

**BASIS/CONTEXT FOR ZONE RECLASSIFICATION REQUEST:**

The project requests authorization of a zone reclassification of two parcels in the Alton area (APN 201-311-01 & -011). The General Plan land use designation for the parcels is Open Space (OS). Both parcels are zoned Limited Industrial (ML) and also include the Airport Land Use Designation (AP) due to their proximity to the Rohnerville Airport and location with the Compatibility Zone Overlay. The parcels are held under common ownership and are the only lands specific to this ML zoning district.

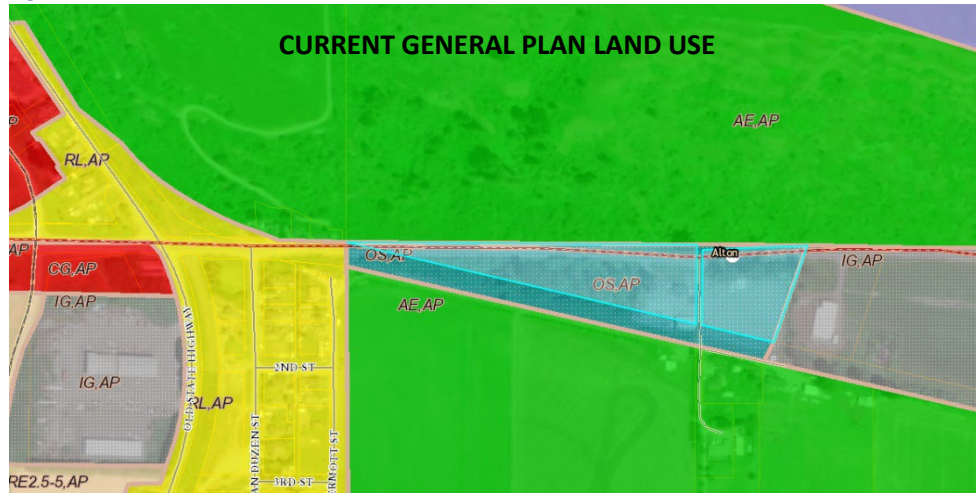


*Background*

The two parcels were the subject of a prior owner-initiated Zone Reclassification and General Plan Amendment request which was approved by the Board of Supervisors on January 10, 2012. Prior to this change the properties were planned Commercial Recreation (CR) and zoned Highway Commercial with a Qualified Combining Zone (CH-Q). These prior zoning and general plan designations were established in May of 1985 during adoption and implementation of the Fortuna Area Community Plan (FACP) (fig. 3).

DATE OF ACTION	EVENT	RESULTING GEN PLAN DESIG	RESULTING ZONING
May 7, 1985 Resolution No. 85-55	FORTUNA AREA COMMUNITY PLAN ADOPTION	Commercial Recreation (CR)	-
May 28, 1985 Ord. No. 1689	FORTUNA AREA COMMUNITY PLAN IMPLEMENTATION	-	Highway Commercial / Qualified (CH/Q)
January 10, 2012 Ord. No. 2470	Renner General Plan Amendment & Zone Reclassification request	Industrial General (IG)	<b>*Limited Industrial (ML)</b>
October 23, 2017 Resolution No.'s: 17-94, 17-95, & 17-96	*Adoption of Humboldt County General Plan (2017)	<b>*Open Space (OS)</b>	-
<b>*current status / last action</b>			

Figure 2



The land use designation of both parcels was changed from Industrial General (IG) to Open Space (OS) with the Airport (AP) overlay during adoption of the comprehensive update of the Countywide General Plan on October 23,

2017. This OS designation was incorrectly applied to the entirety of both parcels (fig. 1) when only the westernmost portions of APN 201-311-001 (containing a human-made pond) were expected to be changed from IG to OS. The existence, location and extent of the pond was noted during processing of the 2012 rezone and plan amendment and shown on the site plan at that time (fig. 2).

