

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-23**

**Case Numbers GPA-17-003, ZR-17-003, PMS-17-002
Assessor Parcel Number 511-501-012-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Pimentel General Plan Amendment, Zone Reclassification and Parcel Map Subdivision.

WHEREAS, Jeffrey Pimentel submitted an application and evidence in support of approving a General Plan Amendment from AR10 to AR5, a Zone Reclassification from AG-B-5(10) to AG-B-5(5) and a Parcel Map Subdivision; and

WHEREAS, the proposed amendments 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 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 Department pursuant to Section 202 of Resolution No. 77-29, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Department has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project (Case Nos.: GPA-17-003, ZR-17-003, PMS-17-002); and

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

WHEREAS, the Planning Commission held a public hearing on this matter to receive other evidence and testimony;

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The Planning Commission finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The proposed General Plan Amendment and Zone Reclassification are in the public interest;
3. The proposed General Plan Amendment and Zone Reclassification are consistent with the General Plan;
4. 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;
5. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Nos.: GPA-17-003, ZR-17-003, PMS-17-002 based on the submitted evidence; and

6. The Planning Commission approves the proposed project as recommended and conditioned in the Planning Division Staff Report for Case Nos.: GPA-17-003, ZR-17-003, PMS-17-002.
7. The Planning Commission has considered the variance request pursuant to H.C.C. Section 333-8 to penetrate the airspace of the California Redwood Coast - Humboldt County Airport and the memorandum from the Department of Public Works and recommends that the Board of Supervisors grant the variance subject to such reasonable conditions and restrictions as the Board may deem necessary.

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

1. Hold a public hearing in the manner prescribed by law.
2. Adopt the Mitigated Negative Declaration and necessary findings prepared by Planning Staff.
3. Approve the variance request pursuant to H.C.C. Section 333-8 to penetrate the airspace of the California Redwood Coast - Humboldt County Airport subject to such reasonable conditions and restrictions as the Board may deem necessary.
4. Approve the General Plan Amendment, Zone Reclassification and Parcel Map Subdivision.
5. Adopt Resolution ___ amending the McKinleyville Community Plan to change the land use designation of one parcel totaling approximately 15 acres in the McKinleyville area [GPA-17-003] to Agriculture Rural with a density of one dwelling unit per five acres (AR5).
6. Adopt Ordinance No. ____ amending Section 311-7 of the Humboldt County Code by reclassifying approximately 15 acres in the McKinleyville area [ZR-17-003] into Agriculture General with a five acre minimum parcel size and combining zone for Streamside Management Areas and Wetlands (AG-B-5(5)-WR).
7. Direct the Planning Staff to prepare and file a Notice of Determination with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on June 1, 2017.

The motion was made by Commissioner McKenny and seconded by Commissioner Shepherd to approve the project. The motion carried by the following ROLL CALL vote:

AYES: 6- Commissioners Levy, McKenny, Morris, Edmonds, Shepherd, Bongio
NOES: None
ABSTAIN: None
ABSENT: 1- Commissioner Mitchell


Robert 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