



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 19, 2018

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

SUBJECT: **Imper Lot Line Adjustment and Zone Boundary Adjustment**
Application Number 13917
Case Numbers LLA-17-028, ZBA-17-003
Assessor's Parcel Numbers 522-311-042, 522-311-043, 522-311-054
155 Otter Lane, 1620 Seely-McIntosh Road, Willow Creek Area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at testlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 19, 2018	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

Project: A Lot Line Adjustment between three parcels resulting in three parcels. APNs 522-311-042 and 511-311-043 will be acquiring approximately 0.75 acres and 0.25 acres, respectively, from APN 522-311-054. APNs 522-311-043 and 522-311-054 are both developed with a single family residence and APN 522-311-042 is vacant. Also included is a Zone Boundary Adjustment to adjust the Residential Suburban (RS) and Agriculture General (AG) zone boundary to follow the adjusted parcel lines. The parcels are served with community water provided by the Willow Creek Community Services District and on-site wastewater treatment systems.

Project Location: The project site is located in the Willow Creek area, on the west side of Seely-McIntosh Road, at the intersection of Seely-McIntosh Road and Otter Lane, on the properties known as 155 Otter Lane and 1520 Seely-McIntosh Road.

Present Plan Designation: Residential Estates (RE1-5); (RE2.5-5); Humboldt County General Plan; Willow Creek Community Plan Area (WCCP). Density: RE1-5: one dwelling unit per 1-5 acres; RE2.5-5: one dwelling unit per 2.5-5 acres. Slope Stability: Low Instability and Moderate Instability.

Present Zoning: Residential Suburban with combining zone for Manufactured Homes (RS-T); Agriculture General (AG).

Application Number: 13917

Case Numbers: LLA-17-028, ZBA-17-003

Assessor's Parcel Numbers: 522-311-042, 522-311-043, 522-311-054

Applicant	Owner(s)	Agent
David Imper 4612 Lentell Road Eureka, CA 95503	same and Jason and Adele Henderson 1674 Seely-McIntosh Road Willow Creek, CA 95573	

Environmental Review: Project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

IMPER LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Case Numbers LLA-17-028, ZBA-17-003

Assessor's Parcel Numbers 522-311-042, 522-311-043, 522-311-054

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Make all of the required findings for approval based on evidence in the staff report and public testimony, and recommend the project to the Board of Supervisors for approval as described in the Agenda Item Transmittal, subject to the recommended conditions of approval.

Executive Summary: The applicant is proposing a Lot Line Adjustment (LLA) between three parcels to result in three parcels of 1.75 acres 1.12 acres and 2.87 acres in size. APNs 522-311-042 and 522-311-043 were created by a Lot Line Adjustment in 1969 and APN 522-311-054 was created by Parcel Map No. 198 filed in Book 2 of Parcel Maps, Page 106. APNs 522-311-043 and 522-311-054 are each developed with a single family residence and on-site wastewater systems. APN 522-311-042 is vacant. The purpose of the LLA is to move the boundary between the parcels to the top of an existing break in slope.

The proposed LLA also includes a Zone Boundary Adjustment to move the boundary between the Residential Suburban (RS) zone and the Agriculture General (AG) zone as they apply to proposed adjusted APNs. As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines. The current General Plan designation of Residential Estates (RE) is consistent with both zone designations and would not need to be changed.

The project site is located on the east side of Willow Creek, on the west side of Seely-McIntosh Road, at the intersection of Otter Lane and Seely-McIntosh Road. The parcels are varied in topography with an average slope less than 20%.

Based on the on-site inspection, a review of Planning Division reference sources and comments from all responding referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Lot Line Adjustment and Zone Boundary Adjustment.

ALTERNATIVES:

The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Numbers LLA-17-028, ZBA-17-003
Assessor Parcel Numbers 522-311-042, 522-311-043, 522-311-054**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Imper Lot Line Adjustment and Zone Boundary Adjustment.

WHEREAS, David Imper, submitted an application and evidence in support of approving the Lot Line Adjustment between three parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Residential Suburban (RS) and Agriculture General (AG) zone coincidental with the relocated property lines; and

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

WHEREAS, the County Planning Commission 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 categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Imper Lot Line Adjustment and Zone Boundary Adjustment;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission finds the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) 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 proposed ZR is in the public interest;
3. The proposed ZR is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-17-028, ZBA-17-003 based on the submitted evidence; and
5. The Planning Commission approves the proposed project as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-17-028, ZBA-17-003.

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 Zone Boundary Adjustment and Lot Line Adjustment.
4. Adopt Ordinance No. _____ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Willow Creek area [ZBA-17-003, Logan] so that the zone boundary between RS and 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 July 19, 2018.

