



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**K-2**

Hearing Date: October 4, 2016

To: Board of Supervisors

From: Robert Wall, Interim Director, Planning and Building Department *RSW*

Subject: Baker General Plan Amendment, Zone Reclassification and Lot Line Adjustment  
 Application Number 6270  
 Case Numbers GPA-11-001, ZR-11-001, LLA-11-007  
 Assessor Parcel Numbers 202-151-013, 202-151-014, 202-151-015, 202-151-019, 202-161-022  
 1960, 1966, 1984 Loop Road, Fortuna area

RECOMMENDATIONS:

That the Board of Supervisors:

1. Introduce Ordinance No. 2563 (Attachment B) by title and waive further reading.
2. Open the public hearing and receive the staff report and public testimony.
3. Close the public hearing and deliberate.
4. Make the necessary findings to approve the General Plan Amendment and adopt Resolution No. 16-117 (Attachment A), approving the amendment of the Fortuna Area

Prepared by \_\_\_\_\_  
Trevor Estlow, Senior Planner

CAO Approval *Cheryl Dilligian*

REVIEW:	Auditor _____	County Counsel <u><i>JME</i></u>	Personnel _____	Risk Manager _____	Other _____
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TYPE OF ITEM:

\_\_\_\_ Consent

\_\_\_\_ Departmental

Public Hearing

\_\_\_\_ Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. L-1

Meeting of: October 10, 2010

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Fennell*

Seconded by Supervisor *Sundberg*

Ayes *Sundberg, Fennell, Lovelace, Bohn, Bass*

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *Oct. 4, 2016*

By: *Kathy Hayes*

**Kathy Hayes, Clerk of the Board**

Community Plan (FACP) land use map, by amending property in the Fortuna area (GPA-11-001, Baker) from Timber (T) to Agricultural Suburban (AS) and from Agriculture Suburban (AS) to Timber (T) subject to the recommended conditions of approval.

5. Make the necessary findings for approving the proposed Zone Reclassification and adopt by 4/5ths vote Ordinance No. 25163 (Attachment B) amending Section 311-7 of the Humboldt County Code by reclassifying, through immediate conversion, approximately 2.8 acres from Timberland Production Zone (TPZ) to Agriculture General with a Special Building Site combining zone specifying a five-acre minimum parcel size (AG-B-5(5)) and to reclassify approximately 0.8 acres from AG-B-5(5) to TPZ.
6. Direct Current Planning Division Staff to prepare and file a Notice of Determination with the County Clerk and Office of Planning and Research.
7. Direct the Chair of the Board to sign and the Clerk of the Board to record a Certification of Rezoning (Notice of Timberland Production Zone Status) (Attachment C) on the parcel pursuant to Sections 51117 and 51141 of the California Government Code, after attaching a copy of the fully executed Ordinance and Map (Attachment B, Exhibit A).
8. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment D) and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance.

#### SOURCE OF FUNDING:

The applicant is responsible for all costs associated with the processing of the project. Applicant fees are deposited into Planning and Building Department Current Planning Revenue Account 1100-277-608000.

#### DISCUSSION:

The project before your Board is a General Plan Amendment (GPA), Zone Reclassification (ZR) and a Lot Line Adjustment (LLA). The GPA proposes to change approximately 0.5 acres of lands planned Timberland (T) to Agricultural Suburban (AS) and approximately 1.5 acres of AS to T. The Zone Reclassification proposes to reclassify an approximate 2.8 acres, through an immediate conversion, from Timberland Production Zone (TPZ) into Agriculture General with a five-acre minimum parcel size (AG-B-5(5)). The Zone Reclassification will also reclassify approximately 0.8 acres of AG-B-5(5) into TPZ. The Lot Line Adjustment will result in Parcels 1, 2, 3 and 4 of approximately 2.1, 2.0, 1.9 and 74.5 acres, respectively. The project site totals approximately 78 acres in the Fortuna area, on the north side of Loop Road, on the properties known as 1960, 1966 and 1984 Loop Road. The project will allow a septic system to be expanded over what is now a property line as well as remedy a violation of the Subdivision Map Act.

This proposal follows your Board's October 12, 2010 acceptance of the petition to re-designate and rezone the properties. The Humboldt County Planning Commission considered the proposal and held a public hearing on the project at their meeting of September 6, 2012. In a 5-0 vote, the Planning Commission recommended the Board make the necessary findings, adopt the Mitigated Negative Declaration and approve the amendment, zone reclassification and lot line adjustment.

## ***Summary***

The applicant has successfully petitioned your Board to accept an applicant initiated General Plan Amendment and Zone Reclassification of the subject property to facilitate a Lot Line Adjustment between the four involved parcels.

The site is currently planned both T and AS by the Fortuna Area Community Plan (FACP) and zoned both TPZ and AG-B-5(5). The area proposed for rezoning out of TPZ is currently pasture and has been since the time the lands were originally zoned TPZ. In 2004, a Nonindustrial Timber Management Plan was placed on the majority of the timberlands and in 2009, a Conservation Easement was placed on the same timberlands.

## ***Required Findings***

To approve the project, the Board of Supervisors must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

### ***Required Findings for General Plan Amendment***

Per Sections 65358 and 65359 of the California Government Code, the General Plan may be amended if the following findings are made:

1. The amendment is in the public interest; and
2. The amendment is consistent with the County General Plan.

Per Section 312-50.3 of the Humboldt County Code Zoning Regulations, *Required Findings for All Amendments*, amendments may be approved only if the following findings are made:

1. The amendment is in the public interest;
2. The amendment is consistent with the County General Plan; and
3. The amendment 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.
4. The proposed change is consistent with Section 51120, Rezoning, of the Government Code.

