

**RESOLUTION NO. 2025-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA  
APPROVING THE HUNT COMMERCIAL LODGING CONDITIONAL USE PERMIT (UP-  
25-1) AT 823 8<sup>TH</sup> STREET (APN 001-206-006)**

WHEREAS, the Applicant, Janeth Hunt, is proposing commercial lodging (i.e. short-term rental; less than 30-days) within an existing 622-square-foot (sf), one-bedroom, one-bathroom dwelling unit on a 4,070-sf interior parcel at 823 8<sup>th</sup> Street (APN 001-206-006); and

WHEREAS, the parcel is zoned Office Residential (OR) and has a land use designation of Professional Office (PO); and

WHEREAS, pursuant to Eureka Municipal Code (EMC) 155.208.020, the proposed commercial lodging use is allowed in the OR Zoning District with a Conditional Use Permit; and

WHEREAS, the Conditional Use Permit is a discretionary action and is considered a “project” 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 11, 2025 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 testimony, evidence, and reports offered at the public hearing, 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) 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 commercial lodging (i.e. a vacation rental) with no expansion or external modifications proposed.

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

- A. A designated bicycle parking space, in an area where the bicycle can be secured with a lock, must be available and remain in place for the duration of the commercial lodging use.
- B. Trash and recycling cans must be stored in an area that is screened from nearby residences – such as being located behind a fence – for the duration of the commercial lodging use.
- C. 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.
- D. While not proposed, in the event of ground disturbance, the City's standard protocol for inadvertent archeological discovery (cultural or historical artifacts) described below shall be followed, as requested by the Wiyot Tribe:
  - a. If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist must be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structure remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.
  - b. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.
  - c. In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code §7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) §5097.98. In part, PRC §5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would

then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of PRC §5097.98 shall be complied with as may be required.

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 11<sup>th</sup> day of June, 2025, by the following vote:

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

*{complete the voting section after the meeting}*

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Meredith Maier, Chair, Planning Commission

*Attest:*

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Cristin Kenyon, Executive Secretary