide suitable breeding or foraging habitat for the sensitive bird species identified in the surrounding Quadrangle. Nesting birds are protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, and although the likelihood of nesting occurring in the few ornamental trees is low, tree removal or substantial trimming during the breeding season could result in a temporary disturbance to active nests if present. Compliance with standard construction practices such as conducting tree removal outside of the nesting season would ensure that any potential impacts to nesting birds utilizing ornamental trees remain less than significant.

The site is not located in northern spotted owl or marbled murrelet critical habitat areas (CNDDDB BIOS, 2025). According to the Spotted Owl Viewer available on CNDDDB BIOS, the nearest Northern Spotted Owl Activity Center (AC) is 4.3 miles southeast of the Project Site (AC No. DNT0131) (Figure 8).



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or near the site. Construction for the Project would occur on an existing, paved parking lot and would not be anticipated to result in substantial soil erosion or the loss of topsoil.

The proposed new transit kiosk building would be designed and engineered to comply with the most recent California Building Code (CBC) seismic design standards, which ensure structural stability in the event of an earthquake. Building Permits for the proposed building would be obtained from the City, which would ensure consistency with the CBC and building safety. Compliance with CBC requirements would ensure that the Project does not directly or indirectly cause substantial adverse effects related to ground shaking, liquefaction, settlement, or other seismic hazards. Therefore, a less than significant impact would occur.

4.8. GREENHOUSE GAS EMISSIONS

California law requires that projects undergoing CEQA review consider greenhouse gas (GHG) emissions and their cumulative impacts, including Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, which set the goal of reducing statewide GHG emissions to 1990 levels by 2020, and Senate Bill (SB) 32, which requires further reductions to 40 percent below 1990 levels by 2030. The California Air Resources Board Climate Change Scoping Plan (2022) and the NCUAQMD Particulate Matter Attainment Plan (1995) also include relevant policies to reduce GHG emissions.

At the local level, neither the City or the County of Del Norte have developed a Climate Action Plan, however, the CCGP and the RTP include goals, policies, and objectives to reduce GHG emissions and meet state goals. The CCGP includes policies under Transportation and Circulation that commit the City to support and expand public transit services within the VLC area (Policy 1.D.4), encourage alternative modes of transportation such as public transit, walking and bicycling (Policy 1.A.3), and prioritize transit-supportive infrastructure in high-use areas to reduce reliance on personal automobiles (Policies 3.B.1, 3.B.5). In addition, the RTP contains specific policies to reduce GHG emissions through promoting transit projects, including Policy 11.5, which states: “Promote projects that can be demonstrated to reduce GHG emissions and air pollution, such as active transportation projects, transit improvement projects, and alternative fuel programs” (Del Norte RTP, 2020).

Sources of GHG emissions from the Project would include emissions during construction and operation. The Project would generate short-term construction-related emissions from equipment and worker vehicles; however, these would be temporary in nature and would be required to follow the construction-related emission restrictions described in the NCUAQMD Particulate Matter Attainment Plan (1995) and the NCUAQMD Rule and Regulations, Rule 110 – New Source Review and Prevention of Significant Deterioration, Section 5.1 – BACT (2015).

Operational emissions would be limited to emissions from the power used to power the onsite amenities and lighting, and employee vehicle trips. However, these limited operational emissions are expected to be offset by improved transit efficiency. The Project would not substantially increase long-term energy demand. Overall, the Project is consistent with applicable state mandates and local CCGP policies and would not make a cumulatively considerable contribution to GHG emissions. Therefore, the Project would result in a less than significant impact related to greenhouse gases.

4.9. HAZARDS AND HAZARDOUS MATERIALS

The California Code of Regulations (CCR) defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either: (1) cause death or serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed (CCR, Title 22, Division 4.5, Chapter 10, Article 2, §66260.10).

According to the SWRCB’s Geotracker database and the California Department of Toxic Substances Control’s EnviroStor database, the Project site does not have a recorded history of hazardous materials releases, and no cleanup sites are present on the property (SWRCB 2025; DTSC 2024). There are several cleanup sites that are



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located in the vicinity of the Project Site (Figure 10), but none are directly adjacent or expected to be impacted by the proposed activities associated with the Project, which would be confined to the site. Therefore, the Project is not located on a site listed pursuant to Government Code §65962.5 (Cortese List).

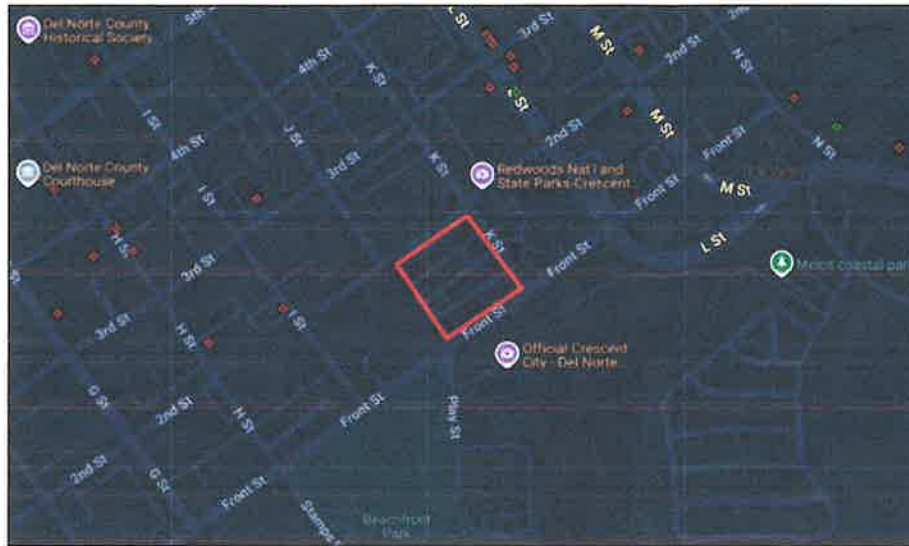


Figure 10: Hazardous Material Cleanup Sites in vicinity of Project Site (highlighted in red) (Source: Geotracker, 2025)

The Project would redevelop an existing parking lot into a transit center to improve transit efficiency, public safety, and overall ridership experience. Hazardous materials potentially used, stored, and transported during construction of the Project would include diesel fuel, gasoline, hydraulic fluid, oil, and lubricants used in construction machinery and equipment. Such materials would be used, transported, and stored in accordance with applicable state and federal regulations. Spill response materials and equipment would be kept on site and personnel trained in their use. Any asphalt removed from the site during redevelopment would be properly handled and disposed of at a licensed facility in accordance with applicable local, state, and federal requirements.

Hazardous materials associated with operation of the Project would be limited and could include diesel and gasoline for vehicles (which are already present at the site), pesticides or herbicides for landscaping maintenance, and routine custodial supplies for the proposed employee kiosk and public restrooms (e.g., disinfectants, bleach). These materials would be stored in locked, secure containers within a designated storage area with secondary containment and would be located away from storm drains. Only pesticides/herbicides approved by the California Department of Pesticide Regulation (CDPR) would be used onsite. To reduce hazards associated with potential indirect illicit public use (e.g., illegal substance use), the Project includes additional security cameras, enhanced security lighting, and on-site staff to discourage such activities. Therefore, operation of the Project is not anticipated to involve regular use, transportation, or storage of hazardous materials in a manner that could create a significant hazard to the public or the environment.

No schools are located within a quarter mile of the Project site. The nearest school is Uncharted Shores Academy (330 E Street), located approximately 1,590 feet (0.30 miles) west of the site. Other nearby schools, including Crescent Elk Middle School and Joe Hamilton Elementary School, are located more than one mile from the Project site. The nearest airport is the Del Norte County Regional Airport, located approximately 2.7 miles northwest of the Project site. The Project is not located within an airport land use compatibility plan or within 2 miles of an airport and would have no impact on airport safety.



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The Project is a transit center project and would not impair implementation of or physically block an adopted emergency response plan. Any traffic impacts during construction would be temporary and minimized through implementation of standard traffic control measures. Lastly, the Project site does not contain any mapped Fire Hazard Severity Zones (FHSZs) and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

Therefore, impacts related to hazards and hazardous materials would be less than significant.

4.10. HYDROLOGY AND WATER QUALITY

The Project site is currently an existing, paved parking lot. Per Google Earth Imagery and in-person site inspections, unpaved areas of the parcel total approximately 0.16 acres, which is approximately 9% of the 1.75-acre parcel, while paved areas of the parcel total approximately 1.59 acres, or approximately 91% of the total parcel size.

There are no waterbodies or wetlands onsite. Elk Creek is located across Front Street and approximately 260 feet south of the property (Google Earth, 2025). The property is located within the Smith River Hydrological Unit, Elk Creek Watershed (EPA, 2024).

