

CITY OF CRESCENT CITY PLANNING COMMISSION AND 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

AGENDA - REGULAR MEETING

Thursday, February 8, 2024, at 5:30 p.m.

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

ZOOM: Phone: 1-253-215-8782; ID: 894 6983 5027; Password: 505965

PART I – CALL TO ORDER & ROLL CALL

PART II - PUBLIC COMMENT PERIOD

The public may address the Planning Commission on any item of interest that is within the Commission's subject matter jurisdiction or that appears on the agenda. Due to the Brown Act, the Commission is not able to discuss extensively or act on any items that do not appear on the agenda. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. All comments shall be directed toward the entire Planning Commission. Any comments that are not at the podium are out of order and will not be a part of the public record. After receiving recognition by the Chairperson, please state your name and city or county residency for the record. Public comment is limited to three (3) minutes or other reasonable limitations specified by the Chairperson (Gov't Code §54954.3(b)).

PART III - APPROVAL OF MINUTES: January 11, 2024

PART IV - AGENDA ITEMS:

- 1. A Public Hearing to consider a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002).**
Recommendation: Adopt Resolution No. PC2024-04, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Rezoning Request, a Zoning Map Amendment, and a General Plan Map Amendment for a for a 40-unit residential-only development.
- 2. A Public Hearing to consider a Conditional Use Permit (Application UP23-08) and a Site Plan & Architectural Design Review (Application AR23-18) for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002).**
Recommendation: Adopt Resolution No. PC2024-05, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Conditional Use Permits and a Site Plan & Architectural Design Review for a 40-unit residential-only development.
- 3. A Public Hearing to consider a requested Consolidated-Coastal Development Permit for NorthPoint Consulting's proposed Crab Processing Facility expansion located at 250**

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

Citizen's Dock Road (APN 118-020-029).

Recommendation: Adopt Resolution No. PC2024-06, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a request for a consolidated Coastal Development Permit for commercial structure expansion.

4. Discussion on revisions to the Density Bonus Ordinance (Chapter 17.48.030), City Wide.

Recommendation: Provide direction to Staff.

PART V – STAFF UPDATES TO PLANNING COMMISSION

PART VI – ADJOURNMENT: to 5:30 pm Thursday, February 22, 2024

POSTED on February 5, 2024 by Heather Welton, Community Development Specialist. A full agenda packet may be reviewed at City Hall, 377 J Street, Crescent City, CA or on our website: www.crescentcity.org.

THE PUBLIC IS INVITED TO PARTICIPATE IN THE FOLLOWING MANNER:

- **In-Person:** a 3-minute public comment at the podium will be allowed.
- **Remotely:** via Zoom, additional information and instructions will be posted the City's website: www.crescentcity.org. However, the City does not guarantee that there will not be technological issues/interruptions, in which case the meeting will continue in person.
- **In-Writing:** prior to 12:00 PM the day of the meeting, via publiccomment@crescentcity.org or by filing with the City Clerk at 377 J Street, Crescent City, CA, 95531. Written public comments will be forwarded to the Planning Commission, posted on the website, and will not be read aloud during the meeting.

If you have any questions about this agenda, please contact:
Ethan Lawton, Contract City Planner, at elawton@shn-engr.com.

If you need any accommodations for the meeting, please contact:
the City Clerk's office at (707)464-7483, ext. 223 at least 48 hours prior to the meeting.
For TTYDD use for speech and hearing impaired, please dial 711.

Vision: The City of Crescent City will continue to stand the test of time and promote quality of life and community pride for our residents, businesses and visitors through leadership, diversity, and teamwork.

Mission: The purpose of our city is to promote a high quality of life, leadership and services to the residents, businesses, and visitors we serve. The City is dedicated to providing the most efficient, innovative and economically sound municipal services building on our diverse history, culture and unique natural resources.

Values: Accountability, Honesty & Integrity, Excellent Customer Service, Effective & Active Communication, Teamwork, and Fiscally Responsible



**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).**

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.

2. A Public Hearing to consider a Site Plan & Architectural Design Review (Application AR23-15) and a Parking Waiver Request (Application PWR23-03) for VMI Architecture's proposed remodel of Taco Bell, located at located at 370 M Street (APN 118-110-010).

Ethan Lawton gave slideshow presentation. He said what's being proposed is exterior and interior remodel for Taco Bell. He said he wanted to correct the staff report, the staff report said there is no change to the footprint of the building but there will be 32 sqft expansion. Staff is recommending approval. He said its consistent with the general plan, its consistent with the zoning if a parking waiver is granted. The parking waiver is for five off street parking requirements. The project is exempt from CEQA.

Applicant Phillip Moss said the current site had several constraints and they reanalyzed the site and came up with the idea that the biggest problem was the drive thru backing up into the street. He said the menu board will be towards the back of the building and there will be two drive thru windows. He said the whole inside is getting gutted, he said if they had to tear it down, they would not be able to rebuild with the current codes.

Vice Chair Walp asked when construction would start.

Applicant Phillip Moss said it should start in March.

Parking was discussed on a commission level.

Commissioner Tinkler said the proposed project looks better and she's happy with the design and landscaping.

The following residents addressed the commission:

Sonja, City Resident- Stated she's the neighbor of Taco Bell. She is concerned about the hours they are open because employees are there from 6am-4am. She said if they are rebuilding, they should think of the hours of operation and take her hotel into consideration, also their order board speaker is loud for her guests. She said it's become an issue and mentioned the noise ordinance that the City has in place. The drive thru traffic often overflows into her parking lot. She said the employees play music, yell, and smoke outside. She gave written public comment to the Commission as well.

Applicant Phillip Moss said all fast-food restaurants are aware of their speakers and they have variable level speakers, with the new remodel those speakers will be installed and can be adjusted. He said he strongly suggests Sonja who spoke at public comment should contact the owner of Taco Bell to discuss her concerns.

The municipal code regarding noise was discussed on a commission level.

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 adopted resolution No. PC2024-02, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review and a

Parking Waiver Request for a commercial remodel.

3. A Public Hearing to consider a REVISED Signs Ordinance (CCMC Chapter 17.39), City-wide.

Ethan said there was one change that was added since they last met, and it was the language on item 1.

There was no public comment.

On a motion by Commissioner DeCossio, seconded by Vice Chair Wendt and carried unanimously on a 4-0 polled vote, with Commissioner Shamblin absent, the City of Crescent City Planning Commission and Architectural Review Committee adopted Resolution No. PC2024-03, read by title only, A Resolution of the Planning Commission of the City of Crescent City Recommending the City Council to adopt the recommended revisions to the Signs Ordinance Chapter 17.39 of the City's Municipal Code.

V. STAFF UPDATES TO PLANNING COMMISSION:

Ethan Lawton gave a planning report, he said the next meeting is February 8th and there will be a request to rezone and amend the general plan for a multi-family development for 40 units at 1405 California.

Director Yeager gave an update on the 911 Pacific remodel.

Section 8 was discussed on a commission level.

Rezoning downtown was discussed on a commission level.

Ethan said there will be two more items at next months meeting, one is a request for a coastal development permit for a crab processing facility and revising the density bonus ordinance.

VI. ADJOURNMENT:

There being no further business to come before the Commission, Chairman Walp adjourned to the regular meeting at 8:44pm of the City of Crescent City Planning Commission and Architectural Design Review Committee scheduled for Thursday, February 8, 2024 at 5:30 p.m. in the Wastewater Treatment Plant (WWTP), 210 Battery Street, Crescent City, CA 95531.

ATTEST:

Heather Welton
Community Development Specialist

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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #1**



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT

MEETING DATE: Thursday, February 8, 2024

TO: Planning Commission

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

SUBJECT: A Public Hearing to consider a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002).

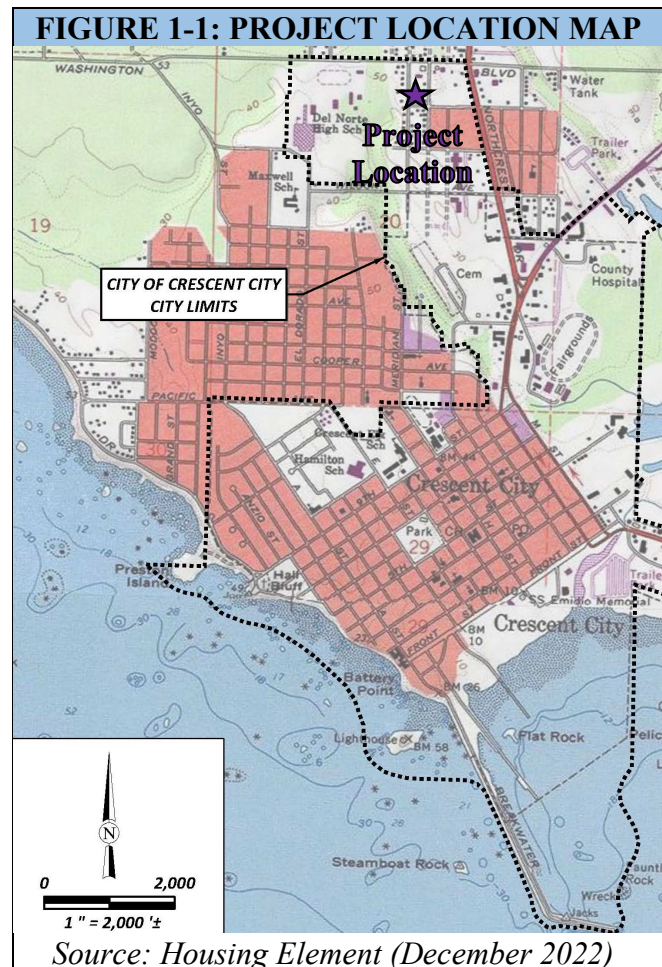
SECTION 1: EXECUTIVE SUMMARY

Sam Schauerma has submitted a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002).

STAFF RECOMMENDS: "Motion to adopt Resolution No. PC2024-04, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Rezoning Request, a Zoning Map Amendment, and a General Plan Map Amendment for a 40-unit residential-only development.

ATTACHMENTS:

- A) RZ23-01/ZA23-01/GPA23-02 Application
- B) Resolution PC2024-04

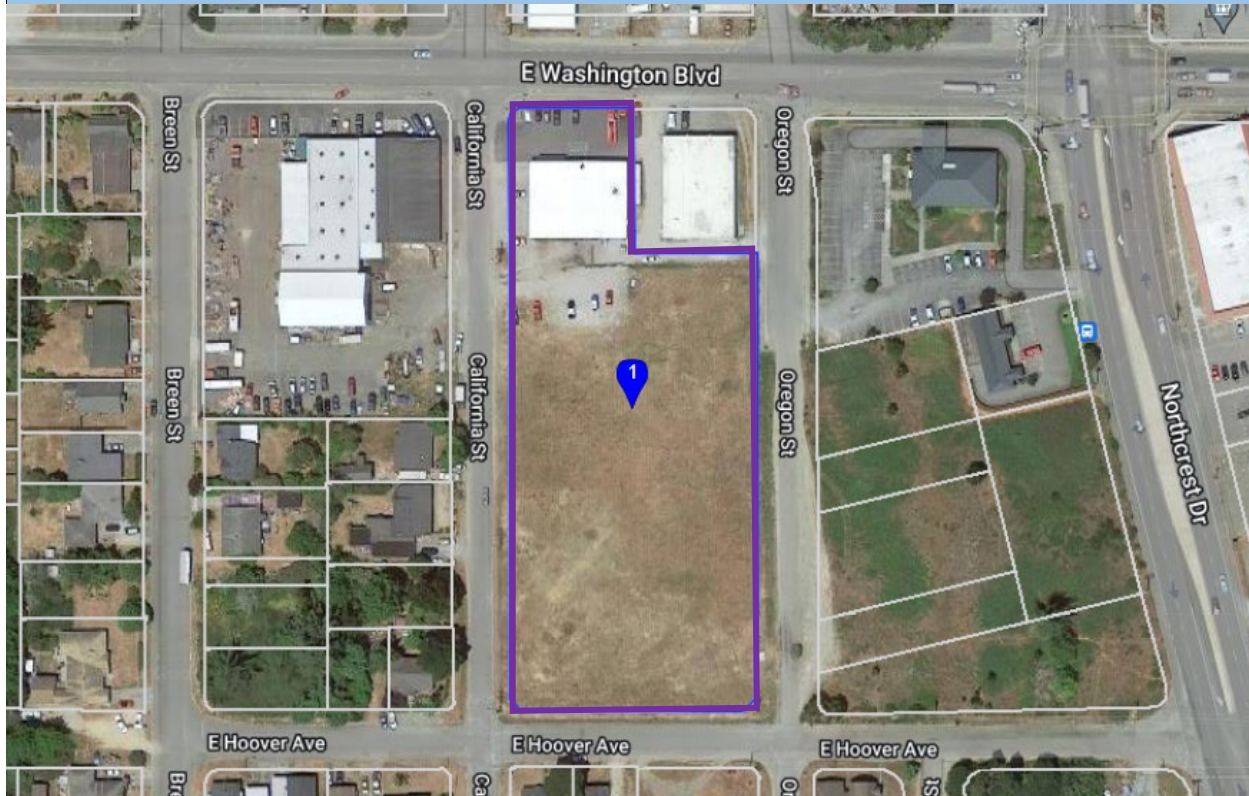


SECTION 2: BACKGROUND INFORMATION

The proposed project parcel is partially developed with a 7050 square foot (sf) commercial building and is in the process of developing Phase 1 of the project, which consists of 16 residential units.

ADDRESS:	APN:	PARCEL SIZE:	PROJECT SIZE:
1405 California Street Crescent City, CA 95531	118-403-002-000	±2.78 acres ±121,097 sf	2.34 acres 101,930 sf

FIGURE 2-1: PROJECT PARCEL



Source: Parcel Quest (January 2024)

NOTICE OF PUBLIC HEARING:

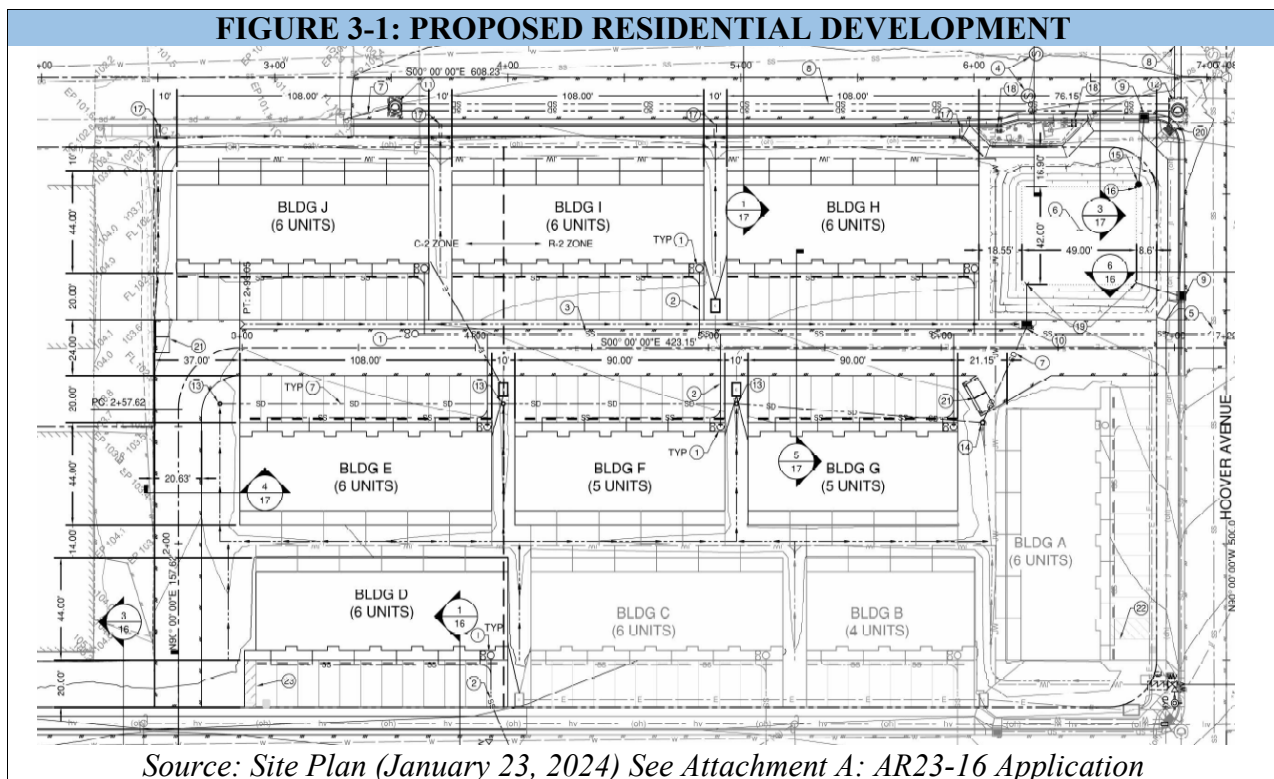
A Notice of Public Hearing was submitted to the Del Norte Triuplicate newspaper (on 01/11/24) to be published (on 01/24/24) in print/online circulation. A similar Notice of Public Hearing was mailed (on 01/22/24) to the property owners within 300-ft of the project location (CCMC §17.46.050) as required (Cal. Gov. Code §65090 & §65094).

REQUIRED FINDING #1 (BY THE COMMISSION):

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

SECTION 3: PROPOSED PROJECT DESCRIPTION

Sam Schauerman has submitted a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002). These requests aim to rezone/amend approximately 2.34 acres from R-2/C-2 (Moderate-Density Residential District/General Commercial District) zoning designation to a R-3 (High-Density Residential District), which would increase the density, allowing for additional housing through the proposed 40-unit residential development. The C-2 portion of the property currently has an existing 7,050 sq. ft commercial building fronting Washington Blvd, which will remain zoned C-2. The portion of the property zoned C-2 is approximately 1.24 acres while the southerly area zoned R-2 is approximately 1.54 acres. The project in total proposes 56 residential units with 36 two-bedroom units and 20 three-bedroom units, including ten buildings (seven in Phase 2 and three buildings from Phase 1).

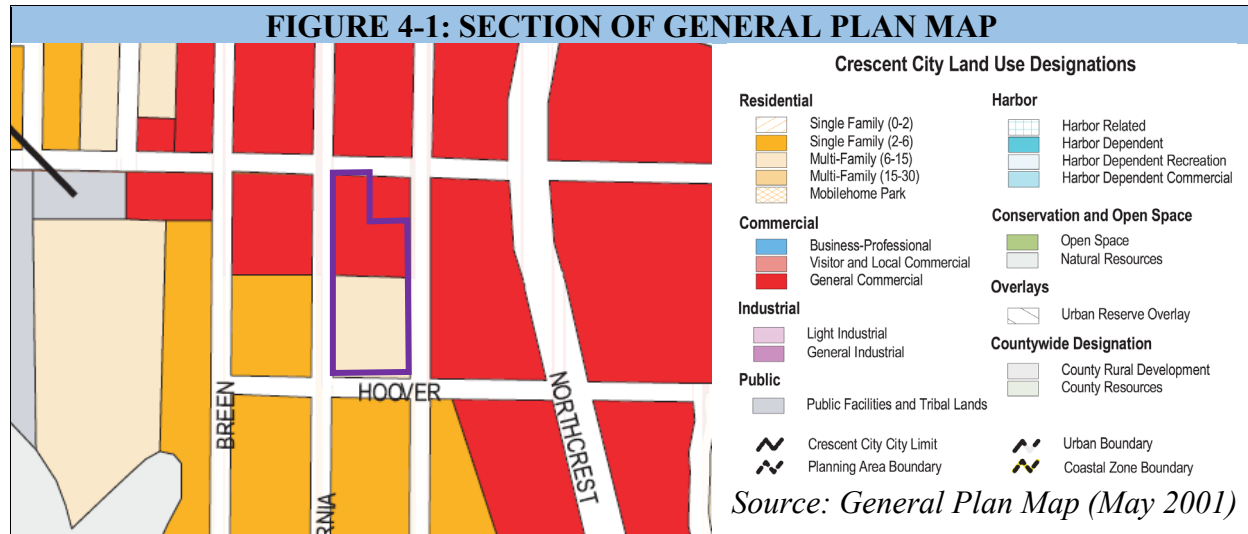


REQUIRED FINDING #2 (BY THE COMMISSION):

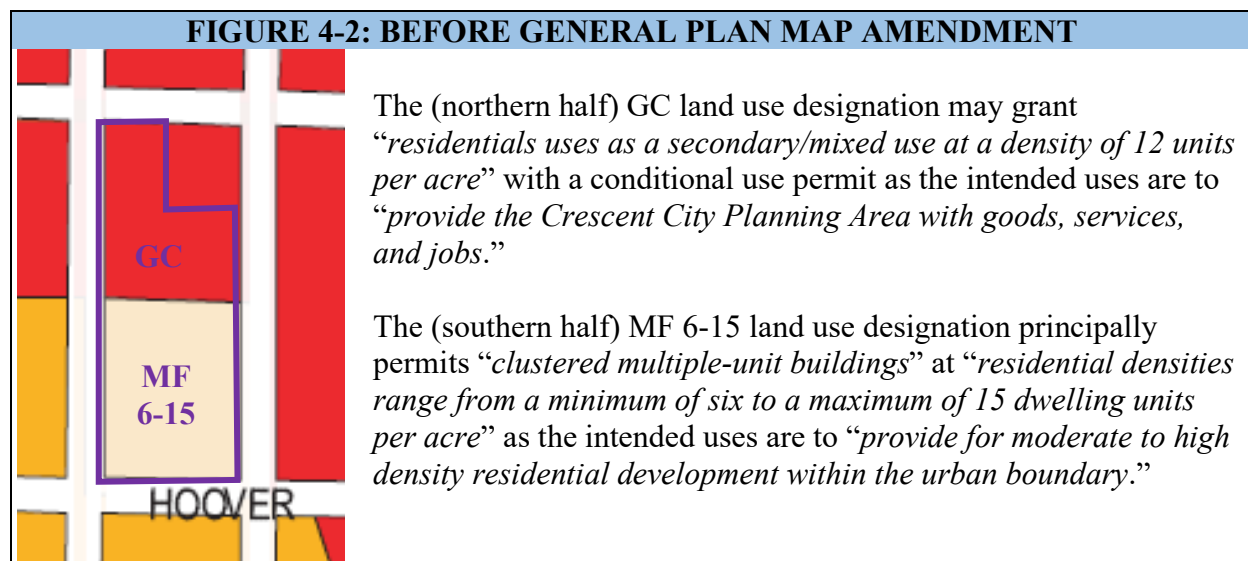
☐ Sam Schauerman has submitted a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002).

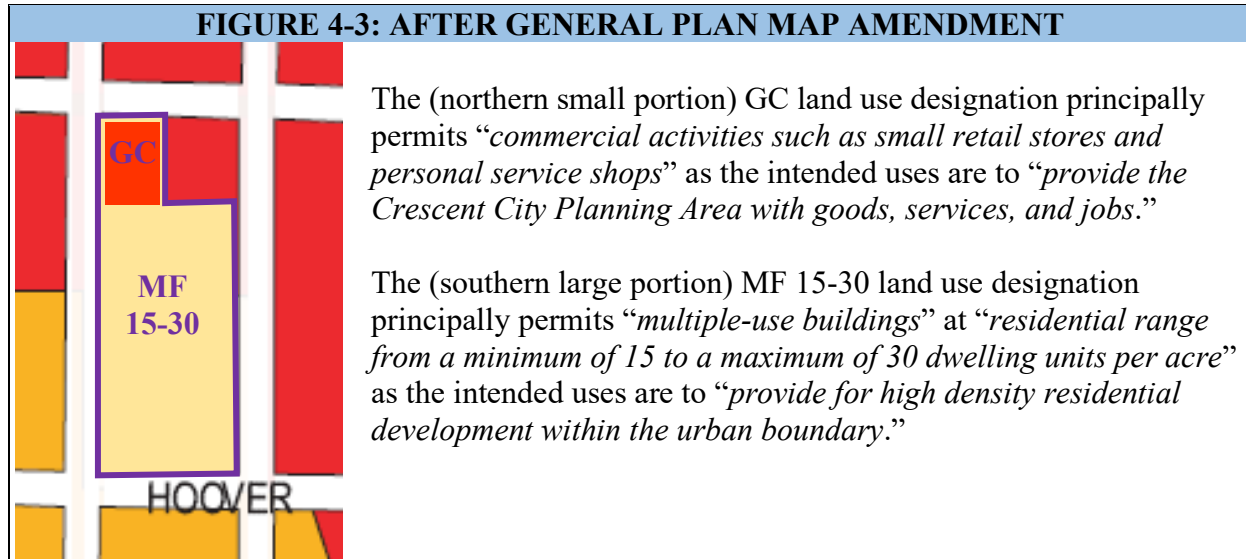
SECTION 4: GENERAL PLAN CONSISTENCY

The proposed 40-unit residential-only development is currently located on a single lot with mixed-designations, the northern portion being General Commercial (GC) and the southern portion being Residential Multi-Family 15-30 (MF 15-30) General Plan (GP) land use designation (See Figure 4-1: Section of General Plan Map).



However, the applicant has submitted a GP Map Amendment (Application GPA23-02) to amend the GP land use designation to become Multi-Family Residential 15-30 (MF 15-30). (See Figure 4-2: Before General Plan Map Amendment and Figure 4-3: After General Plan Map Amendment)





The proposed 40-unit residential-only development is a use consistent with the MF 15-30 GP land use designation and is relatively similar to some of the surrounding uses (See Table 4-1: Comparison of surrounding Properties). Two of the sides are adjacent to GC Designations, providing a transition of CG to MF 15-30 to MF 6-15, which is appropriate for this entire block section with a mixed designation. The parcel has remained mostly vacant for many years and now is proposed for an infill project that provides much needed housing, as identified in the City’s 6th Cycle Housing Element.

TABLE 4-1: COMPARISON OF SURROUNDING PROPERTIES		
Vicinity	Land Use Designation	Current Use
Project Property	General Commercial (G-C) & Multi-Family Residential (MF 6-15)	California Auto Image & (Phase 1) 16-unit Residential
North	General Commercial (G-C) & Del Norte County	Del Norte Unified School District and King of the Grind Boxing Club
South	General Commercial District (G-C) & Residential (SF 2-6)	Single Family Residential
East	General Commercial (G-C)	Uncharted Shores Academy & James C. Standring Family Dentistry
West	Residential (SF 2-6)	Napa Auto Parts & Single Family Residential

SUPPORTING GENERAL PLAN GOALS/POLICIES:

Regarding General Plan Amendment Request:

- Goal 1.L. - “To provide for the on-going administration and implementation of the General Plan.”
- Policy 1.L.1. - “The City shall review the General Plan annually and revise it as deemed necessary.”

