

**RESOLUTION NO. 2024-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA DETERMINING HUMBOLDT COUNTY'S PROPOSED ACQUISITION OF 803 4<sup>th</sup> STREET (APN 001-134-006) CONFORMS WITH THE CITY OF EUREKA'S 2040 GENERAL PLAN**

WHEREAS, the County of Humboldt is proposing to purchase a 13,200-square-foot parcel located at 803 4<sup>th</sup> Street, also known as Courthouse Union (APN 001-134-006); and

WHEREAS, the subject property is located within the City of Eureka and has a land use designation of Downtown Commercial (DC) and is zoned Downtown (DT); and

WHEREAS, the subject parcel is currently developed and utilized as an auto repair shop, and the County plans to demolish the existing structures and potentially redevelop the site with a new municipal office facility; and

WHEREAS, the County does not envision using the subject parcel for an off-street parking lot; and

WHEREAS, California Government Code Section §65402 states a county shall not acquire or dispose of real property, nor construct a public building or structure, within the corporate limits of a city if such city has an adopted General Plan applicable to the area, until the location, purpose and extent of the acquisition, disposition, or public building/structure have been submitted to and reported upon by the planning agency as to the conformity with the General Plan; and

WHEREAS, if the site is acquired and redeveloped by the County, the redevelopment will be exempt from the City's zoning code standards and design review process, but the County will be required to apply for General Plan conformance review for any new public buildings or other structures, and the County has committed to returning to the City of Eureka to consult with the Planning Commission once it initiates a planning process for redevelopment of the subject parcel, and has indicated they intend to comply with applicable zoning regulations to the extent possible; and

WHEREAS, the County's decision to acquire real property is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA), but, as Lead Agency, the County anticipates finding the acquisition of property and subsequent demolition of existing structures at the site exempt from detailed review under CEQA Guidelines §15061(b)(3) (Common Sense) and §15301 (Existing Facilities); and

WHEREAS, the City's General Plan Conformance Review of the County's acquisition of property does not trigger CEQA as the review is advisory and non-binding, and the City has no discretion to change the project or impose mitigation in response to environmental concerns; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject application in accordance with California Government Code §65402 and the 2040 General Plan, and after due

consideration of all comments and reports offered at the public meeting, does hereby find and determine the following facts:

1. The location, purpose and extent of the County's acquisition of real property is consistent with the DT land use designation and the applicable goals and policies of the City's 2040 General Plan.
2. The location, purpose, and extent of the acquisition furthers a number of 2040 General Plan goals and policies related to developing underutilized properties, supporting densification of the City through infill development, and concentrating government facilities and services into a regional center; and

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby find the location, purpose, and extent of Humboldt County's acquisition of a 0.15-acre parcel at 803 4<sup>th</sup> Street in conformance with the City of Eureka's adopted 2040 General Plan.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 13th day of March, 2024, by the following vote:

AYES: COMMISSIONER  
NOES: COMMISSIONER  
ABSENT: COMMISSIONER  
ABSTAIN: COMMISSIONER

---

Meredith Maier, Chair, Planning Commission

*Attest:*

---

Cristin Kenyon, Executive Secretary