Water for the Project, including drinking water, water for the restroom facilities, and water for landscaping irrigation, would be supplied by the City of Crescent City. The City's water source is provided by the Smith River underflow associated with the Smith River Plain Groundwater Basin (2020 Urban Water Management Plan). The County of Del Norte Groundwater Sustainability Agency is responsible for land use planning and water supply and management within the Smith River Plain Groundwater Basin (Department of Water Resources, 2025). The Smith River Plain Groundwater Basin is ranked as a "Very Low" basin per the Sustainable Groundwater Management Act (SGMA), meaning that there are no documented groundwater level declines (SGMA Basin Prioritization Dashboard, 2025).

The Project is located in a Tsunami Hazard Area according to the Department of Conservation California Geological Survey (2021). The Crescent City Tsunami Hazard Map (2021) shows the closest assembly point is Crescent Elk School located in the safe area about 0.8 miles north of the Project site. In addition, the Project property is in an "Area of Minimal Flood Hazard (Zone X)" according to FEMA Flood Insurance Rate Map (panel 06015C0214F) (2017).

The Project would not substantially alter the existing drainage pattern of the site or area or increase nonpoint source pollutants, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces. The Project does not propose significant new impervious surface area because there is not significant unpaved land onsite that is available to be developed. The potential minimal impervious surface area increase (less than 0.16 acres) would be created in accordance with City requirements and would represent less than 9% of the total parcel size.

While the addition of buses could increase nonpoint source pollutants, the parcel is already an existing parking lot with likely existing stormwater treatment features. During the building and design phase, permits from the City would be obtained. The design would include erosion and stormwater control plan which would ensure that potential stormwater runoff would be properly handled, per City regulations.

The Project would not violate any water quality standards or waste discharge requirements because water and sewer for the Project would be served by the City. Water use for the Project is conservatively estimated at 286,284 gallons per year, including 219,000 gallons for drinking water/wastewater and 67,284 gallons for landscaping irrigation. The new restroom facilities would use low-flow toilets and energy-efficient fixtures. Furthermore, water for landscaping would meet the requirements of the State Model Water Efficient Landscape Ordinance (MWELO) and would not exceed the landscape water budget for the City. The Project's water budget would represent less than 0.1% of the City's, which is calculated at approximately 944,265 million gallons per year (MGY) according to the 2020 Urban Water Management Plan (Freshwater Environmental Sciences, 2021).



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Therefore, the Project would not represent an inefficient use of water, would not substantially decrease groundwater supplies, and would not conflict with the Smith River Plain Water Quality Management Plan. Therefore, impacts would be less than significant.

4.11. LAND USE AND PLANNING

The Project is within the jurisdictional boundaries of the City and is subject to the City's CCGP and the CCMC. The Project is a transit project, subject to the County's Regional Transportation Program (RTP). The site is an existing, paved parking lot, and would be redeveloped into a transit hub for public use. The site is located outside of the Coastal Zone boundary.

The Project site is bound by Front Street to the south / southeast, K Street to the east / northeast, existing shops to the north/northwest, and the County Library to the west/southwest. Surrounding zoning designations include non-coastal Waterfront Commercial (CW), non-coastal General Commercial (C-2), and coastal zone Open Space (CZ-O). Beachfront Park and Del Norte County Visitor and Cultural Center are located across the street from the Project site to the south, and the Redwood National and State Park Headquarters are located across the street from the Project site to the east.

The parcel is zoned Waterfront Commercial (CW), which is a zoning district intended to provide for a mixture of commercial shops and public services in the downtown area of Crescent City. The parcel has a General Plan Land Use Designation of Visitor and Local Commercial (VLC), which similarly is intended for a combination of visitor-serving commercial uses and accessory support services. The City has determined that the transit hub is a compatible use within the CW zone and VLC land use designation.

The Project would not substantially alter existing land uses of the site or surrounding sites. No residences or businesses would be demolished as part of the Project, and no activities are proposed that would physically divide an established community.

The analysis contained in this document addresses the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental impact, including, but not limited to, the CCMC, the CCGP, and the RTP. Rather, as described throughout this document, the Project would serve to support many of the goals and policies contained in these plans to enhance public transit in the Crescent City region.

Lastly, the Project is required to undergo Architectural Review to ensure the proposed structures and site improvements meet City standards. Therefore, based on the analysis conducted in this document, the Project is not in conflict with adopted land use plans, policies, or regulations adopted for the purpose of avoiding or mitigation an environmental effect. A less than significant impact would occur.

4.12. MINERAL RESOURCES

The Project site is not an active or historic mineral resource extraction site. The nearest mine, the Starry Rock Quarry Mine, is located approximately 3 miles northeast of the Project site (Department of Conservation, 2025). The Project will not result in the loss of availability of a known mineral resource, nor would reduce the availability of a locally important mineral resource recovery site as outlined in a local general plan or other land use plan. Therefore, no impact with respect to mineral resources would occur.

4.13. NOISE

The Project is located off of Front Street and K Street in central downtown Crescent City. The Project site is one to two blocks away from US Highway 101 and also in close proximity to Del Norte County Library, the Redwood National and State Parks buildings, Beachfront Park and associated trails, coastal areas, and existing shops and businesses. The Project parcel is zoned Waterfront Commercial which provides a mixture of commercial shops and services, accommodation uses, and public services in the downtown area. In addition, the property is located in an area that serves as retail and visitor-serving commercial activities in the center of downtown Crescent City



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according to the CCGP's VLC designation. Therefore, the Transit Center, as a transportation service, would be consistent with zoning and land use.

The Project is not located within the vicinity of a private airstrip or an airport land use plan, and would have no impact on private or public airstrips.

The Project would temporarily increase noise levels during construction activities from operating equipment. Construction is anticipated to take eight to twelve months during one construction season and noise associated with construction would generally occur Monday through Friday between the hours of 7 a.m. and 6 p.m. or sunset, whichever is later, or Saturdays and Sundays between 8 a.m. and 6 p.m. According to the CCMC (§8.18.060), temporary construction noises within this timeframe are acceptable and exempt from noise regulations. Construction activities would be typical of small construction projects and would not generate excessive sustained groundborne vibration.

Noise from operational activities would include vehicular noise from automobiles and buses, and noise from visiting riders and transit users. In accordance with CCGP Policy 7.H.1, the nearest defined sensitive receptor to the Project site is the Del Norte County Library – Main Library Branch, which is located adjacent to the Project site and approximately 40-50 ft. from the proposed bus lanes. The site is already a developed parking lot in close proximity to the library with existing baseline noise from vehicular traffic. Typical traffic noise from passenger cars tend averages between 60 dB and 70 dB, while noise from larger, diesel-powered SUVs, trucks, or RVs average between 75 dB and 85 dB (Caltrans, 2025). Therefore, it is reasonable to assume that existing baseline noise levels in the parking lot range between 60 and 85 dB for the types of vehicles using the parking lot.

Typical diesel bus noise from a small transit center tends to average between 60 and 85 dB for regular diesel buses idling and accelerating (SoundTransit, 2021), which are within the existing noise levels experienced onsite. Furthermore, RCTA is in the process of transitioning its autobus fleet to zero-emissions by upgrading the Williams Drive Maintenance and Operations Facility with new bus-charging infrastructure (RCTA, 2025). Additionally, RCTA has recently secured funding to purchase up to 11 electric buses as soon as 2027 or 2028. Electric buses are significantly quieter than diesel buses, averaging approximately 55-65 dB (SoundTransit, 2021). The integration of electric buses into the fleet in 2027 or 2028 will coincide with the operational year of the proposed new Transit Center, thus minimizing the potential for autobus noise to impact nearby sensitive receptors.

Additionally, the Project is a transit center project designed to improve public transportation efficiency and ridership, which could reduce dependency on single-occupancy vehicles and decrease ambient noise levels from automobile traffic and the use of electric buses. As the Project is consistent with the Project zoning and land use, construction-related noise would be temporary and confined to allowable times, and operational noise would be limited by planned bus electrification, a less than significant impact would occur.

4.14. POPULATION AND HOUSING

The Project site is located within Crescent City, an incorporated city of approximately 6,673 residents (US Census Bureau, 2025). The Project is a transit center proposed on an existing parking lot site, which would not directly decrease housing availability (e.g., through demolition of residential structures), or directly increase housing availability (e.g., through construction of new housing units). The Project is consistent with the Waterfront Commercial (CW) zoning and CCGP policies supporting transit projects and downtown revitalization.

While it is anticipated that there will be increased transit ridership due to the proposed improvements, patrons would primarily be existing City residents or visitors / tourists passing through on Highway 101. The site is already connected to public utilities, and no new roads are proposed that could indirectly stimulate population growth.



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use of the park or cause accelerated degradation of facilities, especially given the improvements currently proposed in the Beachfront Park Master Plan. Therefore, impacts would be less than significant.

4.17. TRANSPORTATION

The Project involves redevelopment of an existing parking lot into a transit center in downtown Crescent City. The site is an existing, paved parking lot, and would be redeveloped into a transit hub for public use. The majority of the existing parking spaces would remain to the extent feasible. Existing electric vehicle charging stations would remain unchanged. The Project site is across the street from the existing transit center located at Front Street, between K Street and U.S. 101 served by RCTA and SW Point, an Oregon-based intercity service company. All six (6) public transit routes currently stop at the existing transit center (Redwood Coast Transit, 2025). Once complete, the Project site would become the transit hub for the City, and the existing transit hub would be decommissioned. The Project site is located at the intersection of Front Street, designated as a Major Collector road, and K Street, designated as a Local Road (Del Norte County RTP, 2021). Front Street, adjacent to the Project, is a Class III bicycle facility.

