

## **RESOLUTION NO. 2023-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA RECOMMENDING THE CITY COUNCIL DECLARE THE CORPORATION YARD PROPERTY LOCATED AT 945 WEST 14<sup>TH</sup> STREET (APN 003-082-010) AS SURPLUS PROPERTY**

**WHEREAS**, the City of Eureka owns 945 West 14<sup>th</sup> Street (APN 003-082-010), an approximately 3.9-acre property in the Westside Industrial Area currently developed as the City's Corporation Yard (site); and

**WHEREAS**, the City has owned and operated this site as the Corporation Yard for decades, but now wishes to relocate site functions, employees, and equipment to a separate site (the Ocean View Cemetery site) already acquired by the City;

**WHEREAS**, the purpose of relocating and redeveloping the Corp Yard is to reduce risk of structural failure and ensure efficient operations during a natural disaster, as the existing Corporation Yard site is located in an area at current risk of liquefaction and tsunami flooding, and future risk of storm flooding due to sea level rise; the site has aging infrastructure that is significantly deteriorated; and existing buildings do not meet current structural standards; and

**WHEREAS**, the Surplus Land Act (California Government Code [CGC] §54220 et seq.) requires local agencies, including the City, to comply with the requirements of the Act before disposing of Surplus Land, which is a necessary step in allowing someone other than the City to purchase/lease and use this site; and

**WHEREAS**, the site is zoned Public District (P District) and has a land use designation of Public/Quasi-Public (PQP); and

**WHEREAS**, housing is not an allowed land use in the P District, and future development of the site for non-public facility uses (e.g., housing or commercial uses) will require a Local Coastal Program (LCP) Amendment; and

**WHEREAS**, CGC §65402(a) requires the location, purpose, and extent of the disposition be submitted to, and reported on by, the Planning Commission as to conformity with the adopted General Plan; and

**WHEREAS**, City of Eureka Policy and Procedure File 2.01, Sale of City Owned Real Property, requires the Planning Commission's review to determine whether the site is necessary for agency (City's) use; whether the site is of such size and shape to allow development of uses permitted in the zone in which it is located; and whether the disposition of the property is in conformance with CGC §65402; 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 disposition; and

**WHEREAS**, the City Council's pending decision to declare the Corporation Yard surplus property is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, City Staff has determined the declaration of the Corporation Yard as surplus property is exempt from CEQA pursuant to the Common-Sense exemption in CEQA Guidelines

§15061(b)(3) as there is no specific purchaser, development or use for the site identified at this time (nor could there be, given the Surplus Land Act process), and the only reason the surplus does not qualify for the CEQA Guidelines §15312 Class 12 categorical exemption is because the site was classified as a Leaking Underground Storage Tank (LUST) cleanup site, yet the contamination has been remediated and the cleanup case closed, and the surplus does not involve any ground disturbance or other activities that could expose, mobilize or otherwise implicate the contamination; therefore it can be seen with certainty that there is no possibility the surplus property declaration by City Council may have a significant effect on the environment, thus the activity is not subject to CEQA; and

**WHEREAS**, the Planning Commission of the City of Eureka has reviewed the proposed surplus in accordance with City of Eureka Policy and Procedure File 2.01 for the “Sale of City-Owned Real Property,” and CGC §65402, and after due consideration of all testimony, evidence and reports offered at the public hearing, does hereby find and determine the following facts:

1. The site is obsolete and not necessary for agency use because the Corporation Yard is being relocated and redeveloped at the new Ocean View site.
2. The size and shape of the Corporation Yard property can allow development of uses permitted in the P – Public zone district.
3. The 2040 General Plan and certified Local Coastal Program are silent with regard to the necessity of retaining the site for City public use. Declaring the Corporation Yard site surplus does not conflict with the adopted 2040 General Plan or the Local Coastal Program, and doing so furthers a number of goals and policies related to location of public facilities and maintaining the safety of the community during emergencies. Therefore, the location, purpose, and extent of the property disposition conforms with the adopted 2040 General Plan and Local Coastal Program.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Eureka does hereby recommend the City Council declare the Corporation Yard surplus property.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 14<sup>th</sup> day of August, 2024 by the following vote:

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

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Meredith Maier, Chair, Planning Commission

*Attest:*

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Cristin Kenyon, AICP, Executive Secretary