

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

**Resolution Number 23-066**

**Record Number PLN-2021-17037**

**Assessor's Parcel Numbers: 033-041-039 and 033-160-002**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves Benbow Properties Zone Reclassification.**

**WHEREAS, Benbow Properties, Inc.,** submitted an application and evidence in support of approving a Zone Reclassification (ZR) to reclassify approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D); and

**WHEREAS,** the application was reviewed by referral agencies and County departments; and

**WHEREAS,** the Planning Commission held a duly-noticed public hearing on July 20, 2023 to receive other evidence and testimony; and

**WHEREAS,** the Planning Commission has reviewed and considered said other written evidence and testimony presented to the Commission; and

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

- 1. FINDING:** The applicant requests a Zone Reclassification to rezone approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D) on two parcels in the Benbow Area, APNs 033-041-039 and 033-160-002.

**EVIDENCE:** a) Project File: PLN-2021-17037

- 2. FINDING:** **CEQA.** The project is exempt from environmental review under CEQA.

**EVIDENCE:** a) The project can be found exempt from CEQA pursuant to Guidelines Section 15183, the project is consistent with general plan policies for which an EIR was certified.

**FINDINGS FOR ZONE RECLASSIFICATION**

- 3. FINDING** The proposed Zone Reclassification is in the public interest.

**EVIDENCE** a) The Zone Reclassification will complement a recent reclassification nearby that was approved by the County for the same purpose, and will facilitate productive use of property planned for commercial uses.

### **FINDINGS FOR GENERAL PLAN AMENDMENT**

**FINDING** The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the General Plan

**EVIDENCE** a) The amendment is timely as there is an interest to utilize the property for Agricultural use now, and the General Plan is not scheduled for update in the near term.

b) The project offers the potential for economic development and to retain and create living-wage job opportunities by utilizing the land and filling a market niche.

**FINDING** The reclassification is consistent with the County General Plan.

**EVIDENCE** a) C-2-D zoning is consistent with Commercial Recreation land use designation, per Table 4-H, Zoning Consistency Matrix, of the County General Plan.

**FINDING** The reclassification 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.

**EVIDENCE** a) The property is not included in the residential land inventory of the Housing Element.

**DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Planning Commission does hereby recommend that the Humboldt County Board of Supervisors:

1. Adopt the necessary findings set forth in this resolution; and
2. Recommend that the Board of Supervisors approve the rezoning of approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D) on two parcels in the Benbow Area, APNs 033-041-039 and 033-160-002.; and

Adopted after review and consideration of all the evidence on July 20, 2023

The motion was made by COMMISSIONER Brian Mitchell and second by COMMISSIONER Sarah West and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Lonyx Landry, Brian Mitchell, Sarah West

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Thomas Mulder, Peggy O'Neill

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 5/0

I, John H. 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.



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John H. Ford, Director

Planning and Building Department

## **Conditions of Approval**

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:

1. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka 95501.