The Project is consistent with the CCGP policies that call for strengthening transit facilities, improving multimodal circulation, and revitalizing the downtown waterfront area (Goal 3.B.1). Regionally, the Project is consistent with the RTP which identifies improved transit facilities as important strategies to increase mobility, reduce congestion, and enhance connectivity and safety for residents and visitors. The Project is expressly designed to enhance the efficiency and attractiveness of the local and regional transit system by consolidating services, providing improved passenger amenities, and creating safer and more accessible connections to adjacent pedestrian and bicycle routes. Therefore, the Project would not conflict with a program, plan, or ordinance, or policy addressing the circulation system.

During construction, the existing parking lot would be temporarily impacted, which could lead to temporary increased parking on adjacent streets and within nearby public parking lots. This potential impact, along with potential impacts to traffic from construction, would be temporary in nature and would not significantly endanger pedestrians or cyclists. Rather, the Project would benefit pedestrian and cyclist safety by relocating the existing transit center, which is interwoven with bicycle and pedestrian walkways, to an off-street parking lot. Pedestrians and cyclists would also benefit from improved on-site circulation and safety improvements.

The Project would not modify the existing streets surrounding the site or create new sharp curves or hazardous intersections. In addition, the Project would not create onsite uses that are incompatible with the surrounding area and could create hazardous conditions. Mapped evacuation routes for tsunamis are designated near the Project site but do not include Front Street or K Street. Therefore, the Project would not conflict with an established emergency evacuation plan, as all long-term improvements would be confined to the site.

With respect to Vehicle Miles Traveled (VMT), the Governor's Office of Land Use and Climate Innovation (formerly the Office of Planning and Research) has determined that projects which improve transit service or increase transit accessibility are presumed to have a less than significant impact under CEQA Guidelines §15064.3(b). The Project is expected to support transit mode shift away from single-occupancy vehicles toward public transit, thereby reducing per-capita VMT in Crescent City and the surrounding region, which already has a per capita VMT measured at 15% below the regional average (CEQA Site Check, 2025). Therefore, the Project would have a less than significant impact related to transportation.

4.18. TRIBAL CULTURAL RESOURCES

As per CEQA (15064.5(a)), it appears that no historical resources, unique archaeological resources (PRC 21083.2(g)), or tribal cultural resources, as defined in PRC §21074, are present within the limits of the project area (Rich, 2025). Tribal Cultural Monitoring is recommended during removal of existing asphalt or foundation work with Inadvertent Discovery of Cultural Resources protocol will be implemented (Rich, 2025).



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4.19. UTILITIES AND SERVICE SYSTEMS

The Project would include required ground disturbance, trenching, and utility upgrades/extensions to support the proposed restroom facility. Water and wastewater would need to be brought to the site from an adjacent parcel. Power already exists onsite, but would need to be internally extended to reach the proposed transit center. All trenching for utilities would occur on the already-disturbed, paved site.

Water use for the Project is conservatively estimated at 286,284 gallons per year, including 219,000 gallons for drinking water/wastewater and 67,284 gallons for landscaping irrigation. The new restroom facilities would use low-flow toilets and energy-efficient fixtures. This represents less than a tenth of 1% of the City's water supply, which is calculated at approximately 944,265 MGY according to the 2020 Urban Water Management Plan (Freshwater Environmental Sciences, 2021).

Similarly, the Project wastewater would not represent an increase in flows that would significantly impact the Crescent City Wastewater Treatment Facility, which has an average dry weather treatment capacity of 1.86 million gallons per day (MGD), and a peak wet weather treatment capacity of 6.12 MGD (North Coast Regional Water Quality Control Board, 2023). Potential wastewater from restroom/drinking water facilities is estimated at 219,000 gallons per day, which represents a miniscule fraction of the treatment capacity of the Crescent City Wastewater Treatment Facility. Therefore, the Project's water demand would not require the City to expand drinking water capacity or construct any new treatment facilities.

The Project would generate construction debris as a result of site preparation and construction. Some existing pavement may need to be removed from the existing parking lot, some vegetation may need to be cleared, and debris/dirt may be removed from the site. These materials would be properly disposed of at a licensed waste management facility. During construction, waste from transit patrons would be collected in clearly marked waste and recycling bins and properly disposed of. Solid waste and recycling services would most likely be provided by Recology Del Norte and brought to the Del Norte County Transfer Station in Crescent City. From there, solid is transferred to the Dry Creek Landfill in Eagle Point, Oregon (Del Norte Local Agency Formation Commission [LAFCO], 2019). According to the 2019 Crescent City Municipal Services Review, the Dry Creek landfill has a capacity of over 47 million tons (Del Norte LAFCO, 2019). Even though this number may be outdated slightly, the waste generated by this Project is not a significant source of waste that could impact this landfill's capacity or conflict with statewide waste reduction goals.

4.20. WILDFIRE

The California Department of Forestry and Fire Protection (CAL FIRE) designates Fire Hazard Severity Zones (FHSZs) for areas under state responsibility (State Responsibility Areas, or SRAs) and local responsibility (Local Responsibility Areas, or LRAs). The Project site is located in an LRA and is served by Crescent City Fire and Rescue, with the nearest station located at 520 I Street, approximately 0.4 miles from the site. The site is not located within a mapped FHSZ, nor within an LRA recommended by the State Fire Marshal for FHSZ designation (CAL FIRE, 2025). No High or Very High FHSZ zones are mapped near the site (CAL FIRE, 2025). As the site is not located within an SRA and is not within lands classified as Very High FHSZ, Project would have no impact related to wildfire hazards under the CEQA Appendix G checklist.

Construction would not result in long-term impairment of circulation or emergency access. The Project would not interfere with an adopted emergency response or evacuation plan, nor would it exacerbate wildfire risk or expose people or structures to post-fire hazards such as flooding or landslides. Therefore, no impact would occur.

4.21. CUMULATIVE IMPACTS

The Project would construct a new transit center on an existing paved parking lot within a fully urbanized area of Crescent City. A transit center already exists along Front Street and is included in the baseline environmental conditions; however, the existing facility is undersized and lacks adequate safety, accessibility, and operational



PROJECT DESCRIPTION AND SUPPORTING INFORMATION FOR CEQA
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features to meet current public needs. The Project would improve transit operations in a manner that benefits community mobility, enhances safety, and supports more efficient transit service in Crescent City.

Under CEQA, a cumulative impact exists only where a project's incremental effect is cumulatively considerable. Courts have held that a lead agency may conclude that a project's effects are not cumulatively considerable where "there is no evidence of any individual potentially significant effect" (Sierra Club v. West Side Irrigation District (2005) 128 Cal.App.4th 690, 701–702, citing Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1358.). As demonstrated throughout this document, construction and operation of the Project would not result in any significant environmental impacts, nor would the Project incrementally contribute to any regional cumulative issues. For detailed analysis of specific resource areas, see Sections 3.2.1 through 3.2.20 of this document.



Applicant Sam Schauerman said he hears the public comments. He said housing is needed. He said these are targeted to bring growth. He said the location is zoned for what's being proposed. He said it was for sale; anyone could have bought it. He said he is trying to partake in the positive growth of the community and bring more people downtown.

Public comment continued:

Donna Westphall, City resident- *Asked if Sam was willing to sell the property and how much it would be.*

Joyce Tuby, City resident- *Spoke about parking and how much is allotted.*

Roger Gitlin, City resident- *He said the commission needs to take a step back and see what this will do to the climate, to the look of Crescent City.*

Elevations were discussed on a commission level.

Applicant Sam Schauerman spoke about how the proposed development will be aesthetically pleasing. He said he will maintain them and does not plan on selling them.

Parking and driveways were discussed on a commission level.

Public hearing was closed at 6:28pm.

Roll over curbs were discussed on a commission level.

On a motion by Vice Chair DeCossio, seconded by Commissioner Perius, and carried on a 3-0 polled vote, with Commissioner Hyatt recusing herself, the Crescent City Planning Commission and Architectural Review Committee Adopted Resolution No. PC2026-01, A Resolution of the Planning Commission of the City of Crescent City Approving an Architectural Design Review (Application AR25-02) granting Elk Creek Builder's 14-unit residential-only development.

A break was called at 6:33pm.

The meeting started back at 6:35pm.

3. A Public Hearing to consider a Major Site Plan & Architectural Design Review (Application AR26-01) for Redwood Coast Transit Authority's proposed Transit Center, located at 1000 Front Street (APN 118-070-025).

Public Hearing opened at 6:43pm.

Planner Lawton gave a power point presentation.

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE**

Parking spaces were discussed on a commission level.