Figure 1

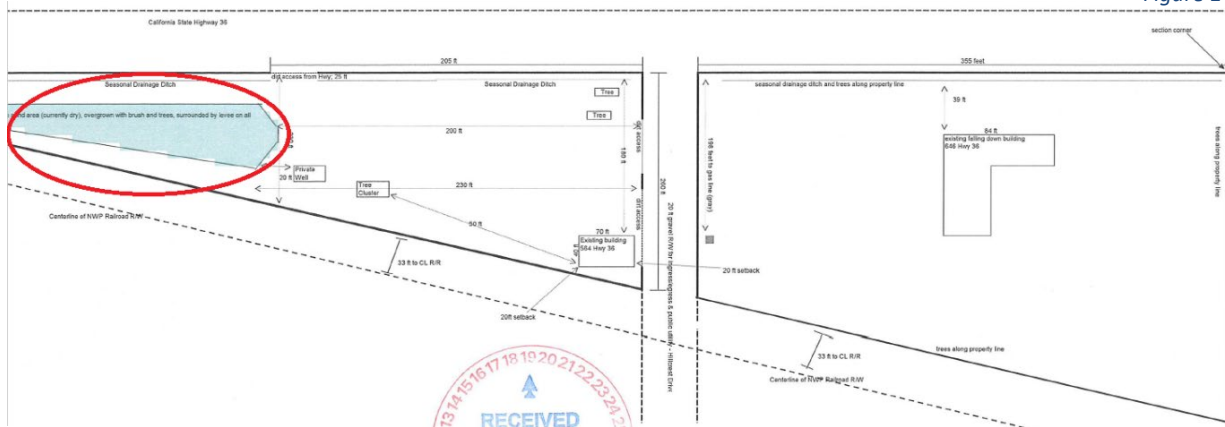
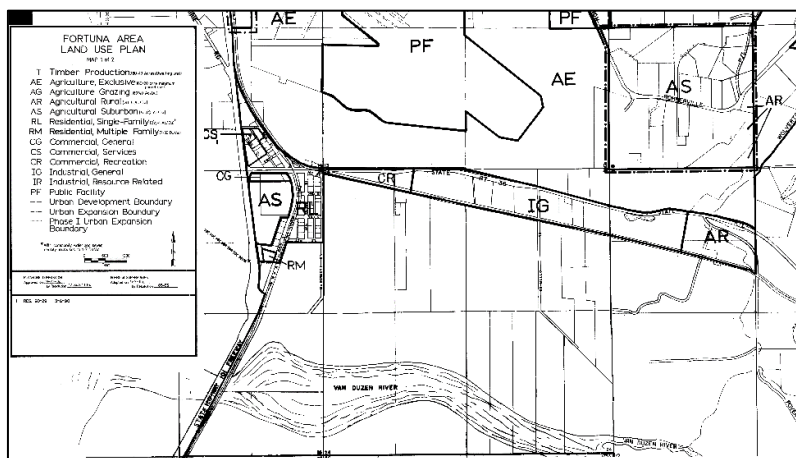


Figure 3



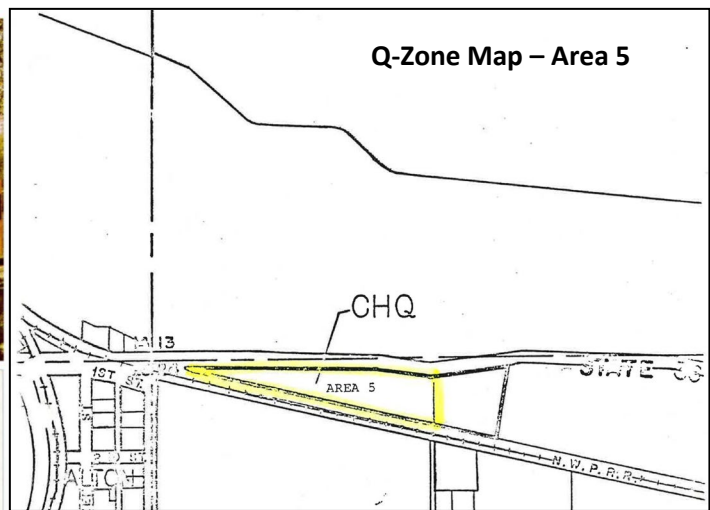
Fortuna Area Community Plan – Alton Area Qualified Zoning Districts During adoption and implementation of the Fortuna Area Community Plan (FACP), Qualified Combining zones (Q Zones) were established in seven (7) distinct areas. Q Zones are intended to be used to tailor one of the standard principal zoning districts to more precisely specify which uses will be permitted uses

