



**APPLICATION FORM**  
**Humboldt County Planning and Building Department**  
 Current Planning Division 3015 H Street Eureka, CA 95501-4484  
 Phone (707) 445-7541 Fax (707) 268-3792

**INSTRUCTIONS:**

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

**SECTION I**

**APPLICANT** (Project will be processed under Business name, if applicable.)

Business Name: Benbow Properties Inc  
 Contact Person: Charles Benbow  
 Mailing Address: 40 East Branch Road  
 City, St, Zip: Garberville, CA 95542  
 Telephone: 707-845-7365 Fax: \_\_\_\_\_  
 Email: charlesbenbow@gmail.com

**AGENT** (Communications from Department will be directed to agent)

Business Name: Benbow Properties Inc  
 Contact Person: Charles Benbow  
 Mailing Address: 40 East Branch Road  
 City, St, Zip: Garberville, CA 95542  
 Telephone: 707-845-7365 Fax: \_\_\_\_\_  
 Email: charlesbenbow@gmail.com

**OWNER(S) OF RECORD** (If different from applicant)

Owner's Name: Adam Cardman Peden, Rock and Sky LLC  
Benbow Properties Inc.  
 Mailing Address: 40 East Branch Road  
 City, St, Zip: Garberville, CA 95542  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner's Name: Adam Cardman Penden, Charles Benbow  
 Mailing Address: 40 East Branch Road  
 City, St, Zip: Garberville, CA 95542  
 Telephone: 707-845-7365 Fax: \_\_\_\_\_

**LOCATION OF PROJECT**

Site Address: Red Rock Rd, East & West Blue Rock Rd, Oak Drive, Fir Gate Crt.  
 Community Area: Benbow, CA

Assessor's Parcel No(s): See Attached  
 Parcel Size (acres or sq. ft.): +/- 33.45 Acres

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons?  YES  NO

**SECTION II**

**PROJECT DESCRIPTION**

Describe the proposed project (attach additional sheets as necessary): We are requesting a zoning change and amendment to the General Plan on 033-041-038 from the current zoning of R-1 and R-3 to AG, and from R-1 to AG on properties in the Subdivision below East Blue Road. These changes will allow for better integration between the current land use and the properties physical characteristics. The plan integrates the adjoining properties (48.5 Ac\*) of Adam Cardman Peden, Rock & Sky LLC, a company he owns, and Benbow Properties Inc., reducing the number of parcels from 29 to 11. The reconfigured parcels will, among other advantages and improvements, eliminate multiple zoning within a parcel, allow historical use, eliminate unbuildable parcels, reduce water hook ups, traffic and erosion. The properties adjoin AE zoned lands. See attached petition letter for additional information.

\*33.45 Ac. in zoning and amendment request.

**SECTION III**

**OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT**

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are **not** complete or do not contain truthful and accurate information will be delayed, and may result in denial or revocation of approvals.

Charles Benbow \_\_\_\_\_ 2/8/2020 \_\_\_\_\_  
 Applicant's Signature Date

**If the applicant is not the owner of record:** I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

Charles Benbow \_\_\_\_\_ 2/8/2020 \_\_\_\_\_  
 Owner of Record Signature Date

Adam Cardman Peden \_\_\_\_\_ 2/8/2020 \_\_\_\_\_  
 Owner of Record Signature Date