Per Government Code Section 51130, findings for Immediate Rezoning out of TPZ

1. The project be noticed for the Board of Supervisor hearing to include all owners within one-mile of the exterior boundary of the land proposed for rezone;
2. Tentative approval of a four-fifths vote of the full Board of Supervisors be obtained;
3. Final approval by the Board of Supervisors be obtained; and
4. The County Assessor's Office be duly notified of final approval such that the lands may be taxed consistent with Subdivision (j) of Section 3 of Article XIII of the Constitution. Based on Title 14, Section 1102 of the California Code of Regulations, the State Board delegates its authority and responsibilities to the Director of the California Department of Forestry and Fire Protection (CDF). A Less Than 3-acre Conversion Exemption or a Timberland Conversion Permit, as required by Cal Fire, shall be obtained prior to final approval by the Board.

Typically, Zone Reclassifications on TPZ zoned lands require the Board of Supervisors to tentatively approve the project prior to the applicant obtaining either a Less Than 3-acre Conversion Exemption or Timberland Conversion Permit. Once the conversion has been obtained, the project would then come back for final action by the Board of Supervisors. In this case, a Less Than 3-Acre Conversion Exemption was authorized by Calfire in October 2015 and was inspected in February 2016. Therefore, this two-step process is not needed and the action of the Board of Supervisors is final.

*Planning Commission Recommendation:* Based on the information contained in the Planning Commission staff report (Attachment E), the Planning Commission recommended that the required findings be made and the proposed General Plan Amendment and Zone Reclassification be approved. Specifically, the Planning Commission found:

- The General Plan Amendment and Zone Reclassification is in the public interest, and is consistent with a comprehensive view of the General Plan; and
- That the project is subject to environmental review per the CEQA Guidelines, and a Mitigated Negative Declaration was prepared that found that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
- The Zone Reclassification from TPZ to AG-B-5 is through an immediate conversion that was completed by a Less Than 3-Acre Conversion Exemption accepted on October 29, 2015 and inspected on February 9, 2016 by Calfire; and
- The findings necessary for approval of the project can be made as indicated in the Planning Commission staff report.

## ***CEQA***

A General Plan Amendment and Zone Reclassification is a “project” for the purposes of the California Environmental Quality Act (CEQA). Planning Division staff has prepared a draft Mitigated Negative Declaration and found that there is no substantial evidence that the proposed project will have a significant effect on the environment.

## ***Staff Recommendation***

Planning staff supports the project because the required findings can be made. Both the General Plan Amendment and Zone Reclassification are in the public interest; the amendments reflect the change in base information and physical conditions have changed. As noted in the Planning Commission staff report, the project facilitates a remedy of conveyances done in violation of subdivision regulations, retains rural residential development consistent with adjacent development along Loop Road, and maintains timberlands in resource production. The amendments, as supported by planning staff, are consistent with Plan policies and with the development capabilities of the property.

Based on the on site inspection, a review of Current Planning Division reference sources and comments from all involved referral agencies, Current Planning Staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the project. The Humboldt County Planning Commission concurred at their meeting of September 6, 2012 when they adopted Resolution No. 12-32 (Attachment F) unanimously recommending approval of the project.

FINANCIAL IMPACT:

There will be no impact to the General Fund as the applicant is responsible for all costs associated with the processing of the project.

OTHER AGENCY INVOLVEMENT:

Current Planning Staff referred the proposed General Plan Amendment and Zone Reclassification to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the project. In addition, pursuant to SB 18 (California Government Code Section 65352.3), notice was sent on April 21, 2010 to potentially affected tribes to request consultation regarding the proposed General Plan Amendment. As of July 20, 2010 (90 day timeframe), no tribe requested a consultation. Furthermore, SB 18 also requires a request for comments which was sent on August 19, 2014 and no tribes provided comments with the 45-day comment period.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Staff does not recommend this alternative. Staff believes that satisfactory evidence has been provided in the project record to support making the required findings.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

- Attachment A: Resolution No. 16-117
- Attachment B: Ordinance No. 2563 Exhibit A (map), Exhibit B (legal description)  
Exhibit A: Map  
Exhibit B: Legal Description
- Attachment C: Certificate of Rezoning (Notice of Timberland Production Status)
- Attachment D: Post-Adoption Summary of Ordinance  
Exhibit A: Map
- Attachment E: Copy of Planning Commission Staff Report for September 6, 2012
- Attachment F: Planning Commission Resolution No. 12-32
- Attachment G: Cal Fire Less Than 3-Acre Conversion Exemption (1-15EX-343-HUM) dated October 30, 2015
- Attachment H: Cal Fire Notice of Inspection dated February 10, 2016

**ATTACHMENT A**

**Resolution No. 16-117**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of October 4, 2016

RESOLUTION NO. 16-117

**RESOLUTION TO MAKE THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE AMENDMENT OF THE HUMBOLDT COUNTY GENERAL PLAN (FORTUNA AREA COMMUNITY PLAN) BY AMENDING PROPERTY IN THE FORTUNA AREA FROM TIMBER (T) TO AGRICULTURE SUBURBAN (AS) AND FROM AS TO T; AND REZONING PROPERTY IN THE FORTUNA AREA FROM TIMBERLAND PRODUCTION ZONE (TPZ) TO AGRICULTURE GENERAL WITH A FIVE-ACRE MINIMUM PARCEL SIZE (AG-B-5(5)) AND FROM AG-B-5(5) TO TPZ; CASE NUMBERS GPA-11-001, ZR-11-001, LLA-11-007 (BAKER); ASSESSOR PARCEL NUMBERS: 202-151-013, 202-151-014, 202-151-015, 202-151-019, 202-161-022**

