

RESOLUTION NO. 2023-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA
DETERMINING GENERAL PLAN CONFORMANCE FOR THE COUNTY OF HUMBOLDT'S
PROPOSED ACQUISITION OF PROPERTY AND RESIDENTIAL DEMOLITION WITHIN THE
CITY LIMITS AT 1017 4TH STREET

WHEREAS, the County of Humboldt is proposing to purchase the property located at 1017 4th Street (APN 001-174-008) and demolish the existing structure on the site; and

WHEREAS, California Government Code Section §65402 states a county shall not acquire real property 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 have been submitted to and reported upon by the planning agency as to the conformity with the General Plan; and

WHEREAS, the County of Humboldt does not have a specific proposed future use for the subject parcel but seeks to respond to an opportunity to acquire the parcel from a willing seller; and

WHEREAS, the County of Humboldt envisions using the subject parcel for some type of municipal office facility but the footprint, height, configuration, and appearance is unknown at this time; and

WHEREAS, the subject property is located in the City's Downtown Core Area and has a land use designation of Downtown Commercial (DC); and

WHEREAS, the County of Humboldt has committed the subject property will not be developed as an off-street parking lot; therefore, the proposed project can be found consistent with 2040 General Plan policies discouraging placement of parking lots along major commercial, high pedestrian-use street frontages (Policies LU-1.3 and M-5.4); and

WHEREAS, the proposed project is consistent with Goal LU-1 by advancing new prospects for growth in the core area; and

WHEREAS, the project would allow government facilities and services to be consolidated into a regional center of civic offices, services, and functions pursuant to Policy LU-2.1; and

WHEREAS, although the proposed acquisition and demolition will result in removal of a residence and destruction of an eligible historic structure, a vacant lot would be created and any future project would contribute to infill and redevelopment allowing for growth and internal densification consistent with Policy LU-6.2.; and

WHEREAS, the housing unit proposed to be demolished is not historically significant on a state or national level, but is eligible for listing on the Local Register of Historic Places (LRHP), and the 2040 General Plan recognizes structures eligible for listing on the LRHP as historic

resources; thus, policies from the 2040 General Plan related to historic preservation are applicable; and

WHEREAS, a structure eligible for the LRHP will be demolished without any attempt at preservation of the historic resource, inconsistent with 2040 General Plan Policy HCP-I.1, and without providing adequate evidence the public benefit of demolition outweighs the loss of the structure, inconsistent with Policy HCP-I.4; and

WHEREAS, the residence proposed for demolition is an existing affordable rental unit, and its demolition is inconsistent with 2040 General Plan Housing Element Goal H-5 and associated policies H-5.3 and H-5.5, which call for the preservation of existing affordable housing units and prevention of low-income housing loss; and

WHEREAS, the General Plan Conformance Review is exempt from CEQA pursuant to Section 15061(b)(3) (Common Sense) of the CEQA Guidelines because the Planning Commission's conformance review has no possibility of having a significant effect on the environment as the County of Humboldt is not bound by the City's determination of whether the project is consistent with the City's adopted 2040 General Plan, and could choose to proceed with acquisition of the parcel and demolition of the structure as they have proposed, regardless of the Planning Commissions' determination.

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby find the following:

1. Based on the Memorandum dated July 16, 2018, from the City of Eureka's Historic Preservation Commission, the structure is a historic resource and eligible for listing on the City of Eureka Local Register of Historic Places; and
2. Provided the County incorporates all recommendations in the Staff Report, and relocates the residential structure to another site, the location, purpose, and extent of the acquisition of the land and subsequent demolition of the existing structure by the County of Humboldt at 1017 4th Street, is in conformance with the City of Eureka's adopted 2040 General Plan; otherwise, the Commission finds the acquisition of the land and subsequent demolition of the existing structure is not in conformance with the City of Eureka's adopted 2040 General Plan.

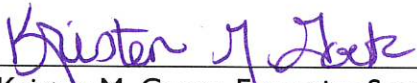
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 9th day of January, 2023, by the following vote:

AYES: COMMISSIONERS MAIER, BENSON, FREITAS, LAZAR, KRAFT
NOES: NONE
ABSENT: NONE



Craig Benson, Vice Chair, Planning Commission

Attest:



Kristen M. Goetz, Executive Secretary