- Policy 1.L.2.** - *“The City shall not amend the General Plan more than four times per year. Each amendment, however, may include multiple changes.”*
- Policy 1.L.3.** - *“The City shall conduct a major review of the General Plan, including the General Plan policy document and background report, every five years and revise it as deemed necessary.”*
- Policy 1.L.4.** - *“The City shall review and amend, as necessary, applicable ordinances and regulations to ensure consistency with the General Plan.”*

Regarding the Reasons for the General Plan Amendment Request:

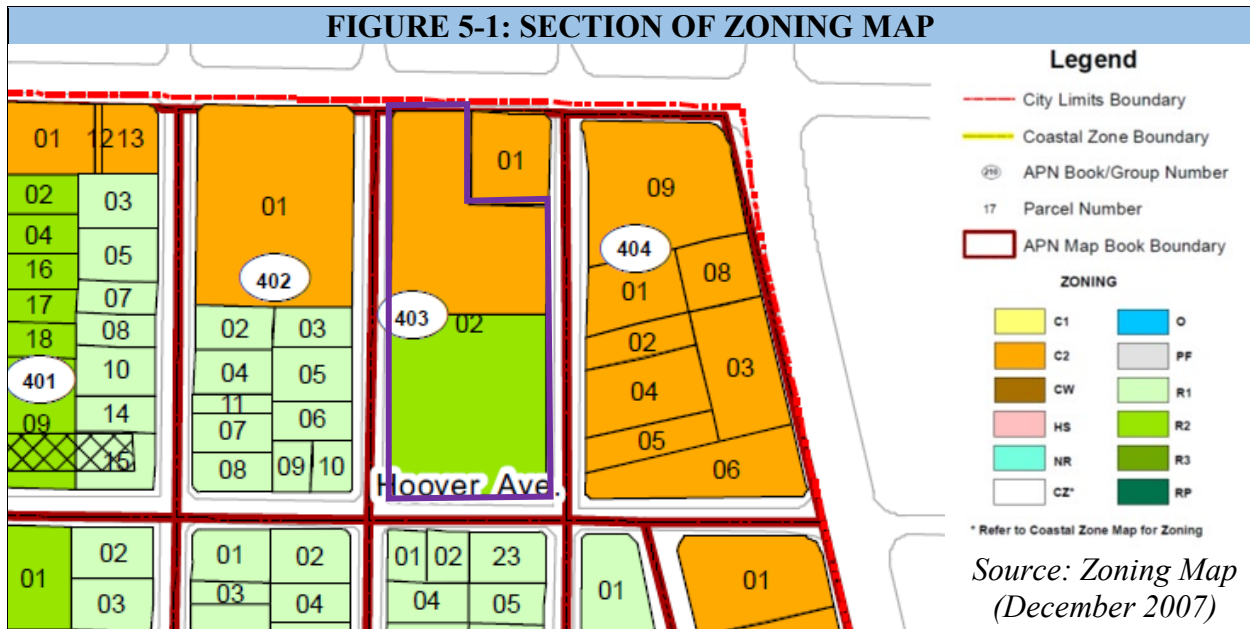
- Policy 1.A.2.** - *“The City shall encourage infill development that makes efficient use of existing public infrastructure and is compatible with existing development.”*
- Policy 1.A.3.** - *“The City shall encourage project sites to be designed to increase the convenience, safety, and comfort of people using public transportation, walking, or cycling.”*
- Goal 1.F** - *“To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Crescent City, while ensuring a high quality of residential development.”*
- Policy 1.F.2.** - *“The City shall ensure that infill development (either new or rehabilitated residential structures) is compatible with the overall established character of residential neighborhoods.”*
- Policy 1.F.3.** - *“The City shall encourage higher residential densities at locations where convenient access and adequate facilities, including parks and open space, are readily available.”*
- Policy 2.A.2.** - *“The City and County will continue to encourage maximization of residential development potential and limit underutilization of land through project design review.”*
- Policy 2.B.9.** - *“The City and County shall continue to monitor housing activity on an annual basis to assess whether their respective needs projections for all income levels are being met by voluntary open market (rather than mandatory inclusion) as they have in the past.”*
- Goal C.** - *“To assist in the development of adequate housing to meet the needs of low/very low and moderate-income households.”*
- Policy 2.D.1.** - *“The City and County shall continue to maintain opportunities for all income groups by use of clustered development to maximize density and minimize land development and/or construction costs.”*
- Policy 4.A.2.** - *“The City shall encourage new development to contribute its fair share to providing all public services and infrastructure necessary to serve that development.”*
- Policy 4.E.5.** - *“The City shall encourage new project designs that minimize drainage concentrations and impervious coverage and maintain, to the extent feasible, natural site drainage conditions.”*

REQUIRED FINDING #3 (BY THE COMMISSION):

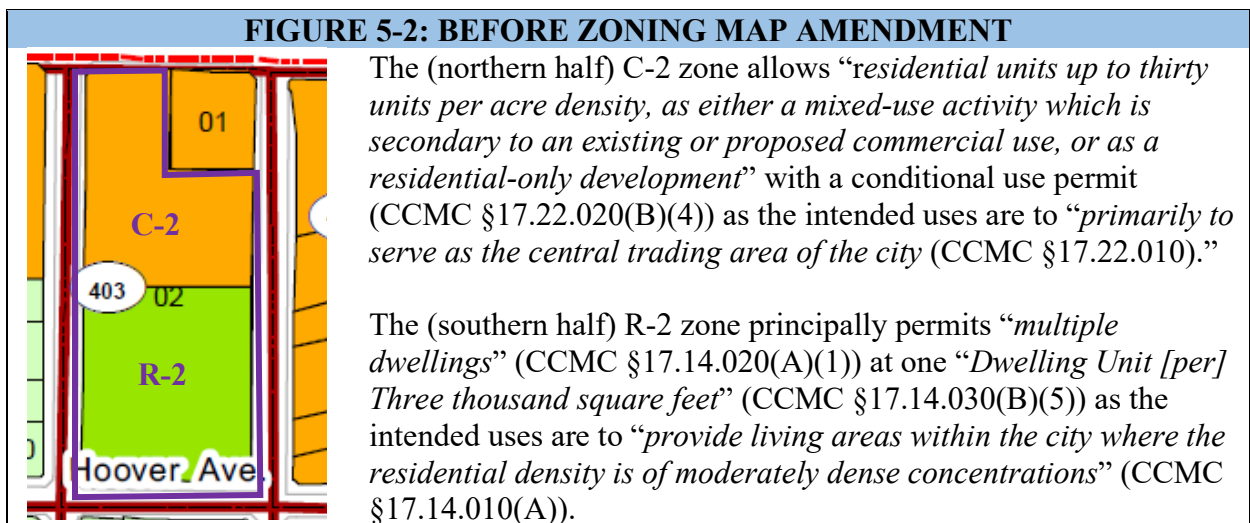
- ☐ The proposed project would be consistent with this revised Crescent City General Plan’s (MF 15-30) land use designation, in that the proposed project:
 - a) *Would be principally permitted as “multiple-use buildings” within the MF 15-30;*
 - b) *“Provide[s] for high density residential development within the urban boundary” within the MF 15-30; and*
 - c) *Is supported by the General Plan goals (1.F, C, G, and 1.L) and policies (1.A.2, 1.A.3, 1.F.2, 1.F.3, 2.A.2, 2.B.9, 2.D.1, 4.A.2, 4.E.5, 1.L.1, 1.L.2, 1.L.3, and 1.L.4).*

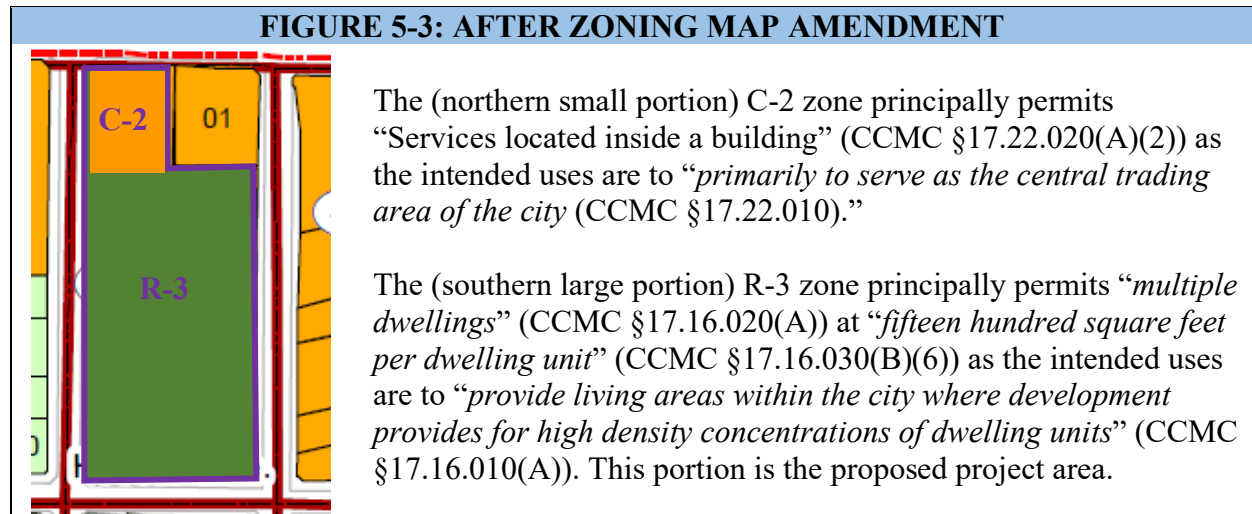
SECTION 5: ZONING CONSISTENCY

The proposed 40-unit residential-only development is currently located on a single lot with mixed-zones, the northern portion being General Commercial District (C-2) and the southern portion being Moderate-Density Residential District (R-2) (See Figure 5-1: Section of Zoning Map). The proposed project is not located within the Coastal Zone and is not appealable to the Coastal Commission.



However, the applicant has submitted a Rezoning Request (Application RZ23-01) and Zoning Map Amendment (Application ZA23-01) to amend the Zoning designation to become High-Density Residential District (R-3). (See Figure 5-2: Before Zoning Map Amendment and Figure 5-3: After Zoning Map Amendment).





ZONING: The proposed 40-unit residential-only development is a use consistent with the R-3 Zoning District and is similar to some of the surrounding uses (See Table 5-1: Comparison of surrounding Properties). Two of the sides are adjacent to C-2 Zoning, which serves to provide a transition of C-2 to R-3 to R-2, which is appropriate for this entire block section with a mixed zoning. The parcel has remained mostly vacant for many years and now is proposed for an infill project that provides much needed housing, as identified in the City’s 6th Cycle Housing Element.

TABLE 5-1: COMPARISON OF SURROUNDING PROPERTIES		
Vicinity	Land Use Designation	Current Use
Project Property	General Commercial District (C-2) & Moderate-Density Residential District	California Auto Image & (Phase 1) 16-unit Residential
North	General Commercial District (C-2) & Del Norte County	Del Norte Unified School District & Commercial
South	Low-Density Residential District (R-1)	Single Family Residential
East	General Commercial District (C-2)	Uncharted Shores Academy & Standring Family Dentistry
West	General Commercial District (C-2) & Low-Density Residential District (R-1)	Napa Auto Parts & Single Family Residential

DEVELOPMENT STANDARDS & PROPOSED PROJECT:

- A. Height and Area Regulations:** All permitted uses within the R-3 Zoning District are subject to height and area regulations and are addressed below (See Table 5-2: Comparison of Height and Area Regulations).

TABLE 5-2: COMPARISON OF HEIGHT AND AREA REGULATIONS		
Zoning District Code	Regulation	Proposed
Height (CCMC §17.16.030(A)(1))	35-ft	27-ft
Front Yard (CCMC §17.16.030(B)(1))	10-ft	20-ft
[Exterior] Side Yard (CCMC §17.16.030(B)(2))	5-ft	20-ft
[Interior] Side Yard (CCMC §17.16.030(B)(2))	5-ft	10-ft
Rear Yard (CCMC §17.16.030(B)(3))	10-ft	10-ft
Lot Area (CCMC §17.16.030(B)(5))	6,000-sf	122,403-sf
Lot Coverage (CCMC §17.16.030(B)(6))	65%	39.2%

B. Parking, Fencing, and Signs: All permitted uses within the R-3 Zoning District are subject to the general requirements regarding Parking (CCMC §17.16.070(A)), Fencing (CCMC §17.16.070(B)), and Signs (CCMC §17.16.070(c)) and are further addressed under Section 6: Site Plan & Architectural Design Review below.

C. Site Plan: All permitted uses within the R-3 Zoning District requires a Site Plan & Architectural Design Review (CCMC §17.16.080) and is further addressed under Section 6: Site Plan & Architectural Design Review below.

REQUIRED FINDING #4 (BY THE COMMISSION):

☐ The proposed amendments are consistent with the Crescent City's High Density Residential District (R-3) Zoning Code, in that:

- a) *The proposed amendments are not located within the Coastal Zone and is not appealable to the Coastal Commission;*
- b) *The proposed uses are consistent with the "multiple dwellings" which is principally permitted within the proposed R-3 zone (CCMC §17.16.020(A));*
- c) *The proposed uses are consistent with the intention to "provide living areas within the city where development provides for high density concentrations of dwelling units" (CCMC §17.16.010(A));*
- d) *The proposed amendments would require all proposed projects within the R-3 Zoning District to be subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.16.030) and CCMC §17.79 requirements.*

SECTION 6: REZONING REQUEST AND ZONING AMENDMENT

The proposed Rezoning Request and Zoning Map Amendment for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed Rezoning Request (Application RZ23-01) and Zoning Map Amendment (Application ZA23-01) (See Attachment A) shall be approved or denied (CCMC §17.02.040), based on the following standards.

The zoning title is adopted to preserve, protect, and promote public health, safety, peace, comfort, convenience, prosperity, and general welfare. More specifically, the title is adopted to achieve the following objectives (CCMC §17.02.010):

A. Guide Physical Development (CCMC §17.02.010(A)):

To provide a specific plan to guide the physical development of the city in such a manner as to achieve progressively the general arrangement of land uses depicted in the general plan.

B. Encourage and Establish (CCMC §17.02.010(B)):

To encourage a wholesome, serviceable, and pleasant living environment and to establish a stability of existing land uses which conform with the objectives, policies, principles, and standards of the general plan.

C. Prevention (CCMC §17.02.010(C)):

To prevent excessive population densities and overcrowding of land with structures.

D. Promote (CCMC §17.02.010(D)):

To promote the safe, effective traffic circulation system, the provision of adequate off-street parking and truck loading facilities and the appropriate location of community facilities.

E. Preserve and Strengthen (CCMC §17.02.010(E)):

To protect and promote properly located commercial and industrial activities in order to preserve and strengthen the city's economic base.

F. Protect and Enhance (CCMC §17.02.010(F)):

To protect and enhance real property values and the city's natural assets.

G. Orderly Development (CCMC §17.02.010(G)):

To provide for the orderly development of new urban expansion that is logical, desirable, and in conformance with the objectives and policies of the general plan.

If, in accordance with the provisions of this title and state statutes, changes are made in the district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the city council (CCMC §17.08.040).

Upon completion of the redrafting of the map, the planning director shall, with their signature, file said map with the city council and the city clerk which will then constitute the official zoning map of the city (CCMC §17.08.040).

REQUIRED FINDING #5 (BY THE COMMISSION):

- ☐ The proposed Rezoning Request and Zoning Amendment satisfies the objectives (CCMC §17.02.010), in that the amendments:
- a) *Provides a specific plan to guide the physical development of the city in such a manner as to achieve progressively the general arrangement of land uses depicted in the general plan (CCMC §17.02.010(A));*
 - b) *Encourages a wholesome, serviceable, and pleasant living environment and establishes a stability of existing land uses which conform with the objectives, policies, principles, and standards of the general plan (CCMC §17.02.010(B));*
 - c) *Prevents excessive population densities and overcrowding of land with structures (CCMC §17.02.010(C));*
 - d) *Promotes the safe, effective traffic circulation system, provision of adequate off-street parking and truck loading facilities, and the appropriate location of community facilities (CCMC §17.02.010(D));*
 - e) *Protects and promotes properly located commercial and industrial activities in order to preserve and strengthen the city's economic base (CCMC §17.02.010(E));*
 - f) *Protects and enhances real property values and the city's natural assets (CCMC §17.02.010(F)); and*
 - g) *Provides for the orderly development of new urban expansion that is logical, desirable, and in conformance with the objectives and policies of the general plan (CCMC §17.02.010(G)).*

SECTION 7: GENERAL PLAN AMENDMENT

The proposed General Plan Map Amendment for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed General Plan Amendment (Application GPA23-02) (See Attachment A) shall be approved or denied based on the following standards:

- A. GP Revisions.** The General Plan is a long-term document with a planning horizon of 15-25 years. To achieve its purposes, the plan must be flexible enough to respond to changing conditions and at the same time specific enough to provide predictability and consistency in guiding day-to-day land use and development decisions. Over the years, conditions and community needs change and new opportunities arise; the plan needs to keep up with these changes and new opportunities. (GP page 4)
- B. GP Review.** Every year, the Planning Commission should review the plan's implementation programs to assess the City's progress in carrying out the plan. Every five to ten years, the plan should be thoroughly reviewed and updated as necessary. (GP page 4)

- C. GP Amendments.** From time to time, the City will be asked to consider proposals for specific amendments to the plan. The City will initiate some of these proposals itself but will be initiated by private property owners and developers. Most General Plan amendments involve changes in land use designations for individual parcels. (GP page 4)
- D. State Law.** State laws limit General Plan amendments to four times per year, but each amendment can include multiple changes. Like the adoption of the General Plan itself, general amendments are subject to environmental review, public notice, and hearing requirements and must not create inconsistencies with other parts of the plan. (GP page 4)

REQUIRED FINDING #6 (BY THE COMMISSION):

- ☐ The proposed General Plan Amendment satisfies the General Plan Amendment requirements (GP page 4), in that the amendment:
- a) *Must be flexible enough to respond to changing conditions and at the same time specific enough to provide predictability and consistency in guiding day-to-day land use and development decisions;*
 - b) *Needs to keep up with these changing conditions, community needs, and new opportunities that arise over the years;*
 - c) *Can be reviewed by the Planning Commission with the plan's implementation programs to assess the City's progress in carrying out the plan and updated as necessary;*
 - d) *Are often requested by private property owners and developers, to consider proposals for specific amendments to the plan;*
 - e) *Frequently involve changes in land use designations for individual parcels;*
 - f) *Are subject to environmental review, public notice, and hearing requirements; and*
 - g) *Must not create inconsistencies with other parts of the plan.*

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:

- 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 Residential Multi-family (15-30) land use designation (incorporating the General Plan Amendment) and is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code (with Zoning Amendment, 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 2.78 acres, and is located adjacent to existing residential/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 partially developed 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 residential use in a developed residential/commercial area that already services residential/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.

REQUIRED FINDING #7 (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 9: PLANNING COMMISSION ACTION OPTIONS

A. APPROVAL. Making all the required findings.

- **“I move to adopt Resolution No. PC2024-04, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Rezoning Request, a Zoning Map Amendment, and a General Plan Map Amendment for a for a 40-unit residential-only development.”**
- Planning staff will send the applicant an approval letter, after the 10-day appeal period (CCMC §17.46.050), along with the resolution, as adopted by the Planning Commission during the public hearing. The resolution will be sent to the City Council and scheduled for consideration.

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

- **“I move to deny the Rezoning Request (Application RZ23-01), Zoning Map Amendment (Application ZA23-01), and/or General Plan Map Amendment (Application GPA23-02) 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 build the residential accessory structure.

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

- **“I move to request additional information regarding _____ be brought back to the February 22, 2024 (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 (CCMC §17.46.050) scheduled for Thursday, February 22, 2024 or a specific alternative Special Planning Commission meeting.

SECTION 10: STAFF RECOMMENDATION

1. (Chair) "Agenized Item #1: A Public Hearing to consider a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for Sam Schauerma's proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development located at 1405 California Street (APN 118-403-002)."
2. (Chair) "I will open the Public Hearing."
3. (Chair) "We will now receive a presentation on the Staff Report from Planner Lawton."
4. (Chair) "Does any Commissioners have any clarifying questions for staff?"
 - a. (Chair) "Does the Applicant wish to address the Planning Commission?"
5. (Chair) "I will open Public Comment, which we will receive at the podium."
 - a. "We request that (1) you state your name and residency, (2) subject to a three-minute comment be directed to the Planning Commission for consideration, and (3) please state if you are for-or-against the proposed project."
 - b. (Chair) Any clarifying questions?
6. (Chair) "I will close Public Comment."
7. (Chair) "Is there any discussion on this item from the Commissioners?"
8. (Chair) "I believe a motion would be in order."
 - a. **(Commissioner) "I move to adopt Resolution No. PC2024-04, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Rezoning Request, a Zoning Map Amendment, and a General Plan Map Amendment for a for a 40-unit residential-only development."**
 - b. *Note: Any changes should be included in the motion.*
9. (Chair) "A motion has been made by Commissioner _____. Is there a second?"
10. (Chair) "It was seconded by Commissioner _____."
11. (Chair) "A motion was made and seconded to: **Adopt Resolution No. PC2024-04, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Rezoning Request, a Zoning Map Amendment, and a General Plan Map Amendment for a for a 40-unit residential-only development.**"
 - a. *Note: Any changes should be included in the motion.*
12. (Chair) "Is there any additional discussion from the Commissioners on the motion?"
13. (Chair) "Seeing as there is no further discussion, it is time for a vote on the motion, Specialist Welton, can you poll the vote?"
14. (Chair) "The motion passes (*or fails*) by a vote of ____-to-____." (*Example 5-0*)

--- END OF REPORT ---

CITY OF CRESCENT CITY Development Permit Application

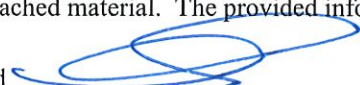
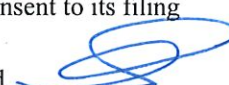
Return completed application to:
Planning Department
377 J Street
Crescent City, CA 95531
(707) 464-9506 (707) 465-4405 fax

TYPE OR PRINT CLEARLY

Applicant SAM SCHAUVERMAN	Street Address PO BOX 1103	City CRESCENT CITY	Zip Code 95531	Day Phone 707-951-0791
Representative (if any) "	Street Address	City	Zip Code	Day Phone
Property Owner "	Street Address	City	Zip Code	Day Phone

Correspondence to be sent to ☒ Applicant ☐ Representative ☐ Owner

Project Address 1405 CALIFORNIA ST BUILDINGS A-J	Assessor's Parcel No. 118-403-002	
Description of proposed project (attach sheets if necessary) GENERAL PLAN AMENDMENT, ZONING AMENDMENT, REZONE R-2 TO C-2. CONSTRUCT 56 UNIT TOWNHOUSE APARTMENT PROJECT.		
Existing Land Use GEN COMM, MF	Adjacent Uses GEN COMM, SF	Building Coverage 11530 sq.ft. existing
Project Acreage 2.37	Project Height 27'	Building Coverage 40,330 sq.ft. proposed
Parking (number of spaces) 112	Paved Area 30,950± SF	Grading Required? YES (if yes, attach preliminary grading plan)
Diking, dredging, or filling of open coastal water, wetlands or riparian/drainage areas. (Attach biological report and preliminary grading plans.)		
Land Division or Boundary Adjustment. (Include tentative map with existing property lines, proposed lots, lot sizes, dimensions, access, physical features and proposed improvements, utilities, etc.)		

Applicant/Representative: I have reviewed this application and the attached material. The provided information is accurate.	Property Owner/Authorized Agent: I have read this application and consent to its filing
Signed  Date 12/15/23	Signed  Date 12/15/23

TYPE OF APPLICATION	<input checked="" type="checkbox"/> Architectural Review	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Subdivision/Minor
	<input type="checkbox"/> CEQA Review	<input checked="" type="checkbox"/> Municipal Code Amendment/Rezone	<input type="checkbox"/> Subdivision/Major
	<input type="checkbox"/> Coastal Development Permit	<input type="checkbox"/> Parcel Merger	<input checked="" type="checkbox"/> Use Permit
	<input checked="" type="checkbox"/> General Plan Amendment	<input type="checkbox"/> ROW or Street Abandonment	<input checked="" type="checkbox"/> Variance or Waiver
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Special Review	<input type="checkbox"/> Other

REQUIRED SUPPLEMENTAL	<input type="checkbox"/> Application Form	Project plans: * <input type="checkbox"/> Project site plans (buildings, parking, etc.) <input type="checkbox"/> Building floor plans and elevations <input type="checkbox"/> Preliminary grading/drainage plans <input type="checkbox"/> Landscaping/irrigation plans/dumpster <input type="checkbox"/> Sign plans/elevations <input type="checkbox"/> Color/materials samples <input type="checkbox"/> Subdivision/lot line adjustment map <input type="checkbox"/> Written Project Description <input type="checkbox"/> Preliminary Title Report <input type="checkbox"/> Special Project Justification/per code
	<input type="checkbox"/> Application Fee	
	<input type="checkbox"/> Supplemental Application Forms (variance home occupation, etc.)	
	<input type="checkbox"/> Project property deed(s)	
	<input type="checkbox"/> Proof of applicant's legal interest in the property (escrow, etc.)	

*Project Plans: For Subdivision one set of full size plans and/or one set not to exceed 11" by 18" in size are to be provided. Specific information may be required for plans - ask staff for additional information.

OFFICIAL USE ONLY	Application Number(s) RZ23-01/ZA23-01/GPA23-02/UP23-08/AR23-16		Filing Fees	Date Filed 12/19/2023	Receipt #
	Date Application Completed		Zoning C-2/R-2	General Plan (LUP)	
	CEQA: Exempt <input checked="" type="checkbox"/> Negative Declaration		Mitigated Negative Declaration	Environmental Impact Report	
	Review By Planning Commission	City Council	Architectural Review	Planning/Public Works	
	Public Hearing	Office Hearing	Appealable to Coastal Commission?		
	Other Notes:			Approved:	

MAKE CHECKS PAYABLE TO CITY OF CRESCENT CITY

PROJECT NARRATIVE

ROOSEVELT ESTATES

APN 118-403-002

Background

APN 118-403-002 consists of one legal parcel and fronts Washington Blvd and California, Oregon and Hoover Streets. The area for the entire parcel is 2.78 acres with two zoning districts on it. The area zoned C-2 is 1.24 acres while the southerly area zoned R-2 is 1.54 acres. It is currently developed with a 7050 SF commercial building fronting Washington Blvd within the C-2 zoning district. There are currently three multifamily residential buildings under construction fronting California and Hoover Streets comprising of 16 residential units with a gross square footage of 11,530 SF. The buildings are located within the R-2 Zoning District. A parking variance permitting the off-street parking to back out over the existing sidewalk on California and Hoover was granted for the three buildings.

Proposed Project

The proposed project excludes the area to be set aside for the existing commercial building, which is 0.41 acres. The "lot coverage" for the building in the set-aside area is 39.5 percent. No subdivision is proposed for this project.

The proposed project area comprises the remaining 2.37 acres. The coverage for the two zoning designations within that area is 0.83 acres and 1.54 acres for the C-2 and R-2 zoning respectively. It is proposed to obtain a General Plan Amendment, Zoning Amendment, Rezone the R-2 District to C-2, and Use Permit for a 56-unit multifamily townhome project comprising of 2 and 3-bedroom units. It will include the 16 units currently under construction.

The project mix is as follows:

	<u>Area</u>	<u>2 BR Units</u>	<u>3 BR Units</u>	<u>Total Buildings</u>	<u>Total Units</u>
4-Unit Building	2890 SF	2	2	1	4
5 Unit Building	3600 SF	3	2	2	10
6 Unit Building	4320 SF	4	2	7	42
			TOTAL	10	56
Total 2 BR Units	36				
Total 3 BR Units	20				

The current zoning will only permit 47 units as follows:

R-2 (1 Unit/3000 SF)	1.54 Acres (67,082 SF)	22 Units
C-2 (30 Units per Acre with Use Permit)	0.83 Acres	25 Units

16 Units are currently under construction in the R-2 district as principally permitted use. Rezoning the R-2 area to C-2 would permit the entire 2.37 acre project, zoned as C-2, to potentially have 71 Units with a Use Permit at its maximum density. The proposed project is 56 Units, which will require the Rezone and Use Permit, but is only 79 percent of the potential maximum density.

The project will likely be constructed in 3 phases with the first Phase currently under construction.

Lot Coverage

The project area is 2.37 acres. The aggregate building area is 40,330 SF (0.93 Acres). Lot coverage ratio is 39.2% which is less than the maximum 50% coverage requirement.

Off-Street Parking

The required off street parking for apartments is 1.5 spaces per unit totaling 84. The proposed off-street parking is 2 spaces per unit, totaling 112 spaces, which is 28 additional spaces than required.

The three buildings currently under construction were granted a parking variance to back out over the sidewalk. There are 20 spaces fronting California and 12 fronting Hoover under the current variance. An additional 12 spaces will require a variance fronting California. The remaining 68 off-street parking will be served internally with a continuous two-way drive fronting California and Hoover. On-street parking will be available for the entire 420-foot frontage of Oregon Street and 60 feet each fronting California and Hoover Streets.

Approximately 540 lineal feet of on-street parking will be lost to the street facing parking. This simply equates to 27 (20-foot long) parking spaces. That is a conservative calculation while parallel parking space is generally 22-26 feet, resulting in fewer spaces. The additional off-street parking being provided is greater than the 27 maximum spaces being lost on-street.

There will be no designated guest parking.

Accessible Parking

Section 1109A of the 2022 California Building Code requires accessible parking to be provided at the rate not less than 2 percent of the multifamily dwelling units. There shall be no less than one accessible space, of which no less than one van accessible space. The 56-Unit proposed project has two accessible parking spaces which is 3.6 percent of the number of dwelling units. The 16-Unit Phase I project currently under construction has one Van Accessible space while a second accessible parking space will be dedicated in the project before 50 units are constructed.

Vehicle Charging Stations

Each dwelling unit will have a vehicle charging station.

Street Improvements

The half width of Oregon, California and Hoover Street will be improved with curb, gutter, sidewalk, paving and drainage improvements.

Drainage

Hydrological and hydraulic calculations indicate that the existing 24-inch storm drain located at Hoover and Northcrest is not capable of passing post development flows from the site. On-site stormwater detention has been sized to maintain flow rates to 25-year pre-development conditions. The detention basin will be maintained and cleaned of debris on a regular basis.

Storage

No separate storage buildings are proposed.

Trash Enclosures

Trash enclosures with commercial trash bins will be provided at each end of the project site. Only one trash enclosure will be constructed with the first 16-unit phase while the second will be constructed when buildings are constructed near the northerly end. The proposed layout and locations meet Recology's design standards.

Lighting

All exterior lighting will be building mounted and downlit to reduce lighting offsite.

Laundry

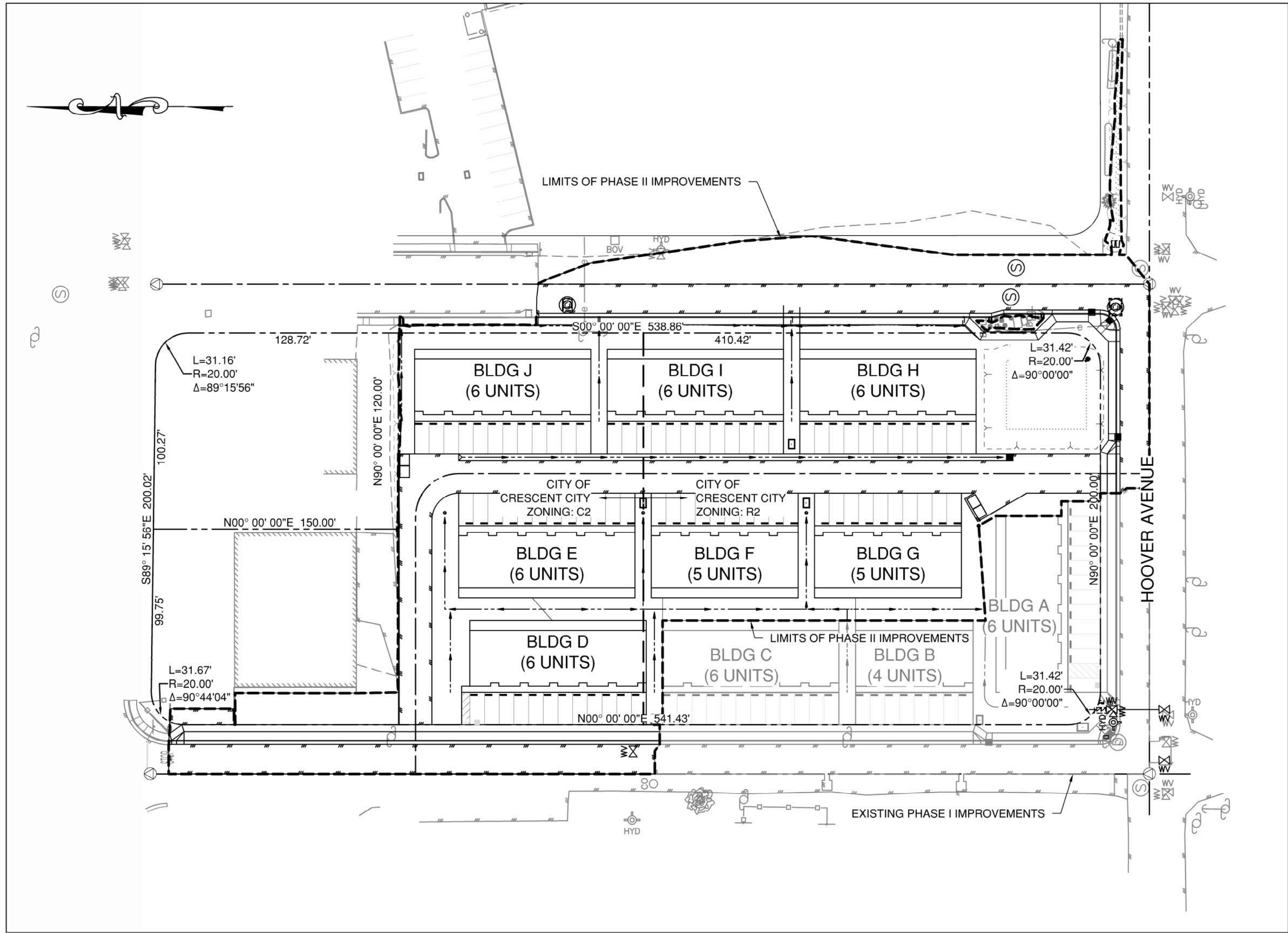
A washer and dryer will be provided in each dwelling unit.

Common Area/Greenspace

No common area is proposed. A landscape plan indicates the location of open space and trees. A stormwater detention pond is proposed on the southeast corner of the parcel and will be planted with appropriate and easily managed vegetation. Side slopes of the pond will be 3:1 to permit easy maintenance. The project site is located near Del Norte High School and Mary Peacock Elementary School which have recreational areas available outside of school hours.

S:\4828.03 Elk Creek Builders Roosevelt Estates\Civil3D\Drawings\4828.03 - ROOSEVELT ESTATES - PHASE II.dwg 12/19/2023 9:15 AM STOVER ENGINEERING SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF ELECTRONIC COPIES OF THIS PLAN SHEET.

ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II



1 SITE MAP
1"=50'

CONTROL POINT DATA				
CP NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	2535340.46	5961132.88	100.00'	2"O ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
2	2535340.46	5960832.88	104.52'	2"O ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
3	2535952.53	5960832.88	104.06'	2"O ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
4	2535948.67	5961132.87	103.01'	2"O ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"

BASIS OF BEARINGS

A LINE FROM CP1 TO CP2 BEARING N 90°00'00" W A DISTANCE OF 300.00'

VERTICAL BENCHMARK DATUM

THE VERTICAL DATUM IS ASSUMED ELEVATION OF 100.00' AT CP1

SURVEY NOTES

- TOPOGRAPHIC SURVEY PERFORMED BY STOVER ENGINEERING IN DECEMBER 2022 AND COMPLETED MAY 2023.
- CONTROL POINTS ARE FOUND CENTERLINE MONUMENTS PER BOOK 13 OF MAPS, PAGE 67, DEL NORTE COUNTY RECORDS.

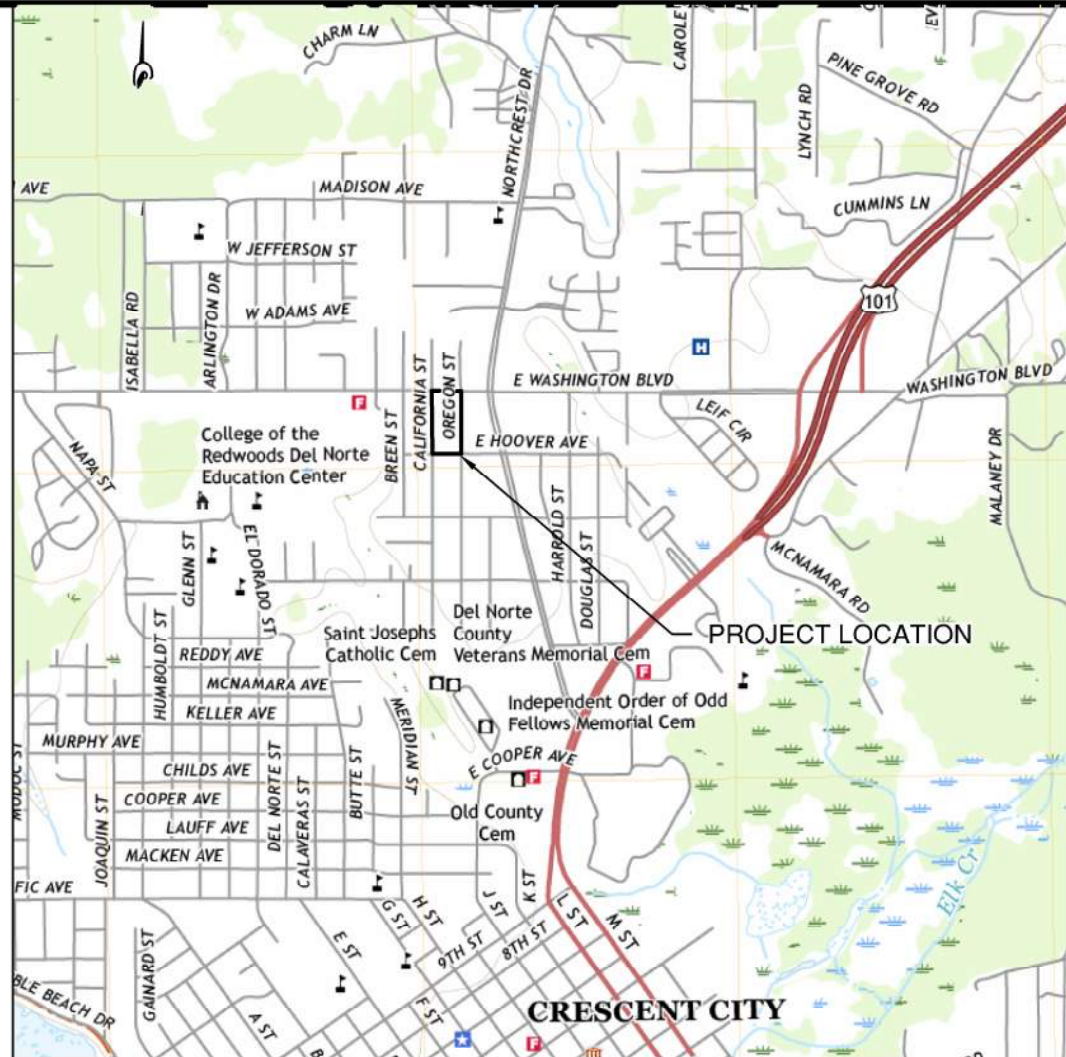
PROJECT INFORMATION

OWNER: SAM SCHAUERMAN
ELK CREEK BUILDERS LLC
PO BOX 1103
CRESCENT CITY, CA 95531

APN: 118-403-002-000

SHEET INDEX

- COVER, SURVEY DATA, & PROJECT INFORMATION
- CONSTRUCTION NOTES
- NOTES, ABBREVIATIONS, & LEGENDS
- EXISTING CONDITIONS & DEMOLITION PLAN
- SITE IMPROVEMENT PLAN
- CALIFORNIA STREET PLAN & PROFILE
- HOOVER AVENUE PLAN & PROFILE
- OREGON STREET PLAN & PROFILE
- DRIVEWAY PLAN & PROFILE
- CALIFORNIA STREET ENLARGED GRADING
- HOOVER AVENUE ENLARGED GRADING
- OREGON STREET ENLARGED GRADING
- TYPICAL CROSS SECTIONS
- ROAD DETAILS
- WATER DETAILS
- FIRE WATER NOTES & DETAILS
- SANITARY SEWER DETAILS
- STORM DRAIN RETENTION AND DETAILS
- STORM DRAIN DETAILS
- CALTRANS DETAILS
- CALIFORNIA STREET CROSS SECTIONS
- HOOVER AVENUE CROSS SECTIONS
- OREGON STREET CROSS SECTIONS
- DRIVEWAY CROSS SECTIONS
- LANDSCAPING & TREE PLAN
- EROSION CONTROL PLAN



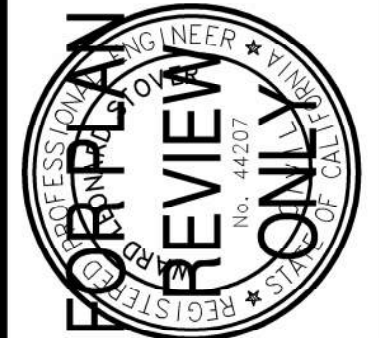
VICINITY MAP
1"=2000'

GENERAL NOTES

- ALL CONSTRUCTION TO CONFORM WITH THE 2022 CALIFORNIA BUILDING CODE. ALSO REFER TO THE LATEST EDITION OF CALTRANS STANDARD PLANS AND STANDARD SPECIFICATIONS; AND CITY OF CRESCENT CITY STANDARDS.
- CONTRACTORS SHALL POSSESS THE PROPER CONTRACTOR'S LICENSE.
- NOTIFY ENGINEER OF ANY CONFLICTS.
- MAXIMUM AND MINIMUM DIMENSIONS AND SLOPES ARE ABSOLUTE. CONTRACTOR SHALL TAKE INTO CONSIDERATION CONSTRUCTION TOLERANCES TO ENSURE MINIMUM AND MAXIMUM DIMENSIONS AND SLOPES ARE NOT EXCEEDED.
- ALL CONCRETE SHALL BE MINOR CONCRETE IN ACCORDANCE WITH SECTION 90 "PORTLAND CEMENT CONCRETE" OF THE 2022 CALTRANS STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE MIX PROPORTION FOR CONCRETE.
- ROAD PAVEMENT SHALL BE ½" HMA TYPE A OR B, IN ACCORDANCE WITH SECTION 39 OF THE 2022 CALTRANS STANDARD SPECIFICATIONS, OR APPROVED EQUAL.
- AGGREGATE BASE SHALL BE CALTRANS CLASS 2 IN ACCORDANCE WITH SECTION 26 OF THE 2022 CALTRANS SPECIFICATIONS OR APPROVED EQUAL.
- SAND SHALL NOT BE USED FOR PIPE BACKFILL OR BEDDING, OR WITHIN RIGHTS-OF-WAY.
- ALL PEDESTRIAN PATHS OF TRAVEL SHALL BE ACCESSIBLE (E.G., SIDEWALKS, RAMPS, DRIVEWAYS).
- UNDERGROUND NOTE: DATA PERTAINING TO EXISTING UNDERGROUND FACILITIES AS INDICATED HEREIN IS FOR INFORMATION PURPOSES ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL AGENCIES INVOLVED AND SHALL LOCATE ALL FACILITIES PRIOR TO EXCAVATION IN ANY AREA. VERIFY LOCATIONS AND DEPTHS OF EXISTING FACILITIES PRIOR TO CONSTRUCTION OF NEW FACILITIES. NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES.
- LAYOUT WORK (CONSTRUCTION STAKING) SHALL BE PERFORMED BY A PERSON PROPERLY LICENSED TO PERFORM CONSTRUCTION STAKING IN THE STATE OF CALIFORNIA.
- AN ENCROACHMENT PERMIT SHALL BE OBTAINED FROM THE CITY OF CRESCENT CITY FOR ANY WORK WITHIN CITY RIGHTS-OF-WAY.

No.	Date	Revision	Drawn By	Checked By	Appr'd.
0			RCY	GLH	WLS

DESIGNED BY: RCY
1" BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALES IF DISTANCE VARIES ACCORDINGLY.



STOVER ENGINEERING
Civil Engineers and Consultants

PO BOX 783 - 711 H STREET
CRESCENT CITY, CA 95531 707-465-6742

ELK CREEK BUILDERS LLC
ROOSEVELT ESTATES - PHASE II
CRESCENT CITY, CA
COVER, SURVEY DATA, & PROJECT INFORMATION

JOB NO. 4828.03

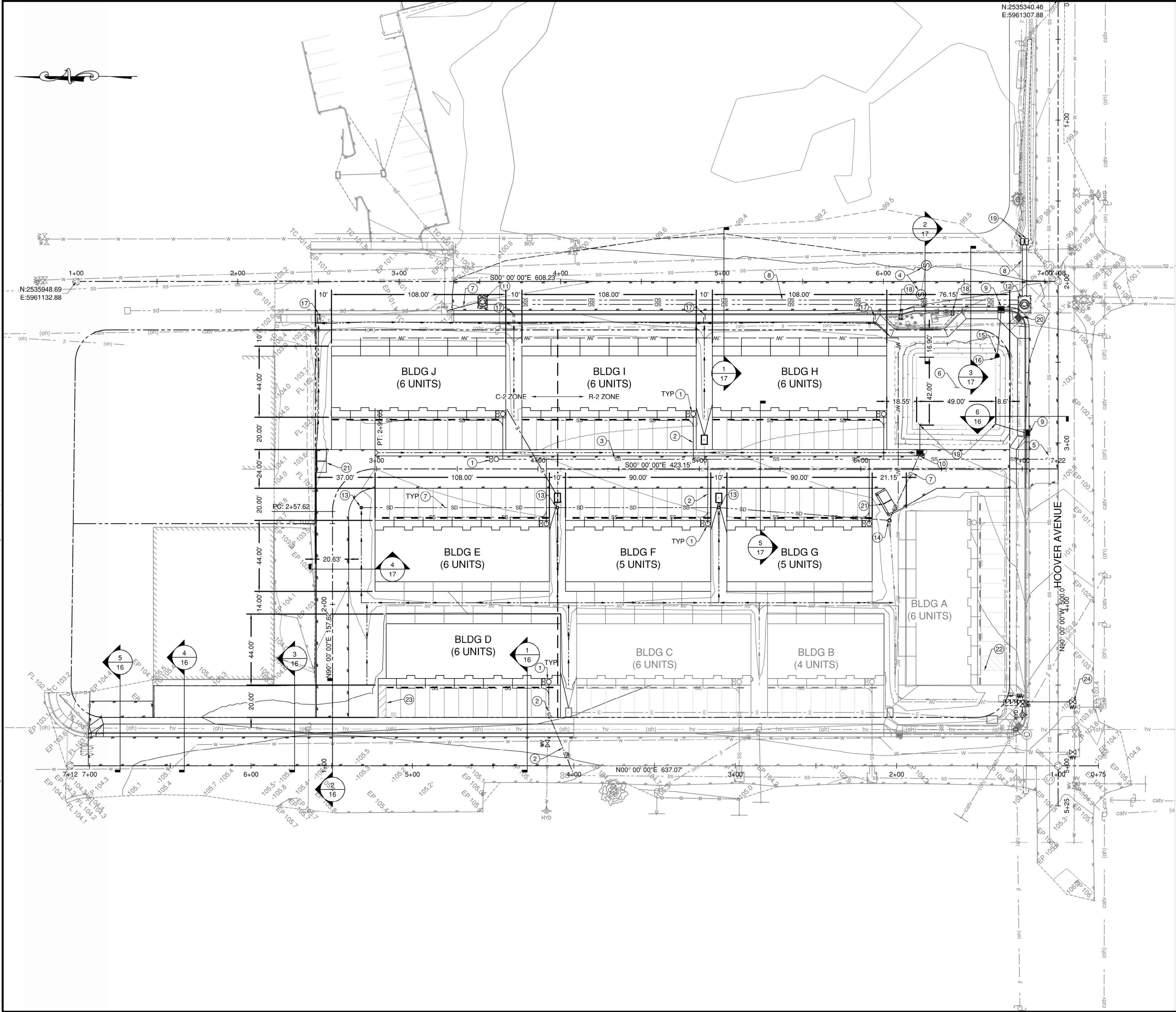
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SHEET

1 OF 33

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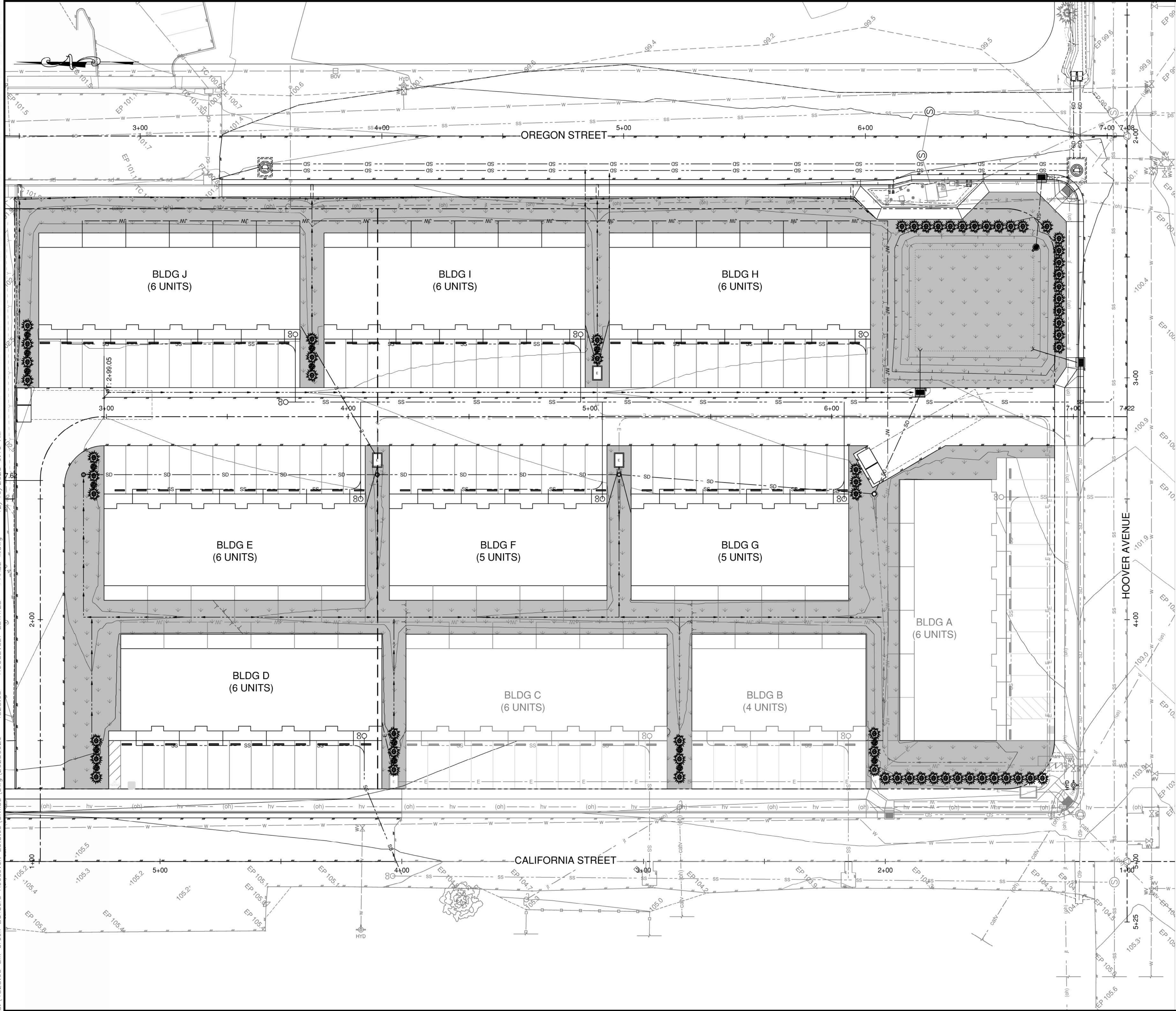


KEY NOTES

- 1 SEWER CLEANOUT, SEE DETAIL 1/21.
- 2 4"Ø SEWER LATERAL, SEE DETAIL 2/21.
- 3 SEWER TRENCH, SEE DETAIL 3/21.
- 4 ADJUST SEWER MANHOLE RIMS TO GRADE, SEE 4/21.
- 5 NEW 6"Ø LATERAL, SEE DETAIL 2/21.
- 6 NEW RETENTION STORM DRAIN BASIN, SEE SHEET 22.
- 7 TYPICAL STORM DRAIN TRENCH, SEE DETAIL 1/23.
- 8 DUAL 24"Ø HDPE STORM DRAIN TRENCH, SEE DETAIL 2/23
- 9 CALTRANS TYPE GO DRAIN INLET, SEE DETAIL 4/25.
- 10 CALTRANS TYPE G1 DRAIN INLET, SEE DETAIL 1/26.
- 11 STORM DRAIN MANHOLE, SEE DETAIL 1/24.
- 12 STORM DRAIN MANHOLE, SEE DETAIL 2/24.
- 13 NYLOPLAST 15"Ø AREA DRAIN INLET, SEE DETAIL 5/23.
- 14 NYLOPLAST 18"Ø AREA DRAIN INLET, SEE DETAIL 5/23.
- 15 NYLOPLAST AREA DRAIN ORIFICE INLET AND OVERFLOW, SEE DETAIL 6/23.
- 16 STORM DRAIN ORIFICE INLET TRASH RACK, SEE DETAIL 7/23.
- 17 UNDER SIDEWALK DRAIN, SEE DETAIL 3/24.
- 18 CURB THRU-DRAIN, SEE DETAIL 4/24.
- 19 FLARED END SECTION, SEE DETAIL 2/23.
- 20 NEW ONE-RAMP CORNER CURB RAMP WITH DETECTABLE WARNING SURFACE, SEE DETAIL 3/25.
- 21 TRASH AND RECYCLING BINS
- 22 VAN ACCESSIBLE PARKING STALL
- 23 ACCESSIBLE PARKING STALL
- 24 NEW 6"Ø FIRE LATERAL AND DOMESTIC WATER METER

ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II CRESCENT CITY, CA		STOVER ENGINEERING Civil Engineers and Consultants		FOR PLAN REVIEW ONLY NO. 44307		DESIGNED BY: RCY DRAWN BY: GLH CHECKED BY: WLS		APPROVED BY: WLS	
JOB NO. 4828.03		SCALE: 1"=30'		DATE: 12/19/23		SHEET 5 OF 33		1 BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES IF DISTANCE VARIES ACCORDINGLY	

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LEGEND

- THUJA JUNIOR ARBORVITAE
- ORNAMENTAL SHRUB (TO BE DETERMINED)
- VEGETATED GRASS AREAS

<p>STOVER ENGINEERING Civil Engineers and Consultants</p> <p>PO BOX 783 - 711 H STREET CRESCENT CITY, CA 95531 707-465-6742</p>		<p>ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II CRESCENT CITY, CA</p>		<p>LANDSCAPING PLAN</p>	
<p>JOB NO. 4828.03 SCALE: 1"=20'</p>					
<p>DATE: 12/19/23 SHEET 32 OF 33</p>					
<p>DESIGNED BY: RCY DRAWN BY: GLH CHECKED BY: WLS</p>		<p>NO. _____ DATE _____</p> <p>REVISION _____</p>		<p>APPROVED _____</p> <p>1" BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES IF DISTANCE VARIES ACCORDINGLY.</p>	

FOR PLAN REVIEW ONLY

REGISTERED PROFESSIONAL ENGINEER
No. 44317
STATE OF CALIFORNIA

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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #1**



Incorporated April 13, 1854

web: www.crescentcity.org

**RZ23-01/ZA23-01/GPA23-02 - ATTACHMENT B
RESOLUTION NO. PC2024-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT
CITY APPROVING A REZONING REQUEST, ZONING MAP AMENDMENT, AND
GENERAL PLAN MAP AMENDMENT FOR A 40-UNIT RESIDENTIAL-ONLY
DEVELOPMENT**

WHEREAS, Sam Schauerma has submitted a Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01), and a General Plan Map Amendment (Application GPA23-02) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002);

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 amendments are consistent with the Crescent City General Plan's (MF 15-30) land use designation, in that the proposed project:

- a) will result in principally permitted "multiple-family buildings" within the MF 15-30 designation;
- b) "Provide[s] for high density residential development within the urban boundary" within the MF 15-30; and
- c) Is supported by the General Plan goals (1.F, C, G, and 1.L) and policies (1.A.2, 1.A.3, 1.F.2, 1.F.3, 2.A.2, 2.B.9, 2.D.1, 4.A.2, 4.E.5, 1.L.1, 1.L.2, 1.L.3, and 1.L.4).

WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the Crescent City's High Density Residential District (R-3) Zoning Code, in that:

- a) The proposed amendments are not located within the Coastal Zone and is not appealable to the Coastal Commission;
- b) The proposed uses will be consistent with the "multiple dwellings" which is principally permitted within the R-3 zone (CCMC §17.16.020(A));
- c) The proposed uses are consistent with the intention to "provide living areas within the city where development provides for high density concentrations of dwelling units" (CCMC §17.16.010(A));
- d) The proposed amendments would require all proposed projects within the R-3 Zoning District to be subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.16.030) and CCMC §17.79 requirements.

*A Rezoning Request, Zoning Map Amendment, and General Plan Map Amendment
For a (Phase 2) 40-unit Residential-Only Development*

WHEREAS, the Planning Commission finds that the proposed Rezoning Request and Zoning Amendment satisfies the objectives (CCMC §17.02.010), in that the amendments:

- a) Provides a specific plan to guide the physical development of the city in such a manner as to achieve progressively the general arrangement of land uses depicted in the general plan (CCMC §17.02.010(A));
- b) Encourages a wholesome, serviceable, and pleasant living environment and establishes a stability of existing land uses which conform with the objectives, policies, principles, and standards of the general plan (CCMC §17.02.010(B));
- c) Prevents excessive population densities and overcrowding of land with structures (CCMC §17.02.010(C));
- d) Promotes the safe, effective traffic circulation system, provision of adequate off-street parking and truck loading facilities, and the appropriate location of community facilities (CCMC §17.02.010(D));
- e) Protects and promotes properly located commercial and industrial activities in order to preserve and strengthen the city's economic base (CCMC §17.02.010(E));
- f) Protects and enhances real property values and the city's natural assets (CCMC §17.02.010(F)); and
- g) Provides for the orderly development of new urban expansion that is logical, desirable, and in conformance with the objectives and policies of the general plan (CCMC §17.02.010(G))

WHEREAS, the Planning Commission finds that the proposed General Plan Amendment satisfies the General Plan Amendment requirements (GP page 4), in that the amendment:

- a) Must be flexible enough to respond to changing conditions and at the same time specific enough to provide predictability and consistency in guiding day-to-day land use and development decisions;
- b) Needs to keep up with these changing conditions, community needs, and new opportunities that arise over the years;
- c) Can be reviewed by the Planning Commission with the plan's implementation programs to assess the City's progress in carrying out the plan and updated as necessary;
- d) Are often requested by private property owners and developers, to consider proposals for specific amendments to the plan;
- e) Frequently involve changes in land use designations for individual parcels;
- f) Are subject to environmental review, public notice, and hearing requirements; and
- g) Must not create inconsistencies with other parts of the plan.

WHEREAS, the Planning Commission finds that two of the project area sides are adjacent to GC Designations, providing a transition of CG to MF 15-30 to MF 6-15 and similarly a transition of C-2 to R-3 to R-2, which is appropriate for this entire block section with a mixed designation and zoning. The parcel has remained mostly vacant for many years and now is proposed for an infill project that provides much needed housing, as identified in the City's 6th Cycle Housing Element.

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

*A Rezoning Request, Zoning Map Amendment, and General Plan Map Amendment
For a (Phase 2) 40-unit Residential-Only Development*

(CEQA) under Class 32 §15332 (In-fill Development) of the CEQA Guidelines.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City recommends to the City Council the Rezoning Request (Application RZ23-01), Zoning Map Amendment (Application ZA23-01), and General Plan Map Amendment (Application GPA23-02) for Sam Schauerman to construct a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development located at 1405 California Street (APN 118-403-002).

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 8th day of February 2024, by the following polled vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Ray Walp, Chairperson

ATTEST:

Heather Welton, Community Development Specialist

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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #2**



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT

MEETING DATE: Thursday, February 8, 2024

TO: Planning Commission

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

SUBJECT: A Public Hearing to consider a Site Plan & Architectural Design Review (AR23-16) for a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development located at 1405 California Street (APN 118-403-002).

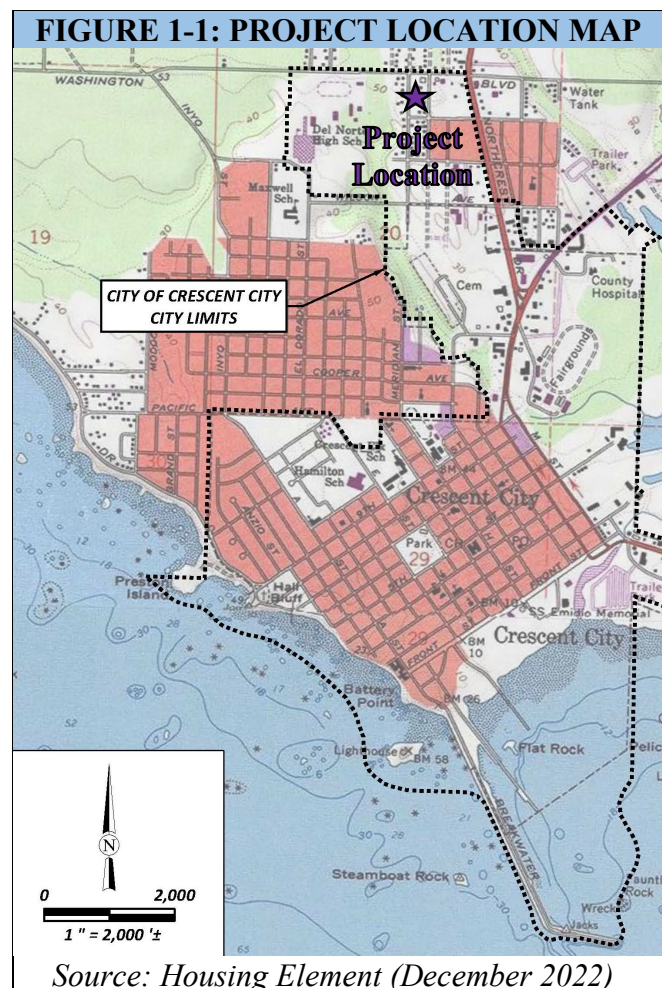
SECTION 1: EXECUTIVE SUMMARY

Sam Schauerman has submitted a Site Plan & Architectural Design Review (Application AR23-16) for a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002).

STAFF RECOMMENDS: “Motion to adopt Resolution No. PC2024-05, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review for a 40-unit residential-only development.

ATTACHMENTS:

- A) AR23-16 Application
- B) AR23-16 Conditions of Approval
- C) Resolution PC2024-05

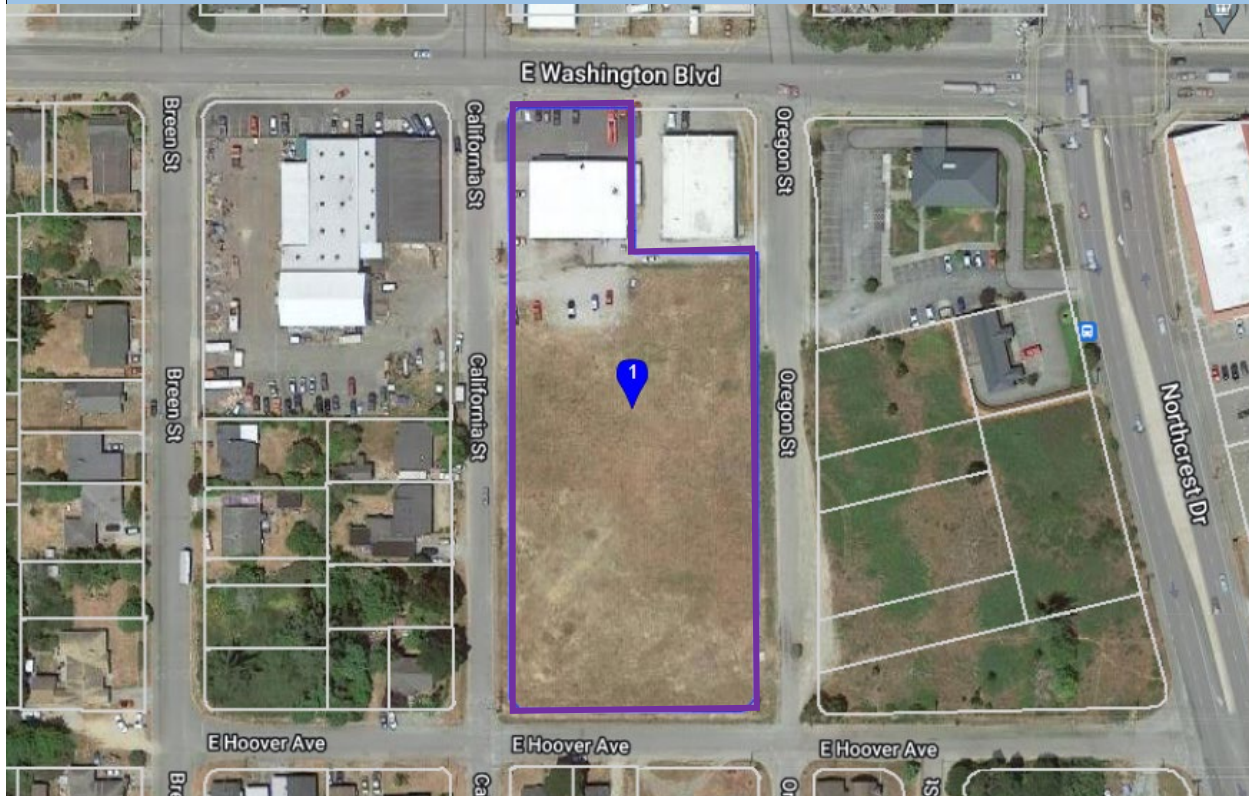


SECTION 2: BACKGROUND INFORMATION

The proposed project parcel is partially developed with a 7050 square foot (sf) commercial building and is in the process of developing Phase 1 of the project, which consists of 16 residential units.

