



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
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NOTICE OF PUBLIC HEARING

EUREKA CITY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Eureka City Planning Commission will hold a public hearing on Monday, December 9th, 2019, at 5:30 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider the following application:

Project Title: Surplus Property Sale of 1206 W. 14TH Street (Vacated Street); APN: 003-082-006

Project Applicant: City of Eureka

Case No: SP-19-004

Project Location: 1206 W. 14th Street (Vacated Street); APN: 003-082-006

Zoning and General Plan Designations: MC (Coastal Dependent Industrial)/CDI (Coastal Dependent Industrial)

Project Description: The City is proposing to dispose of the property located at 1206 W. 14th Street; APN: 003-082-006. The property is approximately 0.60 acres, located within the Coastal Zone, and is owned by the City of Eureka. The property is an unimproved, previously vacated street.

All interested persons are invited to comment on the project either in person, at the scheduled public hearing, or in writing. Written comments on the project may be submitted at the hearing or prior to the hearing by mailing or delivering them to the Development Services Department, 531 K Street, Eureka, CA 95501. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The project file is available for review at the Development Services Department, Third Floor, City Hall. If you have questions regarding the project or this notice, please contact Lisa Savage, Project Manager, Phone: (707) 441-4186; e-mail: lsavage@ci.eureka.ca.gov



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EUREKA CITY PLANNING COMMISSION

STAFF REPORT

December 9, 2019

Project Title: Surplus Property Sale of 1206 W. 14TH Street

Project Applicant: City of Eureka

Case No: SP-19-0004

Project Location: 1206 W. 14th Street (Vacated Street); APN: 003-082-006

Zoning and General Plan Designations: MC (Coastal Dependent Industrial)/CDI (Coastal Dependent Industrial)

Project Description: The City is proposing to dispose of the property located at 1206 W. 14th Street; APN: 003-082-006. The property is approximately 0.60 acres, is located within the Coastal Zone, and is owned by the City of Eureka. The property is an unimproved, previously vacated street. Eureka Forest Products has expressed an interest in acquiring the property. In order to sell the property, the City must comply with the Surplus Land Act and follow the City's Policies and Procedures for the sale of City-owned real property.

Staff Contact Person: Lisa Savage, Project Manager; City of Eureka, Development Services Department, 531 "K" Street, Eureka, CA 95501-1165; phone: (707) 441-4186, email: lsavage@ci.eureka.ca.gov

Staff Recommendation: Hold a public hearing and adopt a Planning Commission Resolution finding the subject property proposed for surplus is not required for present or future City public uses, that the surplus of the proposed property is consistent with the City of Eureka's General Plan as required by Government Code §65402, and recommending the City Council surplus the property.

Suggested Motion: "I move the Planning Commission adopt "A Resolution of the Planning Commission of the City of Eureka recommending the City Council determine the property located at 1206 W. 14th Street, APN: 003-082-006, is surplus property."

Background:

The proposed parcel for surplus was brought to the City's attention as part of a larger project submitted by Eureka Forest Products covering a Lot Line Adjustment (LLA), and related Coastal Development Permit (CDP), Merger, Local Coastal Program Amendment (LCP), and Zoning Reclassification. The parcel is located at the intersection of W. 14th Street and Railroad Avenue, and is the bayside terminus of 14th Street. The parcel is surrounded on three sides by property owned by Eureka Forest Products. No construction or physical site alteration is proposed with any aspect of the above listed projects.

The "Paper Street" was vacated by the City of Eureka via a "Resolution and Order Vacating a Portion of 14th Street" recorded on December 7, 1964, under Recorder's Instrument No. 20834, book 816, Official Records page 414, Humboldt County Records. At that time, the parcel should have been surplussed since it was determined that the City owns the underlying fee, and that the parcel is no longer needed for future City public uses. Any Public Utility or Access Easements required by the City will be retained prior to surplus.

Environmental: The sale of surplus property is a "project" pursuant to the California Environmental Quality Act (CEQA). However, pursuant to CEQA Guidelines, Categorical Exemption 15312 exempts the sale of surplus property except when the property is located in an area of "Statewide, Regional, or Area wide significance" as described in CEQA Guidelines Section 15206. Projects located within the coastal zone may be deemed significant unless the property does not have a significant value for wildlife habitat or other environmental purpose and the property is incapable of independent development or use; or would otherwise qualify for an exemption under any other class of categorical exemption; or the use of the property and adjacent property has not changed since the time of purchase by the public agency.

Although the property is located in an area of "Statewide, Regional, or Area wide significance" the sale of the property would not impact the coastal zone; as the property is surrounded by development (Eureka Forest Products) and has no wildlife habitat. Therefore, the sale of the property is exempt from CEQA pursuant to Guidelines Section 15312.

Applicable Regulations: According to the City's Policies and Procedures, Sale of City Owned Real Property File 2.01, the following steps are required:

- 1) Regardless of the prior use of the property, the Planning Commission shall determine whether the property is required for public use by the City of Eureka; whether the parcel is of such size and shape that it can be developed for a land use permitted in the zone in which it is located; and whether the disposition of the property is in conformance with Government Code §65402.
- 2) After evaluating CEQA for the project, the Planning Commission must prepare a report for review by the City Council which includes a recommendation regarding disposition of the property. The report must also contain, at minimum:

- a) Whether the parcel is suitable for conforming development; if it is not, the property may be recommended to the City Council for disposal to an adjoining property owner by negotiated sale.
- b) Whether the property is required for present or future public use by the City.
- c) Whether the sale of the surplus property is in conformance with the adopted General Plan.