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

AYES: Commissioners:

NOES: Commissioners:

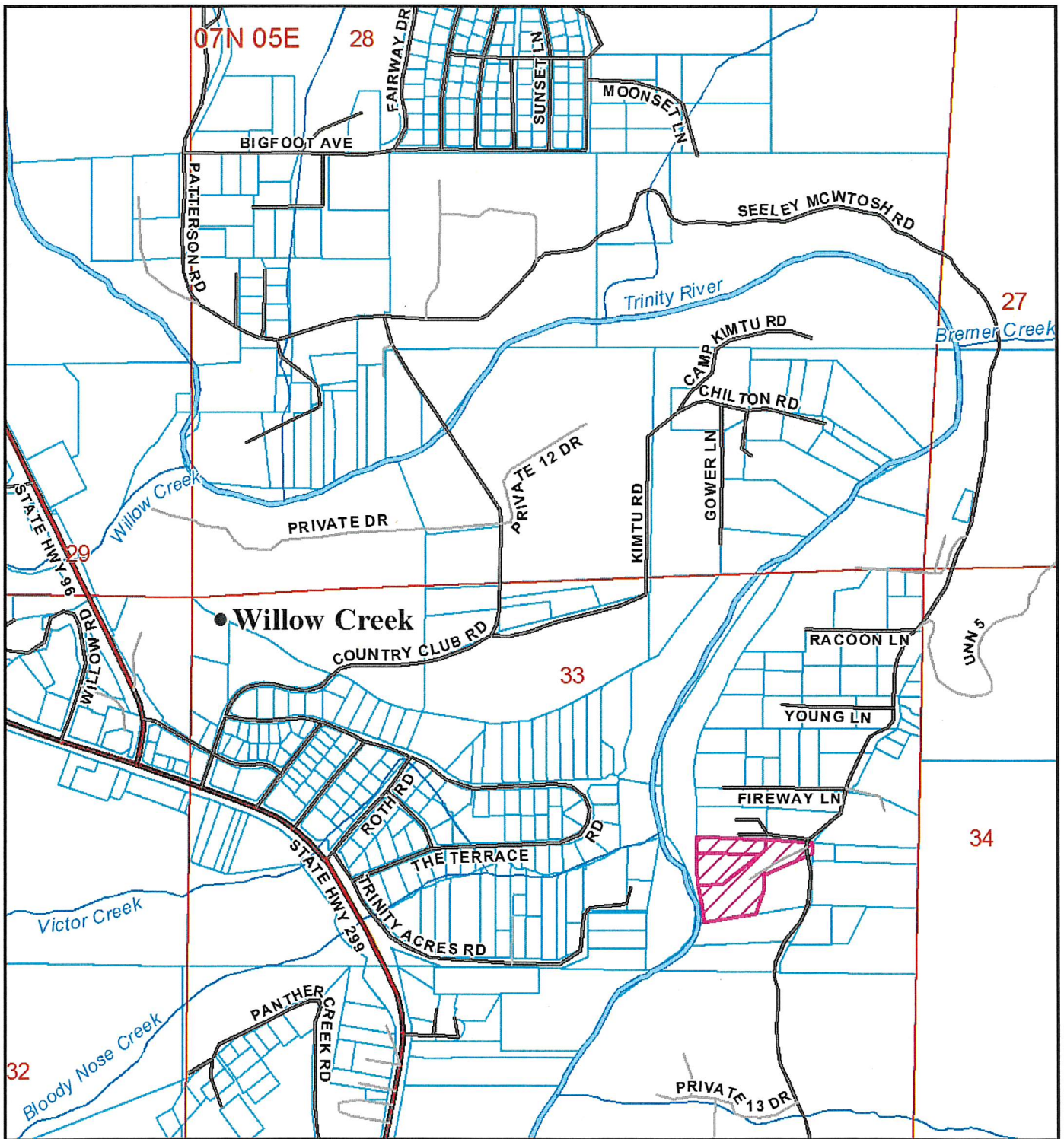
ABSTAIN: Commissioners:

