

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 25-**

**Record Number PLN-2024-19011**

**Assessor Parcel Numbers 500-071-012 and 500-081-002**

**Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Lot Line Adjustment and recommends that the Board of Supervisors approves the Stander and Green Diamond Resource Company General Plan Amendment and Zone Reclassification**

**WHEREAS**, an applicant-initiated General Plan Amendment and Zone Reclassification to facilitate a Lot Line Adjustment in the Fickle Hill area between APN 500-071-012, owned by Nielen and Elicia Stander, and APN 500-081-002, owned by the Green Diamond Resource Company. The Lot Line Adjustment seeks to adjust the boundary of the Stander property to incorporate development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. An approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002) is proposed to be transferred to Stander and the land use changed from Timberland (T) to Residential Estates (RE). Changing the zoning from Agriculture Exclusive (AE) and Timber Production (TPZ) to Agriculture General (AG) is also proposed, in order to remain consistent with the new General Plan Designation; and

**WHEREAS**, the County Planning Division, the lead agency, found the project exempt from environmental review pursuant to Section 15305(a) of the CEQA Guidelines; and

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on **May 15, 2025**; reviewed, considered, and discussed the application for a General Plan Amendment, Zone Reclassification, and a Lot Line Adjustment, and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:**                      **PROJECT DESCRIPTION:** A General Plan Amendment (GPA) and Zone Reclassification (ZR) to facilitate a Lot Line Adjustment (LLA) between two parcels resulting in two parcels. The LLA will adjust the boundary between APNs 500-071-012 and 500-081-002 such that additional lands will be added from the Green Diamond parcel to the Stander parcel to accommodate existing encroachments. The Stander parcel (500-071-012) is developed with a single-family residence and accessory structures, with a

land use designation of Residential Estates (RE) and zoned Agriculture General (AG) and is served with on-site water and an on-site wastewater treatment system. The Green Diamond parcel (500-081-012) is vacant, with a land use designation of Timberland (T) and zoning of Agriculture Exclusive (AE) and Timber Production (TPZ). A petition to change the General Plan designation and Zone classification (PLN-2024-18909) was accepted by the Board of Supervisors on May 21, 2024. No development is proposed.

**EVIDENCE:** Project File: PLN-2024-19011

**2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The project is exempt from environmental review per Section 15305(a) of the California Environmental Quality Act (CEQA).

**EVIDENCE:** As lead agency, the Planning and Building Department found the project to be categorically exempt per Section 15305(a) of the CEQA Guidelines. The General Plan Amendment, Zoning Reclassification and Lot Line Adjustment does not result in a change in land use or overall density, and it is intended to adjust the boundary of the Stander property to incorporate historic development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. Changes to land use and zoning are only requested on an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002). Therefore, the project is exempt pursuant to Sections 15305(a) of the CEQA Guidelines, which applies to minor lot line adjustments not resulting in the creation of any new parcel.

**LOT LINE ADJUSTMENT**

**3. FINDING:** The Lot Line Adjustment application is complete.

**EVIDENCE:** The applicant has submitted all application requirements pursuant to Section 325.5-5, including a completed and signed application form, copies of present owners’ deeds, a preliminary title report, copies of the creation documents for the parcels and a Lot Line Adjustment Plot Plan.

**4. FINDING:** The project parcel is consistent with the Subdivision Map Act.

**EVIDENCE:** A review of creation documents to determine the legal status of the subject parcels found that all involved parcels have been created in compliance with the Subdivision Map Act. APN 500-071-012 (Nielen and Elicia Stander property) is a single legal parcel described in Grant Deed Doc.# 20110 recorded in Vol 663 OR pg. 367 on Dec. 6, 1961. APN 500-081-002 and 500-081-001 (Green Diamond Resource Company property) make up one legal parcel created by Agricultural Script Patent No. 483 on March 17, 1842.

**5. FINDING:** The project conforms to zoning and building ordinances.

**EVIDENCE:** The purpose of the Lot Line Adjustment is to adjust the boundary to on the ground conditions of the Stander property to incorporate development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. The Lot Line Adjustment will create congruency between property boundaries and historic lines of occupation and land use. The first record of the residential development on the Stander property was recorded by the Assessor's office in 1962. In order for the Lot Line Adjustment to conform to the zoning ordinance, a General Plan Amendment and Zone Reclassification must be approved. APN 500-071-012 (property of Stander) is zoned Residential Estates (RE), which is principally permitted for single family residence uses and accessory structures. APN 500-081-002 (property of Green Diamond Resource Company) is zoned Agriculture Exclusive (AE) and Timberland (T) and is vacant land. With the approval of the General Plan Amendment and Zoning Reclassification, this Lot Line Adjustment would conform to zoning and building ordinances. Changes to land use and zoning are only requested on an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002).