**WHEREAS**, State law provides for local governments to amend their General Plans up to four (4) times per year; and

**WHEREAS**, Gary and Lynn Baker submitted an application and evidence in support of approving the General Plan Amendment, Zone Reclassification and Lot Line Adjustment application; and

**WHEREAS**, the proposed General Plan Amendment and Zone Reclassification; that is, to re-designate lands from Timber (T) to Agriculture Suburban (AS) and from AS to T; and to rezone lands from Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and from AG-B-5(5) to TPZ, may be approved if it can be found that: (1) The proposed change is in the public interest; (2) The proposed change is consistent with a comprehensive view of the General Plan; and (3) The amendment 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; and

**WHEREAS**, the County Planning Division 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 Planning Division, the lead agency, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, Attachment 2 of Attachment E in the staff report to the Planning Commission includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment, Zone Reclassification and Lot Line Adjustment application for Case Nos.: GPA-11-001, ZR-11-001, LLA-11-007; and

**WHEREAS**, the Planning Commission has reviewed and considered said reports and other written and spoken evidence and testimony presented to the Commission during a public hearing on September 6, 2012, and

**WHEREAS**, at their September 6, 2012 meeting, the Planning Commission recommended the Board make the necessary findings and approve the General Plan Amendment, Zone Reclassification and Lot Line Adjustment.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of October 4, 2016

RESOLUTION NO. 16-117

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors, based on Planning and Building Department - Planning Division staff reports, supplemental reports, testimony presented at the public hearing, and having considered the recommendation of the Planning Commission, that the Board:

1. Adopt the proposed Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and
2. Makes the findings for the General Plan Amendment, Zone Reclassification and Lot Line Adjustment as detailed in Attachment 2 of the Planning Commission Staff Report for Case Nos.: GPA-11-001, ZR-11-001, LLA-11-007 based on the submitted evidence; and
3. Approves the General Plan Amendment, Zone Reclassification and Lot Line Adjustment as recommended by the Planning Commission at their September 6, 2012 meeting for Case Nos.: GPA-11-001, ZR-11-001, LLA-11-007; and
4. Adopts the Ordinance amending Section 311-7 of the Humboldt County Code to rezone property in the Fortuna area from Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and from AG-B-5(5) to TPZ in conformance with the mapping prepared for ZR-11-001 (Baker). A 4/5<sup>th</sup> vote is required.

**BE IT FURTHER RESOLVED** by the Humboldt County Board of Supervisors that:

1. The General Plan designation for the subject property in the Framework General Plan be amended from Timber (T) to Agriculture Suburban (AS) and from AS to T; and
2. The Zone District for the subject property be amended from Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and from AG-B-5(5) to TPZ; and
3. Current Planning Division Staff is hereby directed to prepare and file a Notice of Determination with the County Clerk and Office of Planning and Research; and
4. The Clerk of the Board is hereby directed to give notice of the decision to the applicant, the County Assessor's Office and any other interested party; and
5. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after its adoption.

Dated: October 4, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of October 4, 2016

RESOLUTION NO. 16-117


Adopted on motion by Supervisor Fennell, seconded by Supervisor Sundberg, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA    )  
County of Humboldt     )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

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

  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of  
the County of Humboldt, State of California

**ATTACHMENT B**

**Ordinance No. 2563 Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Fortuna Area**

**Exhibit A: Map**

**Exhibit B: Legal Description**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of October 4, 2016

**ORDINANCE AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY  
REZONING PROPERTY IN THE FORTUNA AREA [ZR-11-001 (Baker)]**

**ORDINANCE NO. 2563**

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

**SECTION I. ZONE AMENDMENT.** Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Fortuna area, known as APNs 202-151-013, 202-151-014, 202-151-015, 202-151-019 and 202-161-022, out of Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and out of AG-B-5(5) to TPZ.

The area described is also shown on the Humboldt County zoning map Fapz1 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 4<sup>th</sup> day of October, 2016 on the following vote, to wit:

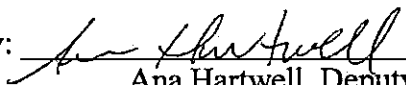
AYES: .	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NOES:	Supervisors	--
ABSENT:	Supervisors	--



