

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings; Meeting on December 5, 2023

Resolution No. 23-169

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT ACCEPTING FOR PROCESSING THE GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION PETITION APPLICATION; FILE NUMBER APN 405-211-001; CASE NUMBER PLN-2022-17694

WHEREAS, the property owner has submitted an application requesting a plan amendment and zone reclassification for property as identified in Project File Number PLN-2022-17694; and

WHEREAS, Section 312-50.6 of Humboldt County Code specifies that petitions for amendment of the Zoning Regulations may also be initiated in conjunction with a petition for a General Plan Amendment; and

WHEREAS, Section 312-50.2 of the Humboldt County Code) allows the Board of Supervisors to initiate, grant, deny, or modify proposed amendments to Zoning Regulations; and

WHEREAS, Section 312-50.5.2 Humboldt County Code requires that the petition demonstrate that the change will be in the public interest and consistent with the General Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors that the following findings are hereby made:

- FINDINGS FOR ACCEPTANCE OF GENERAL PLAN AND ZONE RECLASSIFICATION PETITION FOR PROCESSING**
- 1. FINDING** **Project Description:** A petition requesting the Board accept an applicant-initiated General Plan Amendment and Zone Reclassification in the Freshwater area. The General Plan designation would change from Residential Agriculture (RA5-20) to Residential Low Density (RL). The zoning would change from Agriculture General (AG) to Residential One-Family (R-1-B-4). Additionally, the petition includes a request to remove policy FWCP-P8 from the Freshwater Community Plan because it is outdated since conditions have changed and there is now water system capacity.
- EVIDENCE** a) Project File: PLN-2022-17694
- 2. FINDING** There is factual evidence the petition for general plan amendment and zone reclassification has the potential public benefit.

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EVIDENCE a) The plan amendment and zone reclassification would result in resolving a non-conformity regarding the number of legal residences and enable additional housing opportunities within an area of Freshwater that has existing residential character. The amendment and reclassification would also result in an increase in the consistency of coverage of the RL designation and R-1 zoning relative to similar adjacent designation, zoning, and uses. The amendment and reclassification would also be consistent with the identification of APN 405-211-002 to the east as part of the 2019 adopted housing element inventory.

3. FINDING The revision is not appropriate for the next scheduled update.

EVIDENCE a) The revision is proposed as part of a development project that will be seeking a subdivision to resolve an existing nonconformity related to the number of legal residences and increase housing opportunities.

4. FINDING The petition is in the public interest and is consistent with the General Plan.

EVIDENCE a) The proposed amendments will maximize the development of the property for housing in a portion of the Freshwater area already of residential character.

4. FINDING The general plan amendment and zoning reclassification petition are consistent with CEQA.

a) The acceptance of the general plan amendment and zoning reclassification petition for processing is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

BE IT FURTHER RESOLVED that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors accepts the Cooper General Plan Amendment and Zone Reclassification petition for processing as recommended by the Planning and Building Department, Case No.PLN-2022-17694.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