**6. FINDING:** The project is consistent with the General Plan.

**EVIDENCE:**

- a) General Plan, Land Use Ch. 4.8: To help the existing development pattern better conform with requirements of the General Plan and Zoning Regulations, a petition was approved by the Board of Supervisors on May 21, 2024 to change the General Plan land use designation from Timberland (T) to Residential Estates (RE: Density 2.5-5 acres per unit). Changing the zoning from Agriculture Exclusive (AE) and Timber Production (TPZ) to Agriculture General (AG) is also proposed, in order to remain consistent with the new General Plan Designation. Changes to land use and zoning are only requested on an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002). The Timberland (T) designation applies to land that is primarily suitable for growing, harvesting and production of timber. The Residential Estates (RE2.5-5) designation is for single family residential uses, on parcels 2.5-5-acres and is intended as a transition from urban development to rural lands. The Stander property is currently 0.22-acres and is legal nonconforming. By approving the Lot Line Adjustment, the severity of the legal nonconformity will be reduced, and therefore is consistent with land use in the General Plan.
- b) General Plan Ch. 10: The Open Space land use designation provides for land which is essentially unimproved and devoted to opens space uses, conservation of natural resources and habitat, managed production of resources, outdoor recreational uses, and for protection of public safety in areas subject to flooding or unstable slopes. No development is proposed with the Lot Line Adjustment; any potential future development will need to be reviewed and required to have minimal impacts on lands planned for preservation and conservation of Open Space.
- c) General Plan Ch. 10.4 (Biological Resources). Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species. The purpose of the Lot Line Adjustment is to incorporate development east of the Stander residence inadvertently built on the Green Diamon property, but accessory to the residential uses. The nearest Streamside Management Area is over 600 feet away from the proposed project area and there is no development associated with this project; therefore negative impacts are not anticipated to biological resources.

- d) General Plan Ch. 10.6 (Cultural Resources). Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. Referral responses received from Bear River Band stated they have no concerns with the Lot Line Adjustment at this time, and NWIC recommended local tribe input.
- e) General Plan Ch. 14: Goals and policies of the Safety Element relate to communities that are designed and built to reduce the risk of death, injuries, property damage, and economic and social dislocation resulting from earthquake, fire, flood, and other hazards. The subject site is in an area of low instability and Mad River fault is over 600 feet to the east. The subject property is located within a moderate fire hazard zone and State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. All parcels are within the Arcata Fire Protection District for structural protection as well as responding to medical emergencies. Arcata Fire Department responded to the referral with no comment and recommended approval. There are no floodplains identified, or tsunami run-up areas and no other hazards have been identified in the site area.

**7. FINDING:**

The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

**EVIDENCE:**

All reviewing referral agencies have approved or conditionally approved the proposed project (see Attachment 5). The project will not result in changes in land use or density and will not create a new parcel. The proposed project is not anticipated to be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity. No development is proposed as part of this project.

**8. FINDING:**

The project, and the conditions under which it may be operated

or maintained, will not adversely impact the environment; and the required CEQA findings can be made for any development which is subject to the regulations of CEQA.

**EVIDENCE:**

The Lot Line Adjustment does not result in a change in land use or overall density and is intended solely to accommodate on the ground existing historic encroachments. No development is proposed. As lead agency, the Planning and Building Department found the Lot Line Adjustment to be categorically exempt pursuant to 15305(a) of the CEQA Guidelines. Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

**ZONE RECLASSIFICATION (ZR)**

**9. FINDING:**

The proposed project is in the public interest.

**EVIDENCE:**

The Zone Reclassification is part of the applicant-initiated project to facilitate a Lot Line Adjustment to adjust the boundary to on the ground conditions of the Stander property and to incorporate development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. By approving the Zone Reclassification and General Plan Amendment, the Lot Line Adjustment will create congruency between property boundaries and historic lines of occupation and land use. The first record of the residential development on the Stander property was recorded by the Assessor's office in 1962. Changing the zoning from Agriculture Exclusive (AE) and Timber Production (TPZ) to Agriculture General (AG) is required to be consistent with the new General Plan Designation. Changes to land use and zoning are only requested on an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002). The Planning Division believes that the proposed Zoning Reclassification is in the public's best interest in that it is a minor adjustment and accurately zones property per the existing uses.

**10. FINDING:**

The proposed change is consistent with the General Plan.