ADDRESS:	APN:	PARCEL SIZE:	PROJECT SIZE:
1405 California Street Crescent City, CA 95531	118-403-002-000	±2.78 acres ±121,097 sf	2.34 acres 101,930 sf

FIGURE 2-1: PROJECT PARCEL



Source: Parcel Quest (January 2024)

NOTICE OF PUBLIC HEARING:

A Notice of Public Hearing was submitted to the Del Norte Triplicate newspaper (on 01/11/24) to be published (on 01/24/24) in print/online circulation. A similar Notice of Public Hearing was mailed (on 01/22/24) to the property owners within 300-ft of the project location (CCMC §17.46.050) as required (Cal. Gov. Code §65090 & §65094).

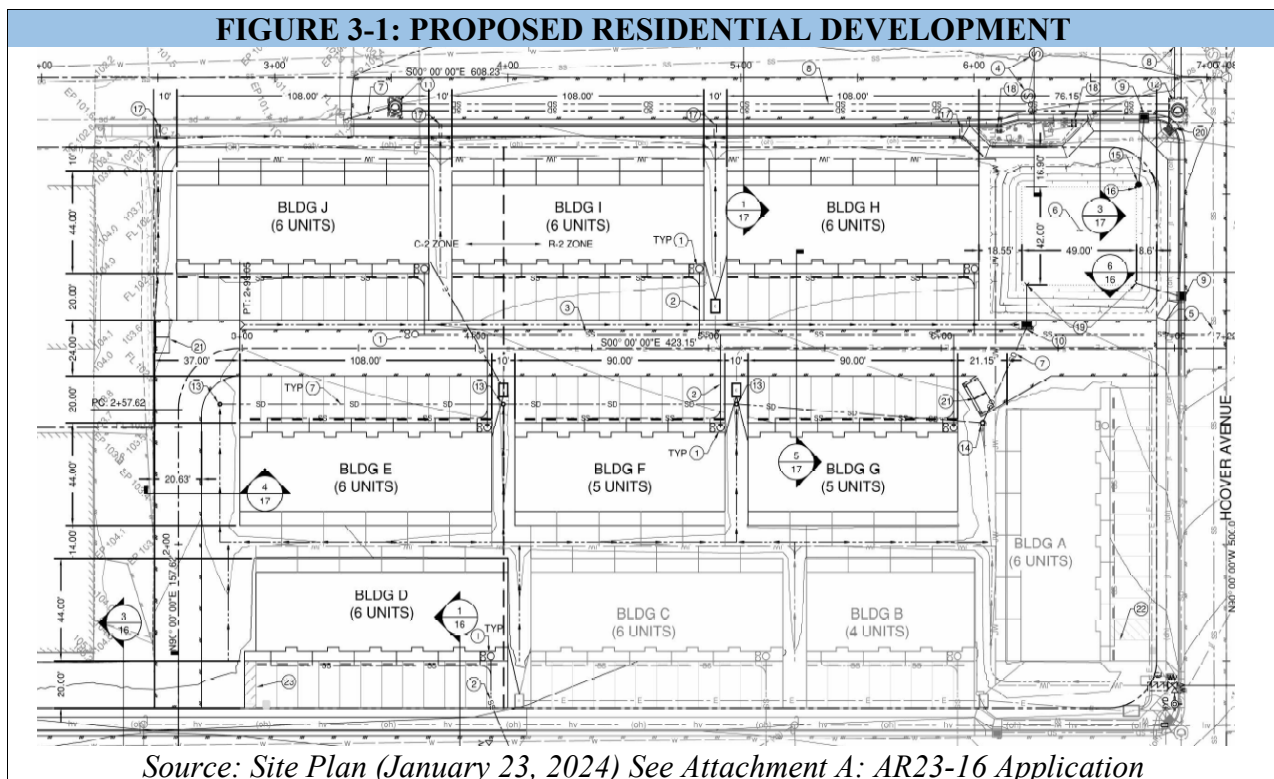
REQUIRED FINDING #1 (BY THE COMMISSION):

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

SECTION 3: PROPOSED PROJECT DESCRIPTION

Sam Schauerma has submitted a Site Plan & Architectural Design Review (Application AR23-18) for a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development on a partially developed (Phase 1 = 16-units) 2.78-acre parcel. The project in total proposes 56 residential units with 36 two-bedroom units and 20 three-bedroom units, including ten buildings (seven in Phase 2 and three buildings from Phase 1).

The applicant has also submitted a Rezoning Request (Application RZ23-01), Zoning Map Amendment (Application ZA23-01), and General Plan Map Amendment (Application GPA23-02) congruently with this application. These requests aim to rezone/amend approximately 2.34 acres from R-2/C-2 (Moderate-Density Residential District/General Commercial District) zoning designation to a R-3 (High-Density Residential District), which would increase the density, allowing for the proposed 40-unit residential development. The C-2 portion of the property currently has an existing 7,050 sq. ft commercial building fronting Washington Blvd, which will remain zoned C-2. The portion of the property zoned C-2 is approximately 1.24 acres while the southerly area zoned R-2 is approximately 1.54 acres.

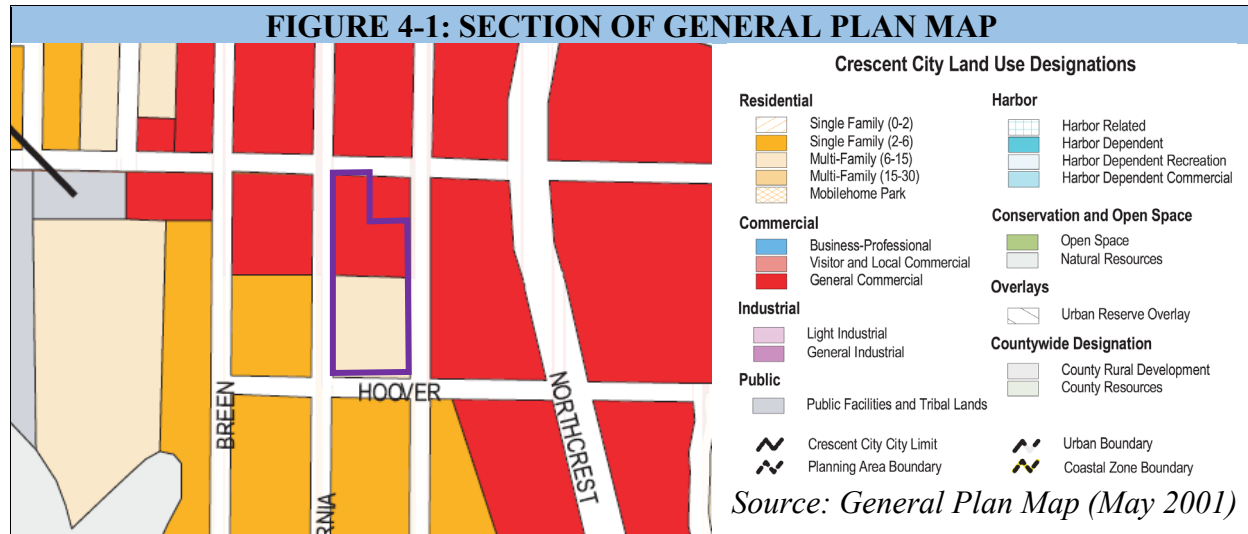


REQUIRED FINDING #2 (BY THE COMMISSION):

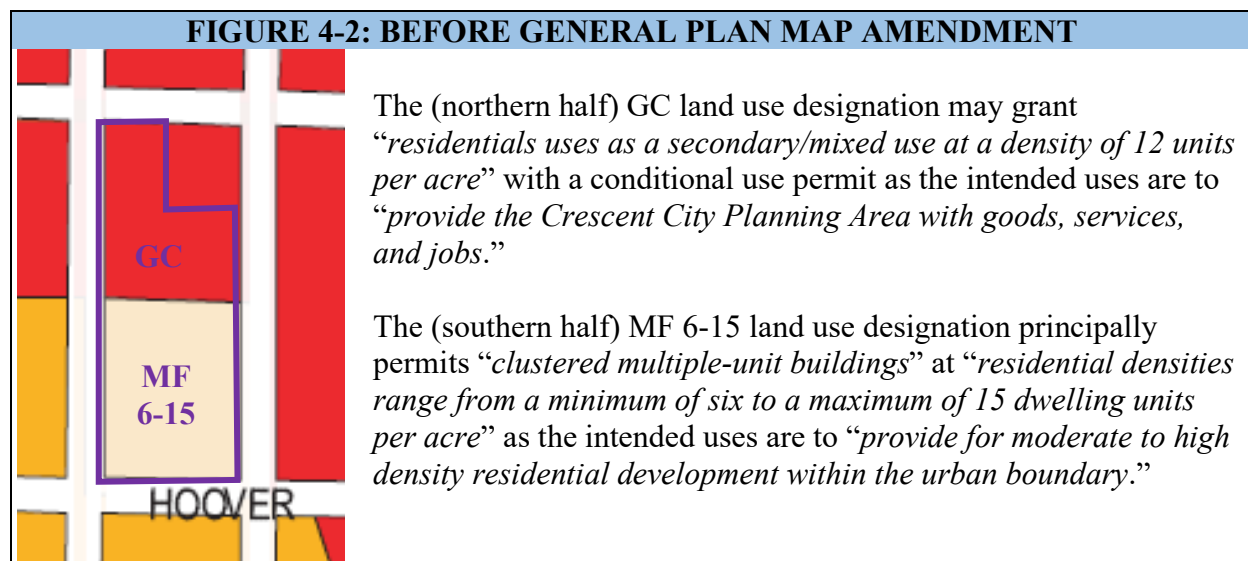
□ Sam Schauerma has submitted a Site Plan & Architectural Design Review (AR24-16) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002).

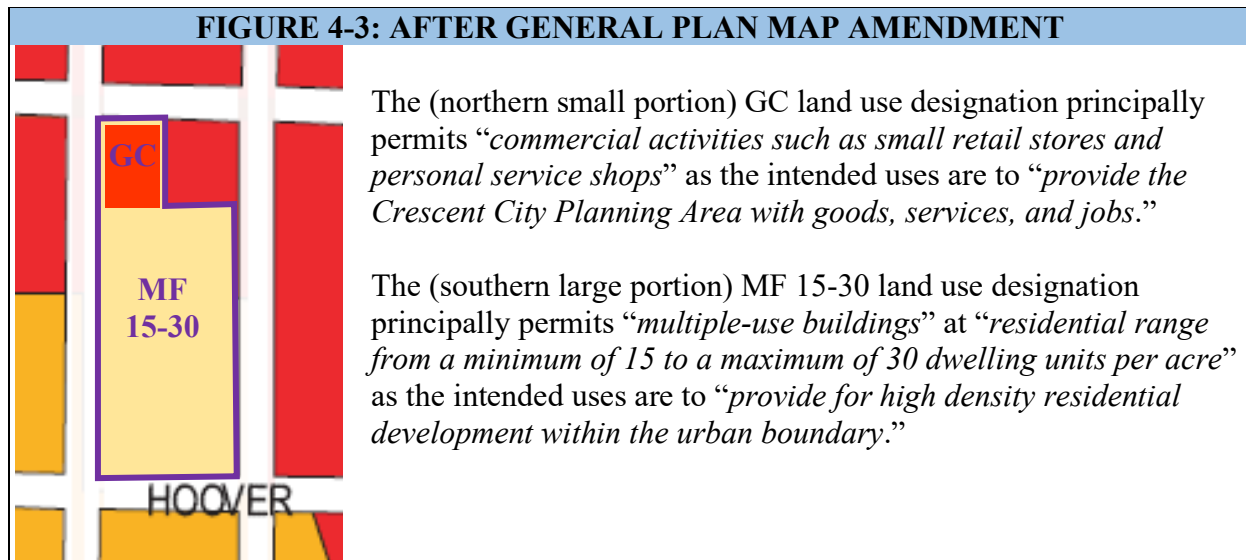
SECTION 4: GENERAL PLAN CONSISTENCY

The proposed 40-unit residential-only development is currently located on a single lot with mixed-designations, the northern portion being General Commercial (GC) and the southern portion being Residential Multi-Family 15-30 (MF 15-30) General Plan (GP) land use designation (See Figure 4-1: Section of General Plan Map).



However, with Resolution PC2024-04, approving the GP Map Amendment (Application GPA23-02) to amend the GP land use designation to become Multi-Family Residential 15-30 (MF 15-30). (See Figure 4-2: Before General Plan Map Amendment and Figure 4-3: After General Plan Map Amendment)





The proposed 40-unit residential-only development is a use consistent with the MF 15-30 GP land use designation and is relatively similar to some of the surrounding uses (See Table 4-1: Comparison of surrounding Properties).

TABLE 4-1: COMPARISON OF SURROUNDING PROPERTIES		
Vicinity	Land Use Designation	Current Use
Project Property	General Commercial (G-C) & Multi-Family Residential (MF 6-15)	California Auto Image & (Phase 1) 16-unit Residential
North	General Commercial (G-C) & Del Norte County	Del Norte Unified School District and King of the Grind Boxing Club
South	General Commercial District (G-C) & Residential (SF 2-6)	Single Family Residential
East	General Commercial (G-C)	Uncharted Shores Academy & James C. Standing Family Dentistry
West	Residential (SF 2-6)	Napa Auto Parts & Single Family Residential

SUPPORTING GENERAL PLAN GOALS/POLICIES:

- Policy 1.A.2.** - “The City shall encourage infill development that makes efficient use of existing public infrastructure and is compatible with existing development.”
- Policy 1.A.3.** - “The City shall encourage project sites to be designed to increase the convenience, safety, and comfort of people using public transportation, walking, or cycling.”
- Goal 1.F** - “To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Crescent City, while ensuring a high quality of residential development.”
- Policy 1.F.2.** - “The City shall ensure that infill development (either new or rehabilitated residential structures) is compatible with the overall established character of residential neighborhoods.”

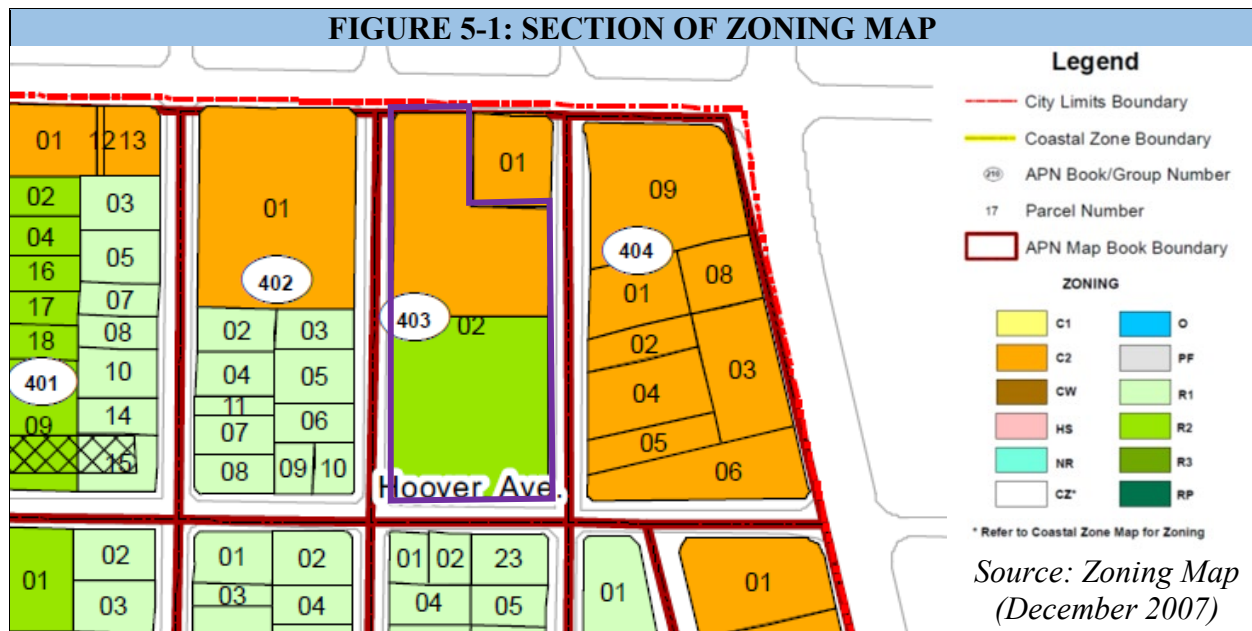
- Policy 1.F.3.** - *“The City shall encourage higher residential densities at locations where convenient access and adequate facilities, including parks and open space, are readily available.”*
- Policy 2.A.2.** - *“The City and County will continue to encourage maximization of residential development potential and limit underutilization of land through project design review.”*
- Policy 2.B.9.** - *“The City and County shall continue to monitor housing activity on an annual basis to assess whether their respective needs projections for all income levels are being met by voluntary open market (rather than mandatory inclusion) as they have in the past.”*
- Goal C.** - *“To assist in the development of adequate housing to meet the needs of low/very low and moderate-income households.”*
- Policy 2.D.1.** - *“The City and County shall continue to maintain opportunities for all income groups by use of clustered development to maximize density and minimize land development and/or construction costs.”*
- Goal G.** - *“To promote equal housing opportunity.”*
- Policy 4.A.2.** - *“The City shall encourage new development to contribute its fair share to providing all public services and infrastructure necessary to serve that development.”*
- Policy 4.E.5.** - *“The City shall encourage new project designs that minimize drainage concentrations and impervious coverage and maintain, to the extent feasible, natural site drainage conditions.”*

REQUIRED FINDING #3 (BY THE COMMISSION):

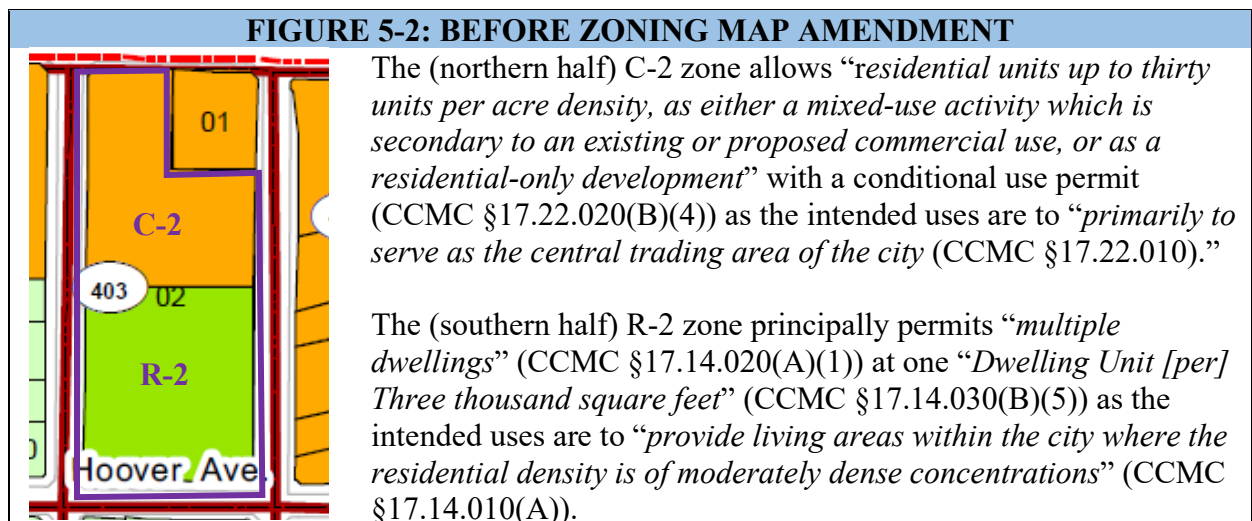
- ☐ The proposed project is consistent with the Crescent City General Plan’s (G-C) land use designation, in that the proposed project:
 - a) *Is principally permitted as “multiple-use buildings” within the MF 15-30;*
 - b) *“Provide[s] for high density residential development within the urban boundary” within the MF 15-30; and*
 - c) *Is supported by the General Plan goals (1.F, C, and G) and policies (1.A.2, 1.A.3, 1.F.2, 1.F.3, 2.A.2, 2.B.9, 2.D.1, 4.A.2, and 4.E.5).*

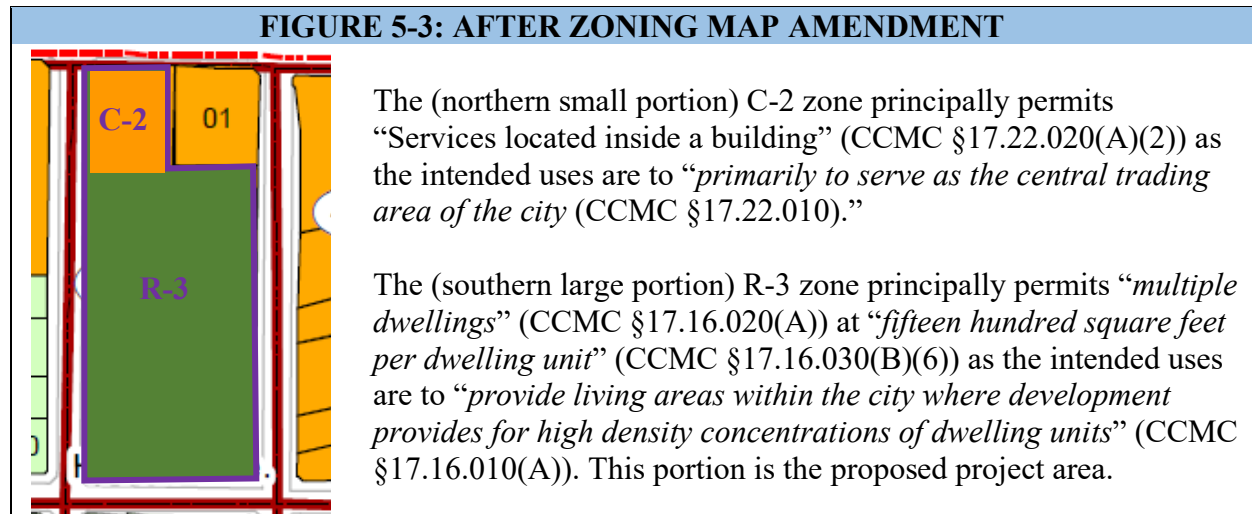
SECTION 5: ZONING CONSISTENCY

The proposed 40-unit residential-only development is currently located on a single lot with mixed-zones, the northern portion being General Commercial District (C-2) and the southern portion being Moderate-Density Residential District (R-2) (See Figure 5-1: Section of Zoning Map). The proposed project is not located within the Coastal Zone and is not appealable to the Coastal Commission.



However, with Resolution PC2024-04, approving the Rezoning Request (Application RZ23-01), a Zoning Map Amendment (Application ZA23-01) to amend the Zoning designation to become High-Density Residential District (R-3). (See Figure 5-2: Before Zoning Map Amendment and Figure 5-3: After Zoning Map Amendment)





ZONING: The proposed 40-unit residential-only development is a use consistent with the R-3 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	Land Use Designation	Current Use
Project Property	General Commercial District (C-2) & Moderate-Density Residential District	California Auto Image & (Phase 1) 16-unit Residential
North	General Commercial District (C-2) & Del Norte County	Del Norte Unified School District & Commercial
South	Low-Density Residential District (R-1)	Single Family Residential
East	General Commercial District (C-2)	Uncharted Shores Academy & Standring Family Dentistry
West	General Commercial District (C-2) & Low-Density Residential District (R-1)	Napa Auto Parts & Single Family Residential

DEVELOPMENT STANDARDS & PROPOSED PROJECT:

- A. Height and Area Regulations:** All permitted uses within the R-3 Zoning District are subject to height and area regulations and are addressed below (See Table 5-2: Comparison of Height and Area Regulations).

TABLE 5-2: COMPARISON OF HEIGHT AND AREA REGULATIONS		
Zoning District Code	Regulation	Proposed
Height (CCMC §17.16.030(A)(1))	35-ft	27-ft
Front Yard (CCMC §17.16.030(B)(1))	10-ft	20-ft
[Exterior] Side Yard (CCMC §17.16.030(B)(2))	5-ft	20-ft
[Interior] Side Yard (CCMC §17.16.030(B)(2))	5-ft	10-ft
Rear Yard (CCMC §17.16.030(B)(3))	10-ft	10-ft
Lot Area (CCMC §17.16.030(B)(5))	6,000-sf	122,403-sf
Lot Coverage (CCMC §17.16.030(B)(6))	65%	39.2%

- B. Parking, Fencing, and Signs:** All permitted uses within the R-3 Zoning District are subject to the general requirements regarding Parking (CCMC §17.16.070(A)), Fencing (CCMC §17.16.070(B)), and Signs (CCMC §17.16.070(c)) and are further addressed under Section 6: Site Plan & Architectural Design Review below.
- C. Site Plan:** All permitted uses within the R-3 Zoning District requires a Site Plan & Architectural Design Review (CCMC §17.16.080) and is further addressed under Section 6: Site Plan & Architectural Design Review below.

REQUIRED FINDING #4 (BY THE COMMISSION):

- The proposed project (with Site Plan & Architectural Design Review) is consistent with the Crescent City's High Density Residential District (R-3) Zoning Code, in that:
- a) The proposed project is not located within the Coastal Zone and is not appealable to the Coastal Commission;*
 - b) The proposed use is consistent with the "multiple dwellings" which is principally permitted within the R-3 zone (CCMC §17.16.020(A));*
 - c) The proposed use is consistent with the intention to "provide living areas within the city where development provides for high density concentrations of dwelling units" (CCMC §17.16.010(A));*
 - d) The proposed project within the R-3 Zoning District is subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.16.030) and CCMC §17.79 requirements.*

SECTION 6: SITE PLAN & ARCHITECTURAL DESIGN REVIEW

The proposed 40-unit residential use is a permitted use within the R-3 Zone (CCMC §17.16.020) requiring the scheduled public hearing for the Planning Commission to determine whether the proposed Site Plan & Architectural Design Review (Application AR23-16) (See Attachment A) shall be approved or denied (CCMC §17.46.040(A)), based on the following standards:

A. 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-3) Zoning Code (with a Site Plan & Architectural Design Review). (See Section 2: Background Information and Section 4: Project Description).

B. Parking (CCMC §17.20.060(A) & §17.46.035(A)):

The required off-street parking ratio for multi-family dwellings is 1.5 spaces per unit (CCMC §17.42.040) totaling 84-spaces. The proposed off-street parking ratio is 2 spaces per unit, totaling 112 spaces thus exceeding, by 28-spaces, the required amount. The three buildings currently under construction were granted a parking variance to back out over the sidewalk. There are 20 off-street spaces fronting California and 12 fronting Hoover under the previously approved Parking Waiver (PWR23-01). An additional 12 spaces will front California also covered under PWR23-01. The remaining 68 off-street parking will be served internally with a continuous two-way drive fronting California and Hoover. Two accessible parking spaces (or 3.6%) are proposed meeting the required 2% (Section 1109A of the 2022 California Building Code). Each dwelling unit will have one electric vehicle charging station. The proposed project meets the required off-street parking spaces, accessible parking spaces, and electric vehicle charging station requirements, specific design requirements will need to meet Public Works approval; Therefore, the proposed project is consistent with parking requirements.

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

The proposed project includes a landscape plan indicating the location of open space and trees. A stormwater detention pond is proposed on the southeast corner of the parcel and will be planted with appropriate and easily managed vegetation. The side slopes of the pond will be 3:1 to permit easy maintenance. The project site is located near Del Norte High School and Mary Peacock Elementary School which have recreational areas available outside of school hours.

D. Fencing (CCMC §17.20.060(B) & §17.46.035(A)):

The proposed project includes 6-ft wood fencing encasing a small "backyard" for each unit. The proposed project also includes a trash enclosure which is required to be screened from view from adjacent streets (CCMC §17.43.050) and is therefore consistent with fencing requirements. Any future fencing would be subject to a fence permit.

E. Signage (CCMC §17.20.060(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.

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

The proposed project includes half width of Oregon, California, and Hoover Street will be improved with curb, gutter, sidewalk, paving and drainage (On-site stormwater detention has been sized to maintain flow rates to 25-year pre-development conditions) improvements, specific design requirements will need to meet Public Works approval; therefore, the proposed project is consistent with sidewalk and street requirements.

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

The proposed project includes utility hookups to adjacent existing underground provisions of water, sewage, and drainage facilities, specific design requirements will need to meet Public Works approval; therefore, the proposed project is consistent with public services requirements.

REQUIRED FINDING #5 (BY THE COMMISSION):

□ 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.*

SECTION 7: 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 Residential Multi-family (15-30) land use designation (incorporating the General Plan Amendment) and is consistent with the Crescent City's High-Density Residential District (R-3) Zoning Code (with Zoning Amendment, 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 2.78 acres, and is located adjacent to existing residential/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 partially developed 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 residential use in a developed residential/commercial area that already services residential/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.

REQUIRED FINDING #6 (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 8: INTER-DEPARTMENTAL PLANNING REFERRALS

The Inter-Departmental Planning Referrals were provided (on 12/28/23) to other City departments which included the following comments/conditions:

A. Police Department: Approved with “no comments or concerns.” (12/29/23)

B. Fire and Rescue: Approved with “no issues.” (01/06/24)

C. Building Department: None submitted

D. Public Works Department: None submitted

REQUIRED FINDING #7 (BY THE COMMISSION):

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

SECTION 9: PLANNING COMMISSION ACTION OPTIONS

A. **APPROVAL**. Making all the required findings.

- “I move to adopt Resolution No. PC2024-05, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review for a 40-unit residential-only development.”
- Planning staff will send the applicant an approval letter, after the 10-day appeal period (CCMC §17.46.050), along with the resolution, as adopted by the Planning Commission during the public hearing. The applicant would be granted approval on their AR23-16 application, allowing them to construct the residential accessory structure. Approved plans, together with such conditions, shall be signed, dated, and mailed to the applicant (CCMC §17.46.040(C)). The planning commission secretary shall place one copy of the approved plans in the files of the planning commission (CCMC §17.46.040(C)).

B. **DENIAL**. Denying one, or more, of the required findings.

- **“I move to deny the Site Plan and Architectural Design Review (AR23-16) 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 build the residential accessory structure.

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

- **“I move to request additional information regarding _____ be brought back to the February 22, 2024 (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 (CCMC §17.46.050) scheduled for Thursday, February 22, 2024 or a specific alternative Special Planning Commission meeting.

If no action is taken by the Commission sixty days after receipt of all drawings and applications, it shall be deemed accepted and building permits may then be issued, which are in compliance with the drawings submitted for review (CCMC §17.26.040(B)).

