

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of _____

RESOLUTION NO. _____

Making the required findings for certifying compliance with the California Environmental Quality Act and approving the Zone Reclassification and General Plan Amendment for MDS Eureka Clinic LLC.

WHEREAS, on September 12, 2023, the Board of Supervisors accepted a petition to amend the Zoning Map and the Eureka Community Plan text for Q-zoned properties located in the Eureka area; and

WHEREAS, MDS EUREKA CLINIC LLC CO submitted an application and evidence in support of a General Plan Amendment and Zoning Map Amendment; and

WHEREAS, the Planning and Building Department reviewed the application and supporting evidence and referred the application materials to applicable reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, on September 4, 2025, after considering the application, the Planning Commission adopted a Resolution which recommended that the Board of Supervisors adopt the Mitigated Negative Declaration and adopt an ordinance rezoning the subject properties and amending the Eureka Community Plan; and

WHEREAS, the Board of Supervisors held a public hearing, de-novo, on _____, 2025 and reviewed, considered, and discussed the application for a Zone Reclassification and the Amendment to the Eureka General plan; and reviewed and considered all public testimony and evidence presented at the hearing, including the Mitigated Negative Declaration; and

NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors that the following findings are hereby made:

- 1. FINDING:** **Project Description:** - An application for a Zone Reclassification (ZR) for the removal of the Qualified (Q) combining zone from APNs 017-015-034 and 017-041-008. The Q-zone currently restricts all development to those associated with medical, dental and other health related offices and facilities, per Ordinance 2078. Removing the Q-zone would allow for non-medical development (e.g. residential) to potentially move forward onsite. No change to the principal zoning (R-4) or the

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General Plan Land Use designation (RM) is proposed. A General Plan text amendment is also required to remove the Q zone provision that is embedded in Section 2620.15 of the Eureka Community Plan.

The Proposed Project would change the zoning designation as follows:

- Current Zoning: R-4*-Q (Apartment Professional, 6,000 sq ft minimum lot size) with medical-only Q-Zone restriction
- Proposed Zoning: R-4, B-1 (Apartment Professional, 6,000 sq ft minimum lot size)
- No change to the General Plan land use designation: RM (Residential Medium Density).

EVIDENCE: a) Project File: PLN-2024-18886

2. FINDING: **CEQA:** As required by the California Environmental Quality Act, the project was found subject to CEQA and a Mitigated Negative Declaration was prepared by the Planning and Building Department, Planning Division (Attachment 3), which evaluated the project for any adverse effects on the environment.

EVIDENCE: a) The CEQA document includes an analysis of the Zone Reclassification and General Plan Text Amendment. The Initial Study and Draft Mitigated Negative Declaration (IS/MND) was circulated from April 11, 2025, to May 13, 2025.

3. FINDING: **CEQA Public Comments:** One comment letter was received in response to the Notice of Intent to Adopt a Mitigated Negative Declaration. This comment was from a neighboring property owner that observed that at least 17 shipping containers and other construction debris was on the property and creating a public nuisance. This comment recommended the reclassification be denied until the property was brought into compliance.

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EVIDENCE: a) This comment has been considered and does not change the conclusions of the IS/MND.

4. FINDING: **ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT - NO MITIGATION REQUIRED.** The following impacts have been found to be less than significant and mitigation is not required to reduce project related impacts: Aesthetics, Agriculture and Forestry Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire.

EVIDENCE: a) There is no evidence of an impact to any of the above reference potential impact areas based on the project as proposed at this proposed location.

5. FINDING: **ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT.** The Initial Study identified potentially significant impacts to Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Noise, Tribal Cultural Resources, and Mandatory Findings of Significance which could result from the project as submitted.

EVIDENCE: a) Five Mitigation Measures have been developed to ensure potential impacts are limited to a less than significant level and have been incorporated into a Mitigation Measures, Monitoring, and Reporting Program (Attachment 1B) which is being adopted as part of the project.

6. FINDING: The General Plan amendment and zoning reclassification is in the public interest.

EVIDENCE: a) The General Plan amendment and zone reclassification provide an increased range of housing densities which is needed to provide housing opportunities across a range of income levels.

