



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
L-1

Meeting Date: September 6, 2016

To: Board of Supervisors

From: Robert Wall, Interim Director, Planning and Building Department SW

Subject: **Baker/Croy Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment Application**  
 Case Numbers: PMS-14-012, LLA-14-028, ZBA-14-001  
 Assessor Parcel Numbers 500-091-046, 500-072-010  
 222 Simmons Lane and 2525 Idylbear Lane, Arcata area

**RECOMMENDATIONS**

That the Board of Supervisors:

1. Introduce Ordinance No. 2558 (Attachment A) by title and waive further reading.
2. Open the public hearing and receive the staff report and public comment.
3. Close the public hearing and deliberate.
4. Make the necessary findings to approve the Parcel Map Subdivision (PMS), Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) and adopt Ordinance No. 2558 (Attachment A) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Arcata area (ZBA-14-001; Baker/Croy) from Unclassified (U) and Agriculture General (AG) to Agriculture General with a combining zone that requires a five-acre minimum parcel size (AG-B-5(5)) to conform to the reconfigured lot lines approved with the LLA.

Prepared by Trevor Estlow  
Trevor Estlow, Senior Planner

CAO Approval Chester Dillingham

REVIEW: Auditor \_\_\_\_\_ County Counsel MAD Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Bohn  
 Seconded by Supervisor Fennell  
 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: Sept. 6, 2016  
 By: Kathy Hayes  
 Kathy Hayes, Clerk of the Board

5. Direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office and any other interested party,

and direct Planning and Building Department – Planning Division to file a Notice of Determination pursuant to California Environmental Quality Act (CEQA).

6. 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 B) 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:

This project consists of three parts: a Parcel Map Subdivision (PMS), a Lot Line Adjustment (LLA) and a Zone Boundary Adjustment (ZBA). The PMS will divide an approximately 25 acre parcel into three parcels of approximately 10.3 acres, 7.1 acres and 8.5 acres. The LLA will add approximately 0.35 acres to proposed Parcel 2 from a neighboring parcel in order to demonstrate adequate leachfield area. The ZBA will adjust the Agriculture General (AG) zone to include all of the lands involved in the subdivision (currently zoned Unclassified (U)) and apply a special building site combining zone requiring a five-acre minimum parcel size to the three parcels involved in the subdivision.

#### **Required Findings**

Section 312-50 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.

*Planning Commission Recommendation:* Based on the information contained in the Planning Commission staff report (Attachment D), the Planning Commission recommended that the

required findings be made and the proposed Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment be approved. Specifically, the Planning Commission found:

- The Zone Boundary Adjustment is in the public interest, and is consistent with a comprehensive view of the General Plan; and
- That the project is subject to CEQA and adopted the proposed Mitigated Negative Declaration as required by Section 15074(b) of the CEQA Guidelines, and found that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
- The findings necessary for approval of the project can be made as indicated in the Planning Commission staff report.

#### FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application. This payment is typical for all individually-initiated plan amendment and zone reclassification applications.

#### OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either recommended approval or conditional approval.

#### ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Planning Division staff believes that satisfactory evidence has been provided in the project record to support making the requisite findings. Therefore, further consideration of this alternative is not recommended.

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. 16-104
- Attachment B: Ordinance No. 2558, Exhibit A (map), Exhibit B (legal description)  
Exhibit A: Map  
Exhibit B: Legal Description
- Attachment C: Post-Adoption Summary of Ordinance
- Attachment D: Copy of the Planning Commission Staff Report of May 5, 2016
- Attachment E: Planning Commission Resolution No. 16-12

**ATTACHMENT A**

**Resolution No. 16-104**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of September 6, 2016

RESOLUTION NO. 16-104

**RESOLUTION TO MAKE THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE ZONE BOUNDARY ADJUSTMENT TO REZONE PROPERTY IN THE ARCATA AREA FROM UNCLASSIFIED AND AGRICULTURE GENERAL TO AGRICULTURE GENERAL WITH A SPECIAL BUILDING SITE COMBINING ZONE SPECIFYING A FIVE ACRE MINIMUM PARCEL SIZE (AG-B-5(5)); CASE NUMBERS PMS-14-012, LLA-14-028, ZBA-14-001); ASSESSOR PARCEL NUMBERS: 500-091-046, 500-072-010**

**WHEREAS**, the owners submitted an application and evidence in support of approving the Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment application; and

