

**Recommended Commission Action**

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

*Find the project exempt from environmental review pursuant to Section 15301 and 15303) of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Coastal Development Permit based on evidence in the staff report, and adopt the Resolution approving the Asia's Best Market project subject to the recommended conditions.*

**Executive Summary:** The applicant requests a Conditional Use Permit (CUP) and Coastal Development Permit (CDP) to allow for a retail food market in an existing 600 sq. ft. space in a former classroom (Room 8) that is part of the Sacred Heart Church campus located at 2085 Myrtle Avenue Eureka. Parking spaces (total 117) would be shared with the activities of the church and an administrative office for the Humboldt-Del Norte County Medical Society. Adequate existing on-site parking is available. The retail food market also proposes a ground mounted sign near the entrance into the campus off of Edgewood Road.

A business license to occupy and commence retail sales was previously granted by the County, and the applicant is presently conducting business as a small retail market with specialty foods and dry goods. Retail products are transported by the owner to the location in a privately-owned 17-foot van. Deliveries occur approximately 1-2 times every other week, when the owner drives to the Bay Area to pick up products. The store area is approximately 600 square feet, with an additional 100 square feet of storage. Restrooms and mop sink are located at the opposite end of the building and are part of the larger building complex. The business operates Monday through Saturday 9:00 am to 7:00 pm, and Sunday 10:00 am to 6:30 pm. The existing storefront has two (2) employees – who are the owner and spouse.

Operations generate standard retail refuse, including packaging, containers, and maintenance supplies. All waste generated will continue to be disposed of in the on-site dumpster, served by Recology Humboldt County, and located within a designated area within the parking area along the eastern property boundary [refer to site plan]. The retail store is not expected to generate any discharge/emissions. Operations are not expected to generate significant levels of noise beyond background levels and from patrons and employees traveling to and from the site.

**Public Facilities**

Asia's Best Market is supplied by existing utilities. The site is located within the service boundary of Humboldt Community Services District (HCSD), who provides water and wastewater service to the site and surrounding area. Additionally, the site is served by Pacific Gas and Electric Company (PG&E) for electrical power. The site is located at the southeastern corner of Edgewood Drive and Myrtle Avenue. The site is served by four (4) existing driveways, two (2) off Myrtle Avenue and two (2) off Edgewood Drive. The business is accessed via the eastern-most driveway off Edgewood Drive, along the eastern edge of the site, which provides access to an existing parking and loading area adjacent to the business.

**Other Property Uses**

There are other facilities located within the parcel boundary (see Site Plan). The type of use and hours of operation are as follows:

Sacred Heart Church is the property owner and primary operation on the parcel. Parish office hours are Monday through Friday 9:00am to 4:00pm. Mass is conducted Wednesdays 6:00pm and 8:00pm, First Saturday 8:30am and 10:30am, and Sundays 9:00am and 5:30pm. Humboldt-Del Norte County Medical

Society occupies a commercial office space on the parcel. The office is administrative in nature and operates during standard business hours from 8:00am to 5:00pm. In addition to the uses stated, the site also contains storage, offices, rectory, and a dining hall used at various times for church activities.

### **Local Coastal Program**

The project site and the area east of Myrtle Avenue are within the Coastal Zone boundary and the mapped area of the Humboldt Bay Area Local Coastal Plan (Humboldt County WebGIS). The County General Plan designation of Low Density Residential conforms to the allowable designations of the Humboldt Bay Area Plan. Additionally, the Coastal RL designation allows for neighborhood commercial uses (Table 4-B, Humboldt Co. GP). There are no other Coastal Zone designations, such as Access Points or Scenic Views, associated with or near the property. In general, the goals and policies of the Local Coastal Plan do not apply to this previously urbanized site.

The application was referred to the Coastal Commission, which responded that they have no comments or concerns.

### **General Plan and Zoning**

The Humboldt County General Plan land use designation for the site is Residential Low Density, Density: Range is 3 to 7 units per acre, Humboldt Bay Area Plan (HBAP), 2017 General Plan (WebGIS). The zoning is Residential Single Family, 5,000 square feet minimum parcel size (RS-5).

The project is a retail commercial use, which is included among the list of uses identified as Neighborhood Commercial and permitted by conditional use permit (CUP) (§313-2.1 Humboldt County Zoning Regulations) and allowed by CUP in the RS (Residential Single Family) Zone (§313-6.3). The proposed use, which is existing and within a constructed building, does meet the development standards for both Neighborhood Commercial uses (313-2.1) and pertinent development standards of the Residential Single Family zone district (313-6.1).