Applicant Joe Rye, Executive Director of Redwood Coast Transit Center spoke about the need for a transit center, which came from a survey put out. He spoke about the ability to buy tickets and passes and how this will help. He spoke about some of the positives such as a bathroom installed down there, a tenant to assist residents.

The current and future transit center was discussed on a commission level.

The following residents addressed the commission:

Roger Gittlin, City resident- *He spoke about how the current parking lot is used for a lot of illegal overnight camping. He asked if farmers market will be moved. He thinks it sounds like a good project and he supports it.*

Jody Magnum, City resident- *Asked about where cars would go that were dropping people off at the library. She asked if any of the trees would be removed.*

Linda Sutter, County resident- *Suggested having cameras put up to help with security.*

Surveillance was discussed on a commission level.

Jillian Moore, Humboldt County resident- *Said she has a business in the area, she said her staff and clients will lose their parking spaces. She is not opposed to the project; she does ask in terms of accessibility to the building make it safe for her clients to load and unload due to some of their clients having accessibility issues.*

Parking was discussed on a commission level.

Bus schedules were discussed on a commission level.

Restrooms were discussed on a commission level.

Greyhound and other transits were discussed on a commission level.

CEQA was discussed on a commission level.

The public hearing was closed at 7:56pm

On a motion by Vice Chair DeCossio , seconded by Chair Walp , and carried on a 3 -0 polled vote, with Commissioner Hyatt recusing herself, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2026-02, A Resolution of the Planning Commission of the City of Crescent City Approving a Major Site Plan & Architectural Design Review (Application AR26-01) granting Redwood

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * Kristine DeCossio, Vice-Chair
Shawna Hyatt * Debra Perius * Paul Martinez



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT
AGENDA ITEM #3

TO: Chairperson Walp and Members of the Planning Commission

FROM: Community Development Department, Planning & Zoning
Bob Brown, Contract Planner Director

BY: Community Development Department, Planning & Zoning
Ethan Lawton, Contract City Planner

DATE: Thursday, May 14, 2026

SUBJECT: A Public Hearing to consider a Major Site Plan & Architectural Review (Application AR26-06) for Sam Schauerma's proposed demolition permit and an 8-unit residential-only development located at 780 J Street (APN 118-240-027)

SECTION 1: EXECUTIVE SUMMARY

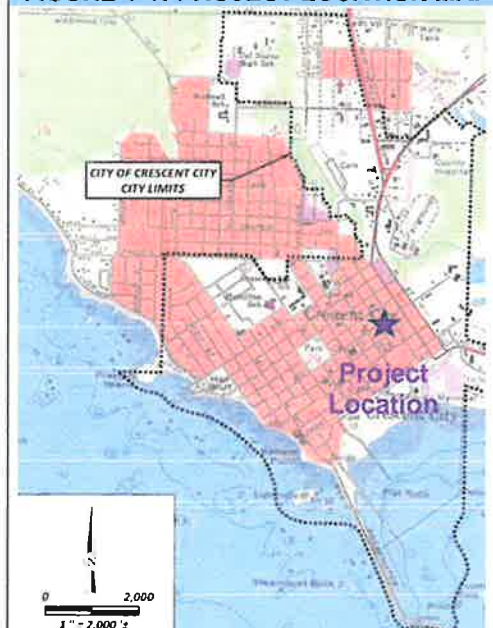
Sam Schauerma has submitted a Major Architectural Review (Application AR26-06) for a demolition permit and an 8-unit residential-only development located within the R-3 Zone (High-Density Residential District) at 780 J Street, Crescent City, CA 95531 (APN 118-240-027).

STAFF RECOMMENDS: "Motion to adopt Resolution No. PC2026-10, A Resolution of the Planning Commission of the City of Crescent City approving a Major Site Plan & Architectural Review (Application AR26-06) granting Sam Schauerma's proposed demolition permit and 8-unit residential-only development."

ATTACHMENTS:

- A) AR25-06 Application
- B) AR25-06 Conditions of Approval
- C) Resolution No. PC2026-10
- D) Demolition – Legal Memorandum

FIGURE 1-1: PROJECT LOCATION MAP



Source: Housing Element (December 2022)

*City of Crescent City – Regular Planning Commission Meeting
Staff Report - Agenda Item: #3*

SECTION 2: BACKGROUND INFORMATION

ADDRESS: 780 J Street Crescent City, CA 95531	APN: 118-240-027-000	PARCEL SIZE: +/- 0.384 acres +/- 16,744 sf	PROJECT SIZE: 0.384 acres 16,744 sf
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FIGURE 2-1: PROJECT PARCEL



Source: Parcel Quest (April 2026)

The proposed project is located within the Multi-Family Residential 15-30-du per acre (MF 15-30) designation General Plan land use designation and within the High-Density Residential District (R-3) zoning designation (See Section 4: General Plan Consistency and Section 5: Zoning Consistency).

2.1. APPLICATION:

On April 13, 2026, Sam Schauerman submitted a Major Site Plan & Architectural Review (Application AR26-06) for a proposed demolition permit and an 8-unit residential-only development on a 0.38-acre parcel within the R-3 Zone (High-Density Residential District) located at 780 J Street, Crescent City, CA 95531 (APN 118-240-027). Additional submittals were provided to the City on April 14, 2026. The submitted Major Site Plan & Architectural Review (Application AR26-06) was deemed complete on April 14, 2026.

*City of Crescent City – Regular Planning Commission Meeting
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SECTION 6: DEMOLITION ARCHITECTURAL REVIEW

The proposed demolition permit for a building exceeding 45 years old (CCMC § 17.16.070(A)) requires the scheduled public hearing for the Planning Commission to determine whether the proposed Architectural Review shall be approved or denied (CCMC § 17.46.035), based on the following standards:

Where a structure(s) forty-five years or older is proposed for remodel or demolition, a review of the potential for impact upon a site listed on the National Historical Register or a site of local historical significance shall be made and considered in the architectural review decision. It is the goal of the city general plan to encourage property owners and other land managers to preserve or rehabilitate important historical and cultural site rather than destroy them" (CCMC § 17.46.035). Attachment D: Demolition Legal Memorandum is located in the staff package and utilized to make the following determinations.

6.1. National Historic Registry

The structure is NOT listed on the National Historic Registry (Attachment D: Demolition Legal Memorandum, page 2).

6.2. Local Historic Significance

The answer to this question requires the Planning commission to exercise independent judgment based on the evidence presented to them at the public hearing. The CCMC does not define what constitutes a "site of local historical significance" (Attachment D: Demolition Legal Memorandum, page 3).

"The structure is not listed on any local historical register, list, or survey. Neither the City nor the County have created or maintained a local registry, list or survey of sites of local historical significance" (Attachment D: Demolition Legal Memorandum, page 3).

6.3. California Historic Building Code

"The California Historical Building Code (CHBC) applies to a 'qualified historical building or property' located within the jurisdictional limits of the City. The purpose of the CHBC is to provide alternative building standards for qualified properties to support their preservation while also ensuring safety and accessibility" (Attachment D: Demolition Legal Memorandum, page 3). This can be done through the following analysis:

6.3.1. The structure IS a "building site, object, place, location, district or collection of structures" (Attachment D: Demolition Legal Memorandum, page 3).

6.3.2. The structure is NOT "deemed of importance to the history, architecture of culture of an area by appropriate local, state, or federal governmental jurisdiction" (Attachment D: Demolition Legal Memorandum, page 3).

The structure is NOT a historical building on, or determined eligible for national state or local historical registers or inventories, such as the National Register of Historic Places,

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California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest (Attachment D: Demolition Legal Memorandum, page 3).

The structure is NOT a historical building on a city or county register, inventory or survey of historical or architecturally significant sites, places, or landmarks (Attachment D: Demolition Legal Memorandum, page 4).

6.4. CEQA Historic Resource Analysis

The California Environmental Quality Act ("CEQA" codified in Division 13 of the California Public Resources Code) requires that projects subject to discretionary approval by a local or state government comply with the Act. CEQA has its own historical resource impact analysis. Public Resources Code Section 21084.1 states that a project which may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment under Public Resources Code § 21084.1 and 14 CCR § 15064.5:

6.4.1. The building is NOT a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (Attachment D: Demolition Legal Memorandum, page 4).

6.4.2. The building is NOT included in a local register of historical resources adopted by a local resolution or ordinance (Attachment D: Demolition Legal Memorandum, page 5).

6.4.3. The building is NOT deemed significant pursuant to criteria set forth in Public Resources Code Section 5-24.1(g) (Attachment D: Demolition Legal Memorandum, page 5).

6.4.4. The building is NOT a local historic resource as defined in Public Resources Code Section 5020.1(j) (Attachment D: Demolition Legal Memorandum, page 5).

Additionally, the building must have maintained its integrity – “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance” (14 CCR 4852(c)). In other words, has the building retained enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance? Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association (14 CCR § 4852(c)). If the building has not retained sufficient integrity, then the structure may be determined to not be a historical resource.