SECTION 10: STAFF RECOMMENDATION

1. (Chair) “Agenized Item #2: A Public Hearing to consider a Site Plan & Architectural Design Review (AR23-16) for a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development located at 1405 California Street (APN 118-403-002).”
2. (Chair) “I will open the Public Hearing.”
3. (Chair) “We will now receive a presentation on the Staff Report from Planner Lawton.”
4. (Chair) “Does any Commissioners have any clarifying questions for staff?”
 - a. (Chair) “Does the Applicant wish to address the Planning Commission?”
5. (Chair) “I will open Public Comment, which we will receive at the podium.”
 - a. “We request that (1) you state your name and residency, (2) subject to a three-minute comment be directed to the Planning Commission for consideration, and (3) please state if you are for-or-against the proposed project.”
 - b. (Chair) Any clarifying questions?
6. (Chair) “I will close Public Comment.”
7. (Chair) “Is there any discussion on this item from the Commissioners?”
8. (Chair) “I believe a motion would be in order.”
 - a. **(Commissioner) “I move to adopt Resolution No. PC2024-05, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review for a 40-unit residential-only development.”**
 - b. *Note: Any changes should be included in the motion.*
9. (Chair) “A motion has been made by Commissioner _____. Is there a second?”

10. (Chair) "It was seconded by Commissioner _____."
11. (Chair) "A motion was made and seconded to: **Adopt Resolution No. PC2024-05, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a Site Plan & Architectural Design Review for a 40-unit residential-only development.**"
 - a. *Note: Any changes should be included in the motion.*
12. (Chair) "Is there any additional discussion from the Commissioners on the motion?"
13. (Chair) "Seeing as there is no further discussion, it is time for a vote on the motion, Specialist Welton, can you poll the vote?"
14. (Chair) "The motion passes (*or fails*) by a vote of ____-to-____." (*Example 5-0*)

--- END OF REPORT ---

CITY OF CRESCENT CITY Development Permit Application

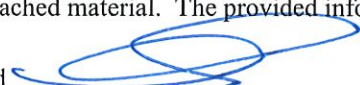
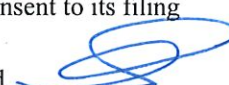
Return completed application to:
Planning Department
377 J Street
Crescent City, CA 95531
(707) 464-9506 (707) 465-4405 fax

TYPE OR PRINT CLEARLY

Applicant SAM SCHAUVERMAN	Street Address PO BOX 1103	City CRESCENT CITY	Zip Code 95531	Day Phone 707-951-0791
Representative (if any) "	Street Address	City	Zip Code	Day Phone
Property Owner "	Street Address	City	Zip Code	Day Phone

Correspondence to be sent to ☒ Applicant ☐ Representative ☐ Owner

Project Address 1405 CALIFORNIA ST BUILDINGS A-J	Assessor's Parcel No. 118-403-002	
Description of proposed project (attach sheets if necessary) GENERAL PLAN AMENDMENT, ZONING AMENDMENT, REZONE R-2 TO C-2. CONSTRUCT 56 UNIT TOWNHOUSE APARTMENT PROJECT.		
Existing Land Use GEN COMM, MF	Adjacent Uses GEN COMM, SF	Building Coverage 11530 sq.ft. existing
Project Acreage 2.37	Project Height 27'	Building Coverage 40,330 sq.ft. proposed
Parking (number of spaces) 112	Paved Area 30,950± SF	Grading Required? YES (if yes, attach preliminary grading plan)
Diking, dredging, or filling of open coastal water, wetlands or riparian/drainage areas. (Attach biological report and preliminary grading plans.)		
Land Division or Boundary Adjustment. (Include tentative map with existing property lines, proposed lots, lot sizes, dimensions, access, physical features and proposed improvements, utilities, etc.)		

Applicant/Representative: I have reviewed this application and the attached material. The provided information is accurate.	Property Owner/Authorized Agent: I have read this application and consent to its filing
Signed  Date 12/15/23	Signed  Date 12/15/23

TYPE OF APPLICATION	<input checked="" type="checkbox"/> Architectural Review	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Subdivision/Minor
	<input type="checkbox"/> CEQA Review	<input checked="" type="checkbox"/> Municipal Code Amendment/Rezone	<input type="checkbox"/> Subdivision/Major
	<input type="checkbox"/> Coastal Development Permit	<input type="checkbox"/> Parcel Merger	<input checked="" type="checkbox"/> Use Permit
	<input checked="" type="checkbox"/> General Plan Amendment	<input type="checkbox"/> ROW or Street Abandonment	<input checked="" type="checkbox"/> Variance or Waiver
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Special Review	<input type="checkbox"/> Other

REQUIRED SUPPLEMENTAL	<input type="checkbox"/> Application Form	Project plans: * <input type="checkbox"/> Project site plans (buildings, parking, etc.) <input type="checkbox"/> Building floor plans and elevations <input type="checkbox"/> Preliminary grading/drainage plans <input type="checkbox"/> Landscaping/irrigation plans/dumpster <input type="checkbox"/> Sign plans/elevations <input type="checkbox"/> Color/materials samples <input type="checkbox"/> Subdivision/lot line adjustment map <input type="checkbox"/> Written Project Description <input type="checkbox"/> Preliminary Title Report <input type="checkbox"/> Special Project Justification/per code
	<input type="checkbox"/> Application Fee	
	<input type="checkbox"/> Supplemental Application Forms (variance home occupation, etc.)	
	<input type="checkbox"/> Project property deed(s)	
	<input type="checkbox"/> Proof of applicant's legal interest in the property (escrow, etc.)	

*Project Plans: For Subdivision one set of full size plans and/or one set not to exceed 11" by 18" in size are to be provided. Specific information may be required for plans - ask staff for additional information.

OFFICIAL USE ONLY	Application Number(s) RZ23-01/ZA23-01/GPA23-02/UP23-08/AR23-16		Filing Fees	Date Filed 12/19/2023	Receipt #
	Date Application Completed		Zoning C-2/R-2	General Plan (LUP)	
	CEQA: Exempt <input checked="" type="checkbox"/> Negative Declaration		Mitigated Negative Declaration	Environmental Impact Report	
	Review By Planning Commission	City Council	Architectural Review	Planning/Public Works	
	Public Hearing	Office Hearing	Appealable to Coastal Commission?		
	Other Notes:			Approved:	

MAKE CHECKS PAYABLE TO CITY OF CRESCENT CITY

PROJECT NARRATIVE

ROOSEVELT ESTATES

APN 118-403-002

Background

APN 118-403-002 consists of one legal parcel and fronts Washington Blvd and California, Oregon and Hoover Streets. The area for the entire parcel is 2.78 acres with two zoning districts on it. The area zoned C-2 is 1.24 acres while the southerly area zoned R-2 is 1.54 acres. It is currently developed with a 7050 SF commercial building fronting Washington Blvd within the C-2 zoning district. There are currently three multifamily residential buildings under construction fronting California and Hoover Streets comprising of 16 residential units with a gross square footage of 11,530 SF. The buildings are located within the R-2 Zoning District. A parking variance permitting the off-street parking to back out over the existing sidewalk on California and Hoover was granted for the three buildings.

Proposed Project

The proposed project excludes the area to be set aside for the existing commercial building, which is 0.41 acres. The "lot coverage" for the building in the set-aside area is 39.5 percent. No subdivision is proposed for this project.

The proposed project area comprises the remaining 2.37 acres. The coverage for the two zoning designations within that area is 0.83 acres and 1.54 acres for the C-2 and R-2 zoning respectively. It is proposed to obtain a General Plan Amendment, Zoning Amendment, Rezone the R-2 District to C-2, and Use Permit for a 56-unit multifamily townhome project comprising of 2 and 3-bedroom units. It will include the 16 units currently under construction.

The project mix is as follows:

	<u>Area</u>	<u>2 BR Units</u>	<u>3 BR Units</u>	<u>Total Buildings</u>	<u>Total Units</u>
4-Unit Building	2890 SF	2	2	1	4
5 Unit Building	3600 SF	3	2	2	10
6 Unit Building	4320 SF	4	2	7	42
			TOTAL	10	56
Total 2 BR Units	36				
Total 3 BR Units	20				

The current zoning will only permit 47 units as follows:

R-2 (1 Unit/3000 SF)	1.54 Acres (67,082 SF)	22 Units
C-2 (30 Units per Acre with Use Permit)	0.83 Acres	25 Units

16 Units are currently under construction in the R-2 district as principally permitted use. Rezoning the R-2 area to C-2 would permit the entire 2.37 acre project, zoned as C-2, to potentially have 71 Units with a Use Permit at its maximum density. The proposed project is 56 Units, which will require the Rezone and Use Permit, but is only 79 percent of the potential maximum density.

The project will likely be constructed in 3 phases with the first Phase currently under construction.

Lot Coverage

The project area is 2.37 acres. The aggregate building area is 40,330 SF (0.93 Acres). Lot coverage ratio is 39.2% which is less than the maximum 50% coverage requirement.

Off-Street Parking

The required off street parking for apartments is 1.5 spaces per unit totaling 84. The proposed off-street parking is 2 spaces per unit, totaling 112 spaces, which is 28 additional spaces than required.

The three buildings currently under construction were granted a parking variance to back out over the sidewalk. There are 20 spaces fronting California and 12 fronting Hoover under the current variance. An additional 12 spaces will require a variance fronting California. The remaining 68 off-street parking will be served internally with a continuous two-way drive fronting California and Hoover. On-street parking will be available for the entire 420-foot frontage of Oregon Street and 60 feet each fronting California and Hoover Streets.

Approximately 540 lineal feet of on-street parking will be lost to the street facing parking. This simply equates to 27 (20-foot long) parking spaces. That is a conservative calculation while parallel parking space is generally 22-26 feet, resulting in fewer spaces. The additional off-street parking being provided is greater than the 27 maximum spaces being lost on-street.

There will be no designated guest parking.

Accessible Parking

Section 1109A of the 2022 California Building Code requires accessible parking to be provided at the rate not less than 2 percent of the multifamily dwelling units. There shall be no less than one accessible space, of which no less than one van accessible space. The 56-Unit proposed project has two accessible parking spaces which is 3.6 percent of the number of dwelling units. The 16-Unit Phase I project currently under construction has one Van Accessible space while a second accessible parking space will be dedicated in the project before 50 units are constructed.

Vehicle Charging Stations

Each dwelling unit will have a vehicle charging station.

Street Improvements

The half width of Oregon, California and Hoover Street will be improved with curb, gutter, sidewalk, paving and drainage improvements.

Drainage

Hydrological and hydraulic calculations indicate that the existing 24-inch storm drain located at Hoover and Northcrest is not capable of passing post development flows from the site. On-site stormwater detention has been sized to maintain flow rates to 25-year pre-development conditions. The detention basin will be maintained and cleaned of debris on a regular basis.

Storage

No separate storage buildings are proposed.

Trash Enclosures

Trash enclosures with commercial trash bins will be provided at each end of the project site. Only one trash enclosure will be constructed with the first 16-unit phase while the second will be constructed when buildings are constructed near the northerly end. The proposed layout and locations meet Recology's design standards.

Lighting

All exterior lighting will be building mounted and downlit to reduce lighting offsite.

Laundry

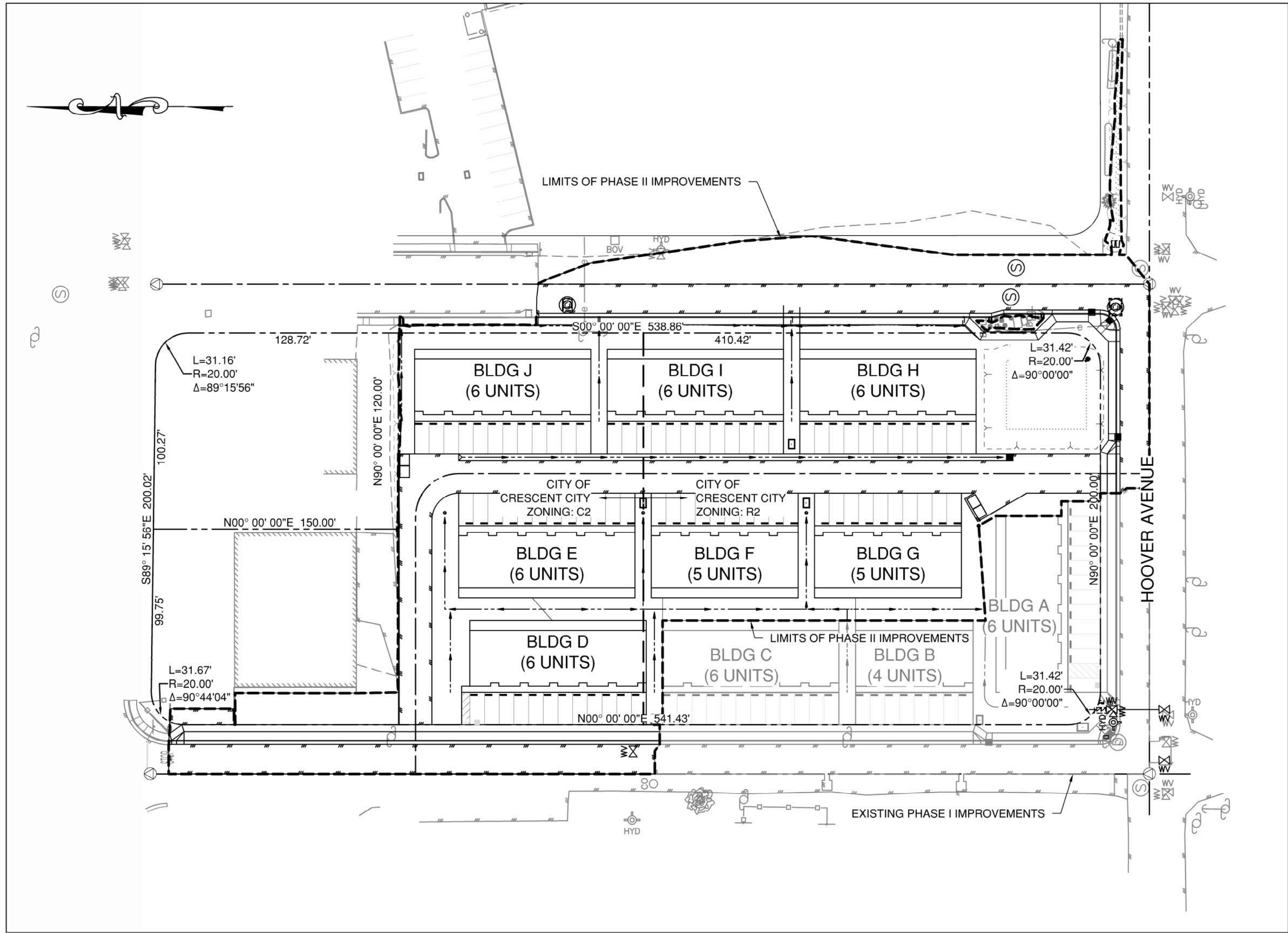
A washer and dryer will be provided in each dwelling unit.

Common Area/Greenspace

No common area is proposed. A landscape plan indicates the location of open space and trees. A stormwater detention pond is proposed on the southeast corner of the parcel and will be planted with appropriate and easily managed vegetation. Side slopes of the pond will be 3:1 to permit easy maintenance. The project site is located near Del Norte High School and Mary Peacock Elementary School which have recreational areas available outside of school hours.

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ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II



1 SITE MAP
1"=50'

CONTROL POINT DATA				
CP NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	2535340.46	5961132.88	100.00'	2"Ø ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
2	2535340.46	5960832.88	104.52'	2"Ø ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
3	2535952.53	5960832.88	104.06'	2"Ø ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"
4	2535948.67	5961132.87	103.01'	2"Ø ALM CAP "OR LS 2520 - SCHLACK - CA LS 5698"

BASIS OF BEARINGS

A LINE FROM CP1 TO CP2 BEARING N 90°00'00" W A DISTANCE OF 300.00'

VERTICAL BENCHMARK DATUM

THE VERTICAL DATUM IS ASSUMED ELEVATION OF 100.00' AT CP1

SURVEY NOTES

- TOPOGRAPHIC SURVEY PERFORMED BY STOVER ENGINEERING IN DECEMBER 2022 AND COMPLETED MAY 2023.
- CONTROL POINTS ARE FOUND CENTERLINE MONUMENTS PER BOOK 13 OF MAPS, PAGE 67, DEL NORTE COUNTY RECORDS.

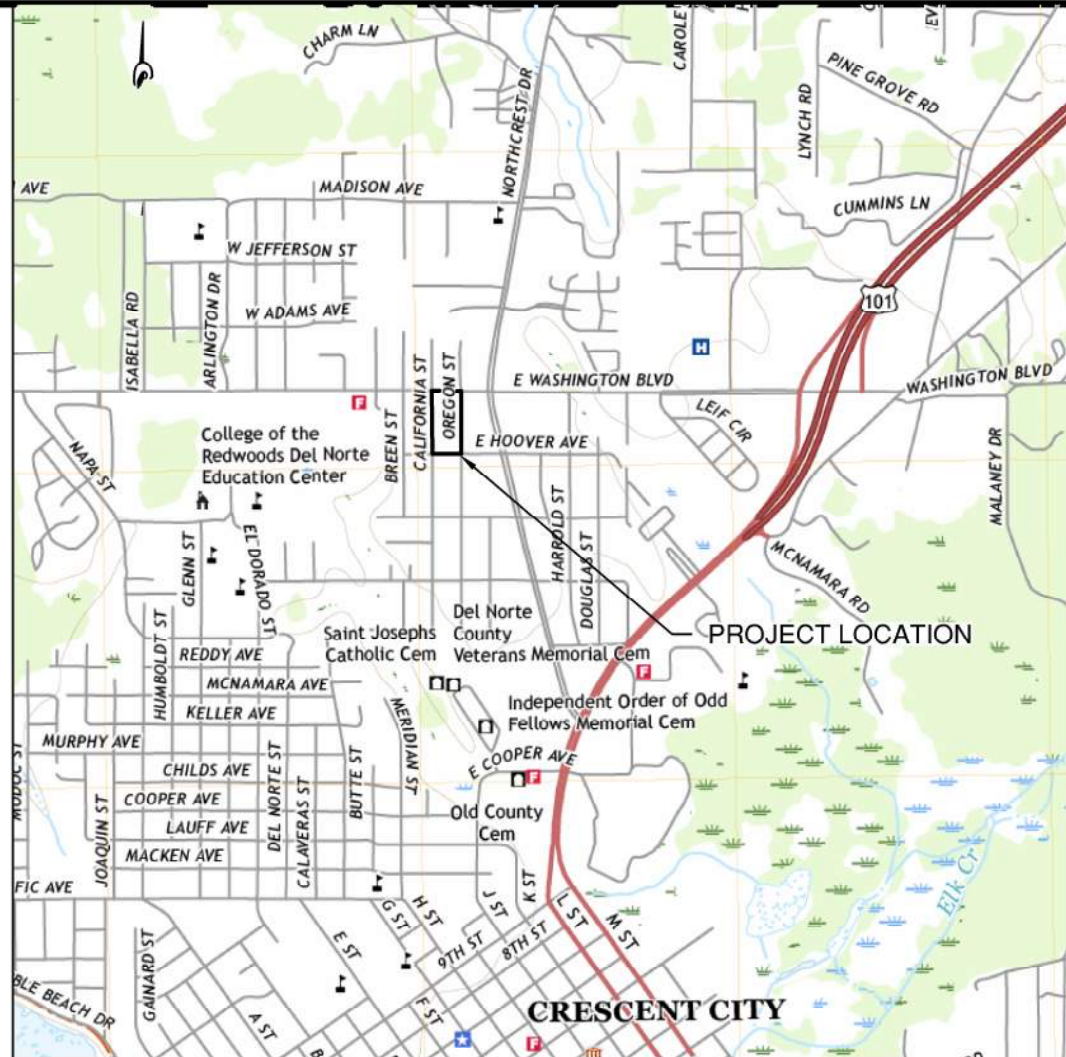
PROJECT INFORMATION

OWNER: SAM SCHAUERMAN
ELK CREEK BUILDERS LLC
PO BOX 1103
CRESCENT CITY, CA 95531

APN: 118-403-002-000

SHEET INDEX

- COVER, SURVEY DATA, & PROJECT INFORMATION
- CONSTRUCTION NOTES
- NOTES, ABBREVIATIONS, & LEGENDS
- EXISTING CONDITIONS & DEMOLITION PLAN
- SITE IMPROVEMENT PLAN
- CALIFORNIA STREET PLAN & PROFILE
- HOOVER AVENUE PLAN & PROFILE
- OREGON STREET PLAN & PROFILE
- DRIVEWAY PLAN & PROFILE
- CALIFORNIA STREET ENLARGED GRADING
- HOOVER AVENUE ENLARGED GRADING
- OREGON STREET ENLARGED GRADING
- TYPICAL CROSS SECTIONS
- ROAD DETAILS
- WATER DETAILS
- FIRE WATER NOTES & DETAILS
- SANITARY SEWER DETAILS
- STORM DRAIN RETENTION AND DETAILS
- STORM DRAIN DETAILS
- CALTRANS DETAILS
- CALIFORNIA STREET CROSS SECTIONS
- HOOVER AVENUE CROSS SECTIONS
- OREGON STREET CROSS SECTIONS
- DRIVEWAY CROSS SECTIONS
- LANDSCAPING & TREE PLAN
- EROSION CONTROL PLAN

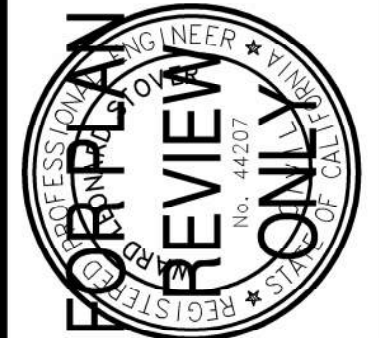


VICINITY MAP
1"=2000'

GENERAL NOTES

- ALL CONSTRUCTION TO CONFORM WITH THE 2022 CALIFORNIA BUILDING CODE. ALSO REFER TO THE LATEST EDITION OF CALTRANS STANDARD PLANS AND STANDARD SPECIFICATIONS; AND CITY OF CRESCENT CITY STANDARDS.
- CONTRACTORS SHALL POSSESS THE PROPER CONTRACTOR'S LICENSE.
- NOTIFY ENGINEER OF ANY CONFLICTS.
- MAXIMUM AND MINIMUM DIMENSIONS AND SLOPES ARE ABSOLUTE. CONTRACTOR SHALL TAKE INTO CONSIDERATION CONSTRUCTION TOLERANCES TO ENSURE MINIMUM AND MAXIMUM DIMENSIONS AND SLOPES ARE NOT EXCEEDED.
- ALL CONCRETE SHALL BE MINOR CONCRETE IN ACCORDANCE WITH SECTION 90 "PORTLAND CEMENT CONCRETE" OF THE 2022 CALTRANS STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE MIX PROPORTION FOR CONCRETE.
- ROAD PAVEMENT SHALL BE ½" HMA TYPE A OR B, IN ACCORDANCE WITH SECTION 39 OF THE 2022 CALTRANS STANDARD SPECIFICATIONS, OR APPROVED EQUAL.
- AGGREGATE BASE SHALL BE CALTRANS CLASS 2 IN ACCORDANCE WITH SECTION 26 OF THE 2022 CALTRANS SPECIFICATIONS OR APPROVED EQUAL.
- SAND SHALL NOT BE USED FOR PIPE BACKFILL OR BEDDING, OR WITHIN RIGHTS-OF-WAY.
- ALL PEDESTRIAN PATHS OF TRAVEL SHALL BE ACCESSIBLE (E.G., SIDEWALKS, RAMPS, DRIVEWAYS).
- UNDERGROUND NOTE: DATA PERTAINING TO EXISTING UNDERGROUND FACILITIES AS INDICATED HEREIN IS FOR INFORMATION PURPOSES ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL AGENCIES INVOLVED AND SHALL LOCATE ALL FACILITIES PRIOR TO EXCAVATION IN ANY AREA. VERIFY LOCATIONS AND DEPTHS OF EXISTING FACILITIES PRIOR TO CONSTRUCTION OF NEW FACILITIES. NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES.
- LAYOUT WORK (CONSTRUCTION STAKING) SHALL BE PERFORMED BY A PERSON PROPERLY LICENSED TO PERFORM CONSTRUCTION STAKING IN THE STATE OF CALIFORNIA.
- AN ENCROACHMENT PERMIT SHALL BE OBTAINED FROM THE CITY OF CRESCENT CITY FOR ANY WORK WITHIN CITY RIGHTS-OF-WAY.

No.	Date	Revision	Drawn By	Checked By	Appr'd.
0			RCY	GLH	WLS



STOVER ENGINEERING
Civil Engineers and Consultants

PO BOX 783 - 711 H STREET
CRESCENT CITY, CA 95531 707-465-6742

ELK CREEK BUILDERS LLC
ROOSEVELT ESTATES - PHASE II
CRESCENT CITY, CA

COVER, SURVEY DATA, & PROJECT INFORMATION

JOB NO. 4828.03

SCALE: AS SHOWN

DATE: 12/19/23

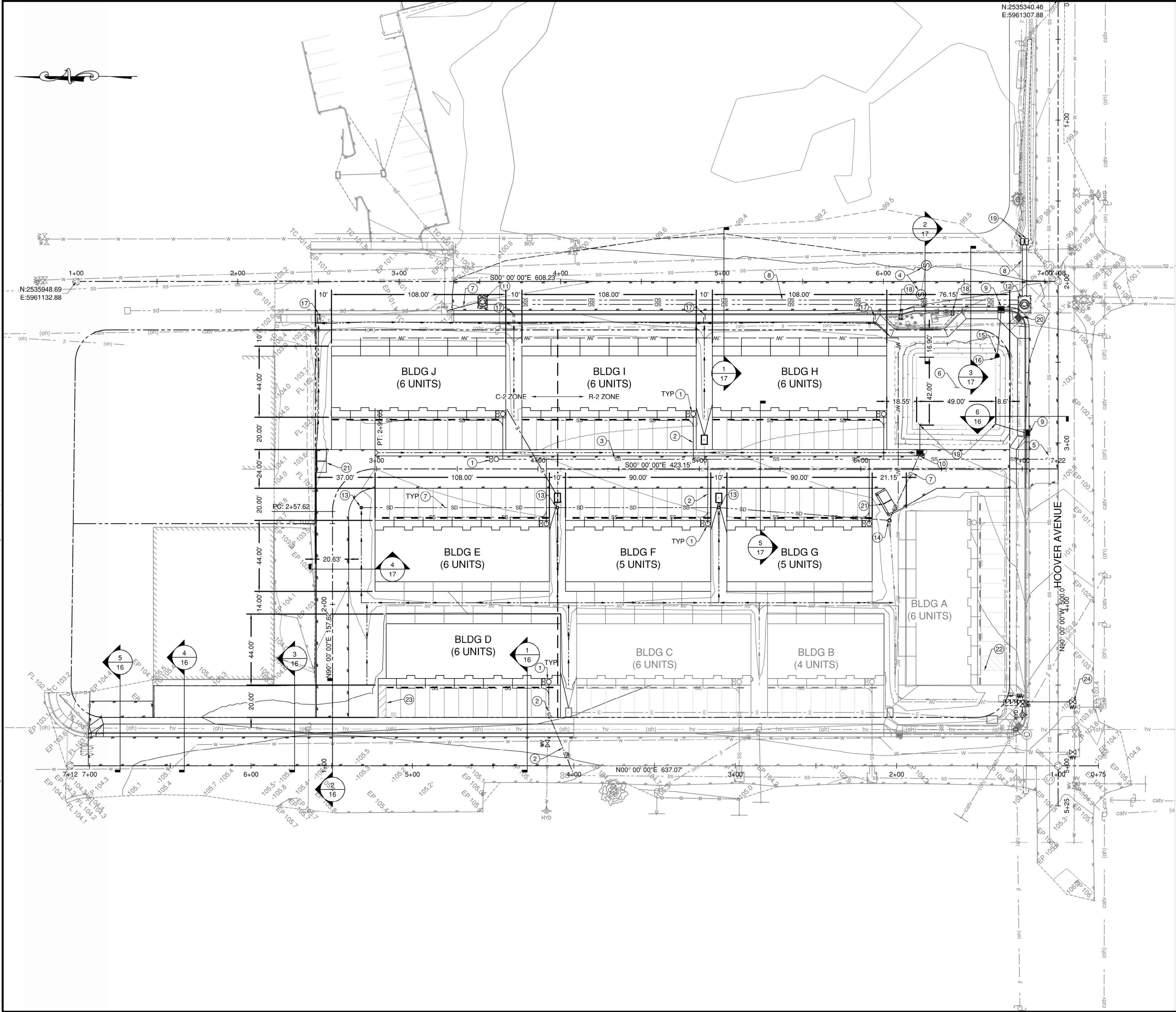
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OF

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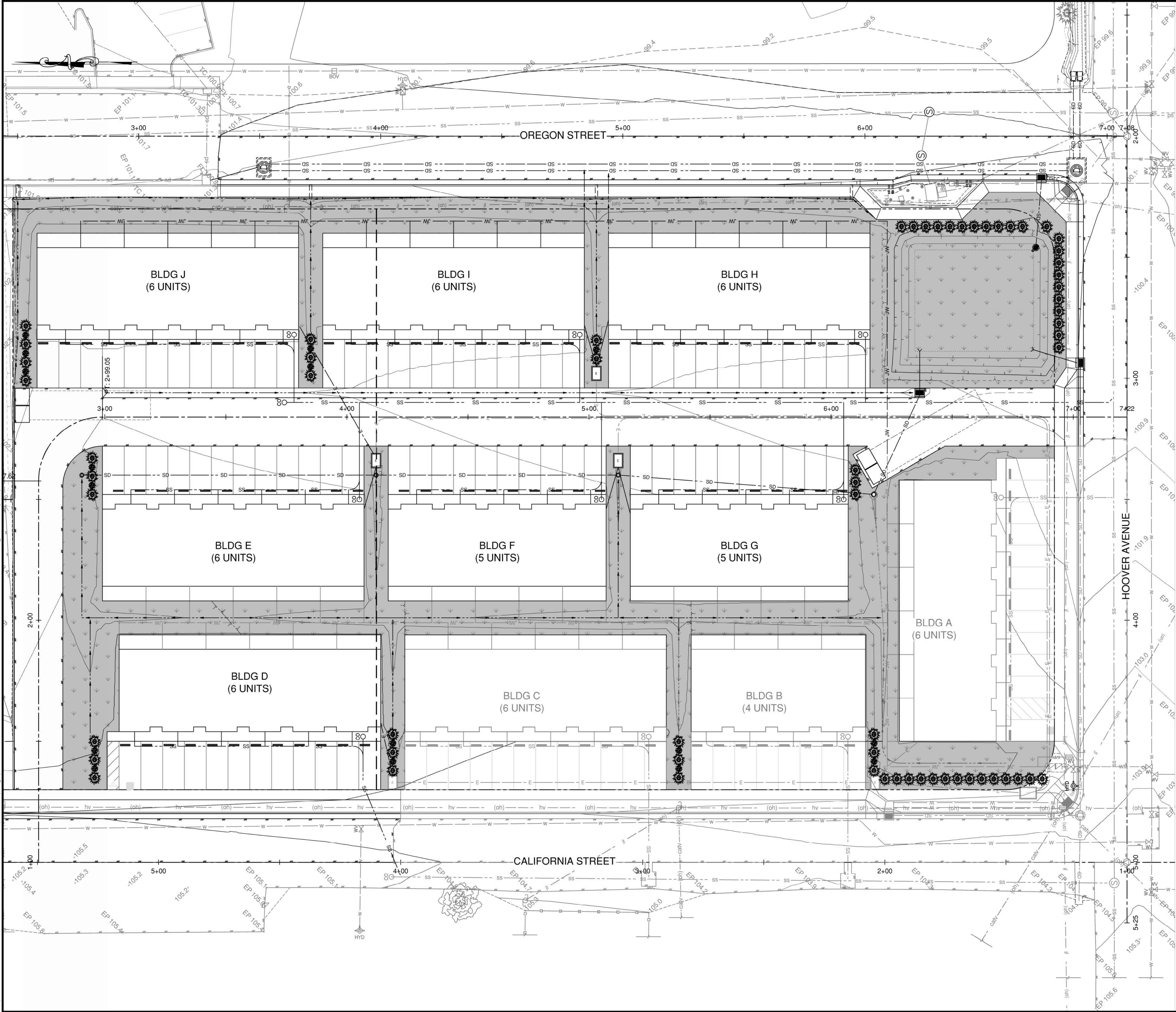


