



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION

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Hearing Date: July 13, 2017

To: Humboldt County Planning Commission

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

Subject: **ZONING TEXT AMENDMENT OF COUNTY CODE TITLE III, DIVISION 4, CHAPTER 4,  
SECTION 314-99.1 EXCEPTIONS TO DEVELOPMENT STANDARDS**  
Application Number 13632  
Case Number OR 17-002

Table of Contents	Page
Agenda Item Transmittal	2
Executive Summary	3
Draft Resolution	4
Attachments	
Attachment 1: Summary of Proposed Amendment	7
Attachment 2: Required Findings	8
Attachment 3: SEIR for the 2009/2010 Housing Element Update (CD)	CD
Attachment 4: Draft Ordinance for Adoption by the Board of Supervisors	16

Please contact Tricia Shortridge, Planner, at (707) 268-3704 or email at [tshortridge@co.humboldt.ca.us](mailto:tshortridge@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> July 13, 2017	<b>Subject</b> Zoning Text Amendment of County Code Title III, Division 4, Chapter 4, Section 314-99.1 Exceptions to Development Standards.	<b>Contact</b> Tricia Shortridge
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**Project Description:** Humboldt County Zoning Text Amendment; Case Number OR-17-002. If adopted, the Ordinance would amend Humboldt County Code Title III, Division 4, Chapter 4 (Regulations Outside the Coastal Zone), Section 314-99.1 Exceptions to Development Standards.

**Project Location:** Unincorporated areas of Humboldt County located within the inland jurisdictional boundaries.

**Present Plan Land Use Designation:** N/A

**Present Zoning:** N/A

**Case Number:** N/A

**Assessor Parcel Number:** N/A

<b>Applicant</b> County of Humboldt Planning Division 3015 H Street Eureka, CA 95501	<b>Agent</b> N/A
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**Environmental Review:** An Addendum to the Supplemental Environmental Impact Report (SEIR) prepared for the 2010 Housing Element. Section 15164 of the California Environmental Quality Act (CEQA) Guidelines allow Addendums to a previously certified EIR to be used in lieu of a supplemental or subsequent EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

**Major Issues:** None

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

**Zoning Text Amendment**  
**to Section 99.1.4 Exceptions to Lot Coverage Standards**  
Case No. OR 17-002

1. Describe the application as part of the Public Hearing Agenda;
2. Allow staff to present the project;
3. Open the public hearing; and;
4. After receiving testimony, make a motion(s) to:

*"I move to make all of the required findings, based on evidence in the staff report, and adopt the draft resolution in the staff report which recommends that the Board of Supervisors adopt the proposed Ordinance making changes to the residential development standards of the Humboldt County Zoning Regulations to allow for fifty percent lot coverage for single story homes located on R-1 zoned lots, 10,000 square feet or less, within the Housing Opportunity Zone.*

**Executive Summary:**

The Planning Commission will consider a resolution recommending that the Board of Supervisors adopt an amendment to the zoning ordinance text amendment of Humboldt County Code, Title III, Chapter Four (Regulations Outside the Coastal Zone), Section 99.1 Exceptions to Development Standards.

The existing county zoning ordinance sets a development limitation in single-family residential zones that no more than 35% of the total lot may be covered by the vertical projection of any structure (excluding structures not extending above grade). The text amendment would provide an exception to development standards to allow an increase in lot coverage to 50% in an R-1 Zone on lots within a mapped Housing Opportunity Zone (HOZ) provided residence is limited to single-story construction. The proposed text amendment is consistent with Housing Element policies H-P1, H-P6 and H-P14 that promote infill, flexibility in design and a mixture of housing types and sizes.

A change in market demand for a product consisting of larger single-story floor plans--- responding primarily to an older home buying demographic--- is the driver for this amendment. The flexibility provided is consistent with the Housing Element directive to meet the housing needs of all segments of the community. A one-story covenant will be recorded to memorialize use of this exception which will run with the land.

NOTE: The Humboldt County Planning Commission will consider the zoning ordinance amendments and make a recommendation to the Humboldt County Board of Supervisors.

CEQA Review: The project includes an addendum to the certified EIR prepared for the 2010 Housing Element.