**side completed by Planning and Building**

Checklist Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION**

Item	Received	Item	Received
<input checked="" type="checkbox"/> Filing Fee of \$ 1,652.00	<input type="checkbox"/>	<input type="checkbox"/> Agricultural Feasibility Study	<input type="checkbox"/>
<input checked="" type="checkbox"/> Fee Schedule (see attached, please return completed fee schedule with application)	<input type="checkbox"/>	<input type="checkbox"/> Architectural Elevations	<input type="checkbox"/>
<input type="checkbox"/> Plot Plan 15 copies (folded if > 8½" x 14")	<input type="checkbox"/>	<input type="checkbox"/> Design Review Committee Approval	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 15 folded copies (Minor Subd)	<input type="checkbox"/>	<input type="checkbox"/> Environmental Assessment	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 18 folded copies (Major Subd)	<input type="checkbox"/>	<input type="checkbox"/> Exception Request Justification	<input type="checkbox"/>
[Note: Additional plot plans/maps may be required]		<input type="checkbox"/> Joint Timber Management Plan	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map/Plot Plan Checklist (complete and return with application)	<input type="checkbox"/>	<input type="checkbox"/> Lot Size Modification Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Division of Environmental Health Questionnaire	<input type="checkbox"/>	<input type="checkbox"/> Military Training Route (see County GIS)	<input type="checkbox"/>
<input type="checkbox"/> On-site sewage testing (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Parking Plan	<input type="checkbox"/>
<input type="checkbox"/> On-site water information (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Plan of Operation	<input type="checkbox"/>
<input type="checkbox"/> Solar design information	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Hydraulic and Drainage Plan	<input type="checkbox"/>
<input type="checkbox"/> Chain of Title	<input type="checkbox"/>	<input type="checkbox"/> R1 / R2 Report (Geologic/Soils Report, 3 copies with original signatures)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Grant Deed		<input type="checkbox"/> Hold Harmless and Indemnification Agreement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Current <input type="checkbox"/> Creation	<input type="checkbox"/>	<input type="checkbox"/> Second Dwelling Unit Fact Sheet	<input type="checkbox"/>
<input type="checkbox"/> Preliminary Title Report (two copies, prepared within the last six months prior to application)	<input type="checkbox"/>	<input type="checkbox"/> Variance Request Justification	<input type="checkbox"/>
		<input type="checkbox"/> Vested Right Documentation/Evidence	<input type="checkbox"/>
		<input checked="" type="checkbox"/> Other ZR Petition Findings _____	<input type="checkbox"/>
		_____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		_____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		_____	<input type="checkbox"/>

**FOR INTERNAL USE**

<input type="checkbox"/> Ag. Preserve Contract <input type="checkbox"/> Certificate of Compliance <input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission <input type="checkbox"/> Design Review <input type="checkbox"/> Inland <input type="checkbox"/> Coastal <input type="checkbox"/> Determination of Legal Status <input type="checkbox"/> Determination of Substantial Conformance <input type="checkbox"/> Extension of _____ <input type="checkbox"/> Fire Safe Exception Request	<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> General Plan Petition <input type="checkbox"/> Information Request <input type="checkbox"/> Modification to _____ <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Preliminary Project Review <input type="checkbox"/> Special Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission H.C.C. § _____ <input type="checkbox"/> Subdivision <input type="checkbox"/> Parcel Map <input type="checkbox"/> Final Map <input type="checkbox"/> Exception to the Subdivision Requirements	<input type="checkbox"/> Reclamation Plan <input type="checkbox"/> Surface Mining Permit <input type="checkbox"/> Surface Mining Vested Right Determination <input type="checkbox"/> Timber Harvest Plan Information Request <input type="checkbox"/> Use Permit H.C.C. § _____ <input type="checkbox"/> Variance H.C.C. § _____ <input type="checkbox"/> Zone Reclassification <input type="checkbox"/> Other _____ <input type="checkbox"/> Other _____
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Application Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

General Plan Designation: \_\_\_\_\_

Plan Document: \_\_\_\_\_

Land Use Density: \_\_\_\_\_

Zone Designation: \_\_\_\_\_

Coastal Jurisdiction Appeal Status:     Appealable     Not Appealable

Preliminary CEQA Status:

Environmental Review Required

Categorically Exempt From Environmental Review:    Class \_\_\_\_\_    Section \_\_\_\_\_