MARK LOVELACE, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

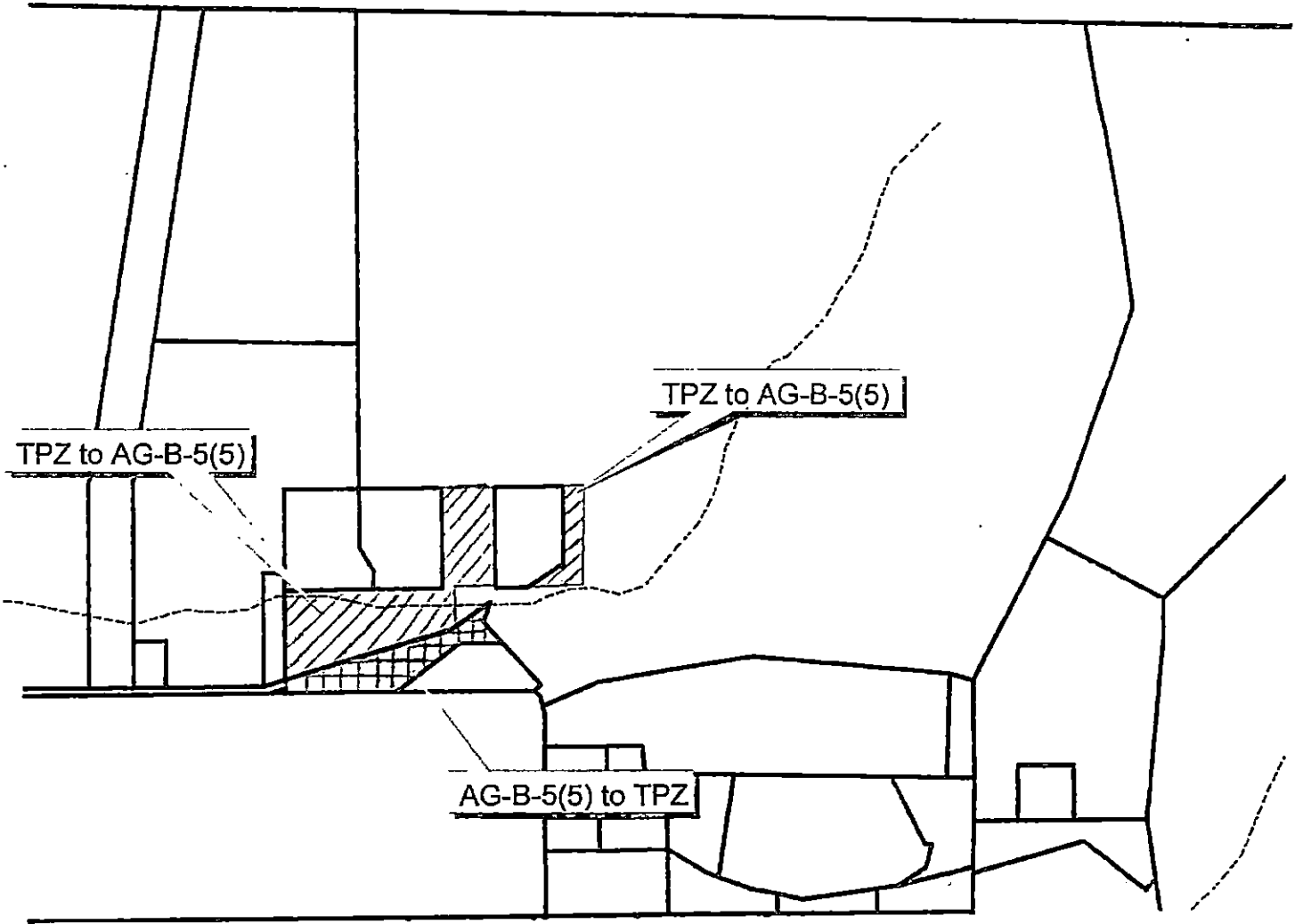
(SEAL)

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

By:   
Ana Hartwell, Deputy

**EXHIBIT A**

**Map**



**EXHIBIT B**

**Legal Descriptions**

TPZ to AG-B-5

That real property situate in the County of Humboldt, State of California, described as follows:

Those parcels of land in the North Half of Section 6, Township 2 North, Range 1 East, Humboldt Meridian, described as follows:

PARCEL ONE

Beginning at the Northwest Corner of Parcel 3, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149 and the TRUE POINT OF BEGINNING:

Thence along the West line of said Parcel 3, South 0 degrees 13 minutes 24 seconds East, 270.00 feet to the Southwest Corner thereof;

Thence along the South line of said Parcel 3 and the easterly extension thereof, North 89 degrees 46 minutes 36 seconds East, 246.71 feet;

Thence parallel with the West line of said Parcel 3, North 0 degrees 13 minutes 24 seconds West, 270.00 feet to a point that is on the Easterly extension of the Northerly line of said Parcel 3;

Thence along said Easterly extension, South 89 degrees 46 minutes 36 seconds West, 66.71 feet to the Northeast Corner of said Parcel 3;

Thence along the North line of said Parcel 3, South 89 degrees 46 minutes 36 seconds West, 180.00 feet to the Point of Beginning.

EXCEPTING from the lands above described, Parcel 3 per Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149.

PARCEL TWO

Beginning at the Northeast Corner of Parcel 2, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 389 and the TRUE POINT OF BEGINNING:

Thence along the East line of said Parcel 2, South 0 degrees 13 minutes 24 seconds East, 270.00 feet to the Southeast Corner of said Parcel 2;

Thence along the Easterly extension of the South line of said Parcel 2, North 89 degrees 46 minutes 36 seconds East, 141.59 feet to the Southwest Corner of Parcel 3 per said Parcel Map;

Thence along the West line of said Parcel 3, North 0 degrees 13 minutes 24 seconds West, 270.00 feet to the Northwest Corner thereof;

Thence South 89 degrees 46 minutes 36 seconds West, 141.59 to the Point of Beginning.