Staff recommends that the Planning Commission consider the proposed new language, and recommend that the Board of Supervisors approve the amended exception to lot coverage standard.

**ALTERNATIVES:** The Planning Commission could elect to approve alternative language from what is recommended, or continue the item to another meeting to allow for consideration of additional alternative language. This alternative should be implemented if the Commission proposes substantial changes that require more thorough review.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-\_\_\_\_\_**

**RECOMMENDING ADOPTION BY THE BOARD OF SUPERVISORS OF THE PLANNING COMMISSION  
APPROVED AMENDMENT TO SECTION 314-99.1.4, EXCEPTIONS TO LOT COVERAGE STANDARDS, OF  
THE HUMBOLDT COUNTY CODE.**

**WHEREAS**, California Government Code Section 65853 authorizes counties to amend their zoning ordinances and sets forth procedures governing these amendments; and

**WHEREAS**, the County has recommended minor amendments to Humboldt County Code Title III, Division 1, Chapter 4 (Regulations outside the Coastal Zone), section 314-99.1.4 addressing Exceptions to Lot Coverage Standards for single story homes in Residential One-Family (R-1) zoning and located within a Housing Opportunity Zone; and

**WHEREAS**, the Planning Division has reviewed and circulated the draft Ordinance (Attachment 4 to the Planning Commission staff report); and

**WHEREAS**, the Humboldt County Planning Commission held a public hearing on the proposed ordinance on July 13th, 2017 to receive evidence and testimony; and

**WHEREAS**, a Program Environmental Impact Report for the 2010 Housing Element Update (SCH #2009022077), in conformance with CEQA, was certified on August 31, 2009, which identified the potential environmental impacts, and proposed mitigation measures to reduce those impacts; and

**WHEREAS**, an Addendum to the Final Supplemental Environmental Impact Report (SEIR) for the 2010 Housing Element was prepared to address any potential impacts of the proposed ordinance amendment; and

**WHEREAS**, the Planning Commission hereby makes findings in support of the amendment to section 314-99.1, as well as findings for the adoption of section 314-99.1.4.2, as contained in Attachment 4, and the Required Findings for Zoning Amendment as fully set forth in Attachment 2 of the Planning Commission staff report.

**NOW, THEREFORE**, be it resolved, determined and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during the hearing:

1. All of the above recitations are true and correct and incorporated herein by reference.
2. The proposed ordinance amendment is in the public interest because it is necessary to maintain consistency with the 2010 and 2014 Housing Element Update.
3. The proposed ordinance amendment is consistent with the General Plan, all the other Elements of the Plan, and all the other sections of the zoning ordinance, including Humboldt County Code §312-50.3 (Required Findings for All Amendments).
4. The SEIR for the 2010 Housing Element Update certified on August 31, 2009 adequately disclosed the impacts of the proposed implementing ordinances and General Plan changes, and where feasible, mitigation measures were taken to reduce their impacts on the environment, consistent with the requirements of the California Environmental Quality Act (CEQA), prior to making its recommendations.

5. An addendum to the SEIR was prepared to incorporate into the public record the environmental review of the amendment to the ordinance. The addendum concludes there are no additional impacts from the ordinance amendment that were not already evaluated in the SEIR.
6. The proposed amendment to Humboldt County Code Title III, Division 4, Chapter 4 (Regulations Outside the Coastal Zone), Section 314-99.1 Exceptions to Development Standards, is hereby approved as described below:

99.1.4 **Exceptions to Lot Coverage Standards.** In any R-1 zone on lots 6,000 square feet or less in size, or for housing affordable to lower income households with covenants and restrictions ensuring long term affordability, any structure, building or any architectural feature of a building may be constructed in excess of the lot coverage requirements in this Division provided a Special Permit is first obtained. (Added by Ord. 2313A, 12/16/03; Amended by Ord. 2472, Sec. 1, 2/14/12)

99.1.4.1 Exceptions to Lot Coverage Standards for Decks. In any R-1 zone on lots 6,000 square feet or less in size, any deck or decks may be constructed in excess of the lot coverage requirements in this Division without a Special Permit provided all following conditions are met:

