

PLANNING COMMISSION RESOLUTION NO. 2023-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA APPROVING A MINOR USE PERMIT (MUP-23-0006) TO ALLOW A VACATION RENTAL – NO PROPRIETOR ON-SITE AT 2604 I STREET, APN 011-042-002

WHEREAS, the applicant, Arwood Vacation Rentals (Bernadette and Thor Arwood), have requested approval of a Vacation Rental – No Proprietor On-site in an existing three-bedroom, one-bath, single-family home on a 6,750-square-foot corner lot, located at 2601 I Street (APN 011-042-002); and

WHEREAS, the property is located in the Residential Low (R1) zoning district and has a land use designation of Low Density Residential (LDR); and

WHEREAS, pursuant to Eureka Municipal Code (EMC) §155.204.020, the proposed vacation rental use is allowed in the R1 zoning district with a Minor Use Permit; and

WHEREAS, the Minor Use Permit is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on June 12, 2023, at 5:30 p.m. in person and via Zoom in the Council Chamber; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the subject application in accordance with Eureka Municipal Code Chapter 155, and after due consideration of all submitted evidence and reports, does hereby find and determine the following facts:

1. The proposed use is consistent with the General Plan and Zoning Code adopted by the City Council.
2. The site is suitable for the size, design, and operating characteristics of the proposed use.
3. The proposed use is compatible with existing and planned land uses in the vicinity of the property.
4. The proposed use will not be detrimental to the public health, safety, and welfare.
5. The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.
6. The project qualifies for a Class 1 exemption (§15301) from CEQA which exempts the operation, permitting, leasing [or] licensing of existing private structures involving negligible or no expansion of use. The proposed use will result in an existing residential structure being used as a vacation rental with no expansion or external modifications proposed.

WHEREAS, in the opinion of the Planning Commission, the proposed application should be approved subject to the following conditions:

- A. The residence must be inspected to residential standards by Development Services - Building prior to operating. The applicant shall obtain any necessary building permits and follow-up inspections required by the initial inspection.
- B. Once the Vacation Rental is operating, the applicant shall remit Transient Occupancy Tax (TOT) for each Vacation Rental stay of 30 consecutive calendar days or less to the City of Eureka by complying with Eureka Municipal Code Section 35.070, which addresses the collection, record keeping, reporting and remittance of applicable TOT.
- C. The maximum number of occupants (not including children 12 and under), shall not exceed eight: two persons per bedroom plus two additional persons.

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Eureka does hereby approve the application, subject to the conditions listed above.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 12th day of June, 2023.

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Executive Secretary