*Michael J. Moore*  
7/13/15

**PARCEL THREE**

Beginning at the Southwest Corner of Parcel 1, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 389 and the TRUE POINT OF BEGINNING:

Thence along the westerly line of Parcel One of the land conveyed to Turkey Productions recorded at Vol. 1367 Official Records, page 379, South 0 degrees 13 minutes 24 seconds East, 216.45 feet;

Thence leaving said westerly line, North 73 degrees 37 minutes 46 seconds East, 469.81 feet;

Thence parallel with the Easterly line of Parcel 2 of said Parcel Map, North 0 degrees 13 minutes 24 seconds West, 85.79 feet to a point that is on the Easterly extension of the southerly line of said Parcel 2 and 38.30 feet from the Southeast Corner thereof;

Thence along said Easterly extension, South 89 degrees 46 minutes 36 seconds West, 38.30 feet to the Southeast Corner of said Parcel 2;

Thence along the South line of Parcel 2 and Parcel 1 per said Parcel Map, South 89 degrees 46 minutes 36 seconds West, 412.98 feet (Record: 402.96 feet) to the Point of Beginning.

Basis of Bearing of Descriptions is Book 3 of Parcel Maps, page 149.  
Prepared by Michael J. Moore, LS 5160



AG-B-5 to TPZ

That real property situate in the County of Humboldt, State of California, described as follows:

Those parcels of land in the North Half of Section 6, Township 2 North, Range 1 East, Humboldt Meridian, described as follows:

PARCEL ONE

Beginning at an iron pipe monument located 1809.41 feet South and 2624.25 feet East of the Northwest Corner of said Section 6;

Thence North 76 degrees 22 minutes 20 seconds West, 1172.67 feet;

Thence South 55 degrees 14 minutes 26 seconds West (Record: South 55 degrees 51 minutes West), 154.39 feet to the TRUE POINT OF BEGINNING:

Thence South 15 degrees 39 minutes 26 seconds West (Record: South 16 degrees 16 minutes West), 59.49 feet;

Thence South 41 degrees 56 minutes 34 seconds East (Record: South 41 degrees 20 minutes East), 78.50 feet;

Thence South 89 degrees 23 minutes 26 seconds West (Record: West), 117.00 feet;

Thence South 51 degrees 23 minutes 26 seconds West (Record: South 52 degrees West), 140.00 feet to the County Road known as "Loop Road";

Thence South 85 degrees 45 minutes 00 seconds West (Record: Westerly along said County Road to Windbigler Road), 367.41 feet;

Thence North 0 degrees 13 minutes 24 seconds West, 14.32 feet to Windbigler Road;

Thence along Windbigler Road, North 73 degrees 37 minutes 46 seconds East (Record: Easterly along Windbigler Road), 241.34 feet;

Thence continuing along Windbigler Road, North 73 degrees 53 minutes 26 seconds East (Record: Easterly along Windbigler Road), 196.00 feet;

Thence continuing along Windbigler Road, North 55 degrees 14 minutes 26 seconds East (Record: Easterly along Windbigler Road), 166.24 feet to the Point of Beginning.

EXCEPTING from the lands above described, Parcels 1, 2 and 3 per Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149

Basis of Bearing of Description is Book 3 of Parcel Maps, page 149.

Prepared by Michael J. Moore, LS 5160



*Michael J. Moore*  
7/13/15

**ATTACHMENT C**

**CERTIFICATION OF REZONING (NOTICE OF TIMBERLAND PRODUCTION ZONE  
STATUS)**

2016-020190

Recorded - Official Records  
Humboldt County, California  
Kelly E. Sanders, Recorder  
Recorded by: HUMBOLDT CNTY

Pages: 8

Recording Fee: \$ 0.00  
Tax Fee: \$0  
Clerk: sc Total: \$0.00  
Oct 24, 2016 at 03:45:32

\*\*\* CONFORMED COPY \*\*\*

Recording Requested By:  
PLANNING DEPARTMENT  
COUNTY OF HUMBOLDT

Exempt from fees per Government Code Section 27383

Return To:  
Planning and Building Department - Planning Division  
3015 H Street  
Eureka, CA 95501-4484

CERTIFICATION OF REZONING

(NOTICE OF TIMBERLAND PRODUCTION ZONE STATUS)

Pursuant to Government Code Sections 51117, 51140 and 51141, I hereby certify that on October 4, 2016, the Humboldt County Board of Supervisors, by Ordinance No. 2563, rezoned, through an immediate conversion, approximately 2.8 acres in the Fortuna area from Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and approximately 0.8 acres from AG-B-5(5) to TPZ, more fully described in said Ordinance and the map for the rezoned land (Exhibit A and B to Ordinance), a copy of which is attached to this Certification.

The ordinance shall take effect and be in full force thirty (30) days from the date of its passage.

DATED:

10/17/16

Chair, Board of Supervisors Mark Lovelace  
County of Humboldt, State of California.

CERTIFICATE OF ACKNOWLEDGMENT

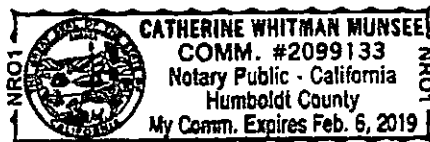
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }  
COUNTY OF HUMBOLDT }

On this 17 day of October 20 16, before me, Catherine Whitman Munsee Public Notary, personally appeared Mark Lovelace who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.  
Witness my hand and official seal.

Catherine Whitman Munsee (seal)  
Signature



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of October 4, 2016

**ORDINANCE AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY  
REZONING PROPERTY IN THE FORTUNA AREA [ZR-11-001 (Baker)]**

**ORDINANCE NO. 2563**

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

**SECTION I. ZONE AMENDMENT.** Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Fortuna area, known as APNs 202-151-013, 202-151-014, 202-151-015, 202-151-019 and 202-161-022, out of Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and out of AG-B-5(5) to TPZ.