It is the City Attorney’s recommendation (04/06/2026) that the Planning Commission evaluate the site for local historic significance under PRC § 21084.1. Subsequently, the CEQA analysis must be completed. Under the CCMC, a demolition permit may not be issued for 780 J Street without an architectural review before the Planning Commission, the purpose of which would be to determine if the proposed demolition will impact a site of local historic significance under the CCMC and subsequently reviewed under CEQA.

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The applicant has submitted a Repair/Restoration Feasibility report by Stover Engineering, a letter from the Crescent City Fire & Rescue, Building Department Red Tag, structural pictures, and CEQA Exemption request document to support the Planning Commissioner's determination. Collectively, according to the applicant, this information supports the finding that the structure has lost its integrity from 'demolition by neglect' and is beyond the ability to restore its historical integrity.

6.5. REQUIRED FINDINGS BY THE COMMISSION:

The Planning Commission finds that the proposed project is consistent with the Crescent City's Architectural Review Standards, in that the proposed project:

- a) *The structure is NOT listed on the National Historic Registry;*
- b) *The structure is NOT listed on any local historical register, list, or survey of sites of local historical significance;*
- c) *The structure, according to the California Historic Building Code (CHBC) IS a "building site, object, place, location, district or collection of structures";*
- d) *The structure has NOT been, according to the CHBC "deemed of importance to the history, architecture of culture of an area by appropriate local, state, or federal governmental jurisdiction";*
- e) *The building, according to CEQA, is NOT a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources;*
- f) *The building, according to CEQA, is NOT included in a local register of historical resources adopted by a local resolution or ordinance;*
- g) *The building, according to CEQA, is NOT deemed significant pursuant to criteria set forth in Public Resources Code Section 5-24.1(g); and*
- h) *The building, according to CEQA, is NOT a local historic resource as defined in Public Resources Code Section 5020.1(j).*

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SECTION 7: SITE PLAN & ARCHITECTURAL REVIEW

The proposed demolition permit and an 8-unit residential-only development is a permitted use located within the R-3 Zone (CCMC § 17.16.070(A)) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed Site Plan & Architectural Review shall be approved or denied (CCMC §17.46.040(A)), based on the following standards:



7.1. Zoning (CCMC § 17.46.035(A)):

The proposed project is considerate of existing and potential uses of the proposed location and is consistent with the Crescent City's High-Density Residential District (R-2) Zoning Code (with a Site Plan & Architectural Review). (See Section 5: Zoning Consistency).

7.2. Parking (CCMC §§ 17.16.060(A) & 17.46.035(A)):

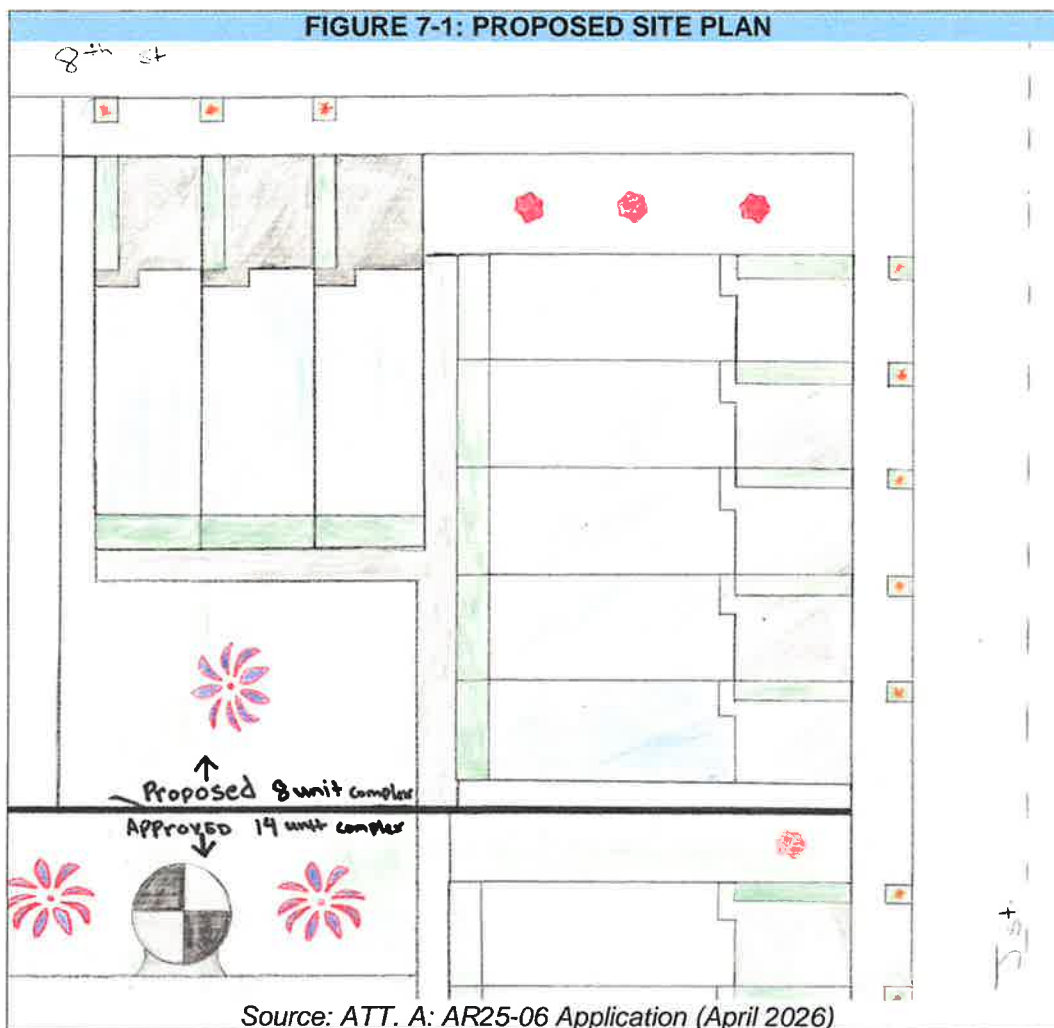
The proposed project includes 24 off-street parking spaces which exceeds (by 8) the required 16 spaces. All residential developments with 3 or more units are required to provide 1.5 spaces per unit (CCMC 17.42.040(B)). The proposed project is consistent with parking requirements. The maintenance of off-street parking spaces is included in the Conditions of Approval (Attachment B).

7.3. Landscaping (CCMC §§ 17.46.035(A) & 17.43.010(B)):

The proposed project includes trees and low-lying plants) that are consistent with landscaping requirements. Additionally, all new multi-family residential developments, with five (5+) or more units, shall provide common usable open space (CCMC § 17.43.060) at a minimum of twenty percent (20%) square footage of the lot. However, the proposed project is located within 950-ft of Peterson Park and would qualify for an exemption (CMC § 17.43.060(G)). The applicant is proposing a shared courtyard/plaza

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with a gazebo structure. The maintenance of landscaping is included in the Conditions of Approval (Attachment B).



7.4. Fencing (CCMC §§ 17.16.060(B) & 17.46.035(A)):

The proposed project includes minimum fencing to enclose backyards for each unit and is therefore consistent with fencing requirements. Any future fencing would be subject to a fence permit.

7.5. Signage (CCMC §§ 17.16.060(C) & 17.46.035(A)):

The proposed project does not include any signage. Therefore, the proposed signs are consistent with signage requirements. Any future signage will be subject to a sign permit.

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7.6. Right-of-Way (CCMC §§ 17.46.035(A) & 17.46.070):

The proposed project includes development of public sidewalks and street trees within City right-of-way in conjunction with Public Works Department and standards. Therefore, the proposed project is consistent with sidewalk and street requirements.

7.7. Utilities (CCMC §§ 17.46.035(A) & 17.46.070):

The proposed project includes hook-ups to existing underground provisions of water, sewage, electrical, and drainage facilities accessible to the parcel. Therefore, the proposed project is consistent with public services requirements.

7.8. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed site plans and designs of structures satisfy the Site Plan & Architectural Review requirements (CCMC §§ 17.46.010 & 17.46.035), in that the structures:

- a) *Reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems;*
- b) *Avoid monotonous and otherwise nonaesthetic development injurious to the overall community;*
- c) *Provide a [means] to encourage full development of streets servicing the properties;*
- d) *Assures full installation of all public utilities necessary to serve such properties; and*
- e) *Is consistent with the applicable zoning, parking and landscaping, fencing, signage, street, sidewalk and public services requirements.*

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SECTION 8: ENVIRONMENTAL DETERMINATION SUMMARY

The proposed demolition permit and an 8-unit residential-only development is located on a vacant parcel is a permitted use within the R-3 Zone (CCMC § 17.16.070(A)) requiring CEQA review. The California Environmental Quality Act (CEQA) requires government agencies to consider the environmental consequences of their actions before approving plans and policies or committing to a course of action on a project.

This process is intended to: (1) inform government decision makers and the public about the potential environmental effects of proposed activities; (2) identify the ways that environmental damage can be avoided or significantly reduced; (3) prevent significant, avoidable environmental damage by requiring changes in projects, either by the adoption of alternatives or imposition of mitigation measures; and (4) disclose to the public why a project was approved if that project has significant environmental impacts that cannot be mitigated to a less than significant level.