The following subparts of Section 312-32 further require that Neighborhood Commercial uses in the Coastal Zone conform to:

- 32.1.1 At least 50 percent of the parcels within the contiguously zoned area, where the proposed development is to be located, have been developed with dwellings;  
Disposition: The RS-5 Zoned area that the project is within is more than 50% built-out in residential uses.
- 32.1.2 There is a demonstrated need for such a facility at the location proposed.  
Disposition: The retail market is fulfilling a need by virtue of its successful, ongoing operation.
- 32.1.3 Neighborhood commercial development will be restricted to a location along minor collectors or a higher order road classification (e.g. major collectors or arterials).  
Disposition: Myrtle Avenue is a designated a minor arterial by the County General Plan.

### **Parking**

The parking requirements for the retail use are compatible with all uses present on the parcel. The site contains, as classified by the County, a church, an office, and a retail sales/service use. The following excerpts from Humboldt County Zoning Regulations define the minimum requirements for parking for the above listed uses:

- 109.1.4.2.3 Churches: One (1) parking space for every four (4) seats of seating or occupancy capacity, as determined by the Fire Marshal, in the largest assembly area of the church, plus one (1) parking space for every thirty square feet (30 s.f.) of gross floor area in said assembly area not

used for seating.

- 109.1.4.3.1 Retail Sales/Service: One (1) parking space for every 300 square feet of gross floor area, with a minimum of four (4) spaces plus one (1) for each employee.
- 109.1.4.3.5 Offices: One (1) parking space for every 300 square feet of gross floor area, plus one (1) for each employee.

Off-street parking within the parcel is paved and consists of a total of 117 parking spaces, six ADA-accessible parking spaces, and four loading zones. Parking requirements for each usage are as follows:

- Sacred Heart Church: Seating capacity of 260 (65 spaces) and approximately 1,000 square feet of gross floor area in said assembly area (33 spaces) for a total requirement of 98 parking spaces.
- Asia's Best Market: Approximately 600 square feet of floor area (four space minimum) and two employees (two spaces) for a total requirement of six (6) parking spaces.
- Humboldt Del Norte Medical Society: Approximately 1,200 square feet of floor area (four spaces) and two employees (two spaces) for a total requirement of six (6) parking spaces.

The total parking required for the site's various uses is approximately 110 parking spaces. The site currently contains 117 paved and striped parking spaces. The proposed retail project requires six parking spaces under the standards described above (four space minimum based on square footage and two spaces for employees). The parking available on site is shared by all existing uses, as well as the retail market, and is sufficient to meet the number of spaces required for each use.

### **Signage**

The Sign regulations for the retail market are based on the zoning and frontage of the parcel and are cumulative for all applicable signs present on the parcel. The subject parcel is zoned as RS-5 (Residential Single Family) although historic site use is more typical of commercial zoning. Existing signs on-site are in accordance with Humboldt County commercial sign standards and predate the current zoning regulations. The following from the Humboldt County Zoning Regulations define the maximum size, type, and number of signs allowed for a given parcel:

- 87.3.2.1.2 Nameplates: One (1) nameplate, not illuminated and not exceeding two square feet (2sf), appurtenant to any permitted use, shall be permitted in any residential zone.
- 87.3.2.4.1 Signs in Commercial or Industrial Zones: Signs, appurtenant to any permitted use, which do not exceed three square feet (3 s.f.) per linear foot of the front lot line, shall be permitted in any commercial or industrial zone, subject to the limitations of this paragraph. Any lawfully existing lot shall be permitted to have a sign of at least fifty square feet (50 s.f.) in size. The permitted sign(s) shall not exceed 300 square feet in the aggregate and shall not be divided into more than six (6) single-faced or double-faced signs.

The following signs are currently present on the subject parcel:

- Church Sign with directional arrow located on Edgewood Road frontage. 4-foot by 3-foot (12sf) and double sided.

As discussed in the General Plan and Zoning section of this staff report, the proposed retail use may be allowed in the RL residential zone by conditional use permit. It is therefore understood that signage appurtenant to the retail commercial use must be of a sufficient scale, corresponding to commercial standards, to support the retail enterprise. Therefore, the Commercial sign standard listed above is applied to this application.

The project parcel's street frontage along Edgewood Road is 350 feet in length, which allows for the

maximum of 300 square feet (300 s.f.) of signage, with no single sign exceeding 50 square feet (50sf). The site currently contains three signs of 12 s.f., 12 s.f., and 16 s.f., respectively, which total 40 square feet. This could allow for up to three additional signs, each up to 50 square feet pursuant to commercial zoning sign regulations. The Applicant's proposed sign or signs would be similar in stature and general design to existing signs (12 to 16 square feet, double sided) – and will not exceed 16 square feet, and may or may not be double-sided, and will meet all required commercial zone sign regulations.

**STAFF RECOMMENDATION:** Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit and Coastal Development Permit.