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



LOCATION MAP

**PROPOSED IMPER
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
WILLOW CREEK AREA**

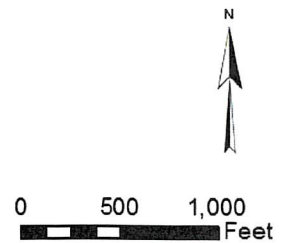
LLA-17-028/ZBA-17-003

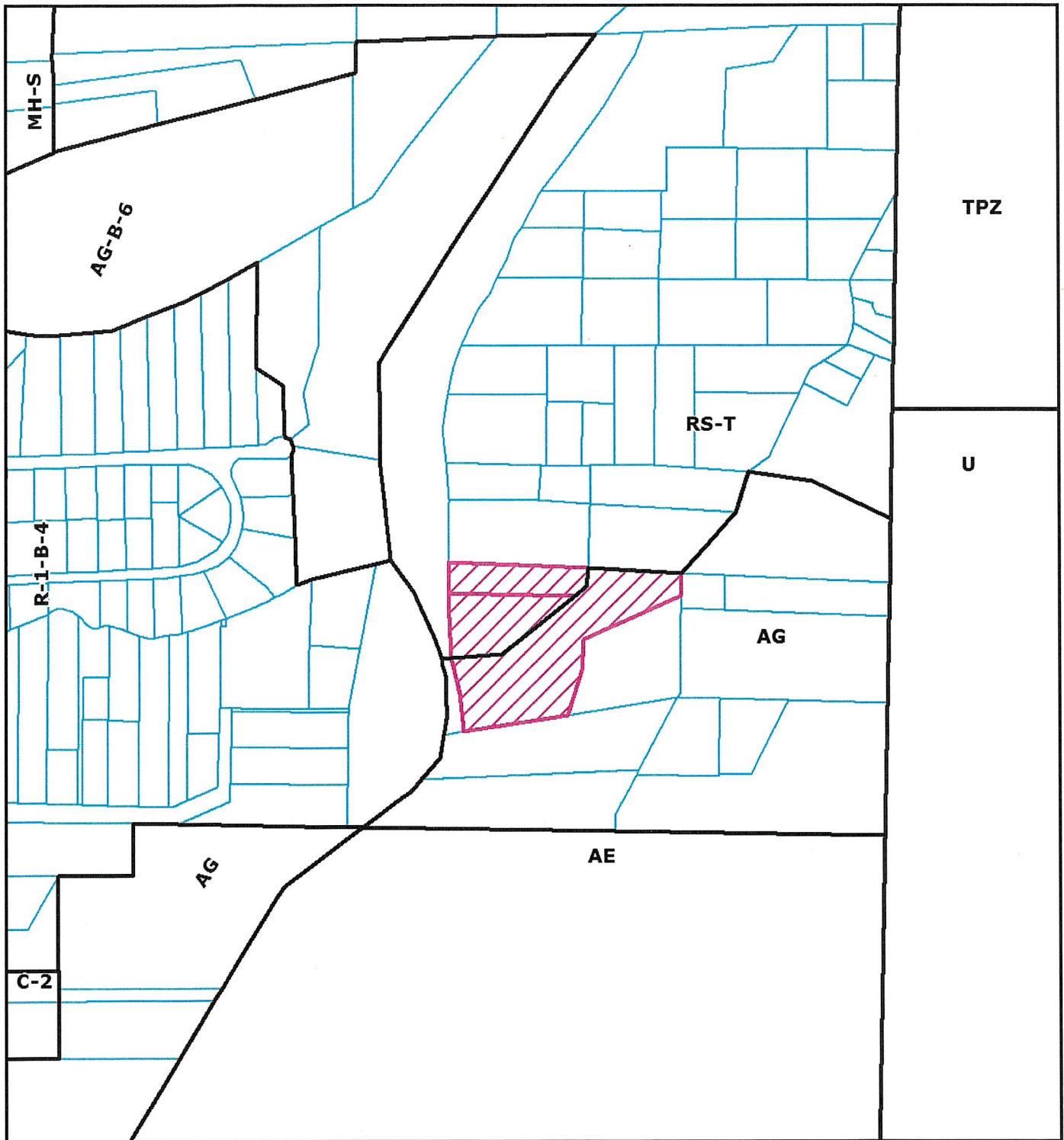
APN: 522-311-042, -043, -054

T7N R5E S33 HB&M (Salyer)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





ZONING MAP

**PROPOSED IMPER
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
WILLOW CREEK AREA
LLA-17-028/ZBA-17-003
APN: 522-311-042, -043, -054
T7N R5E S33 HB&M (Salyer)**

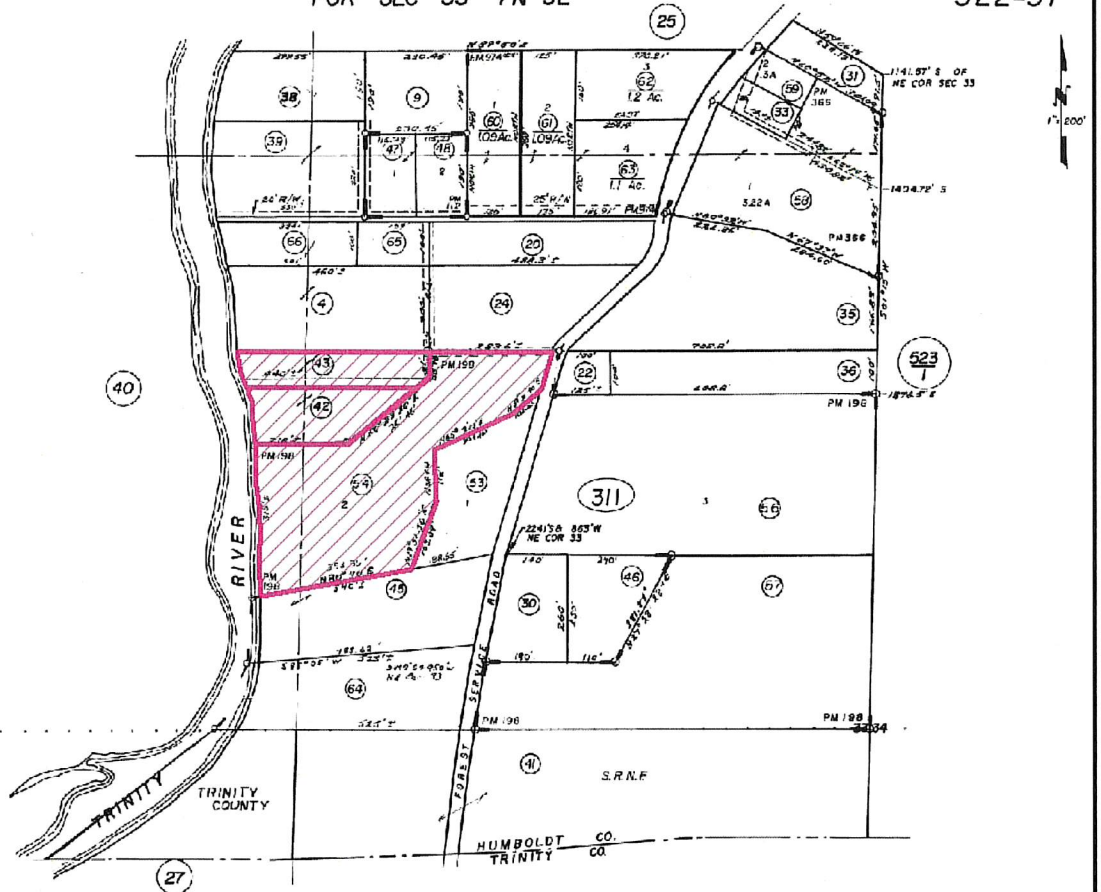
Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