8.1. Project: A "project" is defined by CEQA as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. "Projects" include discretionary activity by a public agency, a private activity that receives any public funding, or activities that involve the public agency's issuance of a discretionary approval and is not statutorily or categorically exempt from CEQA. (Pub. Res. Code § 21065.)

8.2. Exemption: There are CEQA exemptions (including categorical exemptions) that are created through the regulatory process and are found in CEQA Guidelines §§ 15300-15333. The proposed 36-unit mixed-use development is recommended by staff to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the following sections of the CEQA Guidelines:

8.3. Class 32 § 15332. In-Fill Development Projects, consists of the proposed project:

1. Is consistent with the applicable general plan designation, policies, and zoning designation and regulations:

The proposed project is consistent with the Crescent City General Plan's Multi-Family Residential 15-30-du per acre (MF 15-30) land use designation and is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code;

2. Development occurs within city limits on a project site (<5 acres) substantially surrounded by urban uses:

The project site is located in the City of Crescent City, is approximately 0.38 acres, and is located adjacent to existing commercial uses;

3. Site has no value, as habitat for endangered, rare, or threatened species:

The project will be located on a site that has had past disturbances, is already developed and is surrounded by paved surfaces and contains no habitat for rare, threatened, or endangered species;

4. Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality:

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The project proposes commercial use in a developed commercial area that already services commercial use and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts;

5. Site can be adequately served by all required utilities and public services:

The site is surrounded by and is already adequately served by utilities and public services.

8.4. Exceptions: No exceptions apply to the proposed project in that (1) there is NO reasonable possibility of a significant effect on the environment due to unusual circumstances; (2) NO significant cumulative impacts from projects of the same type will result; or (3) the project will NOT have impacts on a uniquely sensitive environment (CEQA Guidelines § 15300.2.).

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource (Cal. Code Regs. Tit. 14, § 15300.2(f)). If the structure has lost its historic integrity (Section 6.4) then the exception doesn't apply. If the structure has not lost its historic integrity, then the exception applies and a Categorical Exemption cannot be used. A focused Environmental Impact Report (EIR) would need to be prepared.

8.5. Notice: A Notice of Exemption (NOE) will be filed at the County Courthouse and the State Clearing House upon project approval (Pub. Res. Code § 21167(d) & Guidelines § 15062(d)).

8.6. REQUIRED FINDING BY THE COMMISSION:

The Planning Commission finds that the proposed project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 32 § 15332 (In-fill Development) of the CEQA Guidelines, in that the proposed project:

- a) *Is consistent with the Crescent City General Plan's Multi-Family Residential 15-30-du per acre (MF 15-30) land use designation and is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code;*
- b) *Is located in the City of Crescent City, is approximately 0.38 acres, and is located adjacent to existing commercial uses;*
- c) *Is located on a site which has had past disturbances, contains existing development, and is surrounded by paved surfaces containing no habitat for rare, threatened, or endangered species;*
- d) *Is within a developed commercial area that already services commercial use and has a limited potential to result in significant traffic, noise, air quality, or water quality impacts; and*
- e) *Is surrounded by and is already adequately served by utilities and public services.*

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SECTION 9: INTER-DEPARTMENTAL PLANNING REFERRALS

The proposed demolition permit and an 8-unit residential-only development is located on a vacant parcel is a permitted use within the R-3 Zone (CCMC § 17.16.070(A)) requiring review by other City Departments. The Inter-Departmental Planning Referrals were provided (on 04/17/2026) to the other City departments which included the following comments/conditions:

9.1. Police Department: Approved with “No concerns/comments.” (04/17/2026)

9.2. Fire and Rescue: Approved with comments. (04/20/2026)

“The fire department has no setback concerns with the project as depicted in the included plans.

Fire sprinklers contractor will need to confirm that existing fire supply underground piping at 708 J Street project can supply automatic sprinkler system demands for new project at 780 J Street as depicted in this plan. If piping as depicted is not adequate for new project, new piping with fire department connection and backflow prevention device will need to be supplied from J street water main.

Project will conform to applicable California Codes, including Building, Fire, and Automatic Fire Sprinkler Code.

Each unit shall be identified with code compliant numbering visible from the street showing address number and unit letter/number.”

9.3. Building Department: Approved with comments. (04/27/2026)

“Regarding the old Victorian at 780 J Street, I inspected building on 03/19/2026. I found many problems with this property. Porch floors and railings are failing and unsafe. There is exposed electrical wiring in various locations. Ceilings are failing in some areas due to leaks in the roof and evidence of mold throughout. Roofing is in bad condition and obviously contributing to the leaks and mold inside building. Some walls are damaged due to dry rot and open to the outside and not attached to the floor. Some areas of the floors are defecting and soft. I’m concerned that the underflooring framing has been compromised. Plumbing is substandard. The exterior chimney has cracks in the brick and mortar joints and is leaning away from the building. The stairway to the 2nd story is rotted and the railings are rotted and some of the railing is missing. The building has been posted with an unsafe building notice. For fire, life, and safety concerns it is in my opinion that this building should be abated as soon as possible.”

9.4. Public Works Department: Approved with comments. (04/27/2026)

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"Demolition: As Director for the building department, I approve the demolition of all the property as requested. The building has been red-tagged for being an unsafe dwelling. The extent of the damage is extreme, with major structural failures. It also suffers from mold and moisture damage. Currently it is a danger to our community. The buildings removal will prevent unwanted occupation, protecting those that enter into, but also adjourning neighbors from a fire hazard.

8-unit Development: I approve the 8-unit residential project. The Project is requesting no waivers to the standard building codes, setbacks, or parking requirements. They will be required to make right-of-way improvements including sidewalks and ADA ramps as required by the City's municipal code. The project will have to submit and receive approval for building and plan drawings before it will be permitted. The project will have to comply with storm water prevention and discharge requirements prior to receiving its certificate of occupancy."

Additionally, City staff have worked closely with the applicant/developer through various meetings and correspondence.

9.5. REQUIRED FINDING BY THE COMMISSION:

The proposed project is to be subject to the Conditions of Approval found in Attachment B.



Office of the City Attorney

Martha D. Rice, City Attorney
City of Crescent City
377 J Street
Crescent City, CA 95531

707.464.7483 ext. 11
mrice@crescentcity.org

LEGAL MEMORANDUM

TO: City Staff and Planning Consultants
FR: Martha D. Rice, City Attorney
DT: April 6, 2026
RE: 780 J Street Demolition Permit Issuance - - Historic Property Limitations

I. SUMMARY

Question: Are there any limitations on the City issuing a demolition permit for a 100+ year old residential building located at 780 J Street (R-3 Zone)?

Answer: Yes. Pursuant to the Crescent City Municipal Code, the demolition of structures 45 years or older within the R-3 Zone must go to the planning commission for review of the potential for impact upon a site listed on the National Historic Register or a site of local historical significance. In conjunction with this review, a CEQA determination must also be made.

II. BACKGROUND

The new owner of 780 J Street recently inquired about obtaining a demolition permit for the residence and appurtenant structures located thereon. Due to the age of the residential structure, which was reportedly built in 1883, the question arose as to what if any restrictions, limitations, analyses or procedures are required prior to issuing the demolition permit.

It is worth noting that the two-story residence has suffered from severe neglect for an extended period of time while under the title of prior owners. Extensive dry rot, mold, rodent infestation and water damage have been found throughout the building. The City Building Official has issued a Red Tag on the property due to the substandard and dangerous conditions of the building. An evaluation from a civil engineer found that more than 50 percent of the building elements would need to be removed and replaced in addition to upgrading the foundation itself to make the building code compliant.

The Fire Chief also recently inspected the property and noted that due to its extremely dilapidated condition, the building is unsafe and presents a danger to the community as an “attractive nuisance” and to fire department personnel should they need to attempt an attack on a fire or rescue potential victims within the structure.

III. LEGAL FRAMEWORK

A. California Building Code

California Code of Regulations Title 25 Section 16 requires written construction permits from enforcing agencies before erecting, constructing, altering, repairing, moving, or demolishing buildings. The California Building Code sets forth the required documents and information to be submitted with applications for building permits. CBC 105.3. The City’s building official is then required to issue the building permit if the proposed work conforms to the requirements of the Building Code and local ordinances. Thus, under the Building Code, the issuance of a demolition permit is ministerial and not subject to CEQA. Local agencies are allowed to adopt additional requirements for development beyond what is required in the Building Code.

B. Crescent City Municipal Code (CCMC)

The City has not adopted any local ordinances related to the issuance of building permits. The City does, however, regulate land use and development through Title 17, Zoning (“Zoning Code”). CCMC Section 17.16.070 (R-3 General provisions) states that “all development within the R-3 district shall be subject to the following general provisions: A. Site Plan and Architectural Design Review. Subject to the provisions of Chapter 17.46.” The review standards in Section 17.46.035 state:

“Where a structure(s) forty-five years or older is proposed for remodel or demolition, **a review of the potential for impact upon** a site listed on the National Historical Register or **a site of local historical significance shall be made and considered in the architectural review decision**. It is the goal of the city general plan to encourage property owners and other land managers to preserve or rehabilitate important historical and cultural sites rather than destroying them.”