or conditional uses otherwise (ordinarily allowed) under the principal zone may be limited or not be allowed with or without a Use Permit, or to add, delete, or modify development standards/restrictions to implement the General Plan or CEQA mitigation, or to limit additional entitlements. Qualified uses

are identified in the ordinance applying the Q Zone to specific property. Two of the seven FACP Q-zones apply to lands in the Alton area. They are shown as Area 5 and Area 6 in the associated Q-zone Ordinance.

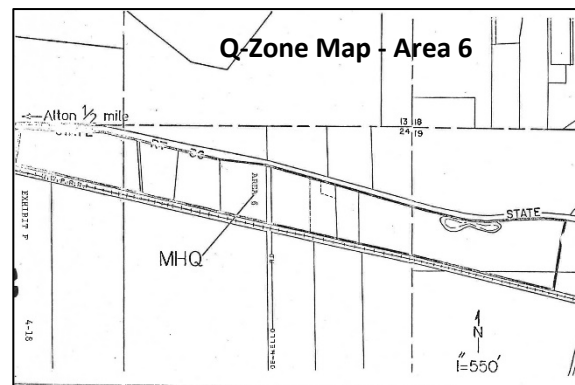
### Area 5 (CH/Q)

The Area 5 Q-zone coupled with the Highway Service Commercial (CH) principal zone restricts principally permitted uses to “amusement parks and commercial recreation facilities”. Conditionally permitted uses include: “Dwellings, mobilehomes and boarding and rooming houses”. The stated purpose of the CH/Q restrictions is to “*Protect the neighboring property from inappropriate commercial development of the subject property*”. The Q-zone parcels previously hosted a tourist attraction known as the Alton & Pacific Railroad, which featured a steam powered locomotive operated from a short section of track adjacent to the nearby historical railroad spur trackage managed as part of the Northwestern Pacific Railroad.



### Area 6 (MH/Q)

The Area 6 Q-zone coupled with the Heavy Industrial (MH) principal zone restricts principally permitted uses to “Timber products processing plants and General Agriculture, nurseries and greenhouse and roadside stands”. Conditionally permitted uses include: “Research and development laboratories, Industrial manufacturing uses, Manufacture of furniture, electrical and electronic equipment, or of household effects such as lamps, rugs and fabrics, and Dwellings and mobilehomes”. The stated purpose of the MH/Q restrictions is to:



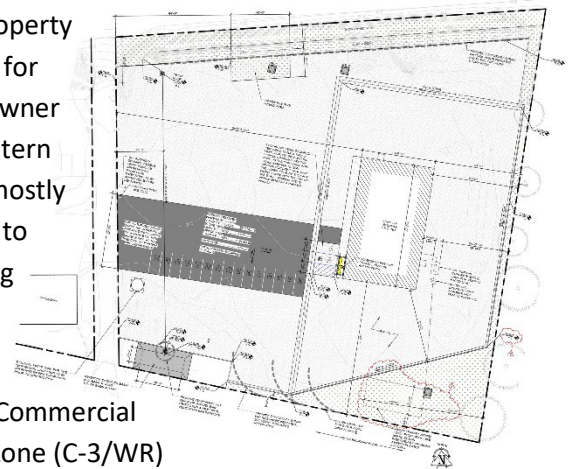
1. Protect and reserve the property primarily, but not exclusively, for timber products processing plants
2. Protect the surrounding lands from other types of industrial developments on the subject property which may be inappropriate for the area
3. Provide an opportunity for public review and comment on industrial development planned for the property.