POR SEC 33 7N 5E

522-31




PM.No.112 of PM.Bk. 2, Pg.16
 PM.No.198 of PM.Bk. 2, Pg.106
 PM.No.366 of PM.Bk. 3, Pg.126
 R.S.Bk. 30, Pg.7
 PM.No.974 of PM. Bk. 8, Pg.112
 R.S.Bk. 25, Pg.12

ASSESSOR PARCEL MAP

PROPOSED IMPER LOT LINE ADJUSTMENT & ZONE BOUNDARY ADJUSTMENT WILLOW CREEK AREA LLA-17-028/ZBA-17-003

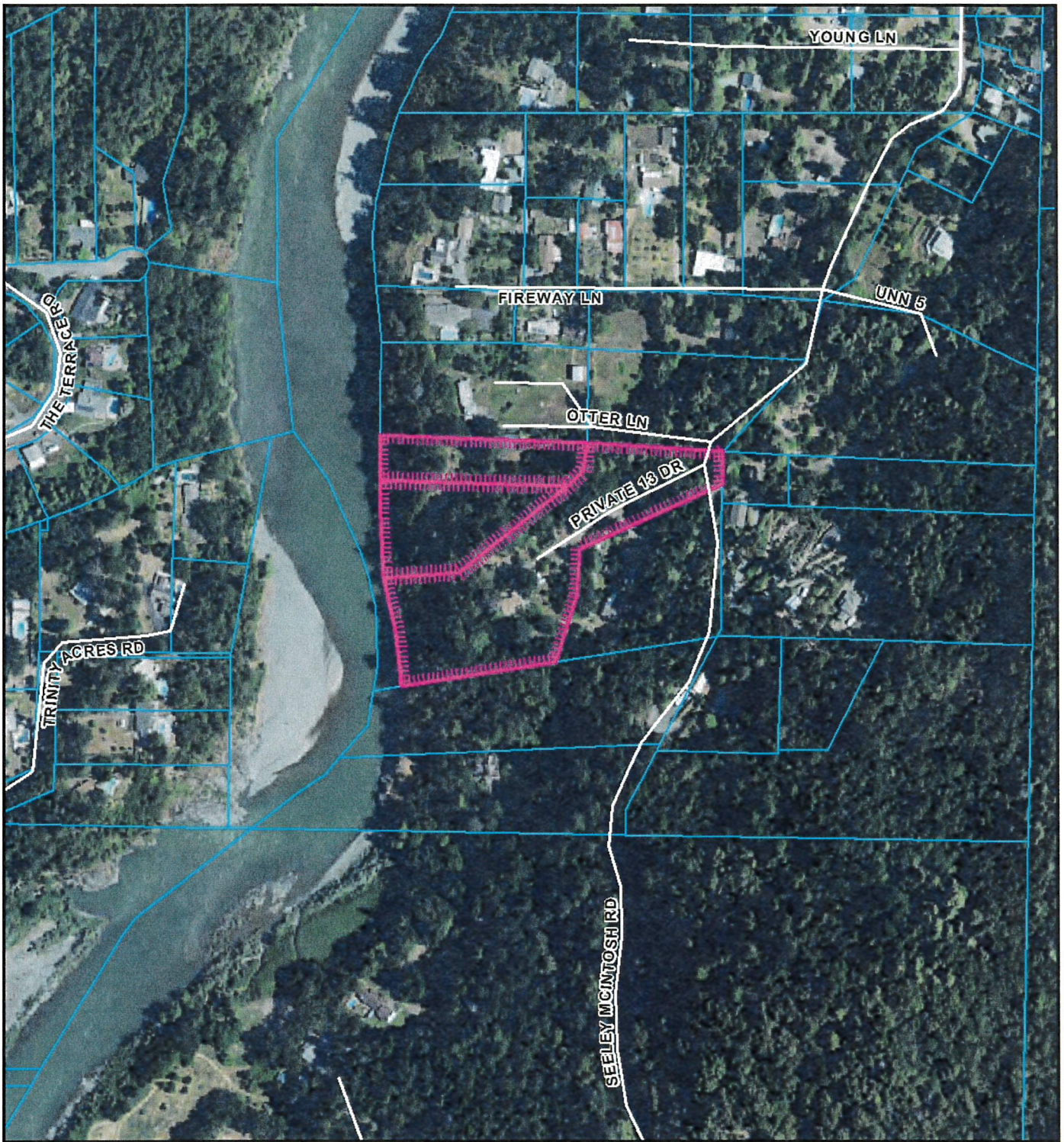
APN: 522-311-042, -043, -054
T7N R5E S33 HB&M (Salyer)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



