

RESOLUTION NO. 2023-28

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA
DETERMINING THE ACQUISITION OF A PORTION OF THE OCEAN VIEW CEMETERY
AND DEVELOPMENT OF THE EUREKA OPERATIONS COMPLEX CONFORM WITH THE
CITY OF EUREKA'S 2040 GENERAL PLAN**

WHEREAS, the City of Eureka is proposing to acquire approximately 5.6 acres of land (APN 019-341-008 and a portion of APN 019-341-007) from the Ocean View Cemetery (Ocean View Sunset Memorial Association Inc.); and

WHEREAS, the subject land is located east of Broadway, west of Weiler Road, and north of Lost Coast Brewery (1600 Sunset Drive); and is designated Public Quasi Public (PQP) and zoned Public Facilities (PF); and

WHEREAS, the City intends to build a new Eureka Operations Complex on the acquisition site; and

WHEREAS, the City's aging corporation yard, which is currently at risk of flooding and liquefaction, would be relocated to the new facility, which would also include administrative offices and serve as the City's emergency operations center during critical incidents, emergencies, and natural disasters; and

WHEREAS, the proposed new Eureka Operations Complex would include an operations building, warehouse, and fleet maintenance shop; and

WHEREAS, Title 15, Chapter 152, of the Eureka Municipal Code, Section 152.01 specifies the Planning Commission must advise the City Council on property acquisition; and

WHEREAS, California Government Code Section 65402 states, if a general plan has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no public building or structure shall be constructed, until the location, purpose and extent of such acquisition and such public building have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan; and

WHEREAS, the City Council's pending decision to acquire this real property to construct a new Eureka Operations Complex (a decision for which the Planning Commission is providing analysis pertaining to the conformance of the acquisition and subsequent development with the City of Eureka's 2040 General Plan) is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, an Initial Study (IS) and Mitigated Negative Declaration (MND) has been prepared for the acquisition and subsequent development of City facilities at the site; the IS/MND has been posted for review and comment in accordance with the provisions of CEQA; and a City Council public hearing has been scheduled for November 7, 2023 for adoption of the MND; and

WHEREAS, pursuant to CEQA Guidelines Section 15074, the Planning Commission must

consider the proposed MND before making its recommendation; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject application in accordance with Eureka Municipal Code Chapter 152 and California Government Code 65402, and after due consideration of the draft IS/MND, all comments received on the draft IS/MND, the Mitigation Monitoring and Reporting Program, the Response to Comments and Errata, and all comments and reports offered at the public meeting, does hereby find and determine the following facts:

1. The acquisition and subsequent development of the site with the Eureka Operations Complex furthers a number of 2040 General Plan goals and policies related to minimizing risk to hazards and developing underutilized properties, and is consistent with the remainder of the General Plan goals and policies.
2. With the mitigation measures outlined in the draft IS/MND, no substantial adverse environmental impact will result from the proposed acquisition and development.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of Eureka finds the proposed acquisition of a portion of the Ocean View Cemetery, and development of a new Eureka Operations Complex, conform with the General Plan; and directs Staff to report the Commission's determination, and any comments, to City Council, along with the following two recommendations:

- 1) The City pave Weiler Road to the project site; and
- 2) The City work closely with Bear River when finalizing the plan for integrating publicly accessible plantings into the project.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 23rd day of October, 2023, by the following vote:

AYES: COMMISSIONERS MAIER, KRAFT, AND LAZAR

NOES: NONE

ABSENT: COMMISSIONERS FREITAS AND BENSON

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, AICP, Executive Secretary