99.1.4.1.1 The building area does not exceed the maximum lot coverage allowed by the zone, and

99.1.4.1.2 The total lot coverage of all structures on the lot including the proposed deck does not exceed forty percent (40%), and

99.1.4.1.3 The proposed deck does not encroach into the required setbacks, and

99.1.4.1.4 The deck is uncovered, and

99.1.4.1.5 The deck allows the passage of water so that water can percolate into the soil below. (Added by Ord. 2313A, 12/16/03)

**99.1.4.2 Exceptions to Lot Coverage Standards for Single Story, Single Family Residences.**  
**In any R-1 zone on lots 10,000 square feet or less in size, a single story, single family home may be constructed up to 50% lot coverage inclusive of garages, decks and accessory structures.**

**BE IT FURTHER RESOLVED** that minor changes that 1) do not substantially affect the proposed ordinance amendment, or General Plan; 2) are reasonably based on credible information that is readily accessible to the public, 3) are necessary to respond to comments on the approved 2014 Housing Element by HCD, or to make the Plans and ordinances more consistent with state law as directed by County Counsel shall not be considered substantial changes requiring further review by the Planning Commission.

**BE IT FURTHER RESOLVED** that this Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold public hearings in the manner prescribed by law;
2. Adopt the Planning Commission's findings;
3. Certify compliance with the requirements of CEQA as required by state law; and adopt the Planning Commission recommended amendment to Title III, Division 1, Chapter 4 (Regulations Outside the Coastal Zone, section 314-99.1).

Adopted after review and consideration of all the evidence July 13, 2017.

The motion was made by Commissioner \_\_\_\_\_ and seconded by  
Commissioner \_\_\_\_\_.

AYES: Commissioners:  
NOES: Commissioners:  
ABSTAIN: Commissioners:  
ABSENT: Commissioners:  
DECISION:

\_\_\_\_\_  
Robert E. Morris, Chair

I, Suzanne Lippre, Clerk 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.

\_\_\_\_\_  
Suzanne Lippre, Clerk

**ATTACHMENT 1**  
**SUMMARY OF PROPOSED AMENDMENT**  
**(addition of Section 314-99.1.4.2)**

County Code Title III, Division 4, Chapter 4 (Regulations Outside the Coastal Zone), Section 314-99.1 Exceptions to Development Standards, further identified as Sub-Section 314-99.1.4 Exceptions to Lot Coverage Standards.

**99.1.4 Exceptions to Lot Coverage Standards.** In any R-1 zone on lots 6,000 square feet or less in size, or for housing affordable to lower income households with covenants and restrictions ensuring long term affordability, any structure, building or any architectural feature of a building may be constructed in excess of the lot coverage requirements in this Division provided a Special Permit is first obtained. (Added by Ord. 2313A, 12/16/03; Amended by Ord. 2472, Sec. 1, 2/14/12)

99.1.4.1 Other Exceptions to Lot Coverage Standards. In any R-1 zone on lots 6,000 square feet or less in size, any deck or decks may be constructed in excess of the lot coverage requirements in this Division without a Special Permit provided all following conditions are met:

- 99.1.4.1.1 The building area does not exceed the maximum lot coverage allowed by the zone, and
- 99.1.4.1.2 The total lot coverage of all structures on the lot including the proposed deck does not exceed forty percent (40%), and
- 99.1.4.1.3 The proposed deck does not encroach into the required setbacks, and
- 99.1.4.1.4 The deck is uncovered, and
- 99.1.4.1.5 The deck allows the passage of water so that water can percolate into the soil below. (Added by Ord. 2313A, 12/16/03)

**99.1.4.2 Exceptions to Lot Coverage Standards for Single Story, Single Family Residences.** *In any R-1 zone on lots 10,000 square feet or less in size, a single story, single family home may be constructed up to 50% lot coverage inclusive of garages, decks and accessory structures.*

## **ATTACHMENT 2 REQUIRED FINDINGS**

To approve this zoning ordinance amendment, Section 312-50.3 of the Zoning Ordinance (Required Findings For All Amendments) requires the Planning Commission and Board of Supervisors make all of the following required findings.