MAP NOT TO SCALE



AERIAL MAP

**PROPOSED IMPER
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
WILLOW CREEK AREA**

**LLA-17-028/ZBA-17-003
APN: 522-311-042, -043, -054
T7N R5E S33 HB&M (Salyer)**

Project Area = 

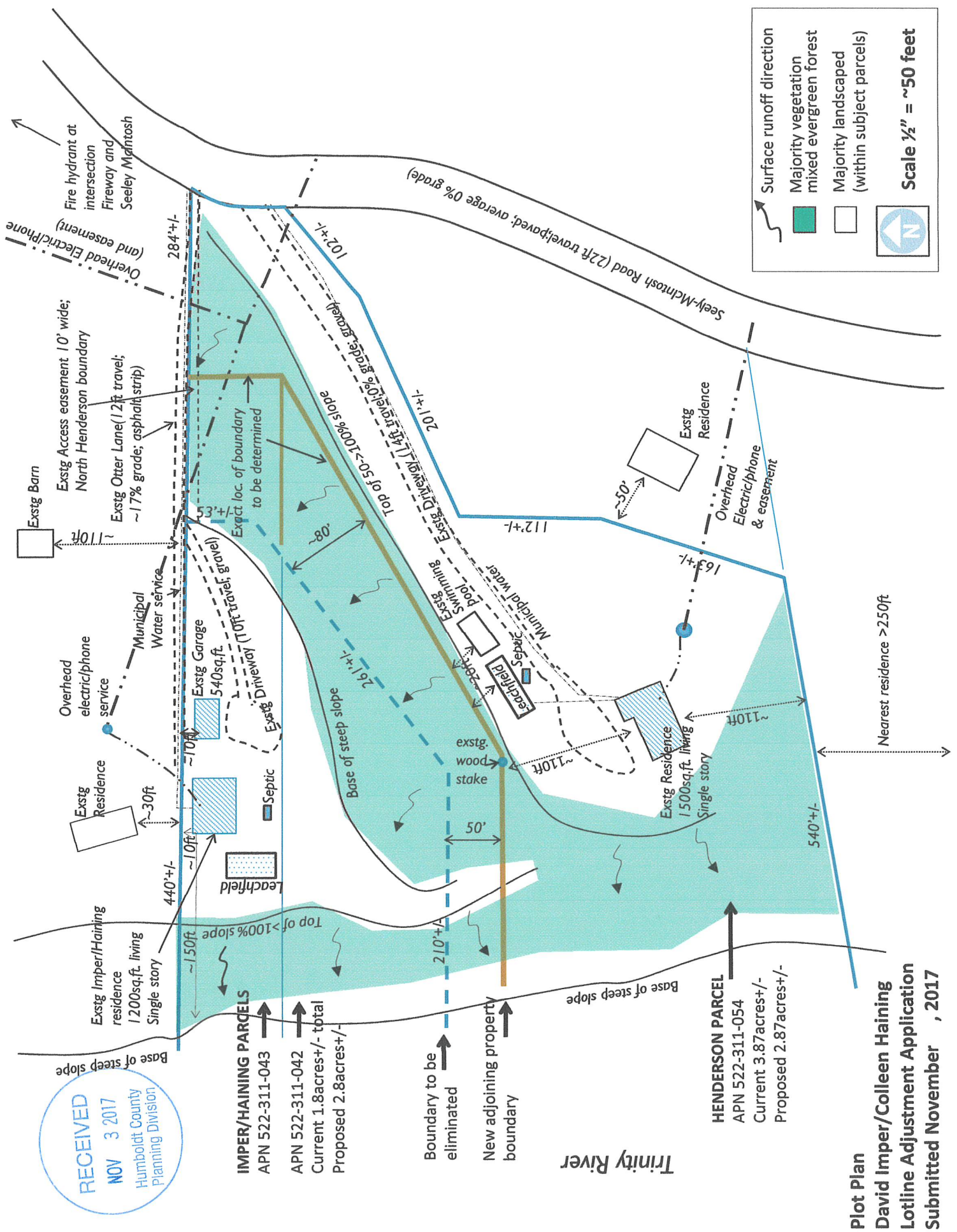
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250
Feet