**JUSTIFICATION FOR ZONE RECLASSIFICATION REQUEST:**



Zone reclassification of the Renner properties is again being requested in order to allow for relocation of a neighboring Alton area business (Reynolds RV Repair) to the Renner property. Since 2008 the business has been operating from a nearby parcel (APN 201-322-011) less than a quarter mile east of the site targeted for the relocation. The business primarily engages in the storage, repair, servicing, and customization of recreational vehicles (primarily structural, appliance, electrical, and plumbing) as well as sales of RV parts. In 2011 the Planning Director authorized sale of trailers to occur as a minor component of the existing RV repair and storage operation. The property where the business is located sold in March of 2021 and is targeted for future redevelopment with commercial cannabis businesses. The owner of the business has worked out an agreement to relocate to the eastern portion of the Renner property (APN 201-311-011) which remains mostly undeveloped at this time. A building permit was issued on 9/17/22 to permit construction of a 7,500 square foot commercial shop building within the eastern portion of the property (APN 201-311-011).



**REQUEST:** change the zoning of APN's 201-311-001 & 201-311-011 from Limited Industrial (ML) to Heavy Commercial (C-3) and Heavy Commercial with the Streamside management Areas and Wetlands Combining Zone (C-3/WR)

*req'd findings for amendment:*

- 50.3.1 The amendment is in the public interest
- 50.3.2 The amendment is consistent with the County General Plan.
- 50.3.4 The proposed amendment does not reduce the residential density for any parcel below that utilized by HCD in determining compliance with housing element law.



*Public Interest Finding 312-50.3.1*

The proposal is in the public interest as it dovetails with ongoing redevelopment efforts in the Alton area by enabling the relocation of a successful existing business (Reynolds RV Repair) to a neighboring property where it can continue to provide valuable services to local residents and the traveling public. Trailers and RV’s are owned by many county residents and there are very few businesses currently offering similar repair services within the county. The change from Limited Industrial to Heavy Commercial will permit a small shift in the range and intensity of uses permitted on the parcels while reserving discretion by requiring a Conditional Use Permit wherever Heavy Commercial, Neighborhood Commercial, Retail Sales, or Retail Services uses are proposed.

*Consistency with the General Plan 312-50.3.2*

The current General Plan Land Use Designation of the property is Open Space with the Airport (AP) overlay. The Open Space designation was mistakenly applied to the entirety of APN 201-311-001 overwriting the General, Industrial (IG) designation that was applied following the 2012 approval of the applicant-initiated General Plan Amendment and Zone Reclassification (GPA-11-02/ZR-11-02). Staff have determined that the Open Space (OS) mapping of the parcel was done incorrectly as it failed to differentiate between developed upland areas of the property and the lower lying areas on the west side of the property, which are host seasonal wetland conditions. This is documented and confirmed in an email from John Miller of the Long Range Planning Unit, dated 3-24-22.

**G-P9. Errors in the Plan.** Where there is an obvious error in the Plan that would prevent a land use decision otherwise consistent with the Plan, the Planning Commission or Board of Supervisors may act on the matter based on a comprehensive view of the Plan, noting the error in the decision and referring the error to the next available set of amendments.

The mapping error will be corrected during the next available set of amendments, and eastern portions of the property will be reinstated as General, Industrial (IG). It is appropriate to evaluate consistency with the plan while keeping this in mind. This is supported by General Plan policy G-P9 concerning Plan Amendments. Review of the Zoning Consistency Matrix found in Table 4-H of the General Plan Land Use Element reveals that the C-3 zoning district is compatible with the IG land use designation.

**Table 4-H. Zoning Consistency Matrix – Inland**

LAND USE DESIGNATIONS	C-1	C-2	C-3	C-H	MB	ML	MH
<b>Industrial Use Land Use Designations</b>							
Industrial, General (IG)			X		X <sup>2</sup>	X	X
Industrial, Resource Related (IR)						X <sup>2</sup>	X <sup>2</sup>
Business Park (MB)		X <sup>2</sup>	X <sup>2</sup>		X	X <sup>2</sup>	

*Compliance with State Housing Law & Density Req’s 312-50.3.4*

The parcel has never hosted residential uses and has been planned and zoned for commercial and industrial uses for close to forty years. The parcel is not included in the latest Housing Inventory from the Housing Element adopted in 2019. The parcel is not planned to be developed with residential uses so the proposed zone reclassification has no potential to conflict with the goals of the Housing Element or State Housing law. Both the ML and C-3 zones include similar provisions for mixed uses with caretaker’s residences and apartments on the upper floors of multistory structures, as well as emergency shelters.