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- b) The County is behind in providing housing to meet its regional housing obligations. The county's projected housing needs for the current period (2019-2027) are 1,413 units spread across all housing income categories. These amendments allow for the project to provide up to 105 units over a variety of different housing income categories.
- c) As demonstrated by the significant deficit in available housing, there is a significant need for housing in Humboldt County and it is in the public interest to facilitate housing development.

7. FINDING: The General Plan Amendment and zone reclassification are in conformance with the General Plan Guiding Principles outlined in Chapter 1.4.

- EVIDENCE:**
- a) *Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves.* The GPA/ZR will implement the policy focus of the Housing Element and provide a range of housing opportunities for a variety of household incomes.
 - b) *Preserve and enhance the diverse character of Humboldt County and the quality of life it offers.* The GPA/ZR will allow a range of residential units to meet the needs of many different income levels.
 - c) *Cooperate with service providers and promote efficient use of roads, water, and sewer services by encouraging development that is consistent with Land Use maps contained in the General Plan. Support home construction methods and alternative wastewater systems that are proven to minimize threats to human health and safety with a goal of reducing energy and water usage.* The applicant and County have ensured that the development is consistent with the levels of service offered by the Humboldt Community Services District.

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- d) *Support the County's economic development strategy and other efforts to retain and create living-wage job opportunities.* The provision of housing will create jobs to construct the housing and install the appropriate services-related infrastructure.
- e) *Encourage, incentivize and support agriculture, timber ecosystem services and compatible uses on resource lands.* This property is not considered a resource land and so development of this parcel is consistent with this provision.
- f) *Support individual rights to live in urban, suburban, rural or remote areas of the County while using a balanced approach to protect natural resources, especially open space, water resources, fisheries habitat and water quality in cooperation with state and federal agencies.* The southern portion of the subject property is part of a greenway area that connects to Freshwater Slough. The proposed residential units would not negatively impact these natural resources and would allow a balance of residential uses and resource protection to occur. The proposed development has been analyzed in the Mitigated Negative Declaration and was shown to have a less than significant impact to natural resources.
- g) *Adhere to practical strategies that can be implemented utilizing constructive cooperation and common sense.* The proposal has includes appropriate conditions and mitigation measures that balance the need for residential improvements with impacts that can be assigned to the project.
- h) *Provide a clear statement of land use values and policies to provide clarity in the County's permit processing system and simplify review of projects.* The property is located in a Housing Opportunity Zone and proposes a range of residential units that is consistent with the County's priority to create more housing opportunities for residents.

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- i) *Maximize the opportunities to educate the public about the planning process, in order to have meaningful participation in the development and maintenance of the Plan.* In addition to the legal notices for the CEQA document review and public hearings, the public has opportunities to participate in the review of this project via the Planning Commission.
- j) *Support a broad public participation program at all levels of the decision making process; including study, workshops, hearings, a citizens handbook and plan revisions.* The Planning Commission's consideration of this project occurred at a noticed and advertised public hearing.

8. FINDING: The General Plan Amendment and zone reclassification are in conformance with the Land Use Element of the General Plan.

- EVIDENCE:**
- a) The project site is located within the Urban Development Area and within an adopted housing opportunity zone intended to facilitate additional housing development, and is suitable for future development due to its existing and potential connection to public water and sewer systems. Removing the Q-zone would allow for residential development and an increase in residential opportunities.
 - b) The proposed project maintains the land use designation of Residential Medium Density, where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments and manufactured home park developments. Therefore, a multi-family residential development project would be a compatible land use for the site's existing zoning and General plan if the Q-zone were removed.
 - c) In the Residential Build-Out Scenario, a maximum of 105 units could be constructed onsite. This could account for additional units toward the County's RHNA numbers that were previously unconsidered during the County's Housing Element Residential Land Inventory. These additional units would not be possible

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with the current Q-zone overlay, and would help to support the County's Housing Element and Land Use Element policies regarding fulfillment of the County's RHNA units.

- 9. FINDING:** The General Plan Amendment and zone reclassification are in conformance with the Community Infrastructure and Services Element of the General Plan.