KEY NOTES

- 1 SEWER CLEANOUT, SEE DETAIL 1/21.
- 2 4"Ø SEWER LATERAL, SEE DETAIL 2/21.
- 3 SEWER TRENCH, SEE DETAIL 3/21.
- 4 ADJUST SEWER MANHOLE RIMS TO GRADE, SEE 4/21.
- 5 NEW 6"Ø LATERAL, SEE DETAIL 2/21.
- 6 NEW RETENTION STORM DRAIN BASIN, SEE SHEET 22.
- 7 TYPICAL STORM DRAIN TRENCH, SEE DETAIL 1/23.
- 8 DUAL 24"Ø HDPE STORM DRAIN TRENCH, SEE DETAIL 2/23
- 9 CALTRANS TYPE GO DRAIN INLET, SEE DETAIL 4/25.
- 10 CALTRANS TYPE G1 DRAIN INLET, SEE DETAIL 1/26.
- 11 STORM DRAIN MANHOLE, SEE DETAIL 1/24.
- 12 STORM DRAIN MANHOLE, SEE DETAIL 2/24.
- 13 NYLOPLAST 15"Ø AREA DRAIN INLET, SEE DETAIL 5/23.
- 14 NYLOPLAST 18"Ø AREA DRAIN INLET, SEE DETAIL 5/23.
- 15 NYLOPLAST AREA DRAIN ORIFICE INLET AND OVERFLOW, SEE DETAIL 6/23.
- 16 STORM DRAIN ORIFICE INLET TRASH RACK, SEE DETAIL 7/23.
- 17 UNDER SIDEWALK DRAIN, SEE DETAIL 3/24.
- 18 CURB THRU-DRAIN, SEE DETAIL 4/24.
- 19 FLARED END SECTION, SEE DETAIL 2/23.
- 20 NEW ONE-RAMP CORNER CURB RAMP WITH DETECTABLE WARNING SURFACE, SEE DETAIL 3/25.
- 21 TRASH AND RECYCLING BINS
- 22 VAN ACCESSIBLE PARKING STALL
- 23 ACCESSIBLE PARKING STALL
- 24 NEW 6"Ø FIRE LATERAL AND DOMESTIC WATER METER

ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II CRESCENT CITY, CA		STOVER ENGINEERING Civil Engineers and Consultants		FOR PLAN REVIEW ONLY NO. 44307		DESIGNED BY: RCY DRAWN BY: GLH CHECKED BY: WLS		APPROVED BY: WLS	
JOB NO. 4828.03		SCALE: 1"=30'		DATE: 12/19/23		SHEET 5 OF 33		1 BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES IF DISTANCE VARIES ACCORDINGLY	
SITE IMPROVEMENT PLAN									

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- LEGEND**
- THUJA JUNIOR ARBORVITAE
 - ORNAMENTAL SHRUB (TO BE DETERMINED)
 - VEGETATED GRASS AREAS

<p>STOVER ENGINEERING Civil Engineers and Consultants</p>		<p>ELK CREEK BUILDERS LLC ROOSEVELT ESTATES - PHASE II CRESCENT CITY, CA</p>		<p>LANDSCAPING PLAN</p>	
<p>JOB NO. 4828.03 SCALE: 1"=20'</p>		<p>DATE: 12/19/23 SHEET</p>		<p>32 OF 33</p>	
<p>DESIGNED BY: RCY DRAWN BY: GLH CHECKED BY: WLS</p>		<p>NO. 443.07 REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA</p>		<p>APPROVED BY: WLS DATE: 12/19/23</p>	
<p>1" BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES IF DISTANCE VARIES ACCORDINGLY.</p>					

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



**ATTACHMENT B:
CONDITIONS OF APPROVAL
AR23-12 – Battery Point Apartments**

On October 12, 2023, the Planning Commission of the City of Crescent City approved, by adoption of Resolution PC2023-12, to grant a Site Plan & Architectural Design Review (AR23-12) consistent with the State Density Bonus Law to allow SSF Battery Point LP (Bill Rice) to build a 162-unit residential-only development on two vacant parcels located north of Joe Hamilton Elementary between E Street and Gary Street (APNs 118-440-021 & -022), 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 17.16 (High-Density Residential District).
2. **Construction.** The applicant may carry out the phasing of construction and is not required to construct in order or simultaneously.
 - a. Phase 1: Construction of Building A
 - b. Phase 2: Construction of Buildings B & C
 - c. Construction stormwater mitigation measures shall be maintained until final landscaping is installed and established.
3. **Deferred Development.** Final landscaping for the entire site, including construction of the walking path in the southerly fire access lane, may be deferred but must be completed prior to issuance of the Certificate of Occupancy.
4. **Site Plan & Architectural Design.** The approved project shall be constructed according to the application submittal, including the approved site plan & architectural design (AR23-12) dated 09/29/23 or as modified by the Planning Commission.
 - a. **Expiration.** A site plan or architectural design approval shall lapse and shall become void one year following the date on which approval by the committee, planning commission or city council became effective unless prior to the expiration of one year a building permit is issued by the building official, and the construction is commenced and diligently pursued toward completion on the site or structures which were the subject of the site plan or architectural design approval (CCMC §17.46.090(A)).
 - b. **Extension.** Approval may be extended for an additional period for periods of one year upon written application to the planning commission before expiration of the first approval (CCMC §17.46.090(B)).

- c. **Transfer.** A site plan or architectural design approved pursuant to the provisions of chapter 17.46 shall run with the land and shall continue to be valid upon the change of ownership of the site which was the subject of the site plan or architectural design approval, subject to the provisions of Section 17.46.090 (CCMC §17.46.100).
 - d. **Revisions.** Any minor deviations from approved plans may be approved by the Director of the Community Development Department.
- 5. **Off-Street Parking.** It is unlawful for any person, firm or corporation who owns, leases or controls a building or structure to fail, neglect or refuse to provide and maintain off-street parking and loading facilities as required (CCMC §17.42.010).
 - a. **Required.** All off-street parking spaces shall be maintained in accordance with the Off-Street Parking regulations (CCMC §17.42.120(B)).
 - b. **Use.** No sale, storage, repair work, dismantling or servicing of any kind shall be permitted on required parking spaces (CCMC §17.42.120(G)).
- 6. **Landscaping.** Property owners or occupants shall maintain landscaping to be free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases (CCMC §17.43.020(G)).
 - a. **Water Efficient.** All landscaping is subject to water efficient landscaping standards (CCMC §17.41.010).
 - b. **Replacement.** The property owner shall immediately replace any plant material that dies, deteriorates, or is damaged by the causes listed above (CCMC §17.43.020(G)).
 - c. **Appearance.** Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance (CCMC §17.43.040(C)).
 - d. **Maintenance.** Trees, shrubs, hedges, and other plant materials shall be maintained so as not to create sight hazard as determined by the Director of Public Works (CCMC §17.43.040(D)).
- 7. **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.
- 8. **Building Department.** The applicant shall comply with permit requirements of the City of Crescent City's Building Department.
 - a. **Building Permit.** Before a building permit shall be issued for any building or structure proposed as part of an approved site plan or architectural design, the building official shall determine that the proposed building location facilities and

improvements are in conformity with the plans and conditions approved by the Planning Commission (CCMC §17.46.080(A)).

- b. **Issuance.** The Building Permit shall not be issued until the effective date of this notice, shown below. Building permits may be issued for each individual building subject to the following:
 - i. 21 parking stalls, accessible paths of travel, graveled southerly fire lane and emergency access from Margie Street, community garden, and stormwater detention for developed surfaces shall be constructed prior to issuance of Certificate of Occupancy for Building A.
 - ii. Emergency access easements extending from Margie Street to the proposed Parcel 1 shall be offered to the City prior to the issuance of the Certificate of Occupancy for Building A.
 - iii. 77 parking stalls, accessible paths of travel, and stormwater detention for developed surfaces shall be constructed prior to issuance of Certificate of Occupancy for Building B.
 - iv. 67 parking stalls, accessible paths of travel and stormwater detention for developed surface shall be constructed prior to issuance of Certificate of Occupancy for Building C.
 - c. **Certificate of Occupancy.** Before a building may be occupied the building official shall certify that the site or structure has been developed in conformity with the plans and conditions approved in this chapter (CCMC §17.46.080(B)).
9. **Grading Plan.** The applicant shall submit a grading plan for the two parcels for review and approval by the City.
- a. **Grading Permits.** The applicant shall obtain grading permits for site improvements.
 - b. **Issuance of Grading Permits.** The City may issue grading permits prior to the issuance of building permits for each building.
10. **Lot Line Adjustment.** Boundary adjustment deeds shall be recorded with the County Recorder prior to the issuance of the building permit for Building A. A Record of Survey is not required. See also Condition of Approval for Utilities.
11. **Utilities.** The applicant shall submit a site utilities plan, detailing the resolution of all existing and proposed easements for the two parcels for review and approval by the City Public Works Director.
- a. Utility easements as may be required shall be offered to the City of Crescent City prior to City approval and acceptance of the utilities.
12. **State Density Bonus Law.** The applicant is to keep the project is 100% affordable (80% Low-Income & 20% Moderate-Income) (Gov. Code §50079.5(b)(1)(G)).

- a. **Moderate-Income:** 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 §50079.5(c)(1)(B)(i)).
 - b. **Low-Income:** 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 §50079.5(c)(1)(B)(ii)).
 - c. **Senior Housing:** The senior citizen housing project developed shall maintain compliance with Gov. Code §65915 et seq. (CCMC §17.48.030(A)).
 - d. **55-Years:** 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 §50079.5(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)).
13. **Construction Noise Standard:** The City's Municipal Code Section 8.18.060 E contains standards for construction noise that places limitations on the days and hours of construction activity to the hours of seven a.m. and six p.m. or sunset, whichever occurs later, on Monday through Friday, or between the hours of eight a.m. and six p.m. on Saturdays and Sundays
14. **Stormwater:** The Applicant shall submit a copy of the Construction General permit Stormwater Pollution Prevention Plan (SWPPP) to the Public Works Department. Design for the on and off-site improvements will conform to Municipal Code Section 17.88.310 "Stormwater Runoff Management.
15. **Stormwater:** The Applicant shall efficiently utilize open space/landscape areas for decentralized Low Impact Development stormwater retention (such as rain gardens and bioswales), separating, where feasible, street and parking lot area runoff from roof runoff and other clean stormwater runoff.
16. **Construction Dust:** Compliance with NCUAQMD Rule 104(D) is required for the project, including:
- a. Water all active construction areas that are not adequately wetted twice per day and use erosion control measures to prevent water runoff containing silt and debris from entering the storm drain system.

- b. Pave, water, or apply non-toxic soil stabilizers to unpaved access roads, unpaved parking areas, material stockpiles, and other surfaces which can give rise to airborne dusts.
 - c. Cover trucks hauling soil, sand, and other loose material that are likely to give rise to airborne dust.
 - d. Sweep onsite paved access roads and parking areas daily.
 - e. Sweep offsite streets daily if visible material is carried onto adjacent public streets.
17. **Addresses:** Address signage of project/buildings/units shall be in accordance with the City Police Department requirements. Subsequent sign permit approval may be required by Community Development Dept.
18. **Dog Park:** The 0.5-acre remainder adjacent to the northwestern portion of the project site is not a part of this project and its future use is required to be consistent with City's land use regulations.
19. **Lighting.** Outdoor Lighting shall be the minimum necessary for security and safety and shall:
- a. Utilize Dark sky-compliant fixtures.
 - b. Be low, shielded, and directed so light does not leave the property.
 - c. Be set on motion sensors or timers so light is available when needed, dimmed when possible, and turned off when not needed.
 - d. Use warmer color lights where possible.

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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #2**



Incorporated April 13, 1854

web: www.crescentcity.org

**AR23-16 - ATTACHMENT B
RESOLUTION NO. PC2024-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT
CITY APPROVING A SITE PLAN & ARCHITECTURAL DESIGN REVIEW
FOR A 40-UNIT RESIDENTIAL-ONLY DEVELOPMENT**

WHEREAS, Sam Schauerma has submitted a Site Plan & Architectural Design Review (AR24-16) for a proposed Roosevelt Estates (Phase 2) requesting 40-unit residential-only development on a partially developed (Phase 1 = 16-units) parcel within the R-2/C-2 Zoning (Moderate-Density Residential District/General Commercial District) located at 1405 California Street (APN 118-403-002);

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 (G-C) land use designation, in that the proposed project:

- a) Is principally permitted as "multiple-use buildings" within the MF 15-30;
- b) "Provide[s] for high density residential development within the urban boundary" within the MF 15-30; and
- c) Is supported by the General Plan goals (1.F, C, and G) and policies (1.A.2, 1.A.3, 1.F.2, 1.F.3, 2.A.2, 2.B.9, 2.D.1, 4.A.2, and 4.E.5).

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

- a) The proposed project is not located within the Coastal Zone and is not appealable to the Coastal Commission;
- b) The proposed use is consistent with the "multiple dwellings" which is principally permitted within the R-3 zone (CCMC §17.16.020(A));
- c) The proposed use is consistent with the intention to "provide living areas within the city where development provides for high density concentrations of dwelling units" (CCMC §17.16.010(A));
- d) The proposed project within the R-3 Zoning District is subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.16.030) and CCMC §17.79 requirements.

WHEREAS, the Planning Commission finds that 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;

*A Coastal Development Permit – Consolidation Request
For a Crab Processing Facility Expansion*

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

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City approve the Site Plan & Architectural Design Review (Application AR23-16) for Sam Schauerma to construct a proposed Roosevelt Estates (Phase 2) 40-unit residential-only development located at 1405 California Street (APN 118-403-002), subject to Attachment B: Conditions of Approval.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 8th day of February 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
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #3**



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT

MEETING DATE: Thursday, February 8, 2024

TO: Planning Commission

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

SUBJECT: A Public Hearing to consider a requested Consolidated-Coastal Development Permit for NorthPoint Consulting's proposed Crab Processing Facility expansion located at 250 Citizen's Dock Road (APN 118-020-029).

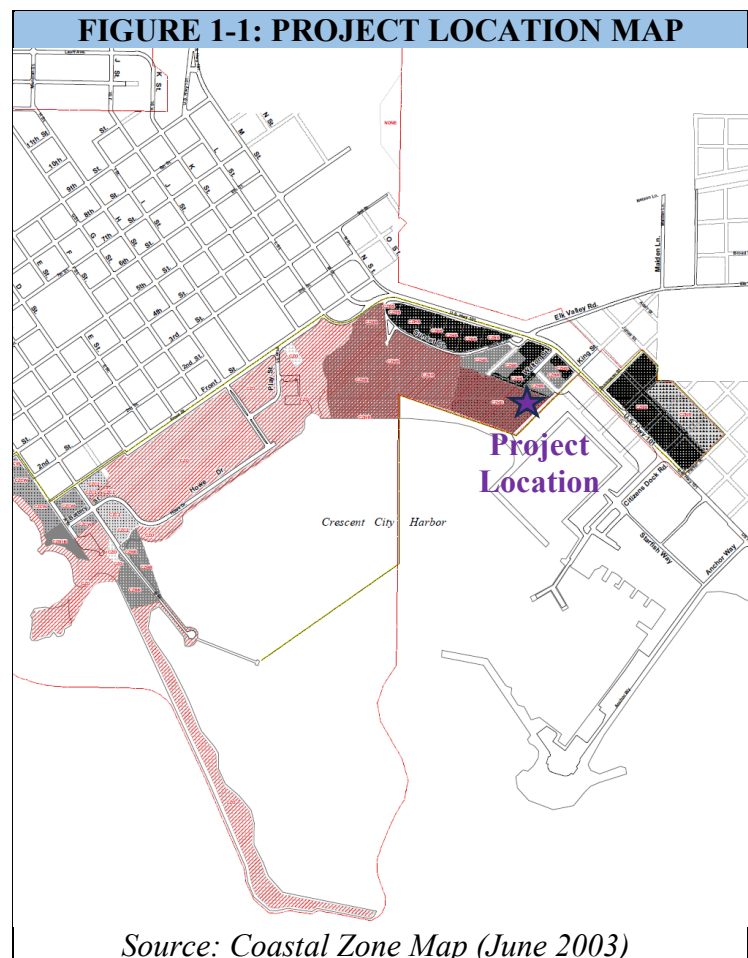
SECTION 1: EXECUTIVE SUMMARY

Crescent City Harbor District (NorthPoint Consulting Group, Inc.) has submitted a Request for consolidating a Coastal Development Permit (Application CDP24-01) for a proposed Crab Processing Facility expansion on a partially developed lot within the CZ-HD Zone (Coastal Zone Harbor Dependent District) located at 250 Citizen's Dock Road (APN 118-020-029).

STAFF RECOMMENDS: "Motion to adopt Resolution No. PC2024-06, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a request for a consolidated Coastal Development Permit for commercial structure expansion."

ATTACHMENTS:

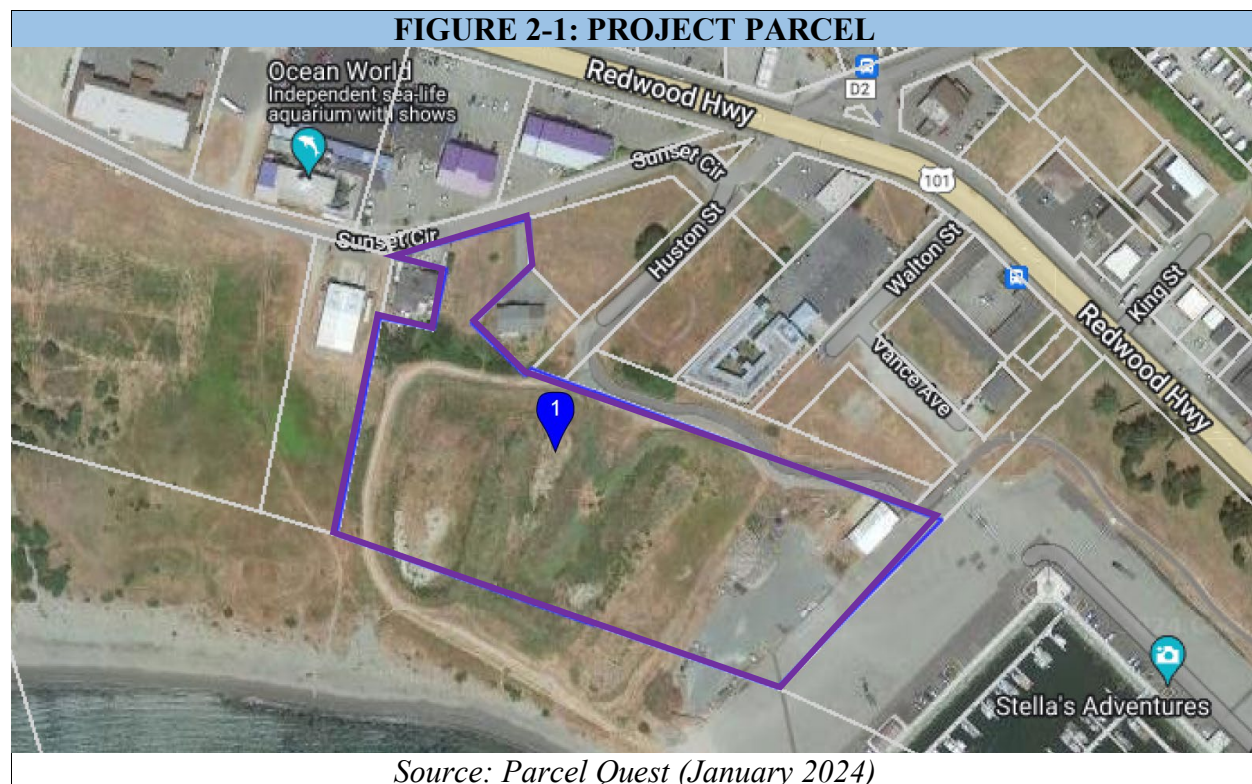
- A) CDP24-01 Application
- B) Resolution PC2024-06



SECTION 2: BACKGROUND INFORMATION

According to the City file, the existing parcel is owned by the Crescent City Harbor District and was previously zoned as C-M (Commercial-Manufacturing) and designated as Retail-Commercial GP land use in the 60's/70's and was used as a fish plant by Pacific Ocean Products. In the 80's the zoning was changed to CZ-HR (Coastal Zone-Harbor Related) and designated as Harbor Dependent GP land use and was used as a dredging disposal site. In 2003 the LCP was amended to change the zoning to CZ-HD (Coastal Zone-Harbor Dependent) to allow Maintenance Dredging. Today, the parcel is mostly vacant with a single empty-building in the south-eastern corner of the parcel.

ADDRESS:	APN:	PARCEL SIZE:	PROJECT SIZE:
250 Citizens Dock Road Crescent City, CA 95531	118-020-029-000	±9.510 acres ±414,255 sf	7.52 acres 327,571 sf



NOTICE OF PUBLIC HEARING:

A Notice of Public Hearing was submitted to the Del Norte Triplicate newspaper (on 01/11/24) to be published (on 01/24/24) in print/online circulation. A similar Notice of Public Hearing was mailed (on 01/22/24) to the property owners within 300-ft of the project location (CCMC §17.46.050) as required (Cal. Gov. Code §65090 & §65094).

REQUIRED FINDING #1 (BY THE COMMISSION):

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

SECTION 3: PROPOSED PROJECT DESCRIPTION

The proposed project includes the remodel and $\pm 2,000$ -sf expansion of an existing $\pm 3,280$ -sf building to allow fish and crab processing activities, for a total of $\pm 5,280$ -sf building. The proposed project area is located entirely within the State (California Coastal Commission) jurisdiction. However, because a small portion of the property includes the local (City of Crescent City) jurisdiction (See Section 5: Zoning Consistency) the State asked the applicant to submit to the City a request for a consolidated permit process (See Section 6: Coastal Development Permit Review). Therefore the applicant is requesting a consolidated Coastal Development Permit to be processed at the state level (See Section 7: CDP Consolidation Request).

FIGURE 3-1: PROPOSED PROJECT



Source: Google Maps (January 2024)

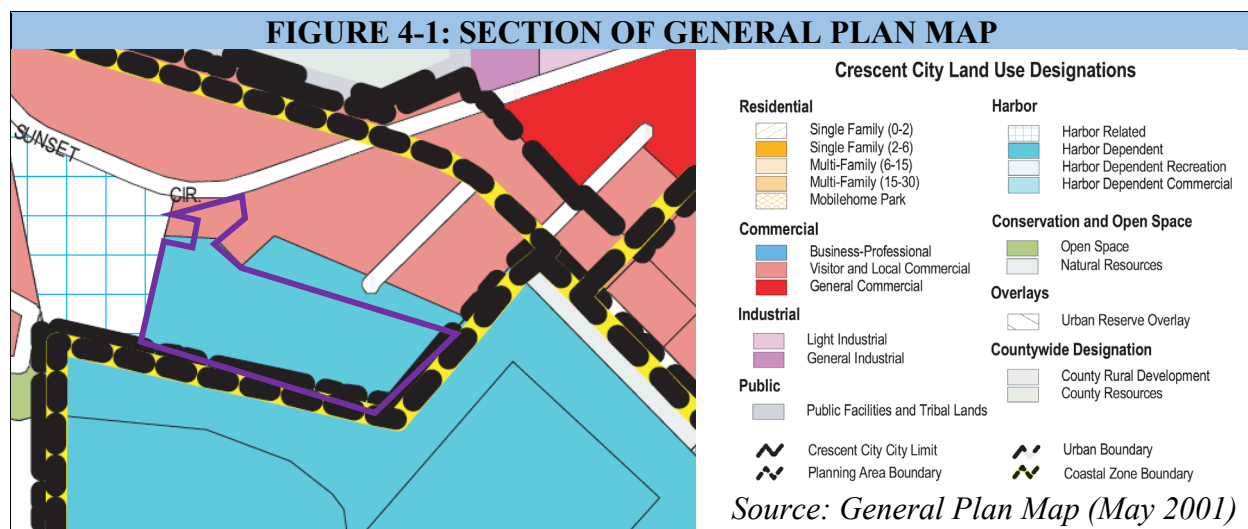
The consolidated CDP application will be to permit a 3,280-sq. ft. existing building constructed in the 1970s, to allow the expansion and renovation of the building to a total of 5,280-sq. ft., and to authorize the use of the building for fish and crab processing activities.

REQUIRED FINDING #2 (BY THE COMMISSION):

□ Crescent City Harbor District (NorthPoint Consulting Group, Inc.) has submitted a Request for consolidating a Coastal Development Permit (Application CDP24-01) for a proposed Crab Processing Facility expansion on a partially developed lot within the CZ-HD Zone (Coastal Zone Harbor Dependent District) located at 250 Citizen's Dock Road (APN 118-020-029).

SECTION 4: GENERAL PLAN CONSISTENCY

The proposed Crab Processing Facility expansion on a partially developed lot is located within the Harbor Dependent and Harbor Related (HD and HR) General Plan (GP) land use designation (See Figure 4-1: Section of General Plan Map), while the proposed project area is entirely contained within the HD GP land use designation.



The HR GP land use designation principally permits “fishing and support services” as the intended uses are “primarily for public and private lands in which commercial and light industrial uses are not dependent upon immediate access to the harbor but benefit from a harbor location.”

The HD GP land use designation principally permits uses including “seafood processing” as “activities include[ing] any function connected with the fishing process or handling and/or storing of equipment necessary to secure fish” as the intended use is “to provide for harbor development uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities or products generated by Crescent City Harbor.”

The proposed Crab Processing Facility expansion on a partially developed lot is a use consistent with the HR and HD GP land use designations and is similar to some of the surrounding uses (See Table 4-1: Comparison of surrounding Properties).

TABLE 4-1: COMPARISON OF SURROUNDING PROPERTIES		
Vicinity	Land Use Designation	Current Use
Project Property	Harbor Dependent (HD) and Harbor Related (HR)	Existing ±3,280-sf building
North	Urban Reserve Overlay and Visitor and Local Commercial	Vacant and Quality Inn & Suites Crescent City Redwood Coast and Travelodge by Wyndham Crescent City

South	Harbor Dependent (HD)	Harbor and Englund Marine and Industrial Supply
East	Harbor Dependent (HD)	Harbor and Highway 101
West	Harbor Dependent (HD)	Beach and Ocean

SUPPORTING GENERAL PLAN GOALS/POLICIES:

- Goal 1.A.** – *“To encourage the overall economic and social growth of the City while maintaining its position of importance in the county and improving its overall aesthetic appeal.”*
- Policy 1.A.2.** - *“The City shall encourage infill development that makes efficient use of existing public infrastructure and is compatible with existing development.”*
- Policy 1.A.7.** - *“Among urban commercial uses, the City shall ensure that coastal dependent, visitor-serving uses have priority within the Coastal Zone. For those uses along the immediate shoreline, the City shall give priority to uses whose basic feasibility is dependent on a waterside location.”*
- Policy 1.G.6.** - *“The City shall work with property owners in older commercial areas to with rehabilitate their properties or convert them to productive uses that are consistent with this General Plan.”*
- Goal 1.I.** - *“To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Crescent City residents and to expand the economic base to better serve the needs of residents.”*
- Policy 1.I.7.** - *“The City shall provide municipal serves to commercial/industrial areas to encourage the retention, expansion, and development of new businesses that act as employment generators.”*
- Policy 1.I.8.** - *“The City shall promote economic expansion based on Crescent City’s unique recreational opportunities and natural resources.”*
- Policy 1.I.9.** - *“The City shall actively participate in economic development efforts with Del Norte County, the Economic Development Corporation, the Harbor District, and other economic development organizations.”*
- Goal 1.K.** - *“To ensure optimum utilization of the Harbor’s commercial tourism and recreational potential, while allowing for appropriate public and private uses, developing access as a Harbor, conserving the Harbor’s open water, improving the Harbor’s aesthetic appeal, and increasing its economic viability.”*
- Policy 1.K.1.** - *“The continuing development and expansion of the Harbor should seek to satisfy as reasonably as possible all commercial, recreational, and public demands...”*
- Policy 1.K.3.** - *“The City, County, and Harbor District should continue to effectively plan and coordinate for the overall development of the Harbor and its adjacent land.”*

REQUIRED FINDING #3 (BY THE COMMISSION):

- ☐ The proposed project is consistent with the Crescent City General Plan’s Harbor Dependent and Harbor Related (HD and HR) land use designation, in that the proposed project:
 - a) *Is principally permitted as “seafood processing” within the HD;*
 - b) *Is an “activiti[ty] include[ing] any function connected with the fishing process or handling and/or storing of equipment necessary to secure fish” within the HD;*
 - c) *“Provide[s] for harbor development uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities*

or products generated by Crescent City Harbor” within the HD;

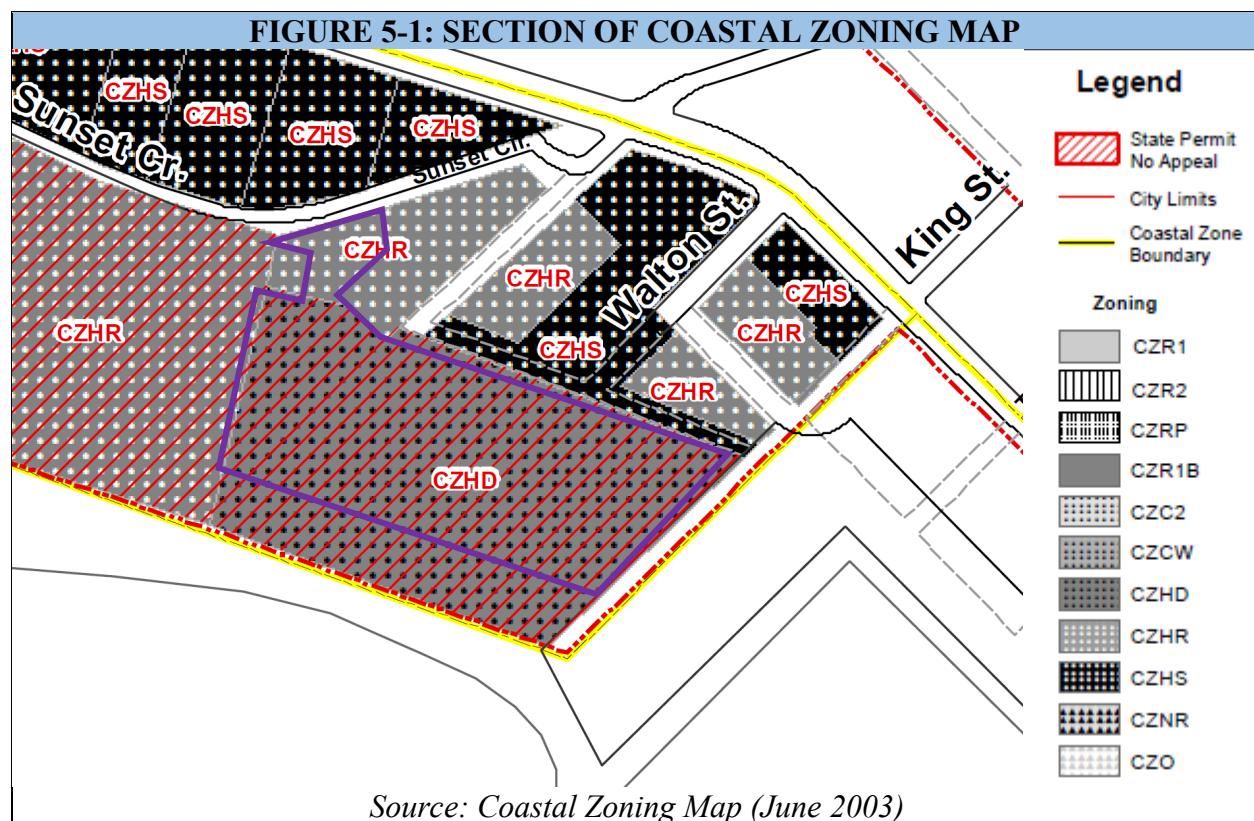
- d) Is principally permitted as “fishing and support services” within the HR;*
- e) Is “primarily for public and private lands in which commercial and light industrial uses are not dependent upon immediate access to the harbor but benefit from a harbor location” within the HR; and*
- f) Is supported by the General Plan goals (1.A, 1.I, and 1.K) and policies (1.A.2, 1.A.7, 1.G.6, 1.I.7, 1.I.8, 1.I.9, 1.K.1, and 1.K.3).*

SECTION 5: ZONING CONSISTENCY

The proposed Crab Processing Facility expansion on a partially developed lot is located within the Coastal Zone - Harbor Dependent District (CZ-HD) and Coastal Zone - Harbor Related District (CZ-HR) zoning designation (See Figure 5-1: Section of Zoning Map).