**WHEREAS**, the proposed Zone Reclassification; that is, to rezone lands from Unclassified and Agriculture General to Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)), 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 D in the staff report to the Planning Commission includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment application for Case Nos.: PMS-14-012, LLA-14-028, ZBA-14-001; 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 May 5, 2016; and

**WHEREAS**, at their May 5, 2016 meeting, the Planning Commission recommended the Board make the necessary findings and approve the Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of September 6, 2016

RESOLUTION NO. 16-104

**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. Adopts the proposed Mitigated Negative Declaration as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. Makes the findings for the Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment as detailed in Attachment 2 of the Planning Commission Staff Report for Case Nos.: PMS-14-012, LLA-14-028, ZBA-14-001 based on the submitted evidence; and
3. Approves the Parcel Map Subdivision, Lot Line Adjustment and Zone Boundary Adjustment as recommended by the Planning Commission at their May 5, 2016 meeting for Case Nos.: PMS-14-012, LLA-14-028, ZBA-14-001; and
4. Adopts the Ordinance amending Section 311-7 of the Humboldt County Code to rezone property in the Arcata area from Unclassified and Agriculture General to Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) in conformance with the mapping prepared for ZBA-14-001 (Baker/Croy).

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

1. The Zone District for the subject property be amended from Unclassified and Agriculture General to Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)); and
2. 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
3. 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
4. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after its adoption.

Dated: September 6, 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 September 6, 2016

RESOLUTION NO. 16-104

Adopted on motion by Supervisor Bohn, seconded by Supervisor Fennell, 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. 2558 Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Arcata 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 September 6, 2016

**ORDINANCE AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY  
REZONING PROPERTY IN THE ARCATA AREA [ZBA-14-001 (Baker/Croy)]**

**ORDINANCE NO. 2558**

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

**SECTION 1. ZONE AMENDMENT.** Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Arcata area, known as APN 500-091-046 and a portion of APN 500-072-010, out of Unclassified and Agriculture General to Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)).

The area described is also shown on the Humboldt County zoning map K-21 and K-22 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 6<sup>th</sup> day of September, 2016 on the following vote, to wit:

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



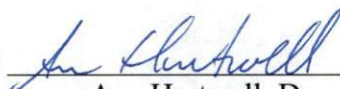
\_\_\_\_\_  
MARK LOVELACE, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

(SEAL)

ATTEST:

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

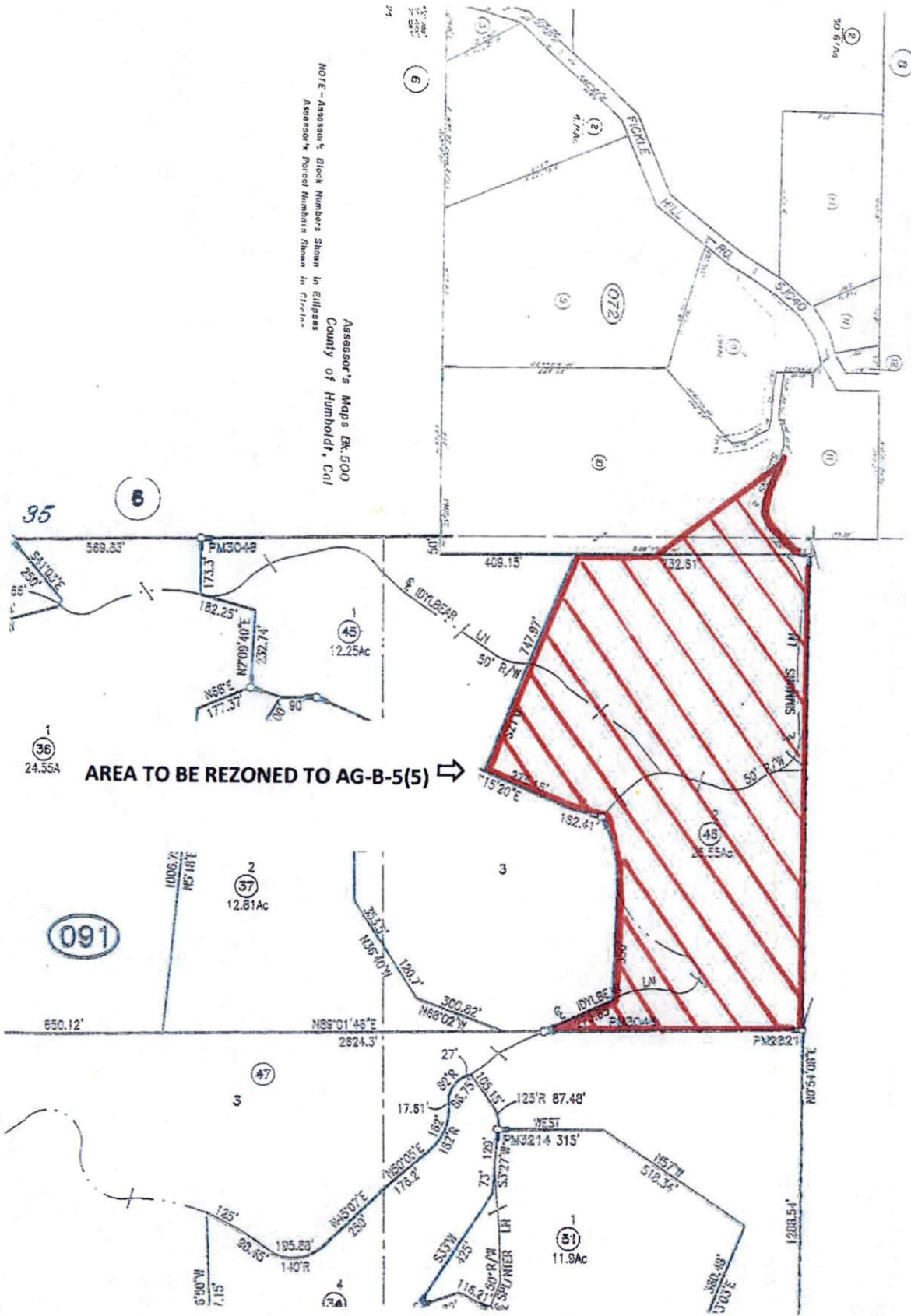
By:



\_\_\_\_\_  
Ana Hartwell, Deputy

# ATTACHMENT B, EXHIBIT A

## Map



Assessor's Maps (K.500)  
 County of Humboldt, Cal  
 NOTE - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Circles

AREA TO BE REZONED TO AG-B-5(5) →

## ATTACHMENT B, EXHIBIT B

### Legal Description

#### PARCEL ONE

A Portion of Real Property in the Northeast Quarter of the Northwest Quarter of Section 2, Township 5 North, Range 1 East, and in the Southeast Quarter of the Southwest Quarter of Section 35, Township 6 North, Range 1 East, Humboldt Meridian, State of California, described as follows:

COMMENCING at a point on the East line of the Northwest 1/4 of said Section 2, which point bears South 00 degrees 54 minutes 08 seconds West, 50.03 feet from the North 1/4 Corner of said Section 2;

thence parallel with the North line of the Northwest 1/4 of said Section 2, South 88 degrees 49 minutes 16 seconds West, a distance of 59.28 feet to the TRUE POINT OF BEGINNING,

thence South 88 degrees 49 minutes 16 seconds West, a distance of 256.19 feet;

thence North 56 degrees 00 minutes 12 seconds East, a distance of 16.71 feet;

thence North 43 degrees 15 minutes 46 seconds East, a distance of 195.77 feet to a point of cusp on a curve concave to the northeast, having a radius of 95.00 feet and a central angle of 62 degrees 20 minutes 10 seconds, a line radial to said curve at said point bears South 81 degrees 33 minutes 50 seconds East;

thence southerly and southeasterly along said curve, an arc distance of 103.36 feet;

thence South 53 degrees 54 minutes 00 seconds East a distance of 50.65 feet to the beginning of a tangent curve, concave to the southwest, having a radius of 197.00 feet and a central angle of 11 degrees 24 minutes 22 seconds;

thence southeasterly, along said curve, an arc distance of 39.22 feet, to the Point of Beginning.

#### PARCEL TWO

Parcel 2 as shown on Parcel Map No. 3048 on file in the office of the Humboldt County in Book 28 of Parcel Maps, pages 46 and 47.

**ATTACHMENT C**

**Post- Adoption Summary of Ordinance**

**Exhibit A: Map**

**POST-ADOPTION SUMMARY OF ORDINANCE**

(For publication after adoption)

On September 6, 2016, the Humboldt County Board of Supervisors adopted Ordinance No. \_\_\_\_\_, which amends the zoning of property in the Arcata area known as APN 500-091-046 and a portion of APN 500-072-010, out of Unclassified and Agriculture General to Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)). The new zone 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.