- EVIDENCE:**
- a) The site is currently connected to Humboldt CSD, which provides both water and sewer services to the existing onsite medical facilities. The proposed maximum residential build out scenario of 105 residential units would not account for a significant increase or demand on HCSD and would therefore have little impact on local infrastructure and would not require the expansion or addition of new facilities. The project was referred to Humboldt CSD who did not respond with any concerns.
 - b) The proposed project would be constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. Consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE's regulations for fire safety.

- 10. FINDING:** The General Plan Amendment and zone reclassification are in conformance with the Circulation Element of the General Plan.

- EVIDENCE:**
- a) The IS/MND analyzed Vehicle Miles Traveled (VMT) for the residential build-out scenario that could materialize after removal of the Q-zone versus a maximum build-out scenario of existing principally permitted uses (medical facilities). The residential build out scenario would produce approximately 5,056 daily miles while the medical facilities would produce approximately 12,224 daily miles. The residential build out would have far less impact than the medical build out that could otherwise be developed with ministerial review.

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- b) Any future residential development onsite would be infill development on an already-developed site located in an urban area of the County. The site is located near existing commercial, residential, and medical development, and is well-connected to pedestrian, bicycle, and public transit modalities of transportation, with two bus stops within walking distance (in support of Goal C-G1, Policy C-P3, and Policy C-P9 of the General Plan).
- c) Traffic volume estimates for maximum build-out under the medical offices scenario suggests a maximum of 1400 daily trips whereas build-out under the residential scenario would create over 50% less new traffic (632 trips). This shows that the proposed zoning change would create the potential for considerably lower traffic volumes than what would otherwise be possible with ministerial development, such as build-out with principally permitted medical offices. It is reasonable to conclude that the proposed zoning change would not add traffic volumes resulting in changes to LOS conditions in excess of those already anticipated under the General Plan.

11. FINDING: The General Plan Amendment and zone reclassification are in conformance with the Housing Element of the General Plan.

- EVIDENCE:**
- a) Housing Diversity calls for an adequate supply of all types of housing affordable for all income levels in all areas of the County. While there is no specific development plan for the proposed residential build out scenario, the proposed zoning change would allow for up to 105 apartment units that could provide a range of housing opportunities for various income levels.
 - b) The location of the proposed residential build out would potentially provide multi-family and workforce housing opportunities near existing residential, business, medical, and community services. The nearest transit stop is approximately

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0.2 miles away, the nearest elementary school is roughly ¼-mile away, and more extensive employment, commercial, health and other services and opportunities are approximately ½-mile to the north along Harrison Avenue and along Myrtle Avenue.

- c) The zoning change would promote infill and redevelopment of partially vacant and under-developed land within an Urban Development Area and Housing Opportunity Zone in order to create affordable housing, provide an economic stimulus and re-vitalize community investment.

12. FINDING:

The General Plan Amendment and zone reclassification are in conformance with the Conservation and Open Space Elements of the General Plan.

EVIDENCE:

- a) The Proposed Project is to remove a Qualified combining zone, which would not directly impact the current biological resources on the property. The Biological Scoping Report provided by the applicant queried the CNDDDB database for sensitive plant and animal species. The query resulted in 80 sensitive plant and wildlife species. The BSR did not identify any rare plant species onsite or within the Potential Developable Area.
- b) The Proposed Project would not involve the removal of any trees. In addition to the general biological resources policies in the County General Plan, the County maintains SMAs to protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and other conditions detrimental to water quality. The Potential Developable Area, where a potential residential build-out scenario would be constructed, is located outside of all SMA buffers, and no trees would be removed.
- c) The site does not contain any mapped wetlands (USFWS National Wetland Inventory, 2024). The nearest mapped wetland is associated with Ryan Creek, approximately 2,300 feet southeast of the site. The entirety of the Potential

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Developable Area is either already developed or was recently cleared during approved timber activities. A report conducted by Hohman & Associates Forestry Consultants indicated that there were no wetland areas onsite within the Potential Developable Area. The entirety of the Potential Developable Area is located outside of stream buffers. Any onsite construction would be required to follow regulatory requirements for water quality protection and stormwater treatment.