The area described is also shown on the Humboldt County zoning map Fapz1 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 4<sup>th</sup> day of October, 2016 on the following vote, to wit:

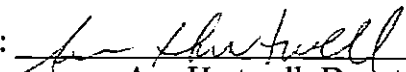
AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NOES:	Supervisors	--
ABSENT:	Supervisors	--



MARK LOVELACE, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

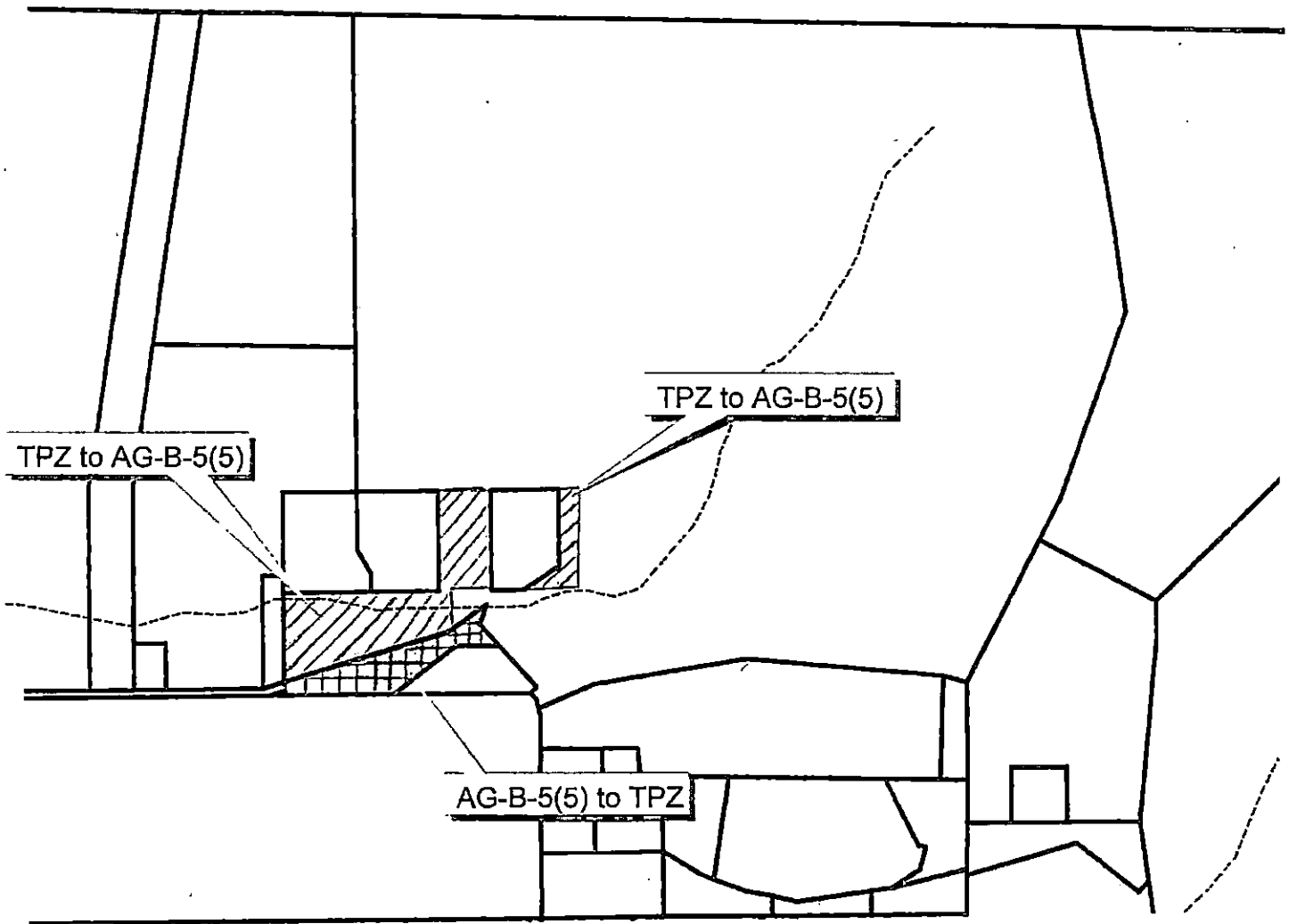
(SEAL)

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

By:   
Ana Hartwell, Deputy

**EXHIBIT A**

**Map**



**EXHIBIT B**

**Legal Descriptions**

TPZ to AG-B-5

That real property situate in the County of Humboldt, State of California, described as follows:

Those parcels of land in the North Half of Section 6, Township 2 North, Range 1 East, Humboldt Meridian, described as follows:

PARCEL ONE

Beginning at the Northwest Corner of Parcel 3, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149 and the TRUE POINT OF BEGINNING:

Thence along the West line of said Parcel 3, South 0 degrees 13 minutes 24 seconds East, 270.00 feet to the Southwest Corner thereof;

Thence along the South line of said Parcel 3 and the easterly extension thereof, North 89 degrees 46 minutes 36 seconds East, 246.71 feet;

Thence parallel with the West line of said Parcel 3, North 0 degrees 13 minutes 24 seconds West, 270.00 feet to a point that is on the Easterly extension of the Northerly line of said Parcel 3;

Thence along said Easterly extension, South 89 degrees 46 minutes 36 seconds West, 66.71 feet to the Northeast Corner of said Parcel 3;

Thence along the North line of said Parcel 3, South 89 degrees 46 minutes 36 seconds West, 180.00 feet to the Point of Beginning.

