

PLANNING COMMISSION RESOLUTION NO. 2025-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA APPROVING A MINOR USE PERMIT (VRM-25-3) TO ALLOW ONE VACATION RENTAL – NO PROPRIETOR ON-SITE AT 2935 N STREET (APN 012-062-004)

WHEREAS, the Applicant (and property owner), Claire Patton, is proposing to utilize an existing two-bedroom, one-bathroom single-family residence as a Vacation Rental – No Proprietor On-site on a 5700-square-foot (sf) corner lot at 2935 N Street (APN 012-062-004); 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 (Allowed Uses), the proposed use is allowed in the R1 Zoning District with a Minor Use Permit; and

WHEREAS, on or before May 15, 2025, 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, and 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 July 9, 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 as described in the Director's Staff Report.
2. The site is suitable for the size, design, and operating characteristics of the proposed use as described in the Director's Staff Report.
3. The proposed use will be compatible with existing and planned land uses in the vicinity of the property as described in the Director's Staff Report.
4. The proposed use will not be detrimental to the public health, safety, and welfare as described in the Director's Staff Report.
5. The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure as described in the Director's Staff Report.
6. The project qualifies for a Class 1 (§15301 Existing Facilities) exemption 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. Compliance with conditions will be to the satisfaction of Development Services – Planning unless noted otherwise.

- A. Bicycle Parking.** A designated bicycle parking space on a surface of asphalt, concrete, or other all-weather surface, in an area where the bicycle can be secured with a lock, must be available, maintained, and remain in place for the duration of the vacation rental use.
- B. Solid Waste/Recyclable Material Storage.** Trash and recycling cans must be stored in an area that is screened from nearby residences, such as being located behind a fence or within a garage for the duration of the vacation rental use.
- C. Outdoor Lighting.** All exterior/outdoor lighting fixtures must be replaced with dark sky compliant lighting that is shielded and directed down to avoid light trespass on neighboring properties and the public right-of-way to the maximum extent possible.
- D. Business License.** 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.
- E. Inspections.** 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.
- F. Transient Occupancy Tax (TOT).** Once the Vacation Rental is operating, the Applicant shall remit TOT for each Vacation Rental stay of 30 consecutive calendar days or less to the City of Eureka by complying with Eureka Municipal Code §35.070, which addresses the collection, record keeping, reporting and remittance of applicable TOT.
- G. Maximum Occupancy.** The maximum number of occupants, not including children 12 and under, shall not exceed six persons: 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 9th day of July, 2025.

AYES: COMMISSIONER
NOES: COMMISSIONER

ABSENT: COMMISSIONER
ABSTAIN: COMMISSIONER

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Executive Secretary