COASTAL: This proposed project parcel is located within the Coastal Zone and is appealable to the Coastal Commission as the “*Development approved by the city located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance*” (CCMC §17.84.030(A)(1)).

JURISDICTION: The proposed project area, and most of the project parcel, is located within the State (California Coastal Commission) Coastal Development Permitting jurisdiction with “*no appeal*” while a small portion of the parcel is located within the City’s Coastal Development Permitting jurisdiction. This item is further addressed under Section 6: Coastal Development Permit Review and Section 7: CDP Consolidation Request.



USE: The CZ-HD Zoning District principally permits “*Commercial and recreational Fisheries activities and support activities including: fishing and fish farming, storage, supplies including retail fuel sales, seafood processing, ice facilities, buyers facilities and fisherman’s organization facilities*” (CCMC §17.70A.020(B)) as the intention is “*to provide areas for harbor dependent uses, which include harbor dependent commercial and harbor dependent recreational activities*”

that must be dependent upon the activities at or products generated by the Crescent City harbor” (CCMC §17.70A.010(A))

The CZ-HR Zoning District principally permits “*Fishing support services*” (CCMC §17.70.020(B)) and allows “*Commercial uses incidental to the principal harbor related uses*” with a conditional use permit (CCMC §17.70.030(E)) as the intention is to “*provide for public and private areas for commercial and light industrial uses which are not dependent upon immediate access to the harbor but benefit from a harbor location*” (CCMC §17.70.010(A)).

ZONING: The proposed Crab Processing Facility expansion on a partially developed lot is a use consistent with the CZ-HD and CZ-HR Zoning Districts 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	Land Use Designation	Current Use
Project Property	Coastal Zone - Harbor Dependent District (CZ-HD) and Coastal Zone - Harbor Related District (CZ-HR)	Existing ±3,280-sf building
North	Coastal Zone - Harbor Related District (CZ-HR) and Coastal Zone – Highway Service District (CZ-HS)	Vacant and Quality Inn & Suites Crescent City Redwood Coast and Travelodge by Wyndham Crescent City
South	Harbor District	Harbor and Englund Marine and Industrial Supply
East	Coastal Zone - Harbor Related District (CZ-HR) and Coastal Zone – Highway Service District (CZ-HS)	Harbor and Highway 101
West	N/A	Beach and Ocean

DEVELOPMENT STANDARDS & PROPOSED PROJECT:

- A. Coastal Development Permit:** All permitted uses within the CZ-HD and CZ-HR Zoning Districts are subject to a Coastal Development Permit (CDP) (CCMC §17.84.012) and CCMC §17.84 requirements. This item is further addressed under Section 6: Coastal Development Permit Review below.
- B. Height and Area Regulations:** All permitted uses within the CZ-HD and CZ-HR Zoning Districts are subject to height and area regulations and are addressed below (See Table 5-2: Comparison of Height and Area Regulations).

TABLE 5-2: COMPARISON OF HEIGHT AND AREA REGULATIONS			
Zoning District Code	CZ-HD	CZ-HR	Proposed
Height (CCMC §17.70A.040(A) and §17.70.040(A))	35-ft	35-ft	14'-3"
Front Yard (CCMC §17.70A.040(B)(1) and §17.70.040(B)(1))	00-ft	00-ft	N/A
[Exterior] Side Yard (CCMC §17.70A.040(B)(2) and §17.70.040(B)(2))	00-ft	00-ft	N/A
[Interior] Side Yard (CCMC §17.70A.040(B)(2) and §17.70.040(B)(2))	00-ft	00-ft	N/A
Rear Yard (CCMC §17.70A.040(B)(3) and §17.70.040(B)(3))	00-ft	00-ft	N/A
Lot Area (CCMC §17.70A.040(B)(4) and §17.70.040(B)(4))	None	None	N/A
Lot Coverage (CCMC §17.70A.040(B)(5) and §17.70.040(B)(5))	50%	55%	N/A

- C. Parking:** All permitted uses within the CZ-HD and CZ-HR Zoning Districts are subject to the general requirements regarding Parking (CCMC §17.70A.050(A) and CCMC §17.76 requirements.
- D. Fencing:** All permitted uses within the CZ-HD and CZ-HR Zoning Districts are subject to the general requirements regarding Fencing (CCMC §17.70A.050(B) and §17.70.050(B)) and CCMC §17.75 requirements.
- E. Signs:** All permitted uses within the CZ-HD and CZ-HR Zoning Districts are subject to the general requirements regarding Signs (CCMC §17.70A.050(C) and §17.70.050(C)) and CCMC §17.74 requirements.
- F. Site Plan:** All permitted uses within the CZ-HD Zoning District require a Site Plan & Architectural Design Review (CCMC §17.70A.060) and CCMC §17.79 requirements.

REQUIRED FINDING #4 (BY THE COMMISSION):

- ☐ The proposed project (with an approved Site Plan & Architectural Design Review) is consistent with the Crescent City's Coastal Zone - Harbor Dependent District (CZ-HD) and Coastal Zone - Harbor Related District (CZ-HR) Zoning Code, in that:
- a) *The proposed project area, and most of the project parcel, is located within the State (California Coastal Commission) Coastal Development Permitting jurisdiction with "no appeal" while a small portion of the parcel is located within the City's Coastal Development Permitting jurisdiction;*
 - b) *The proposed use is consistent with the "commercial and recreational Fisheries activities and support activities including fishing and fish farming, storage, supplies including retail fuel sales, seafood processing, ice facilities, buyer's facilities and fisherman's organization facilities" which is principally permitted within the CZ-HD Zoning District (CCMC §17.70A.020(B));*

- c) The proposed use is consistent with the intention “to provide areas for harbor dependent uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities at or products generated by the Crescent City harbor” which is the purpose of the CZ-HD Zoning District (CCMC §17.70A.010(A));*
- d) The proposed use within the CZ-HD Zoning District is subject to a Coastal Development Permit (CDP) (CCMC §17.84.012) and CCMC §17.84 requirements;*
- e) The proposed project within the CZ-HD Zoning District is subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.70A.060) and CCMC §17.79 requirements.*

SECTION 6: COASTAL DEVELOPMENT PERMIT (CDP) REVIEW

The proposed Crab Processing Facility expansion on a partially developed lot requires a Coastal Development Permit (CDP) within the Coastal Zone and the CZ-HD and CZ-HR Zoning Districts (CCMC §17.84.012). The proposed project area, and most of the project parcel, is located within the State (California Coastal Commission) Coastal Development Permitting jurisdiction with “no appeal.” A portion of the parcel, which the proposed project area does not extend to, is located within the City’s Coastal Development Permitting jurisdiction. Therefore, this public hearing has been scheduled for discussion and a determination on whether the proposed Coastal Development Permit application (CDP24-01 -Attachment A), for a CDP consolidation request (Also see Section 7: CDP Consolidation Request) shall be approved or denied (CCMC §17.84.033), based on the following standards:

A. Coastal Zone (CCMC §17.84.010):

The proposed project parcel is a “*type of development*” that is located “*within the coastal zone that require[s] a coastal development permit as prescribed in the Coastal Act of 1976*” (CCMC §17.84.010). (See Section 5: Zoning Consistency)

B. Coastal Development Permit (CCMC §17.84.012):

The proposed project is not exempt (CCMC §17.84.014) and “*undertake[s] a development...in the coastal zone [and] shall obtain a coastal development permit in accordance with [CCMC §17.84], in addition to any other permit[s] required by law*” (CCMC §17.84.012).

C. Development (CCMC §17.61.135):

The proposed project is considered development according to the definition in that the proposed project involves “*the placement or erection of any solid material or structure...change in the density or intensity of use of land...change in the intensity of use of water...which affect the intensity of use; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility...*” (CCMC §17.61.135).

D. Consolidation Request (CCMC §17.84.036):

The proposed project’s parcel extends into both the City’s CDP permitting jurisdiction and the California Coastal Commission’s CDP permitting jurisdiction; therefore, a consolidated CDP may be requested per CCMC §17.84.036 (Consolidated Coastal Development Permit Applications). (See Section 7: CDP Consolidation Request)

APPEALS: A small portion of the proposed project parcel is located within the City’s CDP permitting jurisdiction of the Coastal Zone and is appealable to the Coastal Commission as the “*Development approved by the city located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance*” (CCMC §17.84.030(A)(1)). However, the proposed project area, and most of the project parcel, is located within the State (California Coastal Commission) Coastal Development Permitting jurisdiction with “*no appeal.*”

REQUIRED FINDING #5 (BY THE COMMISSION):

□ The proposed use is subject to the Coastal Development Permit requirements (CCMC §17.54.010(B)), in that:

- a) *the proposed project parcel is a “type of development” that is located “within the coastal zone that require[s] a coastal development permit as prescribed in the Coastal Act of 1976” (CCMC §17.84.010);*
- b) *the proposed project is not exempt (CCMC §17.84.014) and “undertake[s] a development...in the coastal zone [and] shall obtain a coastal development permit in accordance with [CCMC §17.84], in addition to any other permit[s] required by law” (CCMC §17.84.012);*
- c) *the proposed project is considered development according to the definition in that the proposed project involves “the placement or erection of any solid material or structure...change in the density or intensity of use of land...change in the intensity of use of water...which affect the intensity of use; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility...” (CCMC §17.61.135);*
- d) *The proposed project’s parcel extends into both the City’s CDP permitting jurisdiction and the California Coastal Commission’s CDP permitting jurisdiction; therefore, a consolidated CDP may be requested (CCMC §17.84.036).*

SECTION 7: CDP CONSOLIDATION REQUEST

The proposed project's parcel extends into both the City's CDP permitting jurisdiction and the California Coastal Commission's CDP permitting jurisdiction; therefore, a consolidated CDP may be requested per CCMC §17.84.036 (Consolidated Coastal Development Permit Applications). The Coastal Act was amended by Senate Bill 1843, effective January 1, 2007, which allows for a consolidated permitting process for projects for which the Coastal Development Permit (CDP) authority is shared by a local government and the California Coastal Commission. Therefore, this public hearing has been scheduled for discussion and a determination on whether the proposed Coastal Development Permit application (CDP24-01 -Attachment A), for a CDP consolidation request shall be approved or denied (CCMC §17.84.036), based on the following standards:

A. Coastal Commission Processing (CCMC §17.84.036(A)):

The proposed project's CDP consolidation request is not subject to "*Public Resources Section 30519*" and can be "*process[ed] and act[ed] upon*" by the California Coastal Commission (CCMC §17.84.036(A)). Public Resources Section 30519 (Delegation of development review to local government) includes (a) delegated CDP authority from the California Coastal Commission to the local government (the City) with a certified Local Coastal Program (LCP), (b) excluding any development within specific areas (i.e., tidelands, submerged lands, public trust lands, State coastal zone, ports, and harbors), and (c) recommends amendments to the LCP to accommodate uses greater than local importance.

B. Requires CDP (CCMC §17.84.036(A)(1)):

The "*proposed project requires a coastal development permit from both a local government with a certified local coastal program and the coastal commission*" (CCMC §17.84.036(A)(1)). (See Section 6: Coastal Development Permit Review)

C. Consolidation Consent (CCMC §17.84.036(A)(2)):

The proposed project has received "*consent to consolidate the permit action*" by "*the applicant, the appropriate local government, and the [California Coastal] commission*" (CCMC §17.84.036(A)(2) and SB 1843). The California Coastal Commission has requested the applicant to request the City (the appropriate local government) to grant a CDP consolidation request.

D. Public Participation (CCMC §17.84.036(A)(2)):

The proposed project's consolidation request may only proceed where "*public participation is not substantially impaired*" (CCMC §17.84.036(A)(2), Public Resources Code Section 30601.3, and SB 1843). Public participation will not be substantially impaired as the California Coastal Commission will hold a public hearing, in which the applicant is required to prepare envelopes for written notices about the project to be mailed to any interested parties. Interested parties will include surrounding property owners, Crescent City Planning Commissioners, concerned members of the public, the Harbor District, and any other citizens or residents who wish to be notified and may either be present during a properly noticed California Coastal Commission meeting or by timely submitting comments in advance of a meeting. The CDP consolidation process will allow for the project to be evaluated in its entirety.

E. California Coastal Act and LCP (CCMC §17.84.036(B)):

The proposed project's "consolidated coastal development permit application" will be subject to "the California Coastal Act (commencing with Public Resources Code Section 30200)" for "the standard of review" along "with the appropriate local coastal program [LCP] used as guidance" (CCMC §17.84.036(B)). (See Section 8: Local Coastal Program Consistency)

F. Application Fee (CCMC §17.84.036(C)):

The proposed project's "application fee for consolidated coastal development permit shall be determined by reference to the coastal commission's permit fee schedule" when submitted to the California Coastal Commission for review (CCMC §17.84.036(C)).

G. Local Permits (CCMC §17.46.010(A)):

The proposed project will still be subject to local permitting including Site Plan & Architectural Design Review, Building Permits, Business Licenses, and other necessary local permits (CCMC §17.79.010 and §17.84.020(F & K)). The applicant will be applying for an Architectural Review Permit in the near future.

REQUIRED FINDING #6 (BY THE COMMISSION):

- The proposed project satisfies the Coastal Development Permit consolidation request requirements (CCMC §17.84.036), in that:
 - a) *The proposed project's CDP consolidation request is not subject to "Public Resources Section 30519" and can be "process[ed] and act[ed] upon" by the California Coastal Commission (CCMC §17.84.036(A));*
 - b) *The "proposed project requires a coastal development permit from both a local government with a certified local coastal program and the coastal commission" (CCMC §17.84.036(A)(1));*
 - c) *The proposed project has received "consent to consolidate the permit action" by "the applicant, the appropriate local government, and the [California Coastal] commission" (CCMC §17.84.036(A)(2) and SB 1843);*
 - d) *The proposed project's consolidation request may only proceed where "public participation is not substantially impaired" (CCMC §17.84.036(A)(2), Public Resources Code Section 30601.3, and SB 1843);*
 - e) *The proposed project's "consolidated coastal development permit application" will be subject to "the California Coastal Act (commencing with Public Resources Code Section 30200)" for "the standard of review" along "with the appropriate local coastal program [LCP] used as guidance" (CCMC §17.84.036(B));*
 - f) *The proposed project's "application fee for consolidated coastal development permit shall be determined by reference to the coastal commission's permit fee schedule" when submitted to the California Coastal Commission for review (CCMC §17.84.036(C)); and*
 - g) *The proposed project will still be subject to local permitting including Site Plan & Architectural Design Review, Building Permits, Business Licenses, and other necessary local permits (CCMC §17.79.010 and §17.84.020(F & K)).*

SECTION 8: LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project is supported by the following relevant goals and policies from the City of Crescent City's certified Local Coastal Program (February 24, 2011):

SUPPORTING LOCAL COASTAL PROGRAM GOALS/POLICIES:

- Goal 1.A.1.** – *“To encourage the overall economic and social growth of the City while maintaining its position of importance in the county and improving its overall aesthetic appeal, while protecting its invaluable coastal resources and community character.”*
- Policy 1.A.1.** - *“New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.”*
- Policy 1.A.3.** - *“Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland or other environmentally sensitive habitat area. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.”*
- Policy 1.A.4.** - *“Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this coastal land use plan, they may nonetheless be permitted in accordance with this section if: (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare. And (3) adverse environmental effects are mitigated to the maximum extent feasible.”*
- Policy 1.A.6.** - *“Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists, or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designated and located in such a fashion as not to interfere with the needs of the commercial fishing industry.”*
- Policy 1.A.7.** - *“The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.”*
- Policy 1.A.13.** – *“Infill development that makes efficient use of existing public infrastructure and is compatible with existing development shall be encouraged.”*
- Goal 1.C.1.** - *“To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Crescent City residents and to expand the economic base to better serve the needs of residents.”*
- Policy 1.C.1.** - *“Municipal services shall be provided to commercial/industrial areas to encourage the retention, expansion, and development of new businesses that act as employment generators, provided, in cases of limited-service capacity, the provision of such services does not adversely impact service to coastal-dependent, coastal-related development, or other priority coastal uses.”*

- Goal 1.E.1.** - *“To ensure optimum utilization of the Harbor’s commercial tourism and recreational potential, while allowing for appropriate public and private uses, developing access as a Harbor, conserving the Harbor’s open water, improving the Harbor’s aesthetic appeal, and increasing its economic viability.”*
- Policy 1.E.2.** - *“Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided by the Coastal Act, coastal-dependent development should be accommodated within reasonable proximity to the coastal-dependent uses they support.”*
- Policy 1.E.4.** - *“Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists, or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designated and located in such a fashion as not to interfere with the needs of the commercial fishing industry.”*
- Policy 1.E.6.** - *“Coastal-dependent, harbor based industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this coastal land use plan...”*
- Policy 1.E.7.** - *“The remaining available Harbor frontage in the area between the boat basin and Shoreline Campground shall be reserved for harbor related development. Temporary, readily removed, uses may be authorized as interim uses, if in conformity with all applicable LCP policies and standards, prior to development of harbor related uses.”*
- Policy 5.D.2.** - *“Development located within the first public road and the sea shall not interfere with the public’s right to access the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.”*

REQUIRED FINDING #7 (BY THE COMMISSION):

- The proposed project is supported by the City of Crescent City’s certified Local Coastal Program’s (LCP) goals (1.A.1, 1.C.1, and 1.E.1) and policies (1.A.1, 1A.3, 1A.4, 1.A.6, 1A.7, 1.A.13, 1.C.1, 1.E.2, 1.E.4, 1.E.6, 1.E.7, and 5.D.2).

SECTION 10: PLANNING COMMISSION ACTION OPTIONS

- A. **APPROVAL.** Making all the required findings.
 - **“I move to adopt Resolution No. PC2024-06, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a request for a consolidated Coastal Development Permit for commercial structure expansion.”**
 - Planning staff will send the applicant the resolution, as adopted by the Planning Commission, during the public hearing. The applicant would be granted approval on their CDP24-01 application, allowing them to consolidate their Coastal Development Permit at the State (California Coastal Commission) level (CCMC §17.84.036). The applicant will provide Planning Staff with an update on when the Consolidated CDP is scheduled for public hearing to allow public participation (Public Resources Code Section 30200).

- B. **DENIAL**. Denying the request based on denial of one or more of the required findings.
- **“I move to deny the Coastal Development Permit (CDP24-01) consolidation request 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 need to go through both the City and the State CDP process separately.
- C. **REQUEST ADDITIONAL INFORMATION**. Requiring additional information to make the necessary findings.
- **“I move to request additional information regarding _____ be brought back to the February 22, 2024 (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 (CCMC §17.46.050) scheduled for Thursday, February 22, 2024 or a specific alternative Special Planning Commission meeting.

SECTION 11: STAFF RECOMMENDATION

1. (Chair) “Agenized Item #3: A Public Hearing to consider a requested Consolidated-Coastal Development Permit for NorthPoint Consulting’s proposed Crab Processing Facility expansion located at 250 Citizen’s Dock Road (APN 118-020-029).”
2. (Chair) “I will open the Public Hearing.”
3. (Chair) “We will now receive a presentation on the Staff Report from Planner Lawton.”
4. (Chair) “Does any Commissioners have any clarifying questions for staff?”
 - a. (Chair) “Does the Applicant wish to address the Planning Commission?”
5. (Chair) “I will open Public Comment, which we will receive at the podium.”
 - a. “We request that (1) you state your name and residency, (2) subject to a three-minute comment be directed to the Planning Commission for consideration, and (3) please state if you are for-or-against the proposed project.”
 - b. (Chair) Any clarifying questions?
6. (Chair) “I will close Public Comment.”
7. (Chair) “Is there any discussion on this item from the Commissioners?”
8. (Chair) “I believe a motion would be in order.”
 - a. **(Commissioner) “I move to adopt Resolution No. PC2024-06, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a request for a consolidated Coastal Development Permit for commercial structure expansion.”**
 - b. *Note: Any changes should be included in the motion.*
9. (Chair) “A motion has been made by Commissioner _____. Is there a second?”
10. (Chair) “It was seconded by Commissioner _____.”

11. (Chair) “A motion was made and seconded to: **Adopt Resolution No. PC2024-06, read by title only, A Resolution of the Planning Commission of the City of Crescent City Approving a request for a consolidated Coastal Development Permit for commercial structure expansion.**”
 - a. *Note: Any changes should be included in the motion.*
12. (Chair) “Is there any additional discussion from the Commissioners on the motion?”
13. (Chair) “Seeing as there is no further discussion, it is time for a vote on the motion, Specialist Welton, can you poll the vote?”
14. (Chair) “The motion passes (*or fails*) by a vote of ____-to-____.” (*Example 5-0*)

--- END OF REPORT ---

CITY OF CRESCENT CITY

Development Permit Application

Return completed application to:
 Planning Department
 377 J Street
 Crescent City, CA 95531
 (707) 464-9506 (707) 465-4405 fax

TYPE OR PRINT CLEARLY

Applicant Crescent City Harbor District	Street Address 101 Citizens Dock Road	City Zip Code Crescent City, 95531	Day Phone 707-464-6174
Representative (if any) NorthPoint Consulting Group, Inc.	Street Address 1117 Samoa Blvd.	City Zip Code Arcata, 95521	Day Phone 707-798-6438
Property Owner Crescent City Harbor District	Street Address 101 Citizens Dock Road	City Zip Code Crescent City, 95531	Day Phone 707-464-6174
Correspondence to be sent to <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Representative <input type="checkbox"/> Owner			

Project Address 250 Citizens Dock Road	Assessor's Parcel No. 118- 020-029
Description of proposed project (attach sheets if necessary) This application is for a request to consolidate a Coastal Development Permit (CDP) for a project on APN 118-020-029. The project itself will be a CDP application to permit an existing $\pm 3,280$ - sq. ft. building, allow fish processing activities within the building, and remodel/expand the building to $\pm 5,280$ -sq. ft. The project is located entirely within the state coastal zone jurisdiction, however, because the property is split between local and state coastal jurisdictions, the state is asking for the consolidated permit process. Therefore, the applicant is requesting a consolidated Coastal Development Permit to be processed at the state level. See attached Request for Consolidation and Project Narrative for further details.	
Existing Land Use Harbor Dependent (HD)	Adjacent Uses Harbor Dependent (HD), Harbor Related (HR), Visitor and Local Commercial (VLC)
Project Acreage 7.52	Project Height 14', 3"
Parking (number of spaces)	Paved Area
Building Coverage 3,280 sq. ft. existing	
Building Coverage 5,280 sq. ft. proposed	
Grading Required? N (if yes, attach preliminary grading plan)	
Diking, dredging, or filling of open coastal water, wetlands or riparian/drainage areas. (Attach biological report and preliminary grading plans.)	
Land Division or Boundary Adjustment. (Include tentative map with existing property lines, proposed lots, lot sizes, dimensions, access, physical features and proposed improvements, utilities, etc.)	

Applicant/Representative: I have reviewed this application and the attached material. The provided information is accurate. DocuSigned by: Signed <u>Tim Petrick</u> Date <u>1/3/2024</u> <small>D096CCE1BF47427...</small>		Property Owner/Authorized Agent: I have read this application and consent to its filing DocuSigned by: Signed <u>Tim Petrick</u> Date <u>1/3/2024</u> <small>D096CCE1BF47427...</small>	
TYPE OF APPLICATION	<input type="checkbox"/> Architectural Review <input type="checkbox"/> CEQA Review <input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Home Occupation	<input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Municipal Code Amendment/Rezone <input type="checkbox"/> Parcel Merger <input type="checkbox"/> ROW or Street Abandonment <input type="checkbox"/> Special Review	<input type="checkbox"/> Subdivision/Minor <input type="checkbox"/> Subdivision/Major <input type="checkbox"/> Use Permit <input type="checkbox"/> Variance or Waiver <input type="checkbox"/> Other

REQUIRED SUPPLEMENTAL	<input type="checkbox"/> Application Form <input type="checkbox"/> Application Fee <input type="checkbox"/> Supplemental Application Forms (variance home occupation, etc.) <input type="checkbox"/> Project property deed(s) <input type="checkbox"/> Proof of applicant's legal interest in the property (escrow, etc.)	Project plans: * <input type="checkbox"/> Project site plans (buildings, parking, etc.) <input type="checkbox"/> Building floor plans and elevations <input type="checkbox"/> Preliminary grading/drainage plans <input type="checkbox"/> Landscaping/irrigation plans/dumpster <input type="checkbox"/> Sign plans/elevations <input type="checkbox"/> Color/materials samples <input type="checkbox"/> Subdivision/lot line adjustment map <input type="checkbox"/> Written Project Description <input type="checkbox"/> Preliminary Title Report <input type="checkbox"/> Special Project Justification/per code
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*Project Plans: For Subdivision one set of full size plans and/or one set not to exceed 11" by 18" in size are to be provided. Specific information may be required for plans - ask staff for additional information.

OFFICIAL USE ONLY	Application Number(s) CDP24-01	Filing Fees \$0.00	Date Filed 01/08/2024	Receipt # N/A
	Date Application Completed 01/10/2024	Zoning CZ-HD & CZ-HR	General Plan (LUP) HD & HR	
	CEQA: Exempt <input checked="" type="checkbox"/> Negative Declaration <input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/>			
	Review By Planning Commission <input checked="" type="checkbox"/>	City Council <input type="checkbox"/>	Architectural Review <input type="checkbox"/>	Planning/Public Works <input type="checkbox"/>
	Public Hearing <input type="checkbox"/>	Office Hearing <input type="checkbox"/>	Appealable to Coastal Commission? <input type="checkbox"/>	
	Other Notes:		Approved:	

MAKE CHECKS PAYABLE TO CITY OF CRESCENT CITY



January 8, 2024

To: Crescent City Community Development Department
Attn: Ethan Lawton
377 J Street
Crescent City, CA 95531

RE: **Crescent City Harbor District Proposed Crab Processing Facility - Request for Consolidated Coastal Development Permit**
250 Citizen's Dock Road
Crescent City, CA 95531
APN: 118-020-029

Dear Crescent City Community Development Department,

The Crescent City Harbor District (Harbor District) is applying for a Coastal Development Permit (CDP) on Assessor's Parcel Number (APN) 118-020-029 (subject parcel) located at 250 Citizen's Dock Road in Crescent City, adjacent to the harbor. NorthPoint Consulting Group, Inc. (NorthPoint) is assisting the Harbor District with land use permitting. The CDP application will be to permit a 3,280-sq. ft. existing building constructed in the 1970s, to allow the expansion and renovation of the building to a total of 5,280-sq. ft., and to authorize the use of the building for fish and crab processing activities.

The subject parcel is located within Crescent City and within the Coastal Zone. The property is 7.52 acres and is zoned Coastal Zone Harbor Dependent (CZ- HD) and Coastal Zone - Harbor Related (CZHR), with corresponding General Plan Land Use Designations of Harbor Dependent (HD) and Harbor Related (HR). Seafood processing is principally permitted use under the CZ-HD zone. A majority of the subject parcel is located within the Coastal Zone jurisdiction of the California Coastal Commission (CCC), as displayed by the red hatch lines in Figure 1. A small area in the north of the parcel is located within Crescent City's local coastal jurisdiction.

All activities associated with the project would occur entirely within the state coastal zone jurisdiction, however, because a portion of the property is within the local coastal zone jurisdiction, a CDP is required from both the City and from the CCC. Therefore, the Harbor District is requesting that the permit be consolidated and processed in full by the CCC. Consolidating the CDP to the state level would make processing times more efficient, eliminate redundancy, save the applicant time and money, and reduce the burden on local staff.



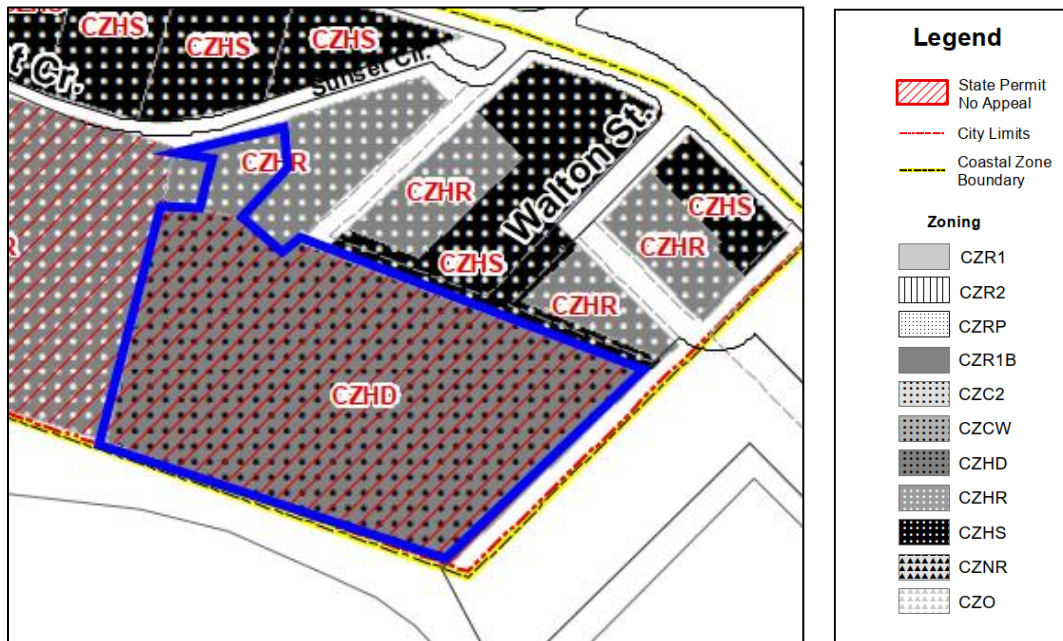


Figure 1: Coastal Zone Jurisdiction on the APN 118-020-029 (Source: City of Crescent City Coastal Zone Map, 2011)

Although the CDP is requested to be processed at the state level, ample opportunities will occur for input on the project at the local level, both prior to and during the public hearing. During the state CDP process, the applicant is required to mail written notices about the project to any interested parties. Interested parties will include surrounding property owners, Crescent City Planning Commissioners, concerned members of the public, the Harbor District, and any other citizens or residents who wish to be notified.