RECEIVED
 NOV 3 2017
 Humboldt County
 Planning Division



Surface runoff direction
 Majority vegetation mixed evergreen forest
 Majority landscaped (within subject parcels)

Scale 1/2" = ~50 feet

Plot Plan
David Imper/Colleen Haining
Lotline Adjustment Application
Submitted November 2017

IMPER/HAINING PARCELS
 APN 522-311-043
 APN 522-311-042
 Current 1.8 acres +/- total
 Proposed 2.8 acres +/-

HENDERSON PARCEL
 APN 522-311-054
 Current 3.87 acres +/-
 Proposed 2.87 acres +/-

Boundary to be eliminated
 New adjoining property boundary

Nearest residence >250ft

ATTACHMENT 1
CONDITIONS OF APPROVAL (Lot Line Adjustment)

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

1. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
 - d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$386.00 per notice plus \$271.00 for each additional legal description plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$80.00 per parcel) as required by the County Assessor shall be paid to the County Community Development Services, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition.** *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax*

bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

6. The property owner(s) shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required document.
7. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission 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 Division, 3015 "H" Street, Eureka.
8. Applicant shall obtain Board of Supervisors approval for the associated Zone Boundary Adjustment.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
4. The Humboldt County zoning map shall be revised to conform to the realigned zone boundary per the zone boundary determination of the Humboldt County Planning Commission (H.C.C. §311-8.2).

CONDITIONS OF APPROVAL (Zone Reclassification)

APPROVAL OF THE ZONE RECLASSIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE ZONE RECLASSIFICATION CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

Conditions of Approval:

1. The applicant shall submit a legal description of the area to be rezoned from AG into RS for review and approval by the County Land Surveyor. The applicable review fee (currently \$271.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Boundary Adjustment being scheduled for a decision by the Board of Supervisors.

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To approve this project, the Hearing Officer shall determine that the applicants have submitted evidence in support of making all of the following required findings.

A. Lot Line Adjustment

The following tables provide evidence in support of the required findings for the Lot Line Adjustment:

1. The Lot Line Adjustment application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project conforms to zoning and building ordinances, and conforms to all applicable standards and requirements of the coastal zoning regulations;
4. The project is consistent with the General Plan; and
5. 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.

A.1. The application is Complete: The following table identifies the evidence which supports the finding that the applicant has submitted the information which is required by Section 325.5-6(a) of the Humboldt County Code.

Application Requirements	Submitted
Completed and Signed Application Form	✓
Copies of Present Owners Deeds	✓
Preliminary Title Report	✓
Copy of the Creation Documents for the parcels	✓
6 Copies of a Lot Line Adjustment Plot Plan	✓
Required County Fees	✓
A Written Statement Explaining the Reasons For the Adjustment (Project Description)	✓

A.2. Consistency with the Subdivision Map Act: The following table identifies the evidence which supports the finding that the parcels to be adjusted are found to be in compliance with the Subdivision Map Act which is required by Section 325.5-6(b) of the Humboldt County Code.

PARCELS	CREATION DOCUMENT	LEGAL STATUS
522-311-042	Lot Line Adjustment approved by Planning Commission on December 9, 1969.	Legal parcel
522-311-043	Lot Line Adjustment approved by Planning Commission on December 9, 1969.	Legal parcel
522-311-054	Parcel 2 of Parcel Map No. 198 filed in Book 2 of Parcel Maps, Page 106.	Legal parcel

Based upon requirements of the County Lot Line Adjustment Ordinance, and due to requirements in the Subdivision Map Act, a Notice of Lot Line Adjustment must be recorded for each resultant parcel.

A.3. Conformance with Zoning and Building Ordinances: The following tables identify the evidence which supports the finding that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Residential Suburban (RS) Agriculture General (AG)	Single family residential is principally permitted in both zones.	The project will adjust the parcel lines between three parcels to move a property boundary to the top of an existing slope. APNs 522-311-043 and 522-311-054 are each developed with a single family residence and on-site wastewater systems. APN 522-311-042 is vacant.
Development Standards		
Minimum Parcel Size	RS: 1 acre AG: 2.5 acres	522-311-042: 1.75 acres (RS) 522-311-043: 1.12 acres (RS) 522-311-054: 2.87 acres (AG) The LLA does not cause a nonconformance or increase the severity of the pre-existing nonconformity.
Minimum Lot Width	RS: 125 feet AG: 60 feet	522-311-042: 1.75 acres (RS) 522-311-043: 80 feet (RS) legal nonconforming 522-311-054: 200 feet (avg.) (AG)
Minimum Yard Setbacks within SRA:	30 feet from all property lines	The existing residence and garage on APN 522-311-043 are located 10 feet from the northerly property line, however, they are considered legal nonconforming as they pre-date the implementation of the FireSafe Ordinance requiring 30 foot setbacks. All other structures comply. Future development must comply with zone standards and building regulations.
Maximum Lot Coverage	RS: 35% AG: 35%	522-311-042: vacant (RS) 522-311-043: ±4% (RS) 522-311-054: ±1% (AG)