A review of the potential for impact upon a site listed on the National Historical Register or a site of local historical significance is a task assigned to the Planning Commission by CCMC 17.46.035. The Planning Commission will need to determine if the site meets either of the following criteria.

1. Is the structure listed on the National Historic Register? *No, the structure is not listed on the National Historic Register.*

2. Is the structure one of local historical significance? *The answer to this question requires the Planning Commission to exercise its independent judgment based on the evidence presented to them at the public hearing. The CCMC does not define what constitutes a "site of local historical significance."*

i. Local Ordinance or Resolution

The structure is not listed on any local historical register, list, or survey. Neither the City nor the County have created or maintained a local registry, list or survey of sites of local historical significance.

ii. California Historical Building Code

The California Historical Building Code (CHBC) applies to a "qualified historical building or property" located within the jurisdictional limits of the City. The purpose of the CHBC is to provide alternative building standards for qualified properties to support their preservation while also ensuring safety and accessibility. A "qualified historical building or property" is defined by Ch. 8-2 as "[a]ny building site, object, place, location, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. This shall include historical buildings or properties on, or determined eligible for, national state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks."

An analysis of the application of this definition to the site requires breaking it down into multiple parts.

1. Is the structure a "building site, object, place, location, district or collection of structures"? Yes.
2. Has the structure been "deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction"? *To answer this question, we determine if the site qualifies under 2.a. or 2.b. below.*
 - a. Is the structure a historical building on, or determined eligible for, national state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest"? No.

Note: A site is determined “eligible for listing” if it has been nominated for inclusion but cannot be listed solely because of the owner’s objection. (See Public Resources Code § 5024.1.)

- b. Is the structure a historical building on a city or county register, inventory or survey of historical or architecturally significant sites, places or landmarks”? No.

The residential building is not listed on nor has it been determined eligible for inclusion on a national, state, or local historical register or inventory, nor is it included on a city or county register, inventory or survey of historical or architecturally significant sites, places or landmarks. Because the building is not a “qualified historical building or property” as defined by the CHBC, it is not subject to the California Historical Building Code.

C. CEQA Historical Resource Analysis

The California Environmental Quality Act (“CEQA” codified in Division 13 of the California Public Resources Code) requires that projects subject to discretionary approval by a local or state government comply with the Act. Ministerial actions are not subject to CEQA. Because the planning commission must decide whether the site is of local historical significance, the architectural review is a discretionary action under CEQA.

CEQA has its own historical resource impact analysis. Public Resources Code Section 21084.1 states that a project which may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

Because the CEQA historical resource analysis is the only clearly applicable analysis to the proposed demolition, using the same criteria for the determination of potential impacts to a site of local historical significance under 17.46.035 creates legal consistency and established criteria upon which to evaluate a potential historical resource.

The first question under CEQA: Is this structure a historical resource under Public Resources Code § 21084.1 and 14 CCR § 15064.5? There are several parts to question, broken down as follows.

1. Is the building a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources? (A property is determined “eligible for listing” if it has been nominated for inclusion but cannot be listed solely because of the owner’s objection. PRC § 5024.1.) No.

2. Is building included in a local register of historical resources adopted by local resolution or ordinance (PRC § 5020.1(k))? No.
3. Is this building deemed significant pursuant to criteria set forth in Public Resources Code Section 5024.1(g) (listed in an historical resource survey)? No.

If a building qualifies under any of the above three criteria, it is presumptively a historical resource. The presumption may be rebutted if a preponderance of the evidence demonstrates that it is not historically or culturally significant.

None of the buildings or structures located at 780 J Street qualify as a presumptive historical resource under Public Resources Code Section 21084.1. The last criterion on which to evaluate the historical value of the building is not presumptive and it requires subjective analysis and review.

4. Is the building a local historical resource as defined in Public Resources Code Section 5020.1(j), which states that a “local historical resource” includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California?¹ The implementing regulations state that a resource shall be considered “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (14 CCR 15064.5; PRC § 5024.1; 14 CCR § 4852) including the following:
 - a. It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States; or
 - b. It is associated with the lives of persons important to local, California, or national history; or
 - c. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
 - d. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

¹ This analysis may be assisted with the work of a Historic Preservation consultant, a qualified professional who identifies and evaluates historical, architectural, and cultural resources.

Additionally, the building must have maintained its integrity – “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” 14 CCR 4852(c). In other words, has the building retained enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance? Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association. 14 CCR § 4852(c). If the building has not retained sufficient integrity, then the structure may be determined to not be a historical resource.

After a determination has been made as to whether the building constitutes a local historical resource, then a CEQA analysis must be conducted beginning with applicable statutory or categorical exemptions, such as Class 1 – Existing Facilities and Class 32 – Infill Development. If one or more exemptions are found to apply to the project, then the planning commission must decide if an exception applies to the exemption. This is where the historical resource analysis under CEQA applies. The CEQA Guidelines state that a categorical exemption shall not apply to a project which may cause a substantial adverse change in the significance of a historical resource. 14 CCR § 15300.2(f). “Substantial adverse change in the significance of a historical resource” is defined by the implementing regulations to mean the “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be impaired.” 14 CCR § 15064.5.

If the building is determined to not be a local historical resource, then the demolition of the building will not cause a substantial adverse change in the significance of a historical resource, and the adverse impact to a historical resource exception would not preclude the use of any applicable categorical exemption.

If the site is determined to be a local historical resource, then the proposed demolition must be reviewed and either a (1) negative declaration (or mitigated negative declaration) or (2) an environmental impact report (EIR) prepared prior to project approval.

IV. RECOMMENDATION

Sections 17.16.070 and 17.46.035 of the Crescent City Municipal Code require the Planning Commission to review the proposed demolition of a structure that is 45 years or older and located in the R-3 Zoning District for potential impacts to a site of “local historic significance.” The only applicable legal analysis regarding historical sites in this situation is that contained in the California Environmental Quality Act for historical resources (PRC § 21084.1). It is my recommendation that the Planning Commission evaluate the site for local historic significance under PRC § 21084.1. Subsequently, the

CEQA analysis must be completed. Under the CCMC, a demolition permit may not be issued for 780 J Street without an architectural review before the Planning Commission, the purpose of which would be to determine if the proposed demolition will impact a site of local historic significance under the CCMC and subsequently reviewed under CEQA.

CITY OF CRESCENT CITY
PLANNING COMMISSION & ARCHITECTURAL REVIEW COMMITTEE

Commission Members: Ray Walp, Chairperson * Kristine DeCossio, Vice-Chair
* Shawna Hyatt * Debra Perius * Paul Martinez



Incorporated April 13, 1854

web: www.crescentcity.org

MINUTES - REGULAR PLANNING COMMISSION MEETING

Thursday, May 14, 2026, at 5:30 P.M.

Wastewater Treatment Plant (WWTP), 210 Battery Street, Crescent City, CA 95531

PART I – CALL TO ORDER & ROLL CALL

Chair Walp called the meeting to order at 5:30pm

Commissioners present: Chairman Ray Walp, Vice Chair Kris DeCossio, Commissioner Shawna Hyatt, Commissioner Debra Perius, Commissioner Paul Martinez

Staff present: City Manager Eric Wier, City Attorney Martha Rice, Public Works Director Dave Yeager, Contract Planner Ethan Lawton, and Community Development Specialist Heather Welton

PART II - PUBLIC COMMENT PERIOD

Doug Dye, County resident-provided a transcript to the clerk to give to the commission and held a card up that said inevitable. He spoke about the Downtown Specific Plan, he said the inevitable is forgotten. He spoke about housing, state density and natural disasters. He said the town has been sold out and he commends commissioners to push back on the density.

Chair Walp stated he thinks the City Council is where those comments should be brought up.

Arianna, County resident- said she grew up here and her family is here. She said she has gone back and forth on if staying here is realistic. She has started noticing positive changes. She likes the way the City is headed. She said she follows some social media pages and notices a handful of the same residents speaking negatively. She loves this area and wants to raise a family here.

Cate Classen, County resident- asked the commission to focus on rural development versus tourism. She said she would like to see the community invest instead of writing grants for low-income housing. She recommends going out and finding more small businesses. She thinks tourism will create an urban environment with no real jobs. She regrets a recent social media post she made. She thinks we need trade schools and training. She spoke about state mandates. She wants everyone to be in prosperity.

Chair Walp said there is a grant program that is for people who want to start small businesses. And the process is underway.

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PART III - APPROVAL OF MINUTES:

October 16, 2025, February 12, 2026, and April 9, 2026 minutes.

There was no public comment.

On a motion by Chair Walp, seconded by Commissioner Martinez, and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee approved the October 16, 2025, February 12, 2026, and April 9, 2026 meeting minutes as presented with the clerical change of demonic acid to domoic acid in the public comments of February 12, 2026 minutes and Chair Shamblin changed to Chair Walp in adjournment section in the February 12, 2026 minutes.

