

Title:	General Plan Conformance Review for County Acquisition of 803 4th Street
Project(s):	GPC-24-0002
Location:	803 4th Street, Courthouse Union
APN:	001-134-006
Applicant:	County of Humboldt
Property Owner:	Courthouse, Union INC
Purpose/Use:	Possible Municipal Office Facility/ To Be Determined
Application Date:	February 9, 2024
General Plan:	DC – Downtown Commercial
Zoning:	DT – Downtown
Staff Contact:	Miguel Guerrero, Assistant Planner
Recommendation:	Receive report; and Adopt a resolution finding Humboldt County’s acquisition of 803 4th Street conforms with the City’s 2040 General Plan.
Motion:	“I move the Planning Commission adopt a resolution finding Humboldt County’s acquisition of 803 4th Street conforms with the City’s 2040 General Plan.”

Figure 1: Location Map



Figure 2: Site Map



### PROJECT SUMMARY

Humboldt County (County) is requesting General Plan Conformance Review for the proposed acquisition of the Courthouse Union parcel located at 803 4<sup>th</sup> Street. The 0.3-acre (13,200-sf) project site is located at the northeast corner of 4th and I Streets. The parcel contains an existing 1,229-square foot (sf), single-story building, as well as a fixed overhead shelter measuring 966-sf, and is currently utilized as an auto repair shop. Per the County's application materials, the County does not currently have a specific proposed future use for the subject parcel but "seeks to respond to the

current opportunity for acquiring a potentially useful property from a willing seller." The County envisions demolishing the existing structures on the parcel and redeveloping the site for some type of municipal office facility; however, the height, configuration, and occupancy of the future facility are unknown at this time. The County does not envision using the subject parcel for an off-street parking lot.

### Background

The subject property and surrounding parcels to the north, east, and west have a land use designation of Downtown Commercial (DC) and a zoning classification of Downtown (DT). The adjacent parcel to the south, across 4<sup>th</sup> Street has a land use designation of Public/Quasi-Public (PQP) and a Public Facilities (PF) zoning classification, and is the current location of the Humboldt County Courthouse/Jail. The adjacent parcel to the east is developed with a municipal office facility which contains the County Information Technology facilities, and the parcels across I Street to the west contain a variety of private commercial services and office facilities such as a copy center and mortgage lending office.

According to the County's application materials, the subject parcel represents "a strategic opportunity for the County to acquire property that would support implementation of the County's Facilities Master Plan." The County's Facilities Master Plan, published in 2020, includes the goals of investing in County-owned facilities and consolidating facilities, as the County's current facilities are mostly leased and spread throughout the City of Eureka in multiple small buildings, resulting in additional expense, inefficiencies for staff, and inconvenience for service recipients. The proposed purchase of a parcel directly adjacent to the County Information Technology facilities and across the street from the Courthouse/Jail is consistent with these goals.

At some point in the future, the County will initiate a planning process for redevelopment of the parcel, and has agreed to consult with the City of Eureka once a preliminary development concept is prepared. Pursuant to California Government Code Section 65402, the County will need to submit another request to the City for General Plan Conformance review once the location, purpose and extent of construction of public buildings and structures at the project site has been determined.

Figure 3: Existing Structures at 803 4th Street



The existing commercial building at the project site (Figure 3) proposed for demolition was built in 1956, but is not listed on Eureka's Local Register of Historic Places, or included in Eureka, An Architectural View (Green Book) as part of the historical inventory. It does not appear eligible for the California Register of Historic Resources, nor would it be considered a historic

resource under the California Environmental Quality Act (CEQA).

The project site has a history of petroleum contamination resulting from leaking underground storage tanks (USTs) associated with the historic use of the site as a gas station. The Humboldt County Department of Health & Human Services Division of Environmental Health (DEH) opened a cleanup case in 2012 and a site investigation and corrective action occurred, resulting in case closure in 2015. In 2021, the USTs were exposed, cleaned and removed under the oversight of DEH, and soil samples were collected from each end of the excavation site and analyzed; no petroleum contamination was detected. No further actions related to the former USTs and cleanup case are required.