EXCEPTING from the lands above described, Parcel 3 per Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149.

PARCEL TWO

Beginning at the Northeast Corner of Parcel 2, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 389 and the TRUE POINT OF BEGINNING:

Thence along the East line of said Parcel 2, South 0 degrees 13 minutes 24 seconds East, 270.00 feet to the Southeast Corner of said Parcel 2;

Thence along the Easterly extension of the South line of said Parcel 2, North 89 degrees 46 minutes 36 seconds East, 141.59 feet to the Southwest Corner of Parcel 3 per said Parcel Map;

Thence along the West line of said Parcel 3, North 0 degrees 13 minutes 24 seconds West, 270.00 feet to the Northwest Corner thereof;

Thence South 89 degrees 46 minutes 36 seconds West, 141.59 to the Point of Beginning.



Michael J. Moore  
7/13/15



PARCEL THREE

Beginning at the Southwest Corner of Parcel 1, as shown on Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 389 and the TRUE POINT OF BEGINNING:

Thence along the westerly line of Parcel One of the land conveyed to Turkey Productions recorded at Vol. 1367 Official Records, page 379, South 0 degrees 13 minutes 24 seconds East, 216.45 feet;

Thence leaving said westerly line, North 73 degrees 37 minutes 46 seconds East, 469.81 feet;

Thence parallel with the Easterly line of Parcel 2 of said Parcel Map, North 0 degrees 13 minutes 24 seconds West, 85.79 feet to a point that is on the Easterly extension of the southerly line of said Parcel 2 and 38.30 feet from the Southeast Corner thereof;

Thence along said Easterly extension, South 89 degrees 46 minutes 36 seconds West, 38.30 feet to the Southeast Corner of said Parcel 2;

Thence along the South line of Parcel 2 and Parcel 1 per said Parcel Map, South 89 degrees 46 minutes 36 seconds West, 412.98 feet (Record: 402.96 feet) to the Point of Beginning.

Basis of Bearing of Descriptions is Book 3 of Parcel Maps, page 149.  
Prepared by Michael J. Moore, LS 5160

AG-B-5 to TPZ

That real property situate in the County of Humboldt, State of California, described as follows:

Those parcels of land in the North Half of Section 6, Township 2 North, Range 1 East, Humboldt Meridian, described as follows:

PARCEL ONE

Beginning at an iron pipe monument located 1809.41 feet South and 2624.25 feet East of the Northwest Corner of said Section 6;

Thence North 76 degrees 22 minutes 20 seconds West, 1172.67 feet;

Thence South 55 degrees 14 minutes 26 seconds West (Record: South 55 degrees 51 minutes West), 154.39 feet to the TRUE POINT OF BEGINNING:

Thence South 15 degrees 39 minutes 26 seconds West (Record: South 16 degrees 16 minutes West), 59.49 feet;

Thence South 41 degrees 56 minutes 34 seconds East (Record: South 41 degrees 20 minutes East), 78.50 feet;

Thence South 89 degrees 23 minutes 26 seconds West (Record: West), 117.00 feet;

Thence South 51 degrees 23 minutes 26 seconds West (Record: South 52 degrees West), 140.00 feet to the County Road known as "Loop Road";

Thence South 85 degrees 45 minutes 00 seconds West (Record: Westerly along said County Road to Windbigler Road), 367.41 feet;

Thence North 0 degrees 13 minutes 24 seconds West, 14.32 feet to Windbigler Road;

Thence along Windbigler Road, North 73 degrees 37 minutes 46 seconds East (Record: Easterly along Windbigler Road), 241.34 feet;

Thence continuing along Windbigler Road, North 73 degrees 53 minutes 26 seconds East (Record: Easterly along Windbigler Road), 196.00 feet;

Thence continuing along Windbigler Road, North 55 degrees 14 minutes 26 seconds East (Record: Easterly along Windbigler Road), 166.24 feet to the Point of Beginning.

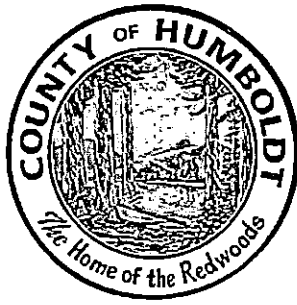
EXCEPTING from the lands above described, Parcels 1, 2 and 3 per Parcel Map No. 389, recorded at Book 3 of Parcel Maps, page 149

Basis of Bearing of Description is Book 3 of Parcel Maps, page 149.

Prepared by Michael J. Moore, LS 5160



*Michael J. Moore*  
7/13/15



**Kelly E. Sanders**  
**Humboldt County**  
**County Clerk-Recorder**  
825 Fifth Street, 5th Floor  
Eureka, CA 95501  
Recorder: (707) 445-7593  
Vitals: (707) 445-7382  
[www.humboldt.gov](http://www.humboldt.gov)

**Receipt: 16-15902**

<b>Product</b>	<b>Name</b>	<b>Extended</b>
NT	NT	\$0.00
	External Document#	2016-020190
	Document Info:	HUMBOLDT CNTY
	# Pages	8
	# Conformed Labels and Copies	true
	PCOR Penalty	false
	Non-Conforming Document	false
<b>Total</b>		<b>\$0.00</b>
Change (Cash)		\$0.00

Please review all documents. All sales are final.