1. The amendment is in the public interest; and
2. The amendment is consistent with the County General Plan; and
3. If the amendment requires a Local Coastal Plan Amendment, the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act; and
4. The proposed 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 (the mid-point of the density range specified in the plan designation) unless certain site-specific findings are made.

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. The project either:

- a) is categorically or statutorily exempt; or
- b) will not have a significant effect on the environment and a negative declaration has been prepared; or
- c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.



## STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

The following table identifies the evidence which supports finding that the proposed implementing ordinance is consistent with Section 312-50.3 of the Zoning Ordinance (Required Findings for all Amendments).

Relevant Plan Section(s)	Summary of Applicable Requirements	Evidence Which Supports Finding
1) Public Interest	The amendment is in the public interest.	State law Section 65580 of the Government Code describes the availability of housing is of "vital statewide importance", and "the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order." It goes on to say the early attainment of this goal requires "the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels." The proposed ordinance amendment meets this state housing goal by helping ensure that the County promotes infill, flexibility in design and a mixture of housing types and sizes.
2) Consistency with the General Plan  § 1330	Zoning is required to be consistent with the General Plan.	The proposed text amendment is consistent with Housing Element policies H-P1, H-P6 and H-P14 that promote infill, flexibility in design and a mixture of housing types and sizes.
3) Consistency with the Coastal Act: Administrative Regulations – Title 14, § 13551  and Public Resources Code, § 30200	The proposed amendment must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding all the following items: <b>Access</b> (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)	The proposed ordinance amendment effects Chapter 4 (Regulations Outside the Coastal Zone) and does not contain any measures that will impact development within the Coastal Zone.

4) Housing Element Residential Development Potential	The proposed amendment shall not reduce the residential density for any parcel below the midpoint of the density range specified in the plan designation unless certain site-specific findings are made.	The proposed zoning text amendment will apply to existing vacant parcels already zoned for Single Family Residential (R-1) with density ranges to allow for second dwelling units. These parcels are included in the Housing Element residential land inventory and within Housing Opportunity Zones. Additionally, the proposed text amendment is consistent with Housing Element policies H-P1, H-P6 and H-P14 that promote infill, flexibility in design, and a mixture of housing types and sizes, and will not change the patterns, timing, or intensity of residential development in the unincorporated area.
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**5. Environmental Impact:** Below is an Addendum to the SEIR for the 2009/2010 Housing Element Update. This Addendum describes the evidence supporting the finding that the proposed project will not adversely impact the environment. Section 15164 of the California Environmental Quality Act (CEQA) Guidelines allow Addendums to a previously certified EIR to be used in lieu of a supplemental or subsequent EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

PURPOSE AND BACKGROUND

**Overview of the Housing Element.** The purpose of the Housing Element is to provide land use planning, regulations, and programs to preserve, improve, and develop housing for all income levels. The 2014 Housing Element consisted of an update to the 2009 Housing Element to address changes in state housing element law and establish programs to facilitate the creation of housing of various types to address the allocation of the regional housing need.

The proposed zoning ordinance amendment is consistent with 2014 Housing Element policies H-P1, H-P6 and H-P14 that promote infill residential development on parcels zoned R-1 Single Family Residential by allowing flexibility in design and a mixture of housing types and sizes. Therefore, it was determined that an Addendum to the Supplemental Environmental Impact Report (SEIR) for the 2009/1010 Housing Element is sufficient for addressing any potential impacts that could result from the project.

**Purpose of the Addendum.** This Addendum to the final certified 2009/2010 Housing Element SEIR reaches a similar conclusion as the previous environmental document, that there is no substantial evidence to warrant the preparation of a subsequent EIR for this project. The decision-making body is required to consider this addendum prior to making a decision on the project.