Upon completion, the Planning Commission's report will be submitted to the City Council for review. If the Council finds that property is not required for present or future City public use, it may declare the property surplus real property and establish the minimum acceptable offers.

As required by the Surplus Lands Act, subsequent to, or concurrent with the evaluation of the property by the Planning Commission, the City will distribute written offers to sell the property to public agencies and several non-profits who may have potential interest in the property.

Analysis:

Public use: There is no public project identified in the 2019-2024 Capital Improvement Program (CIP) which requires the subject property. The subject property has not been used by the City of Eureka for a public purpose. Therefore, the subject property is not needed for a public purpose.

Adequate size and shape for development in MC zone district: The subject property is in a MC (Coastal Dependent Industrial) zone district located at 1206 W. 14th Street within the coastal zone. The property is unimproved.

The subject property is approximately 25,900 sq ft, or 0.60 acres in size. There is no minimum parcel size for properties in the MC zone district. The property has access from Railroad Avenue.

Conformity with the adopted general plan: The General Plan designation for the subject property is CDI (Coastal Dependent Industrial). The CDI plan designation is intended to reserve and protect land adjacent to Humboldt Bay for coastal-dependent industrial uses. The primary intent of this designation is to encourage industrial uses related to shipping or the fishing industry.

Staff has reviewed the adopted General Plan and finds that it is silent with regard to the necessity of retaining the subject property for City public use. In addition, there is no Goal or Policy within the adopted General Plan that calls for the retention of the property for the City's public purposes. Therefore, Staff believes that the City's action to surplus the subject property will not conflict with the adopted General Plan.

Discussion with City departments determined that there is no need to retain this property. Selling the property will provide an opportunity for Eureka Forest Products to purchase the property.

Summary: Based on the above, Staff recommends the Planning Commission determine that the property proposed for surplus is not required for City public use, and recommend the City Council declare the subject property surplus by adopting “A Resolution of the Planning Commission of the City of Eureka recommending the City Council determine the property is surplus property.”

Attachments:

- A. Assessor’s Parcel Map
- B. Aerial Location Map
- C. Policies and Procedures File 2.01 for the Sale of City Owned Real Property
- D. Resolution No. 2019-_____ (To Be Determined)

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA RECOMMENDING THE CITY COUNCIL DETERMINE THAT THE PROPERTY LOCATED AT 1206 W 14th STREET (VACATED STREET), APN: 003-082-006 IS SURPLUS PROPERTY

WHEREAS, the City owns the land at 1206 W. 14th Street (APN 003-082-006); and

WHEREAS, staff is proposing to dispose of the property located 1206 W. 14th Street (Vacated Street) as surplus property, APN: 003-082-006; and

WHEREAS, the parcel, a “Paper Street”, was vacated by the City of Eureka via a “Resolution and Order Vacating a Portion of 14th Street” recorded on December 7, 1964, under Recorder’s Instrument No. 20834, book 816, Official Records page 414, Humboldt County Records; and

WHEREAS, the parcel should have been surplussed following the street vacation since it was determined that the City owns the underlying fee, and that the parcel is no longer needed for future City public uses; and,

WHEREAS, any Public Utility or Access Easements required by the City will be retained prior to surplus; and,

WHEREAS, a fair market appraisal of the City’s property will be obtained from Ryan Real Estate Appraisers prior to surplus; and

WHEREAS, the City will distribute written offers to sell the property to public agencies who may have interest in the property, and staff has met with City Department Heads regarding the disposition, as required by the Surplus Lands Act; and

WHEREAS, the sale of surplus property is a “project” pursuant to the California Environmental Quality Act (CEQA). However, CEQA Guidelines Section 15312 exempts the sale of surplus property; and

WHEREAS, on December 9, 2019, the Planning Commission held a duly noticed public hearing to receive public testimony; and

WHEREAS, there is no City of Eureka public project identified for the property in the adopted 2019-2024 CIP and the property has not been used for City public purposes; and

WHEREAS, the subject property is located in a MC (Coastal Dependent Industrial) zone district and the property is an unimproved; and

WHEREAS, the subject property is approximately .60 acres in size. There is no minimum parcel size for properties in the MC zone district. The property has access from Railroad Avenue and is suitable for development; and,

WHEREAS, the City of Eureka General Plan is silent on the necessity of retaining the subject property for City public use.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Eureka that:

1. The property proposed for surplus located at 1206 W 14th Street (Vacated Street), APN: 003-082-006, is:
 - a) Not required for City public use; and
 - b) The size and shape of the subject parcel is suitable for conforming development; and
 - c) Surplus of the property is in conformance with Government Code §65402 and the City of Eureka’s adopted General Plan.
2. The sale of the property will generate revenue for the General Fund.
3. The Planning Commission recommends the City Council determine that the property is a candidate for disposition as surplus property pursuant to City of Eureka Policy and Procedure File 2.01 for the “Sale of City-Owned Real Property,” and Government Code §65402.
4. The Planning Commission further recommends:
 - a. The City Council authorize the City Manager to negotiate the sale of the Property, and
 - b. The City Council utilize the appraisal from Ryan Real Estate Appraisers, to be fair market value for the property.

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 December, 2019 by the following vote:

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

Jeff Ragan, Chair, Planning Commission

Attest:

Kristen Goetz, Executive Secretary