- d) The development of the project included referrals to and consultation with the California Department of Fish and Wildlife (CDFW). CDFW has provided recommendations regarding project design and project mitigation measures and these recommendations have been considered and, where feasible, incorporated into the project. Per the IS/MND, no noise- or vibration-generating construction activities within 100 feet of the edge of riparian and tree area shall occur between March 15th to August 15th, when birds may be nesting on the adjacent property. If construction during this time is unavoidable, a qualified biologist shall conduct a pre-construction survey for nesting bird pairs, nests, and eggs within 100 feet of the construction limits.
- e) Native American Tribes were consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources and were afforded the opportunity to review and provide comments to the County early in project review and planning (screening) about known or potential Tribal cultural resources located in project areas within their respective tribal geographical area of concern. The following Tribes were contacted regarding the project:
 - Wiyot Tribe
 - Bear River Band of the Rohnerville Rancheria
 - Blue Lake Rancheria

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- Cher-Ae Heights Indian Community of the Trinidad Rancheria

The above Tribes were contacted as part of the referral process as soon as the project was submitted to the County. Additionally, formal consultation pursuant to SB 18 and AB 52 was offered. Representatives responded that no further consultation was desired. Standard inadvertent discovery protocols for any future development are provided as project conditions.

13. FINDING: The General Plan Amendment and zone reclassification are in conformance with the Noise Element of the General Plan.

- EVIDENCE:**
- a) The Project proposal to remove the medical-only Qualifying Zone overlay would not expose persons to or generate excessive groundborne vibration or groundborne noise levels. Groundborne vibration and noise levels may result from construction machinery and equipment facilitated by approval of the Proposed Project. Groundborne vibrations or groundborne noise levels would be short in duration and would occur during daytime hours. The use of heavy equipment and power tools during construction of permitted structures when conforming to the terms of an approved permit is not subject to General Plan noise standards. After construction, the primary noise source from project related activities will be the daily activities of residents which are similar to the surrounding land uses.
 - b) Residential development facilitated by approval of the Proposed Project would not create substantial operational noise generating features and requirements of the Building Code would reduce interior noise levels to 45 CNEL or below.

14. FINDING: The General Plan Amendment and zone reclassification are in conformance with the Safety Element of the General Plan.

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- EVIDENCE:**
- a) The subject parcel is located in an area of relative stability, is not located within an Alquist-Priolo Fault Hazard Zone, nor is it within an area of potential liquefaction. The project site is not located in a tsunami hazard zone and does not reside within an area susceptible to coastal inundation related to sea level rise (1 meter). The parcel is not located within a FEMA 100-year Flood Zone.
 - b) The project site is located within an SRA and within the Humboldt No. 1 Fire Protection District. According to Humboldt County Web GIS mapping (2024), the Proposed Project Area is located in an area of Moderate Fire Hazard Severity Zone within the SRA. The Proposed Project involves a GPA and Zone Reclassification, with no inherent risk of fire increase. Any onsite development facilitated from the approval of the Proposed Project would be within the Potential Developable Area and designed to meet current building code standards for fire safety. The Proposed Project would be required to comply with the State's "Minimum Fire Safe Regulations" which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection. State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.

15. FINDING: The General Plan Amendment and zone reclassification are in conformance with the Eureka Community Plan (ECP).

- EVIDENCE:**
- a) Residential Density for parcels with a Residential Multiple Family designation allow for a density of 7-16 dwelling units per acre. The maximum residential build out scenario discussed herein incorporates up to 105 dwelling units. While no specific residential development project is included with the GPA/ZR, the future development potential is consistent with the standards.

