

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of September 23, 2025

RESOLUTION NO.

RESOLUTION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING FINDINGS IN SUPPORT OF ADOPTING THE AMENDMENTS TO ACTION AND DECISION CODE ORDINANCE.

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, the migration by the Humboldt County Planning and Building Department to a digital permitting process has revealed aspects of the code which limit the ability of the full process to remain digital, whereby amending the code to allow each step of said process to be digital would benefit the public and the County process, and

WHEREAS, on August 7, 2025, the Humboldt County Planning Commission recommended the Board of Supervisors adopt the proposed draft Amendments to Notice and Decision Code ordinance via approval of the consent agenda; and

WHEREAS, on September 9, 2025, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing with the Board of Supervisors on the proposed amendments regarding Notices of Action and Decision and Notice; and

WHEREAS, the Board of Supervisors held a public hearing on the Amendments to Action and Decision Code ordinance and text amendment on September 23, 2025; and

Now, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following findings:

- 1. FINDING:** **Record Description:** Amendments to the Notice of Final Action provisions of the Processing Applications for Permits and Variances regulations and the Decision, the Notice provisions of the Appeal Procedures regulations, and several other sections of regulations to amend subsection 312-6.7.2 to allow electronic delivery of the Notice of Final Action, to amend 312-13.7 to remove its dependency on subsection 312-6.7 and specify that delivery of a Notice of Final Action on an appeal must be by first class mail, to amend sections 312-16.4 and 314-91.2 to establish that they are dependent of subsection 312-6.7.2, to amend sections 312-6.7 et seq., 312-

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10.2.2.2, 312-11.3.1, 312-13.12, 312-16.4.6 et seq., and 314-91.2.8.5 to adjust language associated with notices and actions to reduce the use of the word final and establish internal and external consistency, to amend Section 314-50.7.2.1 to maintain consistency with Government Code, and to correct grammatical errors.

EVIDENCE: a) Record File: PLN-2025-19207

FINDINGS FOR CALIFORNIA ENVIRONMENTAL QUALITY ACT

2. FINDING: The proposed amendments to the Zoning Ordinance are exempt from environmental review under the common sense exemption (Section 15061(b)(3) of the State CEQA Guidelines) where it can be seen with certainty that a project will not have an adverse effect on the environment and the definition of project under Section 15378 of the State CEQA Guidelines (per Section 15378(b)(2), continuing administrative activities such as general policy and procedure making are excluded from the definition of project.

EVIDENCE:

- a) The proposed ordinance will not allow any new development but will only slightly modify the procedures under which Planning Staff delivers the decisions made for planning permits and what those deliveries are called. There will be no change in the environment except for a small reduction in total carbon dioxide emissions, so it can be seen with certainty there will be no environmental impact.
- b) The amendments to the code to remove the requirement for Notices of Action to be sent via first class mail will have the effect of enabling electronic delivery of the Notices of Action, with the exception of those resulting from Appeals to the Board of Supervisors. Email requires significantly fewer material resources, energy, and time than traditional mailing over the entire course of each item's trip.
- c) The amendment to Section 312-13.7 of the ordinance to remove its dependency to Section 312-6.7 will have the effect of preventing the requirements of Section 312-13.7 from changing as a result of the amendments to Section 312-6.7. The notice of the decision from the Board of Supervisors for any application will continue to be required

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to be sent by first class mail, with all other associated requirements for the contents of the notice, so there will be no change in procedure. The amendments to Sections 312-16.4 and 314-91.2 of the code to establish that they are dependent on Section 312-6.7 will have an identical effect as the changes to Section 312-6.7.

- d) The changes to what were formerly “Notices of Final Action” to identify them as “Notices of Decision” will have no environmental impact.

PUBLIC INTREST

3. FINDING:

The amendments are in the public interest. Allowing electronic delivery of the Notice of Decision and establishing new consistent references and procedures thereof is consistent with the purpose of the Adopted Ordinances. This reduces costs associated with processing permits, reducing burden otherwise renumerated by applicant fees and General Fund budget.

EVIDENCE:

- a) Currently the Planning and Building Department is required for all applications subject to Division 1 of Title III to send the final Notice of Action by first class mail. This standard was established at a time of limited email adoption. As the County continues to progress into the modern age, digital processes are becoming the norm, and the majority of the permitting process can be handled via electronic communication. By allowing electronic delivery of the Notice of Decision, the Planning and Building Department can handle most projects digitally from initial application to final approval.
- b) Reducing time required for processing decisions by removing the mailing requirement and reducing the usage of paper materials both reduce costs from the budget and from applicant bills significantly.

CONSISTENCY WITH THE GENERAL PLAN

4. FINDING:

The proposed Zoning Regulation Amendments are consistent with the General Plan.

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- EVIDENCE:**
- a) Administrative procedures are not established by nor referenced within the General Plan, so changes to said procedures cannot be inconsistent with the General Plan.
 - b) The Zoning Regulations Amendments will not result in or affect any new development, nor will it affect any existing development.

CONSISTENCY WITH THE COASTAL ACT

- 5. FINDING:** The proposed Zoning Regulations Amendments will not adversely affect Coastal Access, Recreation, Marine, Land Resources, cause new development that may affect scenic resources, public works facilities, safety, and priority of coastal dependent developments or interfere with or allow industrial development.

- EVIDENCE:**
- a) The amendments to the Zoning Regulations will not result in or affect any new development. The amendments will, however, enable notices to the California Coastal Commission to be sent via electronic mail, as recently permitted by SB 951's amendment to Public Resources Code Section 30603.
 - b) The proposed ordinance does not impact any existing development or result in or affect any new development, so no policies of Chapter 3 of the Coastal Act will be infringed.

CONSISTENCY WITH STATE PLANNING LAW

- 6. FINDING:** Humboldt County Code Section 312-50.3.4 requires that any proposed amendment must 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 specific findings are made. The proposed amendments do not limit the number of housing units which may be constructed on an annual basis.

- EVIDENCE:**
- a) The amendments do not impact residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The

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amendments will not alter residential density of parcels within Humboldt County.

PURPOSE OF ORDINANCE

7. FINDING: The primary purpose of the ordinance is to amend local laws and regulations to increase efficiency and consistency within required procedures.

EVIDENCE: a) The Amendments to Action and Decision Code ordinance and text amendment reduces the instances in which physical mail is required by the code and renames the notices to better match the language utilized in State law and differentiate notices associated with Board of Supervisors decisions from other notices. The amendments additionally reference Section 65854, thus communicating that Zoning Ordinances and amendments thereof must have notices that are published at least 20 days prior to the hearing if said ordinance or amendment affect the permitted uses of real property.

NOW, THEREFORE, based upon the above findings and evidence, the Humboldt County Board of Supervisors does hereby:

1. Adopt the Amendments to the Action and Decision Codes; and
2. Direct the Clerk of the Board to publish the Post-Adoption Summary of the Ordinance within fifteen (15) days after its passage.

Dated: _____

Supervisor Michelle Bushnell, Chair
Humboldt County Board of Supervisors

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Adopted on motion by Supervisor _____, Seconded by Supervisor _____,
and the following vote:

AYES: Supervisors: --

NAYES: Supervisors: --

ABSENT: Supervisors: --

ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By Kaleigh Maffei
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California