A.4. The proposed development must be consistent with the General Plan. The following table identifies the evidence, which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan, Willow Creek Community Plan (WCCP) and pursuant to the provisions of SB 497 (Sher) effective January 1, 2002.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Residential Estates (RE): Lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use.</p> <p>Density: RE1-5: one dwelling unit per 1-5 acres; RE2.5-5: one dwelling unit per 2.5-5 acres.</p>	<p>The project will adjust the parcel lines between three parcels to move a property boundary to the top of an existing slope. APNs 522-311-043 and 522-311-054 are each developed with a single family residence and on-site wastewater systems. APN 522-311-042 is vacant. The zone boundary will be adjusted to follow the new property line along the top of the slope. The current plan designation supports low density residential uses.</p>
<p>Safety Element Chapter 14</p> <p>Geologic and Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-PX1. Site Suitability, S-P6. Structural Hazards</p>	<p>The site is in an area of low to moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area.</p>

<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>According to FIRM Map Panel 800, the property is located in Flood Zone D, areas in which flood hazards are undetermined, but possible. All involved parcels lie adjacent to the Trinity River. Given that no development is proposed, no flood issues are anticipated.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations</p>	<p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. The parcel is also within the Willow Creek Volunteer Fire Protection District who provides structural fire protection as well as responding to medical emergencies.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>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 (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation</p>	<p>The project was referred to the Northwest Information Center, the Hoopa Tribe and the Tsnungwe Council. The NWIC recommended a cultural resource study, and the Hoopa Tribe and the Tsnungwe Council did not respond to the project referral. Given that the purpose of the lot line adjustment is to add additional lands to provide a larger buffer along a steep slope and no ground disturbing activities are proposed, the project can be viewed as having no likelihood of impacting cultural resources. Nonetheless, the standard inadvertent discovery condition is included among the recommended conditions of approval in the Informational Notes.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>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 (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>The Trinity River forms the western boundary of all of the subject parcels. No other sensitive habitat was identified on site. The project was referred to the Eureka office of the California Department of Fish and Wildlife, however, they did not respond with any concerns. Given that no development is proposed, no impacts to biological resources are anticipated.</p>
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A.5. and A.6. PUBLIC HEALTH SAFETY & WELFARE AND ENVIRONMENTAL IMPACT:

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1	The proposed development will not adversely impact the environment, and will not be detrimental to the public health, safety or welfare and will not be materially injurious to properties or improvements in the vicinity.	All reviewing referral agencies have approved or conditionally approved the proposed project. The project will not result in changes in land use or density, and will not create a new parcel.
§ 15305(a) CEQA	Categorically exempt from State environmental review.	Based on the above discussion, the Lot Line Adjustment is categorically exempt from State environmental review per Section 15305(a).

B. Zone Boundary Adjustment

Section 312-50.3 of the Humboldt County Code (H.C.C.) specifies the findings that must be made in order to grant approval of a Zone Boundary Adjustment. The required findings needed to approve the ZBA are as follows:

1. The proposed change is in the public interest; and
2. The proposed change is consistent with the General Plan.

In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:

3. a) The project either is categorically or statutorily exempt; or

- b) There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
- (c) An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

B.1. Public Interest

The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Residential Suburban (RS) and Agriculture General (AG). The zone boundary is proposed to be coincidental with the new lot line as adjusted and avoid a mixed-zone condition. Planning staff believes that the ZBA is in the public interest in that it supports the existing use of the land and is minor in nature.

B.2. General Plan Consistency

The properties involved in the ZBA are planned Residential Estates by the Humboldt County General Plan. The RS zoned parcels have a density range of one unit per 1-5 acres (RE1-5) and the AG zoned parcel has a density range of one unit per 2.5-5 acres (RE2.5-5). Given that the zone designations are compatible with both Residential Estates land use densities, the ZBA is consistent with General Plan policies and standards as noted in the above discussion (A.4).

B.3. Environmental Impact

As the principal zone and allowed uses for the resultant parcels remain unchanged and no change to land use or density will result, the Planning Division believes that the ZBA has no potential for causing a significant effect on the environment, and that it can be seen with certainty that there is no possibility that the rezone would have a significant effect on the environment, and is exempt per Section 15061(b)(3) of CEQA.