**Description of the 2009/2010 Housing Element SEIR.** The referenced SEIR was prepared for the August 29, 2009 Humboldt County Housing Element Update (State Clearing House Number 2009022077) to identify and evaluate potential environmental impacts of the adoption of the Element. That document (in the form of a CD), is included as Attachment 3 of this staff report. An SEIR is an informational document intended to disclose the potential environmental impacts of a project for review by members of the public and concerned public agencies. The SEIR for the 2009/2010 Housing Element was certified by the Board of Supervisors in 2009. The SEIR

evaluated the environmental impacts of the Housing Element in accordance with CEQA Guidelines Section 15163. The SEIR was prepared to provide a program-level analysis of the environmental effects of the new Housing Element programs, including:

- the proposed establishment of Housing Opportunity Zones;
- incentives for affordable and special needs housing;
- requirements for a mixture of housing sizes and types in residential subdivisions in Housing Opportunity Zones;
- protecting multifamily uses in the affordable multifamily land inventory;
- residential density bonuses;
- programs to support the establishment of single room occupancy housing units;
- the identification of appropriate zones for emergency shelters, supportive and transitional housing;
- retaining legal non-conforming housing;
- establishing consistent density standards for the residential Multifamily Land Use Designation; and
- updating standards for alternative owner-built/owner-occupied housing

The Board made specific findings, based on substantial evidence, regarding the reasons for approving the Housing Element, in light of the potential significant adverse effects on the environment. In certifying the SEIR, The Board adopted a Statement of Overriding Conditions that identified the following impacts as significant and unavoidable assuming implementation and full buildout of the 2009/2010 Housing Element and its associated land inventory during the five-year planning period:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hydrology/Water Quality
- Population and Housing
- Public Services (Water Supplies)
- Transportation/Traffic
- Mandatory Findings of Significance (Environment, Habitat, Species, Plants)
- Mandatory Findings of Significance (Cumulative Impacts)

In certifying this Addendum, the Board of Supervisors made findings similar to the SEIR for the 2009/2010 Housing Element, indicating that the benefits of the zoning ordinance amendment outweigh the potentially unavoidable environmental effects.

**Addendum to the 2009/2010 Housing Element SEIR for the Zoning Ordinance text amendment.**

This Addendum to the 2009/2010 Housing Element SEIR compares the policies, standards, and programs contained in the 2009/2010 Housing Element to determine if there is substantial evidence which would require the preparation of a subsequent EIR. The proposed text amendment is consistent with Housing Element policies H-P1, H-P6 and H-P14 that promote infill, flexibility in design, and a mixture of housing types and sizes, and will not change the patterns, timing, or intensity of residential development in the unincorporated area. Based on this

analysis, this Addendum reaches the conclusion that there is no substantial evidence to warrant the preparation of a subsequent EIR.

## 2) PROJECT DESCRIPTION

This Addendum takes into account a zoning ordinance amendment to add Section 99.1.4.2 to Humboldt County Code, Title III, Chapter Four (Regulations Outside the Coastal Zone), Section 99.1 Exceptions to Development Standards.

The purpose of the amendment is to provide allowances of increased lot coverage (fifty percent) for single story homes on parcels 10,000 square feet or less in the R-1 One Family Residential zoning district. This allowance for one story single family homes is intended to result in a mixture of housing sizes and types. It is also intended to promote infill development of parcels in the residential land inventory located within Housing Opportunity Zones, as well as a strategy to create opportunities for the construction of new housing, provide an economic stimulus and re-vitalize community investment.

## 3) STATEMENT OF FINDINGS

An Addendum to a previous EIR is appropriate when all of the required findings described below can be made:

### **1. No substantial changes are proposed in the Zoning Ordinance which will require revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§15162(a)(1)].**

Adoption of Section 99.1.4.2 of the Zoning Ordinance will not require revisions to the SEIR because no new significant environmental effects or substantial increase in the severity of previously identified significant effects will occur. No substantial changes to the previously certified SEIR are being proposed. The adoption of the proposed ordinance will not change the patterns, timing, or intensity of residential development in the unincorporated area, nor will it cause a substantial increase in the severity of the identified countywide cumulative impacts identified for the 2010 Housing Element.

Statements of overriding considerations were made in conjunction with the certified SEIR. Overriding considerations included: cumulative impacts related to Aesthetic Impacts, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology/Water Quality, Population And Housing, Public Services (Water Supplies), Transportation/Traffic, Mandatory Findings of Significance (Environment, Habitat, Species, Plants), Mandatory Findings of Significance (Cumulative Impacts). The proposed ordinance amendment will have an insignificant effect on the cumulative impacts analyzed in the 2009/2010 SEIR.