**EVIDENCE:** The proposed General Plan Amendment and Zone Reclassification is to facilitate a Lot Line Adjustment to adjust the boundary east of the Stander property to incorporate development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. To help the existing development pattern better conform with the requirements of the General Plan and Zoning Regulations, an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002) is proposed to be transferred to Stander and changed from Timberland (T) to Residential Estates (RE). Changing the zoning from Agriculture Exclusive (AE) and Timber Production (TPZ) to Agriculture General (AG) is also proposed, in order to remain consistent with the new General Plan Designation. With the approval of the General Plan Amendment, Zoning Reclassification and Lot Line Adjustment, the project will be consistent with the General Plan.

**11. FINDING:** There is no substantial evidence that the project will have a significant effect on the environment.

**EVIDENCE:** As lead agency, the Planning and Building Department found the Zone Reclassification to be exempt per Section 15305 of the CEQA Guidelines. 15305 applies to projects that have minor alterations in land use limitations. Changes to land use and zoning are only requested on an approximately 0.2-acre portion, to reflect on the ground conditions. No development is proposed which could negatively impact the environment.

**12. FINDING:** The proposed development 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 unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

**EVIDENCE:** These parcels were not utilized by the Department of Housing and Community Development in determining compliance with housing element law. The project has no impact on overall density.

### **GENERAL PLAN AMENDMENT (GPA)**

**13. FINDING:** The proposed revision is in the public interest.

**EVIDENCE:** The General Plan Amendment is part of the applicant-initiated project to facilitate a Zone Reclassification and Lot Line Adjustment to adjust the boundary to on-the-ground conditions of the Stander property and to incorporate development inadvertently built on the Green Diamond property, but accessory to the residential uses of the Stander property. By approving the General Plan Amendment, Zone Reclassification and the Lot Line Adjustment it will create congruency between property boundaries and historic lines of occupation and land use. The first record of the residential development on the Stander property was recorded by the Assessor's office in 1962. Changing the General Plan designation from Timberland (T) to Residential Estates (RE) is required to be consistent with the on-the-ground development. Changes to land use and zoning are only requested to remove an approximately 0.2-acre portion of the Green Diamond property (APN 500-081-002) and add it to the Stander property (APN 500-071-012). The Planning Division believes that the proposed General Plan Amendment, Zone Reclassification and Lot Line Adjustment is in the public's best interest in that it is a minor adjustment and accurately zones property per the existing uses.

**14. FINDING:** The proposed revision is consistent with the Guiding Principles in Section 1.4 of the Humboldt County General Plan.

**EVIDENCE:** The Guiding Principles provide a statement of community values and the overall objective of the General Plan, preserving the



County's unique character and quality of life. The proposed General Plan Amendment, Zoning Reclassification and Lot Line Adjustment associated with this project are to create congruency between property boundaries and historic lines of occupation and land use. Changes to land use and zoning are only requested on approximately 0.2-acres, to reflect on-the-ground conditions of existing historic encroachments. No additional changes are proposed, and no development is associated with the proposal, therefore the proposed project is consistent with the Guiding Principles.

**15. FINDING:** The proposed revision is applicable to the goals of the Plan.

**EVIDENCE:** The goal of the Humboldt County General Plan is to establish the kinds, locations, and intensities of land uses as well as applicable resource protection and development policies. The proposed General Plan Amendment, Zoning Reclassification and Lot Line Adjustment associated with this project is to create congruency between property boundaries and historic lines of occupation and land use. Changes to land use and zoning are only requested on approximately 0.2-acres, to reflect on-the-ground conditions of existing historic encroachments. No additional changes are proposed, and no development is associated with the proposal, therefore the proposed project is consistent with the applicable goals of the Plan.

### **DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Planning Commission does hereby

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Lot Line Adjustment for the Stander and Green Diamond Resource Company [PLN-2024-19011] based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachments 1A and incorporated herein by reference; and

**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. Adopt the necessary findings prepared by Planning Staff.
3. Approve the General Plan Amendment and Zone Reclassification.
4. Adopt Ordinance No. \_\_\_\_\_ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Arcata area [PLN-2024-19011, Stander and Green Diamond Resource Company parties] so that the General Plan designation from Timberland (T) to Residential Estates (RE) and the zone boundary between Agriculture Exclusive (AE) and Timber Production (TPZ) to Agriculture General (AG) is coincidental with the relocated property lines.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on **May 15, 2025.**

The motion was made by COMMISSIONER \_\_\_\_\_ and seconded by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: 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 H. Ford  
Director, Planning and Building Department