ATTACHMENT 3

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on _____, 2018

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE WILLOW CREEK AREA
[ZBA-17-003 (IMPER)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by adjusting the zone boundary between Residential Suburban (RS) and Agriculture General (AG) coincidental with the proposed property lines. The area described is also shown on the Humboldt County zoning map wcapz and on the map attached as Exhibit A.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018, on the following vote, to wit:

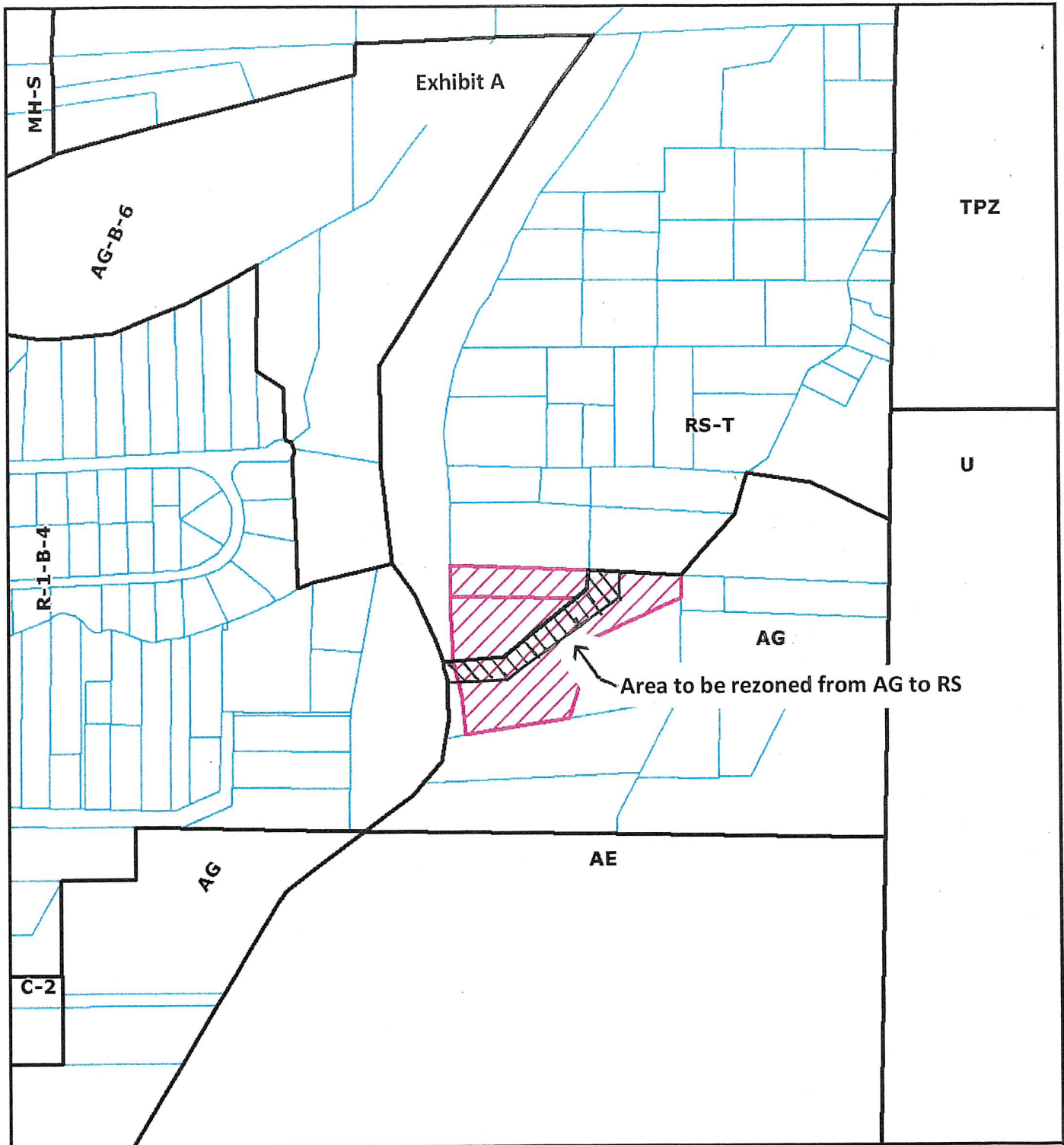
AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors:

Chairperson of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:
Kathy Hayes
Clerk of the Board of Supervisors of the
County of Humboldt, State of California


Deputy



ZONING MAP

**PROPOSED IMPER
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
WILLOW CREEK AREA
LLA-17-028/ZBA-17-003**

**APN: 522-311-042, -043, -054
T7N R5E S33 HB&M (Salyer)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ATTACHMENT 4

Applicant's Evidence In Support of the Required Findings

Attachment 4 includes a listing of all written evidence that has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division unless otherwise noted:

- Application Form (On File)
- Plot Plan/Tentative Map Checklist (On File)
- Detailed Plot Plan (Attached)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)

ATTACHMENT 5

Referral Agency Comments

Referral Agency	Recommendation	Location
County Building Inspection Division	Approval	On file
Department of Public Works, Land Use Division	Comments	On file
Division of Environmental Health	No response	
Willow Creek CSD	No response	
Willow Creek Volunteer Fire Department	No response	
Calfire	Standard comments	On file
Ca. Dept. of Fish and Wildlife	No response	
Northwest Information Center	Recommend Study	On file
Tsnungwe Council	No response	
Hoopa Valley Tribe	No response	