

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-63**

**Case Numbers ZR-16-005, LLA-16-034, AGPN-17-001
Assessor Parcel Numbers 216-133-001, 216-141-006, 216-144-003, 223-013-003, 223-013-004**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Johannesen Zone Reclassification, Dis-establishment of a portion of the Tooby Ranch Agricultural Preserve, and Lot Line Adjustment.

WHEREAS, LACO Associates, on behalf of Norman and Deborah Johannesen, submitted an application and evidence in support of approving: (1) the zone Reclassification (ZR) to reclassify an approximate 230 acres from AE-B-5(160) into Timberland Production Zone (TPZ); (2) dis-establishment of a portion of an existing Class B agricultural preserve and immediate cancelation of the land conservation contract pursuant to Section 51282.5 of the California Government Code; and 3) a Lot Line Adjustment (LLA) between two parcels to result in two parcels of 160 acres each; and

WHEREAS, the proposed ZR may be approved if it can be found that: (1) the proposed change is in the public interest; (2) the proposed change is consistent with the General Plan; and (3) the amendment 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; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is exempt from environmental review per Sections 15061(b)(3), 15317 and 15264 of CEQA and Section 51119 of the California Government Code; and

WHEREAS, the County Planning Department has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project (Case Numbers ZR-16-005, LLA-16-034, AGPN-17-001); and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, the Planning Commission held a public hearing on this matter to receive other evidence and testimony.

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

1. The project is exempt per Sections 15061(b)(3) and 15264 of CEQA and Section 51119 of the California Government Code, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The ZR is in the public interest; and

3. The ZR is consistent with the General Plan; and
4. The ZR 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; and
5. The rezone is consistent with Section 51113.5 of the California Government Code; the land is timberland as defined by Section 51104(f) of the Government Code; and the land is in compliance with the land use standards of the Timberland Production Zone; and
6. The Planning Commission makes the findings in Attachment 2 of the Planning Division Staff Report for Case Numbers ZR-16-005, based on the submitted evidence.

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; and
2. Adopt the necessary findings prepared by Planning staff; and
3. Approve the Zone Reclassification; and adopt Ordinance No. ____ amending Section 311-7 of the Humboldt County Code by reclassifying an approximate 230 acres in the Garberville area currently zoned AE-B-5(160) into TPZ; and
4. Approve the dis-establishment of the proposed portion of the existing Class B agricultural preserve and immediately cancel the land conservation contract pursuant to Section 51282.5 of the Government Code as to the lands zoned TPZ; and adopt Resolution No. ____ Disestablishing the portion of the Tooby Ranch Agricultural Preserve; and
5. Conditionally approve the Lot Line Adjustment; and
6. Direct the Clerk of the Board to record a Certification of Rezoning (Notice of Timberland Production Zone Status) on the parcels pursuant to Sections 51117 and 51141 of the California Government Code (C.G.C.), after attaching a copy of the fully executed Ordinance; and
7. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research; and
9. Direct the Clerk of the Board to give notice of the decision to the applicant, the owners, the Assessor's Office, the Department of Conservation and any other interested party.

The motion was made by Commissioner Levy and seconded by Commissioner Shepherd .

AYES: Commissioners: Levy, Shepherd, Mitchell, McKenny, Morris, Bongio

NOES: Commissioners:

ABSENT: Commissioners: Edmonds

DECISION: Motion carries by roll call vote 6/0.

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
County of Humboldt