

PLANNING COMMISSION RESOLUTION NO. 2025-XX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EUREKA APPROVING A MINOR USE PERMIT (VRM-23-6) TO ALLOW ONE
VACATION RENTAL - NO PROPRIETOR ON-SITE AT 1105 MCDONALD STREET (APN 008-123-
003)

WHEREAS, the Applicant (and property owner), Michael Brown, has requested approval of a Vacation Rental – No Proprietor On-site in an existing 1,404-square-foot (sf), four-bedroom, one-bathroom single-family residence on a 6,600-sf parcel at 1105 McDonald Street (APN 008-123-003); and

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

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

WHEREAS, on November 13, 2024, a Notice of Pending Action (NOPA) was mailed to property owners within 300 feet of the single-family residence which described how to request a public hearing, subsequently a public hearing was requested; 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 February 12, 2025 at 5:30 p.m. via Zoom and in person in the Council Chamber; 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 has reviewed the subject application in accordance with EMC 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 will be 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 Existing Facilities) 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 existing residential structures being used as a vacation rental with no expansion of use 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 Applicant shall obtain a Business License prior to operating, and prior to receiving a Business License, the Applicant shall sign a statement indicating they have read, understand, and will comply with the City's vacation rental requirements.
- B. The residence must be inspected to residential standards by Development Services - Building prior to operating as Vacation Rentals. The Applicant shall obtain any necessary building permits and follow-up inspections required by the initial inspection.
- C. Once the Vacation Rental is operating, the Applicant shall remit Transient Occupancy Tax (TOT) for the Vacation Rental stay of 30 consecutive calendar days or less to the City of Eureka by complying with EMC §35.070, which addresses the collection, record keeping, reporting and remittance of applicable TOT.
- D. The maximum number of occupants, not including children 12 and under, shall not exceed ten: 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 February, 2025.

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

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Executive Secretary