Statutory Exemption:    Class \_\_\_\_\_    Section \_\_\_\_\_

Not a Project

Other \_\_\_\_\_

## Draft Zoning Change Worksheet 2-9-20



APN	Owner	Assessor Acre	GIS Acre
033-101-011	ACP	0.22	0.37
033-101-035	RS	6.24	9.84
033-101-028	RS	1.54	1.54
033-101-029	RS	0.45	0.45
033-101-022	RS	0.26	0.27
033-101-021	RS	0.34	0.59
033-101-031	RS	0.24	0.24
033-091-025	RS	0.23	0.24
033-091-026	RS	0.23	0.24
033-091-027	RS	0.19	0.19
		<b>9.94</b>	<b>13.97</b>
Port 101-038	BPI	4.50	4.50
033-101-010	RS	0.37	0.37
033-101-011	RS	0.22	0.22
033-101-005	RS	0.61	1.05
033-101-004	RS	0.43	0.74
033-101-003	RS	0.28	0.66
033-101-002	ACP	0.45	0.76
033-101-015	ACP	0.39	0.39
033-091-035	RS	0.46	0.78
033-091-034	ACP	0.42	0.72
033-101-032	ACP	1.43	2.44
033-091-033	ACP	0.27	0.27
033-101-001	RS	0.41	0.71
		<b>10.24</b>	<b>13.61</b>
033-101-008	ACP	0.22	0.38
033-101-007	RS	0.57	0.57
033-101-006	RS	0.49	0.84
		<b>1.28</b>	<b>1.79</b>
Remainder 033 041-038	BPI	<b>12.00</b>	
<b>Total Re-zoning Acres</b>		<b>33.46</b>	

Benbow Properties Inc  
40 East Branch Road  
Garberville, CA 95542  
707-845-7365  
[charlesbenbow@gmail.com](mailto:charlesbenbow@gmail.com)



November 25, 2019

We, Benbow Properties Inc (BPI) and Adam Cardmen-Peden (ACP), are petitioning to request a zoning change and General Plan Amendment. Our purpose is to adapt our properties to practical uses based on topography, location and current economic conditions.

**Recitals**

Recently Chris Anderson received permits allowing for a cannabis dispensary and distribution facility at the entrance to the Benbow Valley a short distance from the lands we own. As part of Chris's permit process, the Planning Commission determined that the Benbow Valley was "the perfect spot" for a dispensary in Southern Humboldt county. The freeway access, surrounding growers and tourist attractions were considered to be a model for the counties desire to include tourism in their cannabis planning. However, in 2018 the County issued abatement letters to growers that were a short distance from the planned dispensary. Though these grows had been in existence from 5-20 years with no environmental issues but can't be permitted due to R1 and RS zoning.

Under a 2016 law no subdivision of land can take place without the property being in a designated fire district. BPI's development plan with the county was started in 2005. A second phase, major subdivision was part of the development plan but is not feasible now as the area is not in a fire district as required for further division. Three of parcel have split zoning. This is proving problematic as investment in one use does not coincide with investment in another.

ACP and his holdings own +/- 15 lots accounting for +/- 15 acre off of Blue Rock Road zoned RS centered around his home on 033-101-035. These lots are largely unbuildable due to leaching restrictions, access and land movement. Most are accessed by a county road that has failed or completely washed out and will be extremely expensive for the county to repair. The traditional use of the lands has been for cannabis cultivation. Abatement from the county has eliminated those grow operations. They have been farmed for years and are adjacent to AE zoned property

Parcel APN# 033-041-038 is a +/-15.11-acre BPI parcel zoned R-1 and R-3. This parcel does not have building sites suitable for multi-family zoning which is why none have been built. The property was leased once and sold once but neither transaction lasted as the buyers farmed and could not permit their grows under the current zoning. This property is adjacent to AE zoned property. The properties dual zoning greatly restricts its potential.

Collectively BPI and ACP have +/- 30 acres of land zoned R1, RS and R3. We would like to zone these properties to AG. The AG zoning would provide a logical transition zone from the residential zoned areas to the larger resource lands zoned AE.

**Public Interest**

We believe that the zoning changes requested are in the public interest for a number of reasons.

1. Changing the zoning will allow for home and agricultural use increasing the county tax base and promoting tourism in the cannabis industry. This will bring additional revenue to the area.
2. The dichotomy of a dispensary allowing for cannabis and land surrounding it not being available for farms will be resolved.
3. Parcels unsuitable for use under existing zoning will become productive.
4. Illegal operations will be permitted resulting in all the benefits to the community of legal operation.
5. Changing the zoning in conjunction with the planned road vacation and parcel mergers from 25 to 3 on ACP lands will result in better water quality by decreasing erosion and managing winter run off.
6. The above actions also remove the counties cost of road reconstruction and future road maintenance saving the county hundreds of thousands of dollars.
7. Spot zoning will be eliminated.

Sincerely

*Charles Benbow*  
Charles Benbow