### APPLICABLE REGULATIONS

California Government Code Section 65402 requires the County, prior to either acquisition or disposal of real property, and/or construction of public buildings or structures within the City limits of Eureka, to request a determination from the City of Eureka's Planning Commission as to the conformity of the proposed project with the City's adopted 2040 General Plan. Section 65402 requires the Planning Commission to provide the determination within 40 days of the request submittal. Failure to provide the determination within the 40-day timeframe is conclusively deemed a finding that the proposed acquisition is in conformity with the City's adopted General Plan. The application for General Plan conformance review was submitted to the City on February 9, 2024, and the 40-day response period ends on March 20, 2024.

### GENERAL PLAN CONSISTENCY ANALYSIS

## 2040 General Plan Land Use Designation

The land use designation for the subject property is Downtown Commercial (DC). The DC land use designation is defined as follows in the City's 2040 General Plan:

Mix of retail, restaurants, lodging, entertainment, cultural, visitor services, offices, and upper floor residential uses. Applied to the bulk of the Core Area, which serves as the traditional business and cultural center for the City. Intended to have a high intensity urban form, retain and enhance Eureka's identity and historic character, and promote a vibrant pedestrian environment. Residential and office uses are primarily allowed only on upper floors and non-street-facing portions of buildings, and only as provided by the applied zoning district.

The intent of the proposed acquisition is to demolish the existing auto repair facility (former gas station) and redevelop the site with a municipal office facility. The removal of the existing auto-oriented development and potential redevelopment of the site with a denser office facility use aligns with the purpose of the DC land use designation to provide for a mix of uses including offices with a high intensity urban form and to promote a vibrant pedestrian environment. The resulting consolidation of County facilities also has the potential to reduce vehicle miles traveled and increase the number of trips made by foot between related office facilities, further promoting a vibrant pedestrian environment.

The DT zoning district carries out the DC land use designation and requires a minimum Floor Area Ratio (FAR) of 1.0 and allows a maximum FAR of 6.0. The DT zoning district also requires buildings to be a minimum of two stories and allows a maximum building height of 100-ft. The existing auto repair development at the project site does not meet the minimum FAR or building height and is legally nonconforming with these development standards. Although the County is exempt from the City's zoning regulations (and is thus exempt from these FAR and building height standards), the County stated they will "seek to develop a project that conforms with the standards of the Eureka Municipal Code (EMC) as much as possible."

For all these reasons, the proposed acquisition is consistent with the DC land use designation.

## 2040 General Plan Goals and Policies<sup>1</sup>

Goals and policies in the General Plan were reviewed for applicability to the proposed acquisition, and the following goals and policies were identified for Planning Commissions' consideration:

GOAL LU-1 A Community that values its unique small-town charm and livability while thoughtfully advancing new prospects for growth and economic vitality.

Consistent. The proposed acquisition of the site for potential redevelopment with a municipal office facility advances new prospects for growth in the City of Eureka consistent with Goal LU-1.

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<sup>1</sup> The full list of goals and policies can be found in the City's 2040 General Plan which is available on the City of Eureka's website, under the Planning Library page. Enter "Eureka Planning Library" into your search browser; or use this link: [eureka.gov/DocumentCenter/View/1190/2040-General-Plan-PDF?bidId=](http://eureka.gov/DocumentCenter/View/1190/2040-General-Plan-PDF?bidId=)

LU-1.3 Beneficial Development. Support development that affords benefits to all segments of the community that:

(c) Develops underutilized or vacant parcels.

(k) Develops intersection corners and street frontages with buildings instead of parking lots.

Consistent. The proposed acquisition will allow the County to redevelop an underutilized parcel with a municipal office building consistent with Policy LU-1.3(c). In addition, the County has highlighted in their application that they do not envision using this parcel for off-street parking, and instead plan to develop the intersection/street frontage with a building, which is consistent with Policy LU-1.3(k).

GOAL LU-2 A thriving, compact, and pedestrian oriented Core Area that serves as the heart of Eureka's civic, cultural, business and visitor activity and is appealing to new investment.

LU-2.1 Core Area Uses and Activities. Support the following uses and activities within the Core Area: [...] (n) Government facilities and services consolidated into a regional center of civic offices, services, and functions.

Consistent. The proposed acquisition of property in the heart of Eureka's Downtown Commercial Area in close proximity to other County facilities will allow the County to better serve the community by consolidating County facilities and services, which will create a more efficient environment for both employees and service recipients. As a result, the proposed project is consistent with Goal LU-2 and Policy LU-2.1(n).