**ATTACHMENT D**

**Post- Adoption Summary of Ordinance**

**Exhibit A: Map**

**POST-ADOPTION SUMMARY OF ORDINANCE**  
(For publication after adoption)

On October 4, 2016, the Humboldt County Board of Supervisors adopted Ordinance No. \_\_\_\_\_, which amends the zoning of property in the Fortuna area known as APNs 202-151-013, 202-151-014, 202-151-015, 202-151-019 and 202-161-022 by rezoning these lands out of Timberland Production Zone (TPZ) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) and out of AG-B-5(5) to TPZ. The new zones will become effective thirty (30) days after the date of adoption. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors:

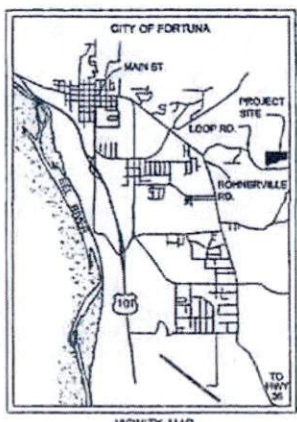
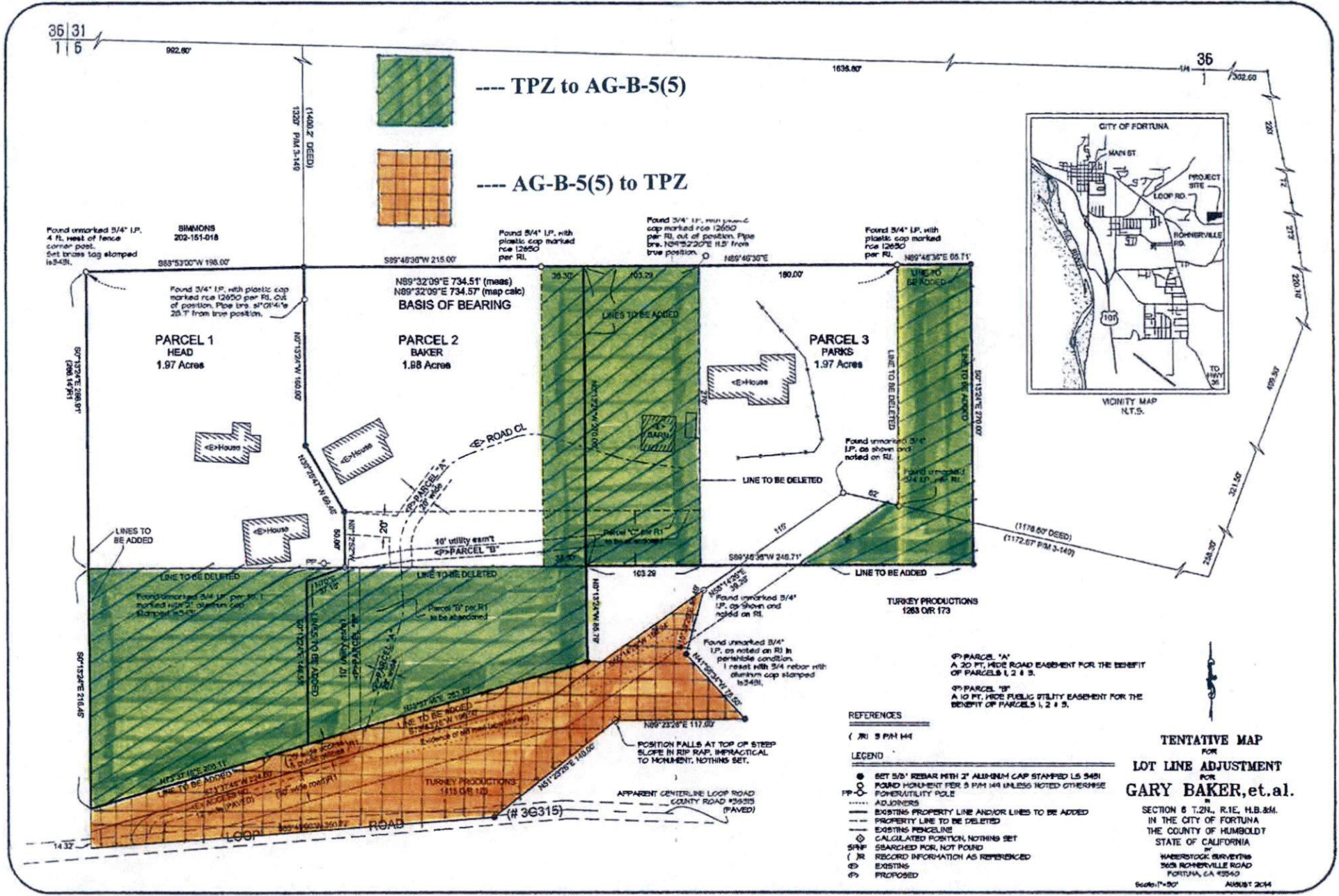
NOES: Supervisors:

ABSENT: Supervisors:

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

**ATTACHMENT D, EXHIBIT A**

**Map**



⊕ PARCEL 'A'  
A 20 FT. WIDE ROAD EASEMENT FOR THE BENEFIT OF PARCELS 1, 2 & 3.

⊕ PARCEL 'B'  
A 10 FT. WIDE PUBLIC UTILITY EASEMENT FOR THE BENEFIT OF PARCELS 1, 2 & 3.

POSITION FALLS AT TOP OF STEEP SLOPE IN RIP RAP. IMPRACTICAL TO MONUMENT. NOTHING SET.

APPARENT CENTERLINE LOOP ROAD COUNTY ROAD 136313 (PAVED)

(# 36315)