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- b) The minimum lot size for R-4 zones is 6,000 sq. ft. The proposed project relates to a potential buildable area of 3.5 acres and is thus consistent with the ECP.
- c) The Proposed Project would be consistent with the goals and policies of the Eureka Community Plan Land Use Element Equivalent (titled Urban Land Use in the 1995 document) by concentrating new development around existing development (e.g., promoting infill development) and by ensuring that all onsite development would be set back appropriately from nearby streams, therefore protecting the area's gulches and greenways.
- d) The ECP references Level-of-Service (LOS) standards within the Public Services and Facilities chapter. As part of recent commercial redevelopment in the area (the Safeway project), a traffic signal was installed at the intersection of Walford Avenue and Harris Street to address potential traffic impacts. The signals at Walford and Harrison still serve to effectively mitigate localized LOS concerns linked to development in this area. Further, traffic volume estimates for maximum build-out under the medical offices scenario (as discussed in the IS/MND) suggests a maximum of 1400 daily trips whereas build-out under the residential scenario would create over 50% less new traffic (632 trips). This shows that the proposed zoning change would create the potential for considerably lower traffic volumes than what would otherwise be possible with ministerial development, such as build-out with principally permitted medical offices. It is reasonable to conclude that the proposed zoning change would not add traffic volumes resulting in changes to LOS conditions in excess of those already anticipated under the Eureka Community Plan.

16. FINDING:

The General Plan Amendment and zone reclassification are in conformance with the purposes of the existing zoning district in which the site is located.

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EVIDENCE: a) Upon project approval, the parcel will have the Qualified combining zone removed from the R-4 classification, which will subsequently support the development of up to 105 residential units with a variety dwelling sizes. The site has sufficient services and access to arterial roads, public transportation, public recreational areas and neighborhood commercial uses.

17. FINDING: The General Plan Amendment and zone reclassification are in conformance with the development standards and requirements of the Humboldt County Zoning Ordinance.

EVIDENCE: a) The configuration of APNs 017-015-034 and 017-041-008 combined comprise one legal parcel as shown on Parcel Map recorded in Book 29 of Parcel Maps page 17.

b) The R-4 (Apartment Professional) applies to areas suitable for higher density residential uses and for professional and business offices and institutional uses, and principally permits two (2) family dwellings and multiple dwellings, accessory dwelling units accessory to multifamily dwellings, and dwelling groups, among others. Removal of the Qualified combining zone will facilitate the potential for residential development consistent with this zone classification.

c) Development standards listed in Table 314-6.5 are not applicable to the proposed project as there are no development plans associated with the proposal. However, the potential developable area and residential scenario conform with setbacks, density and other considerations, and upon approval of the proposed project, any future residential development will be subject to the standards and other regulations set forth by the zoning code, such as lot coverage, building height, etc.

18. FINDING: The proposed project and the conditions under which it may be operated or maintained will not be detrimental to the public

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health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The project was referred to and reviewed by numerous agencies, including the Humboldt County Planning Division, County Building Inspection Division, County Department of Public Works, County Division of Environmental Health (DEH), California Department of Fish and Wildlife (CDFW), California Department of Forestry and Fire Protection (CALFIRE), City of Eureka, local Native American Tribes, the Humboldt Community Services District, and Humboldt Bay Fire Protection District, among others. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. No evidence has been submitted that the project as conditioned and mitigated will be detrimental to public health, convenience, safety, and welfare. Furthermore, no evidence has been submitted that indicates that properties within the vicinity will be physically damaged by the proposed project.

19. FINDING: The General Plan Amendment and zone reclassification does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE: a) Approval of the Proposed Project facilitates the addition of housing units to the County's housing inventory. As described in the in the Project Description, the "maximum" residential build-out could be developed with approximately 105 units of housing. Of those 105 units, 52 would be estimated to be one-bedroom (1-BR) units, and 53 would be estimated to be two-bedroom (2-BR) units. This density is consistent with the current metrics used by the Department of Housing and Community Development.

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BE IT FURTHER RESOLVED that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors accepts the MDS EUREKA CLINIC LLC CO General Plan Amendment and Zone Reclassification petition as recommended by the Planning and Building Department, Project Case No.PLN-2024-18886.

Dated:

Michelle Bushnell, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, second by Supervisor _____, and the following vote:

AYES: Supervisors:
NAYS: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:

STATE OF CALIFORNIA)

County of Humboldt)

I, TRACY DAMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By Kaleigh Maffei
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California