LU-2.3 County Jail. Coordinate with Humboldt County to define and implement measures to beautify the site and minimize the physical and visual barrier between Old Town and Downtown created by the County Jail, and to reduce loitering and criminal activities within its proximity. (IGC)

Consistent. The acquisition of this parcel will allow for the future development of a building, that if built closer to the maximum FAR of 6.0, and the maximum height of 100-ft, will bring more balance to the adjacent massing and scale of the courthouse/jail. Redevelopment of the site also has the potential to bring more activity and people to the area, which is a passive way to reduce loitering and criminal activities consistent with Policy LU-2.3.

Goal LU-3 Active, attractive, and prosperous corridors and centers that boost Eureka's role as the regional hub of retail, professional/business services, and tourism.

Consistent. The proposed acquisition and resulting redevelopment of this former brownfield site will help revitalize a prominent intersection on the 4<sup>th</sup> Street (Highway 101) commercial corridor in the core of the City's Downtown, further boosting the prosperity of the corridor, consistent with Goal LU-3.

LU-3.2 Reinvestment. Support public and private efforts to reinvest in, renovate and maintain existing commercial areas to improve aesthetic appearance, elevate community image, increase economic competitiveness, and integrate mixed uses.

Consistent. Through the proposed acquisition, the County plans to reinvest in the existing commercial area with a municipal office facility that conforms with City standards to the extent feasible. A new office facility that meets the City Zoning Code's required design elements will improve the aesthetic appearance of the area and elevate community image, consistent with Policy LU-3.2.

GOAL E-3 Abundant opportunities to facilitate the establishment and expansion of key job and revenue generating uses within the City.

E-3.8 Expanded Office-Based Business Sector. Maintain and expand the City's role as the region's primary center of professional and business services such as attorney's, realtors, architects, engineers, investment specialists, and other office-based businesses and institutions.

Consistent. The proposed acquisition has the potential to help maintain and expand key job generating uses within the City, by facilitating the development of a new municipal office facility that serves skilled government professionals. The County's acquisition and subsequent redevelopment of the site will help maintain and expand the City's role as the region's primary center of office-based businesses and institutions consistent with Goal E-3 and Policy E-3.8.

GOAL M-1 A model City for multi-modal transportation.

M-1.6 Dense Development. Integrate transportation and land use decisions to enhance opportunities for development that is compact, walkable and transit friendly.

Consistent. The subject parcel is within walking distance of other County facilities and a variety of commercial businesses, and is located 0.1-mile (2 min walk) from the nearest bus stop (a major transit center) at H & 3<sup>rd</sup> Streets, as well as a proposed Class III (Bicycle Blvd) along 3<sup>rd</sup> Street, which is highlighted in the draft 2023 City of Eureka Bike Plan's Map of Proposed Bikeway Corridors, consistent with Goal M-1 and Policy M-1.6.

M-5.4 Parking Lot Location. Discourage placement of parking lots along major commercial, high pedestrian-use street frontages, and corners in the interest of maintaining continuous building frontages along the primary commercial streets and improving walkability in the Core Area.

Consistent. The County has stated it does not plan to use this parcel (a corner lot along a major commercial corridor) for an off-street parking lot, consistent with M-5.4.

Consistency Determination Conclusion

The General Plan Conformance review identified all applicable goals and policies of the 2040 General Plan and found the acquisition of the subject property consistent with, and supported by, the applicable goals and policies. Therefore, staff recommends the Planning Commission find the General Plan Conformance Review is consistent with the City's 2040 General Plan.

### ENVIRONMENTAL

#### The City of Eureka

The City's General Plan Conformance Review of the County's acquisition of real property does not trigger CEQA as the review is advisory and non-binding and the City has no discretion in how the project is conducted. The request is only for review of the acquisition's conformance with Eureka's 2040 General Plan, and regardless of whether the Planning Commission determines the proposed acquisition is or is not in conformance with the General Plan, the County can still proceed with the project as proposed. The City has no discretion to change the project or impose mitigation in response to environmental concerns.

#### The County

The County's acquisition does constitute a discretionary action by a public agency and is subject to CEQA. The County, as Lead Agency, has not yet made a CEQA determination, but 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). Any future proposed redevelopment of the property would be subject to additional CEQA review.

### STAFF CONTACT

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### DOCUMENTS ATTACHED

Attachment 1: Planning Commission Resolution 2024-\_\_\_\_

Attachment 2: Humboldt County General Plan Conformance Request Application and Request Letter