

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of December 3, 2024

RESOLUTION NO. 24 –

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT APPROVING THE ZONE RECLASSIFICATION PETITION; APN 033-191-007; CASE NUMBER PLN-2021-17549

WHEREAS, The owners of Assessor's Parcel Number 033-191-007 have submitted a petition request to allow for processing of an amendment to the zoning classification of the property, from Unclassified (U) to Agriculture Exclusive (AE); and

WHEREAS, Section 312-50.2 of Humboldt County Code grants the Humboldt County Board of Supervisors authority to make amendments to the Zoning Regulations, in accordance with State Law; and

WHEREAS, Section 312-50.2 of Humboldt County Code allows a property owner to petition the Board of Supervisors to initiate a zone reclassification; and

WHEREAS, Section 312-50.4 of Humboldt County Code allows a property owner to petition the Board of Supervisors to authorize initiation of a zone reclassification; and

WHEREAS, Section 312-50.3 of Humboldt County Code specifies that a petition for amendment of the Zoning Code may be accepted for processing and approved upon the Board of Supervisors making all of the following findings:

50.3.1 The amendment is in the public interest

50.3.2 The amendment is consistent with the County General Plan

50.3.3 The amendment is in conformity with the policies of Chapter 3 (commencing with Section 3200) of the Coastal Act, if applicable

50.3.4 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; and

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

WHEREAS, the property owner has submitted an application requesting a zone reclassification for properties as identified in Project Case Number PLN-2021-17549; and

WHEREAS, Planning and Building Department, Planning Division, staff have received information and evidence from the applicant in support of the project and the required findings, and determined that the evidence received within the planning files is sufficient to support the findings required to amend the Zoning Classification of the property; and

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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, approval of the petition for zone reclassification and general plan amendment is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Humboldt County Board of Supervisors that the following findings are hereby made; and

FINDINGS FOR APPROVING THE ZONE RECLASSIFICATION PETITION

1. FINDING: Petition Request: To allow processing of a Zone Reclassification to change APN 033-191-007 from Unclassified (U) to Agriculture Exclusive (AE).

EVIDENCE: a) Application PLN-2024-19118 on file with the Planning and Building Department.

2. FINDING: The General Plan Amendment petition is consistent with one or more of the General Plan's required findings and criteria for amendments:

A. The amendment is in the public interest

B. The amendment is consistent with the County General Plan

C. The amendment is in conformity with the policies of Chapter 3 (commencing with Section 3200) of the Coastal Act, if applicable

D. 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 Applicant submitted a letter (Attachment 2) requesting Zone Reclassification of their property. The following information supports the findings above.

EVIDENCE: a) A – It is in the public's interest to zone properties consistent with planned land uses established under the General Plan.

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The petition seeks to amend the zoning of the property from Unclassified to Agriculture Exclusive, which is consistent with the land use designation and matches the planned and current zoning of neighboring lands. It is a more precise match than the current zoning of the property and serves to accelerate draft zoning changes previously developed to implement the 2017 General Plan, which seeks to rezone all remaining parcels with Unclassified zoning.

- b) B – The proposed change to AE zoning is consistent with the Timberland (T) land use designation currently applied to the property and matches draft zoning changes shown on mapping developed during the last General Plan Update.
- c) C – The property is not located within the Coastal Zone and therefore is not subject to Coastal Act policies
- d) D – The proposed change in zoning would not affect residential development potential of the property as no change in density would result and the current and proposed zoning have equal accommodations for residential development.

3. FINDING: The amendment is not appropriate for the next scheduled update of the General Plan.

- EVIDENCE:**
- a) The amendment is being sought to allow the applicant to seek an entitlement to allow re-activation of an existing small cannabis cultivation site that was historically operated from the property.
 - b) It is appropriate to allow the amendment to proceed ahead of the countywide rezoning planned to occur as part of the General Plan implementation effort. The applicant has agreed to cover the cost of the individual amendment process.
 - c) For the reasons outlined above, it is appropriate to approve the current petition request at this time and not delay further action on the matter.

3. FINDING: The Zone Reclassification petition is consistent with CEQA.

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- EVIDENCE:** a) The Zone Reclassification petition is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

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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 approves the Zone Reclassification petition submitted by Precision Cannabis Company General, as recommended by the Planning and Building Department, Project Case No. PLN-2024-19118.

IT IS FURTHER PROCLAIMED AND ORDERED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

Dated: _____

Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, Seconded by Supervisor _____, and the following vote:

AYES: Supervisors: --

NAYES: Supervisors: --

ABSENT: Supervisors: --

ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NIKKI TURNER
Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California