PART IV - AGENDA ITEMS:

1.A Public Hearing to consider a Mural Architectural Review (Application AR26-04) for Dirt & Glitter's proposed seven murals on electrical boxes located at H Street between Front and 2nd street (APN 118-070-026), G Street between Front and 2nd Street (APN 118-060-020), 4th and E Street (APN 118-130-009), Front and G Street (APN 118-020-031), Transit Center parking lot facing Mason Mall (APN 118-070-025).

Planner Lawton gave a brief presentation. He said there are seven murals in five locations. He showed renderings of the murals. He showed a map of the areas where the public notices went out. He said a coastal development permit is not required because the murals are not considered development. He went over the standards for architectural review.

The following residents addressed the commission:

Cate Classen, County resident- *said she went to art school and wants to know if some of our local artists or school art classes are involved. She also recommended an art contest.*

On a motion by Commissioner Martinez, seconded by Commissioner Perius, and carried on a 5-0 polled vote, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2026-08, A Resolution of the Planning Commission of the City of Crescent City approving a Mural Architectural Review (Application AR26-04) granting Dirt & Glitter's proposed seven murals.

2.A Public Hearing to consider a Mural Architectural Review (Application AR26-05) for Lezlie Duncan's proposed two murals, located at 983 3rd Street (APN 118-070-023) and 1080 Mason Mall (APN 118-070-021).

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Commissioner Martinez recused himself due to a conflict of interest and left the room during the discussion of the item.

Planner Lawton gave brief presentation. He showed the locations and the proposed murals and went over the standards for the architectural review.

The murals were discussed on a commission level.

The following residents addressed the commission:

Name not mentioned- *Asked if the high school was doing murals and if that will mesh.*

On a motion by Vice Chair DeCossio, seconded by Chair Walp, and carried on a 4 -0 polled vote, with Commissioner Martinez recusing himself, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2026-09, A Resolution of the Planning Commission of the City of Crescent City approving a Mural Architectural Review (Application AR26-05) granting Lezlie Duncan's proposed two murals.

3. A Public Hearing to consider a Major Site Plan & Architectural Review (Application AR26-06) for Sam Schauerma's proposed demolition permit and an 8-unit residential-only development located at 780 J Street (APN 118-240-027).

Commissioner Hyatt recused herself for living within 500 feet of AR26-06.

Planner Lawton gave a power point presentation. He wanted to clarify that this is not affordable housing, there are no waivers associated with this project.

Chair Walp stated he would like to have a separate public comment after the demolition portion is discussed.

Planner Lawton stated this is for a demo permit and major architectural review for the 8 units. The demo is for an existing single-family residence. He showed a map of the areas the public notices went to. He said it is not listed on the historic registry and is potentially not of historic significance and spoke about the disrepair the building is in.

The following residents addressed the commission:

Cate Classen, County resident- *asked if the materials coming out of the building can be recovered.*

Joyce Tupy, City resident- *said the house is the original Flynn house and it's all intact. She said all that's wrong is the fireplace and some of the wiring and plumbing need to be fixed. She is against the demo. She showed a photo of a previously approved project by the same developer and how the approval photo and actual photo of the*

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development are different, she said she's lost her trust in him due to that. She asked if the house can be moved.

Adrienne McAndrews, City resident- Is against the demolition of the house, she said yes, it has a red tag, but she has seen homes with red tags fixed. She truly believes it can be fixed.

Joyce Tupy, City resident- spoke again and talked about pricing.

Angel Verdugo, County resident- said she is a local realtor. She said if the units are built, she will be the rental representative. She said she was the realtor that sold it and that it was in a state of blight. And truckloads of garbage were taken out and the house smells like urine. She said even after it was cleaned people were squatting in it. She thinks a development that is well maintained will be helpful to the community rather than an unsafe vacant property. She said it was red tagged for a reason.

Jody Magnum, City resident- said there are no Victorian houses in the registry. She said the development looks like it's going to be large multi-story buildings. She said there is no doubt the house cannot be fixed up. She spoke about the 708 J plans.

Ward Stover, County resident- said he is the engineer for the applicant. He said the issue is the demo of a building that cannot be feasibly reconstructed. He said it is demolition by neglect. He said what would be helpful is to share the photos that are in the staff report.

A five-minute recess was called at 6:37pm.

Meeting started back at 6:42pm.

Photos were shown from the staff report.

Applicant Sam Shcauerman said the Zillow pictures are well before he took the house over. He said the house is completely dilapidated. He said before he even purchased it he did his due diligence. He said he understood the concerns. He said some of the parts of the house that are in good condition will be removed and given to another contractor. And there was a lot of unpermitted work that was done incorrectly, there is asbestos there and you cannot safely walk up the stairs due to the state of the house. And feasibly the house is unable to be moved.

Chair Walp said he has the oldest house in Crescent City. He said it cost two hundred thousand dollars to make it livable. He said he thinks Sam is doing us all a favor and the Victorian house is not a safe building.

Commissioner Martinez said he trusts the reports given by the Fire Chief and Ward Stover, he also appreciates that Sam is removing some of building materials that can be saved. He said he truly understands the opposition.

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Shawna Hyatt, City resident- said it sounds like the commission is on board with approving, she said she has witnessed lots of homeless activity and camps at the Victorian house. She said it is time to get rid of it, it has been an eyesore and will help property value.

Doug Dye, County resident- said he has been here for 8 years, and he has noticed these new developments popping up all over. His complaint is they all look the same. He said all these new developments have no green space. He said he is neutral on the demo, and it should come down.

Consensus from the commission was to approve the demo.

Planner Lawton continued his presentation. He went over the required criteria for environmental determination. Interdepartmental planning referrals were sent out and all departments approved, some with comments.

The following residents addressed the commission:

Cate Classen, County resident- said when designing green space can they make it bird and bee friendly. She said it would be nice if they kept the craftsman architecture style.

Doug Dye, County resident- his complaints are the cookie cutter style of the developments Sam does.

Applicant Sam Schauerma said the plans are considered modern craftsmans. He said he wanted the developments to be cohesive. He spoke about the market rate; he spoke about the water and sewer connections fees that he's paid as well as the permit and school mitigation fees.

Drainage on the lot was discussed on a commission level.

Robert Tupy, City resident- thinks the current development is a monstrosity. And he thinks it will have a negative effect; he fears parking will be bad.

Angel Verdugo, County resident- said there are some horribly maintained apartments in town. She said these homes will be beautifully maintained; the property management company has high standards. She said a lot of people prefer renting rather than purchasing homes. And that people want to live in a high-end unit and its good to have a variety of high end and low end units in the community. She does not think these homes are cookie cutter.

Applicant Sam Schauerma, said he makes sure in the leases that the frontage of the homes cannot have items, no trash cans, bikes etc. He said it will be maintained and landscaped.

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708 J Street and 780 J Street's architectural rendering were discussed by the applicant and a resident at the podium.

Adrienne McAndrews, City resident- said the commission stated there will be no traffic impact and now more units will be added. She said there will be added traffic and parking.

Jody Magnum, City resident- she said she is happy Sam is not building max density. She spoke about the Wastewater Treatment Plant and about the clams and the domoic acid. She spoke about the monarch bush near the Wastewater Treatment Plant and it should be saved. She said some people can have a control burn with the fire department.

Andrea Borges, County resident- said she is a local realtor. She said she wanted to come and touch bases on the fire situation and that was her suggestion for a controlled burn of the location.

On a motion by Commissioner Perius, seconded by Commissioner Martinez, and carried on a 4 -0 polled vote, with Commissioner Hyatt recusing herself, the Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2026-10, A Resolution of the Planning Commission of the City of Crescent City approving a Major Site Plan & Architectural Review (Application AR26-06) granting Sam Schauerma's proposed demolition permit and 8-unit residential-only development.

Chair Walp added the comment that he hates to see what should be a historic house torn down, in this case he is 100% for taking it down. He said the historic society is very hard to get into. He said to be historic it needs to be restored as it was when it was built.

PART V – STAFF UPDATES TO PLANNING COMMISSION

Planner Lawton- said he has two noteworthy items. One is a zoning ordinance application to amend the sign ordinance to allow led lights at schools. Second is the City Council has directed staff to look into short term rentals and there will be an update by Community Development Director Bob Brown at a future council meeting. He said the next Planning Commission meeting is June 11, 2026 depending on where the sign ordinance draft is. Otherwise, it might be cancelled and postponed to July.

City Manager Wier- said the city has been busy with budgets. He said there will be budget workshops in the coming weeks. He invited the community and commission. He said Tidewater contractors were awarded the contract for the next phase of Beachfront Park and Front Street. He said the Chamber of Commerce has moved locations to the Mason Mall and the 4th of July parade route has been changed due to the closure of some of the normal routes for construction. He spoke about the new basket pattern stones that were placed in front of the Cultural Center. He said there will be future public meeting on the Downtown Master Plan and there will be future discussion on architectural standards.