### **2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§15162(a)(2)].**

Adoption of the proposed zoning ordinance amendment will not require major revisions to the SEIR because no substantial changes have occurred with respect to the circumstances under which the 2010 Housing Element was undertaken. The adoption of the proposed ordinance does not include new development or physical changes to the environment that would cause new significant effects or increase the severity of previously identified cumulative impacts. Additionally, although statements of overriding considerations were made in conjunction with the 2009/2010 SEIR, substantial changes in

the circumstances under which the Housing Element update was undertaken have not occurred since it was adopted.

**3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors certified the previous EIR, shows any of the following:**

**a. The project will have one or more significant effects not discussed in the previous EIR [§15162(a)(3)(A)];**

No new information of substantial importance has been introduced that would increase the severity of the previously identified cumulative impacts or cause new significant effects not discussed in the SEIR. The adoption of the proposed zoning ordinance amendment will not change the patterns, timing, or intensity of residential development in the unincorporated area, nor will it cause a substantial increase in the severity of the identified countywide cumulative impacts identified for the 2010 Housing Element, and circumstances have not significantly changed since the SEIR was certified.

**b. Significant effects previously examined will be substantially more severe than shown in the previous EIR [§15162(a)(3)(B)];**

No new information of substantial importance has been introduced that would increase the severity of the impacts discussed in the SEIR. Although statements of overriding considerations were made in conjunction with the 2009/2010 SEIR, substantial changes in the circumstances under which the Housing Element update was undertaken have not occurred since it was adopted.

**c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative [§15162(a)(3)(C)];**

No new information of substantial importance has been introduced that would make mitigation measures or alternatives previously found not to be feasible that were discussed in the SEIR to now be feasible. The adoption of the proposed zoning ordinance amendment will not involve physical changes to the environment that would increase previously identified cumulative impacts. Statements of overriding consideration were adopted for the previously identified cumulative impacts. Additional mitigation measures and alternatives that were previously considered in the SEIR would not reduce the potential impacts of this zoning text amendment, for the same reasons stated in the SEIR.

**d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative [§15162(a)(3)(D)].**

No new information of substantial importance has been introduced that would require mitigation measures or alternatives which are considerably different from those that were discussed in the SEIR and/or that would substantially reduce one or more significant effects on the environment. Statements of overriding consideration were adopted for the previously identified impacts. No new or previously rejected mitigation measures or alternatives would reduce potential impacts of the proposed zoning text amendment.

The proposed zoning ordinance amendment would not change any previous conclusions associated with effects disclosed in the SEIR. Impacts previously found not to be less than significant would not be elevated to significant as a result of the proposed ordinance. No new significant impacts or more severe impacts resulting from the proposed zoning ordinance text amendment have been identified, and no changes to the SEIR analysis of effects found not to be significant would occur.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent EIR. The decision-making body shall consider this addendum to the final certified 2009/2010 Housing Element SEIR prior to making a decision on the project.

**Attachment 3**

**SEIR for the 2009/2010 Housing Element Update (CD)**

**ATTACHMENT 4**  
Draft Ordinance for Adoption by the Board of Supervisors

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF HUMBOLDT AMENDING CHAPTER 4 OF DIVISION 1 OF TITLE III TO THE HUMBOLDT  
COUNTY CODE RELATING TO EXCEPTIONS TO DEVELOPMENT STANDARDS**

Whereas: Chapter 4, Division 1, of Title III of the Humboldt County Code allows exceptions to certain development standards, and;

Whereas: Section 314-99.4 of Chapter 4 of Division 1 of Title III of the Humboldt County Code allows exceptions to lot coverage standards on lots 6,000 square feet or less, but provides for no relief on lots over 6,000 square feet in size, and;

Whereas: The Board of Supervisors desire to provide more flexibility in lot design.

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

SECTION 1. Section 314-99.1.4 of Chapter 1 of Division 3 of Title III is hereby amended as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage.

\_\_\_\_\_  
Chair of the Board of Supervisors of the  
County of Humboldt, State of California

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

(SEAL)

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