

ATTACHMENT 1A
PLN-2024-18886
CONDITIONS OF APPROVAL

APPROVAL OF THE ZONE RECLASSIFICATION AND GENERAL PLAN AMENDMENT IS GRANTED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE USE MAY BE INITIATED AND FOR THE LIFE OF THE PROJECT

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
2. The Zone Reclassification must be approved by the Board of Supervisors. Following this, the Qualified combining zone shall be removed from APNs: 017-015-034 and 017-041-008.
3. The General Plan Amendment (Eureka Community Plan) must be approved by the Board of Supervisors. Following this, the Qualified zone provision shall be removed from APNs: 017-015-034 and 017-041-008.
4. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka.
5. The applicant is responsible for completing and implementing all mitigation measures outlined within the Mitigation Monitoring & Reporting Program (MMRP) which shall be completed as required within the MMRP and shall the applicant/developer/responsible party shall provide all reporting as required in the MMRP.
6. Prior to the Board of Supervisors considering the plan amendment and zone reclassification the applicant shall either remove all of the shipping containers from the property or obtain building permits for them (note that building permits shall only be issued if the storage containers are being used for a principally permitted use).
7. Prior to the Board of Supervisors considering the plan amendment and zone reclassification the applicant shall record a Notice of Development Plan and prepare and file a Development Plan with the Department. In addition to listing the mitigation measures on the Development Plan, the Development Plan shall clearly identify the boundaries of the riparian area (existing vegetation) and label it as "unbuildable". The Development Plan shall include a list of acceptable plants for landscaping on the northern portion of the property adjacent to the riparian and gulch areas. The plant list shall be compatible with the planting list included as Attachment 7 to the staff report.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. The applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was

surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.

C. Informational Notes:

1. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, 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. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

ATTACHMENT 1B

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST:

Mitigation Measure 1: Minimize impacts to biological resources. The county shall implement the following measures to ensure no significant impacts on special-status species on the site.

BIO-1: Prior to initiation or operation of any new commercial uses, the applicant shall prepare and file a Development Plan with the Department and cause to be recorded a Notice of Development Plan. The Development Plan shall clearly identify the boundaries of the wetland area (existing vegetation) and label it as "unbuildable".

Resource(s)	Measure No.	Summary of Mit. Measure	Method of Verification	Monitoring Schedule	Responsible Party
Biological Resources	1	<p>Minimize impacts to biological resources.</p> <p>Requirements:</p> <ul style="list-style-type: none">• The applicant shall prepare and file a Development Plan with the Department and cause to be recorded a Notice of Development Plan. The Development Plan shall clearly identify the boundaries of the wetland area (existing vegetation) and label it as "unbuildable".	Prior to initiation or operation of any new commercial uses.	Prior to issuance of any new business license linked to the property.	Applicant & successors in interest

DECISION

NOW, THEREFORE, based on the above findings and evidence, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings are hereby made:

1. The Planning Commission has considered the proposed Mitigated Negative Declaration, as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission has reviewed and considered the evidence in the Draft Board of Supervisors Resolution included in Attachment 2, which supports making the required findings for approval of the Zone Reclassification and General Plan Amendment, including that:
 - a. The proposed General Plan Amendment and Zone Reclassification are in the public interest;
 - b. The proposed General Plan Amendment and Zone Reclassification are consistent with the General Plan;
 - c. The proposed General Plan Amendment is consistent with the Guiding Principles in Section 1.4;
 - d. The proposed General Plan Amendment is consistent with the applicable goals of the Plan.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Consider the proposed Zone Reclassification and General Plan Amendment request.
3. Make the necessary findings included in the Draft Resolution prepared by planning staff.
4. Approve the Zone Reclassification and General Plan Amendment.
5. Adopt Ordinance No. _____ amending Section 311-7 of the Humboldt County Code by reclassifying two parcels totaling approximately 10.3 acres in the Eureka area [PLN-2024-18886] by removing the Qualified combining zone.
6. Adopt the attached Resolution ___ amending the Eureka Community Plan by removing the Qualified zone provision from two parcels totaling approximately 10.3 acres in the Eureka area [PLN-2024-18886].
7. Direct the Planning Staff to prepare and file a Notice of Determination with the County Clerk and Office and Planning and Research.

Adopted after review and consideration of all the evidence on **July XX, 2025**.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John Ford, Director
Planning and Building Department

EXHIBIT A

**DRAFT BOARD OF SUPERVISORS RESOLUTION APPROVING THE ZONE RECLASSIFICATION
AND GENERAL PLAN AMENDMENT**