If this request is approved, the applicant will proceed forward with the full CDP application to the CCC. In concert, the applicant will be applying for an Architectural Review Permit, which will provide additional opportunities for the City to comment on the project. Additional Building Permits would be sought from the City prior to construction.

Thank you for your attention to this matter and for considering the request to consolidate CDP processing. If you have any questions or would like additional information, please contact our office at (707) 798-6438.

Sincerely,

Lia Nelson
Planner II, NorthPoint Consulting Group, Inc.
lia@northpointeureka.com



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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #3**



Incorporated April 13, 1854

web: www.crescentcity.org

**CDP24-01 - ATTACHMENT B
RESOLUTION NO. PC2024-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT
CITY APPROVING A COASTAL DEVELOPMENT PERMIT CONSOLIDATION
REQUEST FOR A CRAB PROCESSING FACILITY EXPANSION**

WHEREAS, Crescent City Harbor District (NorthPoint Consulting Group, Inc.) has submitted a Request for consolidating a Coastal Development Permit (Application CDP24-01) for a proposed Crab Processing Facility expansion on a partially developed lot within the CZ-HD Zone (Coastal Zone Harbor Dependent District) located at 250 Citizen's Dock Road (APN 118-020-029);

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 Harbor Dependent and Harbor Related (HD and HR) land use designation, in that the proposed project:

- a) Is principally permitted as "seafood processing" within the HD;
- b) Is an "activiti[ty] include[ing] any function connected with the fishing process or handling and/or storing of equipment necessary to secure fish" within the HD;
- c) "Provide[s] for harbor development uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities or products generated by Crescent City Harbor" within the HD;
- d) Is principally permitted as "fishing and support services" within the HR;
- e) Is "primarily for public and private lands in which commercial and light industrial uses are not dependent upon immediate access to the harbor but benefit from a harbor location" within the HR; and
- f) Is supported by the General Plan goals (1.A, 1.I, and 1.K) and policies (1.A.2, 1.A.7, 1.G.6, 1.I.7, 1.I.8, 1.I.9, 1.K.1, and 1.K.3);

WHEREAS, the Planning Commission finds that the proposed project (with an approved Site Plan & Architectural Design Review) is consistent with the Crescent City's Coastal Zone - Harbor Dependent District (CZ-HD) and Coastal Zone - Harbor Related District (CZ-HR) Zoning Code, in that:

- a) The proposed project area, and most of the project parcel, is located within the State (California Coastal Commission) Coastal Development Permitting jurisdiction with "no appeal" while a small portion of the parcel is located within the City's Coastal Development Permitting jurisdiction;
- b) The proposed use is consistent with the "commercial and recreational Fisheries activities and support activities including fishing and fish farming, storage, supplies

*A Coastal Development Permit – Consolidation Request
For a Crab Processing Facility Expansion*

including retail fuel sales, seafood processing, ice facilities, buyer's facilities and fisherman's organization facilities" which is principally permitted within the CZ-HD Zoning District (CCMC §17.70A.020(B));

- c) The proposed use is consistent with the intention "to provide areas for harbor dependent uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities at or products generated by the Crescent City harbor" which is the purpose of the CZ-HD Zoning District (CCMC §17.70A.010(A));
- d) The proposed use within the CZ-HD Zoning District is subject to a Coastal Development Permit (CDP) (CCMC §17.84.012) and CCMC §17.84 requirements;
- e) The proposed project within the CZ-HD Zoning District is subject to all zoning regulations including a Site Plan & Architectural Design Review (CCMC §17.70A.060) and CCMC §17.79 requirements;

WHEREAS, the Planning Commission finds that the proposed use is subject to the Coastal Development Permit requirements (CCMC §17.54.010(B)), in that:

- a) the proposed project parcel is a "type of development" that is located "within the coastal zone that require[s] a coastal development permit as prescribed in the Coastal Act of 1976" (CCMC §17.84.010);
- b) the proposed project is not exempt (CCMC §17.84.014) and "undertake[s] a development...in the coastal zone [and] shall obtain a coastal development permit in accordance with [CCMC §17.84], in addition to any other permit[s] required by law" (CCMC §17.84.012);
- c) the proposed project is considered development according to the definition in that the proposed project involves "the placement or erection of any solid material or structure...change in the density or intensity of use of land...change in the intensity of use of water...which affect the intensity of use; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility..." (CCMC §17.61.135);
- d) The proposed project's parcel extends into both the City's CDP permitting jurisdiction and the California Coastal Commission's CDP permitting jurisdiction; therefore, a consolidated CDP may be requested (CCMC §17.84.036);

WHEREAS, the Planning Commission finds that the proposed project satisfies the Coastal Development Permit consolidation request requirements (CCMC §17.84.036), in that:

- a) The proposed project's CDP consolidation request is not subject to "Public Resources Section 30519" and can be "process[ed] and act[ed] upon" by the California Coastal Commission (CCMC §17.84.036(A));
- b) The "proposed project requires a coastal development permit from both a local government with a certified local coastal program and the California Coastal Commission" (CCMC §17.84.036(A)(1));
- c) The proposed project has received "consent to consolidate the permit action" by "the applicant, the appropriate local government, and the [California Coastal] commission" (CCMC §17.84.036(A)(2) and SB 1843);
- d) The proposed project's consolidation request may only proceed where "public participation is not substantially impaired" (CCMC §17.84.036(A)(2), Public Resources

*A Coastal Development Permit – Consolidation Request
For a Crab Processing Facility Expansion*

Code Section 30601.3, and SB 1843);

- e) The proposed project’s “consolidated coastal development permit application” will be subject to “the California Coastal Act (commencing with Public Resources Code Section 30200)” for “the standard of review” along “with the appropriate local coastal program [LCP] used as guidance” (CCMC §17.84.036(B));
- f) The proposed project’s “application fee for consolidated coastal development permit shall be determined by reference to the coastal commission’s permit fee schedule” when submitted to the California Coastal Commission for review (CCMC §17.84.036(C)); and
- g) The proposed project will still be subject to local permitting including Site Plan & Architectural Design Review, Building Permits, Business Licenses, and other necessary local permits (CCMC §17.79.010 and §17.84.020(F & K)); and

WHEREAS, the Planning Commission finds that the proposed project is supported by the City of Crescent City’s certified Local Coastal Program’s (LCP) goals (1.A.1, 1.C.1, and 1.E.1) and policies (1.A.1, 1A.3, 1A.4, 1.A.6, .1A.7, 1.A.13, 1.C.1, 1.E.2, 1.E.4, 1.E.6, 1.E.7, and 5.D.2);

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City that the Coastal Development Permit (Application CDP24-01) consolidation request to permit Crescent City Harbor District (NorthPoint Consulting Group, Inc.) to expand an existing Crab Processing Facility located at 250 Citizen’s Dock Road (APN 118-020-029) is approved:

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 8th day of February 2024, by the following polled vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Ray Walp, Chairperson

ATTEST:

Heather Welton, Community Development Specialist

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**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL DESIGN REVIEW COMMITTEE
AGENDA ITEM: #4**



Incorporated April 13, 1854

web: www.crescentcity.org

STAFF REPORT

MEETING DATE: Thursday, February 8, 2024
TO: Planning Commission
FROM: Community Development Department, Planning & Zoning
Ethan Lawton, City Planner / Consultant
SUBJECT: Discussion on revisions to the Density Bonus Ordinance (Chapter 17.48.030), City Wide.

SECTION 1: EXECUTIVE SUMMARY

The discussion on revisions, based on the Housing Element and State Law, to the City's municipal code on the Density Bonus Ordinance (Chapter 17.48.030), City Wide.

STAFF RECOMMENDS: *"Provide direction to Staff."*

ATTACHMENTS:

- A) 17.48.030 Incentives for Affordable Housing
- B) State Density Bonus Law

SECTION 2: BACKGROUND INFORMATION

On September 5, 2023 the City Council adopted the 6th cycle Housing Element by Resolution No. 2023-64 and on November 17, 2023 the California Department of Housing and Community Development found the Housing Element to be in substantial compliance with State Housing Element Law (Gov. Code, §65580 et seq). There are two programs that reevaluates the City's Municipal Code regarding Affordable Housing:

Housing Element Program P-3 Density Bonus. *A three-part program:*

- 1. Comply with state density bonus law (Government Code Section 65915, as revised).
Revise the City's Zoning Ordinance to be consistent with State law.*
- 2. Maximizing the use of vacant or underdeveloped parcels by eliminating or reducing certain limitations for housing developments in which at least 20 percent of the units are affordable to lower-income households or 30 percent of the units are affordable to special needs lower-income households. (see also low-income housing P-22)*
- 3. The City shall encourage multi-family development at high-density rates as prescribed by the General Plan. This includes providing flexibility in development standards (reduced setbacks, reduced parking, increased building heights, etc.) to serve as incentives for multi-family development.*

Responsibility: City Council, Planning Commission, and Building Official.

Time Frame: Set up a process by December 2024, ongoing as projects are processed.

Funding Source: General Fund and/or grant funds.

Housing Element Program P-22 Lower Income and Supportive Housing. *A five-part program:*

- 1. Single Room Occupancy Units (SROs). Allow SROs, as principally permitted in the High Density Residential (R-3), Residential-Professional (RP), Business Commercial (C-1) and Commercial Waterfront (CW) zones.*
- 2. Manufactured housing/Mobile homes. Allow and define manufactured housing and mobile homes in the same manner and in the same zone as conventional or stick-built structures are permitted (Government Code Section 65852.3).*
- 3. Promote development of low and extremely low-income housing and housing for targeted special needs groups with an applicant proposing multi-family developments. Ensure that development for or including low- and extremely low-income or special needs receive priority processing. Ongoing, throughout the planning period as projects are proposed.*
- 4. Amend the Zoning Code and permit procedures to allow group homes of seven or more persons in all residential zone districts with objective standards to promote approval certainty similar to other residential uses of the same form and consistent with State law and fair housing requirements.*
- 5. Update standards and zoning related to transitional and supportive housing for compliance with AB 2162 (Government Code section 65651). Specifically permitting supportive housing without discretion in multi-family zones and nonresidential zones permitting multi-family uses.*

Responsibility: City Council, Planning Commission and City Staff.

Time Frame: Step one to be completed by May 2024. Step two to be completed by May 2025. Step three is ongoing. Step four and five to be completed by the end of 2025. Utilize HCD's model ordinances to help facilitate compliance.

Funding Source: General Funds and/or Grant Funding.

SECTION 3: PROPOSED REVISIONS

The city wishes to provide a balance in housing types for all households in the community. Pursuant to Section 65915 et seq. of the California Government Code the city will consider developers proposals to provide housing for very-low- and low-income households by the provision of a density bonus for housing developments when issues of providing such housing in an affordable manner arise. Such a bonus shall be made subject to provisions found in CCMC §17.48.030 (Incentives for affordable housing) which include:

A. Qualification. Additional categories were added.

B. Limitation. Different density limitations were added, based on percentage of income-restricted units.

C. Application. Written requests were added.

D. Affordability Cost Analysis. Different requirements for allowing incentives/waivers were added.

E. Maintenance of Affordable Units. The term of maintenance years was changed.

F. Development Standards. The definition of development standards was changed.

G. Waiver of Development Standards. Different criteria were added for granting or denying a waiver of development standards.

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Crescent City, California Municipal Code

Title 17 ZONING

Chapter 17.48 SPECIAL ZONING USES

17.48.030 Incentives for affordable housing.

The city wishes to provide a balance in housing types for all households in the community. Pursuant to Section 65915 et seq. of the California [Government Code](#) the city will consider developers proposals to provide housing for very low and low income households by the provision of a density bonus for housing developments when issues of providing such housing in an affordable manner arise. Such bonus shall be made subject to the following provisions:

A. Qualification. In order to qualify for a density bonus, a project must be a low or very low income or senior citizen housing project developed in compliance with the Section 65915 et seq. For a low income project, at least twenty percent of the units shall be low income affordable, for very low income projects not less than ten percent shall be very low income affordable, and for senior citizen projects not less than fifty percent of the units shall be restricted to senior citizens.

B. Limitation. Density bonuses shall not exceed twenty-five percent of the maximum density permitted by the applicable general plan land use designation for the subject property. For example, where the maximum allowable density based upon a land use designation is twelve units per acre, the density bonus shall not exceed three units per acre, yielding a total allowable density, with the bonus, of fifteen units per acre. The final project unit total would then be calculated based upon the project property size.

C. Application. An application for a density bonus shall be made in conjunction with the other required applications for the development and shall be subject to the same procedures required by those applications.

D. Affordability Cost Analysis. The developer shall include in the application for density bonus a cost analysis of the proposed project, with and without density bonus, demonstrating the cost per dwelling unit and projecting sales and/or rental costs for residents. The city shall include in its review of the application a written finding as to the need for incentive or development standards waiver for the provision of affordable housing as set forth in Section 50052.2 of the [Health and Safety Code](#). The city may deny the request if affordable housing can be provided without the requested incentives.

E. Maintenance of Affordable Units. In exchange for the density bonus, the developer shall guarantee the units will be maintained for very low and low income households for thirty years. The guarantee shall be in the form of a deed restriction or other legally binding and enforceable document acceptable to the city council. The document shall be recorded with the Del Norte county recorder prior to the issuance of a building permit. The applicant shall comply with Crescent City housing authority procedures for the physical maintenance of the units.

F. Development Standards.

1. All residential projects granted a density bonus shall conform to the development standards applicable, except those standards regulating density or as waived under Section [17.48.050\(E\)](#)

2. Where a proposed project is to be phased in its construction the number bonus units shall either be proportionately allocated between the phases or provided in the last phase of construction.

G. Waiver of Development Standards. If the applicant can demonstrate that the increased density cannot physically be accommodated on the site then the following development standards shall be waived during site plan review to accommodate the increase density. The waiver in the standards shall follow the priority order hereby established and the applicant shall demonstrate that the increased density cannot be accommodated with each sequential waiver before the waiver of the next standard is allowed. Only one standard shall be waived unless it is shown that each individual standard waiver will not physically accommodate the proposed density. A complete site plan and floor plan shall be provided to demonstrate the physical noncompliance. Priority order for waiver is:

1. A higher percentage of compact parking;
2. Reduction in distance between buildings, subject to compliance with safety codes;
3. Reduction in rear yard setbacks;
4. One additional floor of building height above the zoning district standard;
5. Reduction in side yard setbacks;
6. Reduction in number of required parking spaces (but not less than one space per unit);
7. Reduction in front yard setbacks; and
8. Reduction in parking lot landscaping standards. (Ord. 695 § 2, 2003)

Contact:

City Clerk: 707-464-7483 x223

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State of California

GOVERNMENT CODE

Section 65915

65915. (a) (1) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall comply with this section. A city, county, or city and county shall adopt an ordinance that specifies how compliance with this section will be implemented. Except as otherwise provided in subdivision (s), failure to adopt an ordinance shall not relieve a city, county, or city and county from complying with this section.

(2) A local government shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section. This subdivision does not prohibit a local government from requiring an applicant to provide reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p).

(3) In order to provide for the expeditious processing of a density bonus application, the local government shall do all of the following:

(A) Adopt procedures and timelines for processing a density bonus application.

(B) Provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete. This list shall be consistent with this chapter.

(C) Notify the applicant for a density bonus whether the application is complete in a manner consistent with the timelines specified in Section 65943.

(D) (i) If the local government notifies the applicant that the application is deemed complete pursuant to subparagraph (C), provide the applicant with a determination as to the following matters:

(I) The amount of density bonus, calculated pursuant to subdivision (f), for which the applicant is eligible.

(II) If the applicant requests a parking ratio pursuant to subdivision (p), the parking ratio for which the applicant is eligible.

(III) If the applicant requests incentives or concessions pursuant to subdivision (d) or waivers or reductions of development standards pursuant to subdivision (e), whether the applicant has provided adequate information for the local government to make a determination as to those incentives, concessions, or waivers or reductions of development standards.

(ii) Any determination required by this subparagraph shall be based on the development project at the time the application is deemed complete. The local government shall adjust the amount of density bonus and parking ratios awarded pursuant to this section based on any changes to the project during the course of development.

(b) (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p), if an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:

(A) Ten percent of the total units of a housing development, including a shared housing building development, for rental or sale to lower income households, as defined in Section 50079.5 of the Health and Safety Code.

(B) Five percent of the total units of a housing development, including a shared housing building development, for rental or sale to very low income households, as defined in Section 50105 of the Health and Safety Code.

(C) A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code. For purposes of this subparagraph, "development" includes a shared housing building development.

(D) Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

(F) (i) Twenty percent of the total units for lower income students in a student housing development that meets the following requirements:

(I) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this subclause, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the city, county, or city and county that the developer has entered into an operating agreement or master lease with one or

more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this subclause is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(II) The applicable 20-percent units will be used for lower income students.

(III) The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

(IV) The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person's homeless status may verify a person's status as homeless for purposes of this subclause.

(ii) For purposes of calculating a density bonus granted pursuant to this subparagraph, the term "unit" as used in this section means one rental bed and its pro rata share of associated common area facilities. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years.

(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, 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, as defined in Section 50053 of the Health and Safety Code. For purposes of this subparagraph, "development" includes a shared housing building development.

(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), an applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), (D), (E), (F), or (G) of paragraph (1).

(c) (1) (A) An applicant shall agree to, and the city, county, or city and county shall ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

(B) (i) Except as otherwise provided in clause (ii), rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(ii) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), rents for all units in the development, including both base density and density bonus units, shall be as follows:

(I) The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(II) The 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.

(2) (A) An applicant shall agree to ensure, and the city, county, or city and county shall ensure, that a for-sale unit that qualified the applicant for the award of the density bonus meets either of the following conditions:

(i) The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code and is subject to an equity sharing agreement.

(ii) The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code and that includes all of the following:

(I) A repurchase option that requires a subsequent purchaser of the property that desires to resell or convey the property to offer the qualified nonprofit corporation the right to repurchase the property prior to selling or conveying that property to any other purchaser.

(II) An equity sharing agreement.

(III) Affordability restrictions on the sale and conveyance of the property that ensure that the property will be preserved for lower income housing for at least 45 years for owner-occupied housing units and will be sold or resold only to persons or families of very low, low, or moderate income, as defined in Section 50052.5 of the Health and Safety Code.

(B) For purposes of this paragraph, a “qualified nonprofit housing corporation” is a nonprofit housing corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

(C) The local government shall enforce an equity sharing agreement required pursuant to clause (i) or (ii) of subparagraph (A), unless it is in conflict with the requirements of another public funding source or law or may defer to the recapture provisions of the public funding source. The following apply to the equity sharing agreement:

(i) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller’s proportionate share of appreciation.

(ii) Except as provided in clause (v), the local government shall recapture any initial subsidy, as defined in clause (iii), and its proportionate share of appreciation, as defined in clause (iv), which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.

(iii) For purposes of this subdivision, the local government’s initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment

assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

(iv) For purposes of this subdivision, the local government's proportionate share of appreciation shall be equal to the ratio of the local government's initial subsidy to the fair market value of the home at the time of initial sale.

(v) If the unit is purchased or developed by a qualified nonprofit housing corporation pursuant to clause (ii) of subparagraph (A) the local government may enter into a contract with the qualified nonprofit housing corporation under which the qualified nonprofit housing corporation would recapture any initial subsidy and its proportionate share of appreciation if the qualified nonprofit housing corporation is required to use 100 percent of the proceeds to promote homeownership for lower income households as defined by Health and Safety Code Section 50079.5 within the jurisdiction of the local government.

(3) (A) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:

(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in subdivision (b).

(ii) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

(B) For the purposes of this paragraph, "replace" shall mean either of the following:

(i) If any dwelling units described in subparagraph (A) are occupied on the date of application, the proposed housing development shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. For unoccupied dwelling units described in subparagraph (A) in a development with occupied units, the proposed housing development shall provide units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as the last household in occupancy. If the income category of the last household in occupancy is not known,

it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) If all dwelling units described in subparagraph (A) have been vacated or demolished within the five-year period preceding the application, the proposed housing development shall provide at least the same number of units of equivalent size as existed at the highpoint of those units in the five-year period preceding the application to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. If the incomes of the persons and families in occupancy at the highpoint is not known, it shall be rebuttably presumed that low-income and very low income renter households occupied these units in the same proportion of low-income and very low income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(C) Notwithstanding subparagraph (B), for any dwelling unit described in subparagraph (A) that is or was, within the five-year period preceding the application, subject to a form of rent or price control through a local government's valid exercise of its police power and that is or was occupied by persons or families above lower income, the city, county, or city and county may do either of the following:

(i) Require that the replacement units be made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) Require that the units be replaced in compliance with the jurisdiction's rent or price control ordinance, provided that each unit described in subparagraph (A) is replaced. Unless otherwise required by the jurisdiction's rent or price control ordinance, these units shall not be subject to a recorded affordability restriction.

(D) For purposes of this paragraph, "equivalent size" means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

(E) Subparagraph (A) does not apply to an applicant seeking a density bonus for a proposed housing development if the applicant's application was submitted to, or processed by, a city, county, or city and county before January 1, 2015.

(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, 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.

(C) The concession or incentive would be contrary to state or federal law.

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a development in which the units are for sale.

(B) Two incentives or concessions for projects that include at least 17 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a development in which the units are for sale.

(C) Three incentives or concessions for projects that include at least 24 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a development in which the units are for sale.

(D) Four incentives or concessions for a project meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.

(E) One incentive or concession for projects that include at least 20 percent of the total units for lower income students in a student housing development.

(3) The applicant may initiate judicial proceedings if the city, county, or city and county 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 subdivision shall not be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to grant an incentive or concession that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. The city, county, or city and county shall establish procedures for carrying out this section that shall include legislative body approval of the means of compliance with this section.

(4) The city, county, or city and county shall bear the burden of proof for the denial of a requested concession or incentive.

(e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

(2) A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(3) A housing development that receives a waiver from any maximum controls on density pursuant to clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f) shall only be eligible for a waiver or reduction of development standards as provided in subparagraph (D) of paragraph (2) of subdivision (d) and clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f), unless the city, county, or city and county agrees to additional waivers or reductions of development standards.

(f) For the purposes of this chapter, "density bonus" means a density increase over the otherwise maximum allowable gross residential density as of the date of application

by the applicant to the city, county, or city and county, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

(1) For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	38.75
22	42.5
23	46.25
24	50

(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

(3) (A) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of senior housing units.

(B) For housing developments meeting the criteria of subparagraph (E) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that subparagraph.

(C) For housing developments meeting the criteria of subparagraph (F) of paragraph (1) of subdivision (b), the density bonus shall be 35 percent of the student housing units.

(D) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:

(i) Except as otherwise provided in clauses (ii) and (iii), the density bonus shall be 80 percent of the number of units for lower income households.

(ii) If the housing development is located within one-half mile of a major transit stop, the city, county, or city and county shall not impose any maximum controls on density.

(iii) If the housing development is located in a very low vehicle travel area within a designated county, the city, county, or city and county shall not impose any maximum controls on density.

(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Moderate-Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25

31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35
41	38.75
42	42.5
43	46.25
44	50

(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

(g) (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county in accordance with this subdivision, the applicant shall be entitled to a 15-percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32

28
29
30

33
34
35

(2) This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks an increase pursuant to both this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

(A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

(B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned with appropriate development standards for development at the density described in paragraph (3) of subdivision (c) of Section 65583.2, and is or will be served by adequate public facilities and infrastructure.

(D) The transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the local government before the time of transfer.

(E) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of the transfer.

(F) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.

(G) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.

(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

(h) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project, the city, county, or city and county shall grant either of the following:

(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.

(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

(2) The city, county, or city and county shall require, as a condition of approving the housing development, that the following occur:

(A) The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

(B) Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

(3) Notwithstanding any requirement of this subdivision, a city, county, or city and county shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.

(4) "Childcare facility," as used in this section, means a child daycare facility other than a family daycare home, including, but not limited to, infant centers, preschools, extended daycare facilities, and schoolage childcare centers.

(i) "Housing development," as used in this section, means a development project for five or more residential units, including mixed-use developments. For the purposes of this section, "housing development" also includes a subdivision or common interest development, as defined in Section 4100 of the Civil Code, approved by a city, county, or city and county and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

(j) (1) The granting of a concession or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval. For purposes of this subdivision, "study" does not include reasonable documentation to establish eligibility for the

concession or incentive or to demonstrate that the incentive or concession meets the definition set forth in subdivision (k). This provision is declaratory of existing law.

(2) Except as provided in subdivisions (d) and (e), the granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.

(k) For the purposes of this chapter, concession or incentive means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(2) Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(l) Subdivision (k) does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(m) This section does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which the applicant is entitled under this section shall be permitted in a manner that is consistent with this section and Division 20 (commencing with Section 30000) of the Public Resources Code.

(n) If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.

(o) For purposes of this section, the following definitions shall apply:

(1) “Designated county” includes the Counties of Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Solano, Sonoma, and Ventura.

(2) “Development standard” includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

(3) “Located within one-half mile of a major transit stop” means that any point on a proposed development, for which an applicant seeks a density bonus, other incentives or concessions, waivers or reductions of development standards, or a vehicular parking ratio pursuant to this section, is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.

(4) “Lower income student” means a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student to occupy a unit for lower income students under this section shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

(5) “Major transit stop” has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code.

(6) “Maximum allowable residential density” or “base density” means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:

(A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and

circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.

(B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

(7) (A) (i) “Shared housing building” means a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(ii) A “shared housing building” may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.

(B) “Shared housing unit” means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in Section R202 of the California Residential Code. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(8) (A) “Total units” or “total dwelling units” means a calculation of the number of units that:

(i) Excludes a unit added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.

(ii) Includes a unit designated to satisfy an inclusionary zoning requirement of a city, county, or city and county.

(B) For purposes of calculating a density bonus granted pursuant to this section for a shared housing building, “unit” means one shared housing unit and its pro rata share of associated common area facilities.

(9) “Very low vehicle travel area” means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita. For purposes of this paragraph, “area” may include a travel analysis zone, hexagon, or grid. For the purposes of determining “regional vehicle miles traveled per capita” pursuant to this paragraph, a “region” is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety

of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

(p) (1) Except as provided in paragraphs (2), (3), and (4), upon the request of the developer, a city, county, or city and county shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, of a development meeting the criteria of subdivisions (b) and (c), that exceeds the following ratios:

(A) Zero to one bedroom: one onsite parking space.

(B) Two to three bedrooms: one and one-half onsite parking spaces.

(C) Four and more bedrooms: two and one-half parking spaces.

(2) (A) Notwithstanding paragraph (1), if a development includes at least 20 percent low-income units for housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b) or at least 11 percent very low income units for housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per unit. Notwithstanding paragraph (1), if a development includes at least 40 percent moderate-income units for housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, and the residents of the development have unobstructed access to the major transit stop from the development then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per bedroom.

(B) For purposes of this subdivision, “unobstructed access to the major transit stop” means a resident is able to access the major transit stop without encountering natural or constructed impediments. For purposes of this subparagraph, “natural or constructed impediments” includes, but is not limited to, freeways, rivers, mountains, and bodies of water, but does not include residential structures, shopping centers, parking lots, or rails used for transit.

(3) Notwithstanding paragraph (1), if a development meets the criteria of subparagraph (G) of paragraph (1) of subdivision (b), then, upon the request of the developer, a city, county, or city and county shall not impose vehicular parking standards if the development meets any of the following criteria:

(A) The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.

(B) The development is a for-rent housing development for individuals who are 55 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

(C) The development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development,

as defined in Section 50675.14 of the Health and Safety Code. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

(4) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.

(5) This subdivision shall apply to a development that meets the requirements of subdivisions (b) and (c), but only at the request of the applicant. An applicant may request parking incentives or concessions beyond those provided in this subdivision pursuant to subdivision (d).

(6) This subdivision does not preclude a city, county, or city and county from reducing or eliminating a parking requirement for development projects of any type in any location.

(7) Notwithstanding paragraphs (2) and (3), if a city, county, city and county, or an independent consultant has conducted an areawide or jurisdictionwide parking study in the last seven years, then the city, county, or city and county may impose a higher vehicular parking ratio not to exceed the ratio described in paragraph (1), based upon substantial evidence found in the parking study, that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low-income and very low income individuals, including seniors and special needs individuals. The city, county, or city and county shall pay the costs of any new study. The city, county, or city and county shall make findings, based on a parking study completed in conformity with this paragraph, supporting the need for the higher parking ratio.

(8) A request pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(q) Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number. The Legislature finds and declares that this provision is declaratory of existing law.

(r) This chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.

(s) Notwithstanding any other law, if a city, including a charter city, county, or city and county has adopted an ordinance or a housing program, or both an ordinance and a housing program, that incentivizes the development of affordable housing that allows for density bonuses that exceed the density bonuses required by the version of this section effective through December 31, 2020, that city, county, or city and county is not required to amend or otherwise update its ordinance or corresponding affordable housing incentive program to comply with the amendments made to this

section by the act adding this subdivision, and is exempt from complying with the incentive and concession calculation amendments made to this section by the act adding this subdivision as set forth in subdivision (d), particularly subparagraphs (B) and (C) of paragraph (2) of that subdivision, and the amendments made to the density tables under subdivision (f).

(t) When an applicant proposes to construct a housing development that conforms to the requirements of subparagraph (A) or (B) of paragraph (1) of subdivision (b) that is a shared housing building, the city, county, or city and county shall not require any minimum unit size requirements or minimum bedroom requirements that are in conflict with paragraph (7) of subdivision (o).

(u) (1) The Legislature finds and declares that the intent behind the Density Bonus Law is to allow public entities 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. It further reaffirms that the intent is to cover at least some of the financing gap of affordable housing with regulatory incentives, rather than additional public subsidy.

(2) It is therefore the intent of the Legislature to make modifications to the Density Bonus Law by the act adding this subdivision to further incentivize the construction of very low, low-, and moderate-income housing units. It is further the intent of the Legislature in making these modifications to the Density Bonus Law to ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of adequate levels of affordable housing. The Legislature further intends that these modifications will ensure that the Density Bonus Law creates incentives for the construction of more housing across all areas of the state.

(Amended by Stats. 2022, Ch. 653, Sec. 1.5. (AB 2334) Effective January 1, 2023.)

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