



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 13, 2017

To: Humboldt County Planning Commission

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

SUBJECT: **Logan Lot Line Adjustment and Zone Boundary Adjustment**
Application Number 10867
Case Numbers LLA-16-024, ZBA-16-003
Assessor's Parcel Numbers 519-252-006 et seq.
136 and 310 Orick Hill Lane, 121364 State Highway 101, Orick Area

Table of Contents	Page
Agenda Item Transmittal Form	2
Executive Summary	3
Draft Planning Commission Resolution	4
Maps	
Location Map	6
Zoning Maps	7
Assessor Parcel Maps	9
Aerial Map	11
Project Proposal Map	24
Attachments	
Attachment 1: Recommended Conditions of Approval	12
Attachment 2: Staff Analysis of Required Findings	15
Attachment 3: Draft Ordinance for Adoption by the Board of Supervisors	21
Attachment 4: Applicant's Evidence Supporting the Findings	22
Attachment 5: Referral Agency Comments	23

Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at ttestlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 13, 2017	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

Project: A Lot Line Adjustment between four parcels to result in four parcels of approximately 1.33 acres, 0.27 acres, 3.07 acres and 52.41 acres. APN 519-252-007 is vacant and the remaining three parcels are developed with single family residences and accessory structures. Also included is a Zone Boundary Adjustment to adjust the boundary between the Agriculture General zone (AG) and Agriculture Exclusive zone (AE) to follow the new parcel boundary between APN 519-252-008 and APN 520-161-005 including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with both underlying plan designations. The parcels are served with community water and on-site wastewater treatment systems. No parcel lines are being adjusted within the Coastal Zone, therefore, no Coastal Development Permit is required.

Project Location: The project site is located in the Orick area, west of State Highway 101, on the south side of Orick Hill Lane, approximately 500 feet west of the intersection of State Highway 101 and Orick Hill Lane, on the properties known as 136 and 310 Orick Hill Lane and 121364 State Highway 101.

Present Plan Designation: Agriculture Rural (AR); Agriculture Suburban (AS); Commercial Recreation (CR); Orick Community Plan (OCP). Agriculture General; North Coast Area Plan (NCAP). Density: AR: one dwelling unit per 5-20 acres; AS: one dwelling unit per 2.5-5 acres; AG: one dwelling unit per 5-20 acres. Slope Stability: Low Instability and Moderate Instability.

Present Zoning: Agriculture General with Design Review (AG-D), Agriculture Exclusive (AE), Community Commercial (C-2), Rural Residential Agriculture with combining zones specifying a five-acre minimum parcel size and Coastal Elk Habitat, Manufactured Home and Design Control (RA-5/E,M,D).

Application Number: 10867

Case Numbers: LLA-16-024, ZBA-16-003

Assessor's Parcel Numbers: 519-252-006-000, 519-252-007-000, 519-252-008-000, 520-161-004-000, 520-161-005-000

Applicant
Gene Logan
PO Box 11
Orick, CA 95555

Owner(s)
same and Juanita Porter
PO Box 361
Orick, CA 95555

Douglas Hess
1135 G Street
Eureka, CA 95501

Agent
Kelly-O'Hern Associates
Mike O'Hern
3240 Moore Avenue
Eureka, CA 95501

Environmental Review: Project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Major Issues: None

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

LOGAN LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Case Numbers LLA-16-024, ZBA-16-003
Assessor's Parcel Numbers 519-252-006 et seq.

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Make all of the required findings for approval based on evidence in the staff report and public testimony, and recommend the project to the Board of Supervisors for approval as described in the Agenda Item Transmittal, subject to the recommended conditions of approval.

Executive Summary: The applicant is proposing a Lot Line Adjustment (LLA) between four parcels to result in four parcels of 1.33 acres, 0.27 acres, 3.07 acres and 52.41 acres in size. APNs 520-161-004 and 520-161-005 make up one legal parcel. APN 519-252-007 is vacant and the remaining three parcels are developed with single family residences and accessory structures. The purpose of the LLA between APNs 519-252-006, 519-252-007 and 519-252-008 is to better accommodate existing improvements. The purpose of the LLA between APNs 519-252-008, 520-161-004 and 520-161-005 is to add land to APN 519-252-008 for the construction of a shop building.

The proposed LLA also includes a Zone Boundary Adjustment to move the boundary between the Agriculture Exclusive (AE) zone and the Agriculture General (AG-D) zone as they apply to proposed adjusted APNs 519-252-008, 520-161-004 and 520-161-005. Also included is the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (B-5(5)) to the smaller parcel to ensure consistency with both underlying plan designations. As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines. The current General Plan designations of Agriculture Suburban (AS) and Agriculture Rural (AR) are consistent with both zone designations and would not need to be changed.

The project site is located at the north end of Orick, on the west side of State Highway 101, at the intersection of State Highway 101 and Orick Hill Road. The parcels are varied in topography with an average slope less than 20%.

Based on the on-site inspection, a review of Planning Division reference sources and comments from all responding referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Lot Line Adjustment and Zone Boundary Adjustment.

ALTERNATIVES:

The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

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

**Case Numbers LLA-16-024, ZBA-16-003
Assessor Parcel Numbers 519-252-006-000, 519-252-007-000, 519-252-008-000, 520-161-004-000, 520-161-005-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Logan Lot Line Adjustment and Zone Boundary Adjustment.

WHEREAS, Mike O'Hern, on behalf of the owners, submitted an application and evidence in support of approving the Lot Line Adjustment between four parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Agriculture Exclusive (AE) and Agriculture General with a Design Review combining zone (AG-D) zone coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with both underlying plan designations; and

WHEREAS, the proposed Zone Boundary Adjustment may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with the General Plan; and

WHEREAS, the County Planning Commission 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 project is categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Logan Lot Line Adjustment and Zone Boundary Adjustment;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission finds the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) 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. The proposed ZR is in the public interest;
3. The proposed ZR is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-16-024, ZBA-16-003 based on the submitted evidence; and
5. The Planning Commission approves the proposed LLA, ZR application as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-16-024, ZBA-16-003.

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 necessary findings prepared by Planning Staff.
3. Approve the Zone Boundary Adjustment and Lot Line Adjustment.
4. Adopt Ordinance No. _____ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Orick area [ZBA-16-003, Logan] so that the zone boundary between AE and AG-D is coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with both underlying plan designations.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

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

The motion was made by COMMISSIONER and seconded by COMMISSIONER and the following ROLL CALL vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

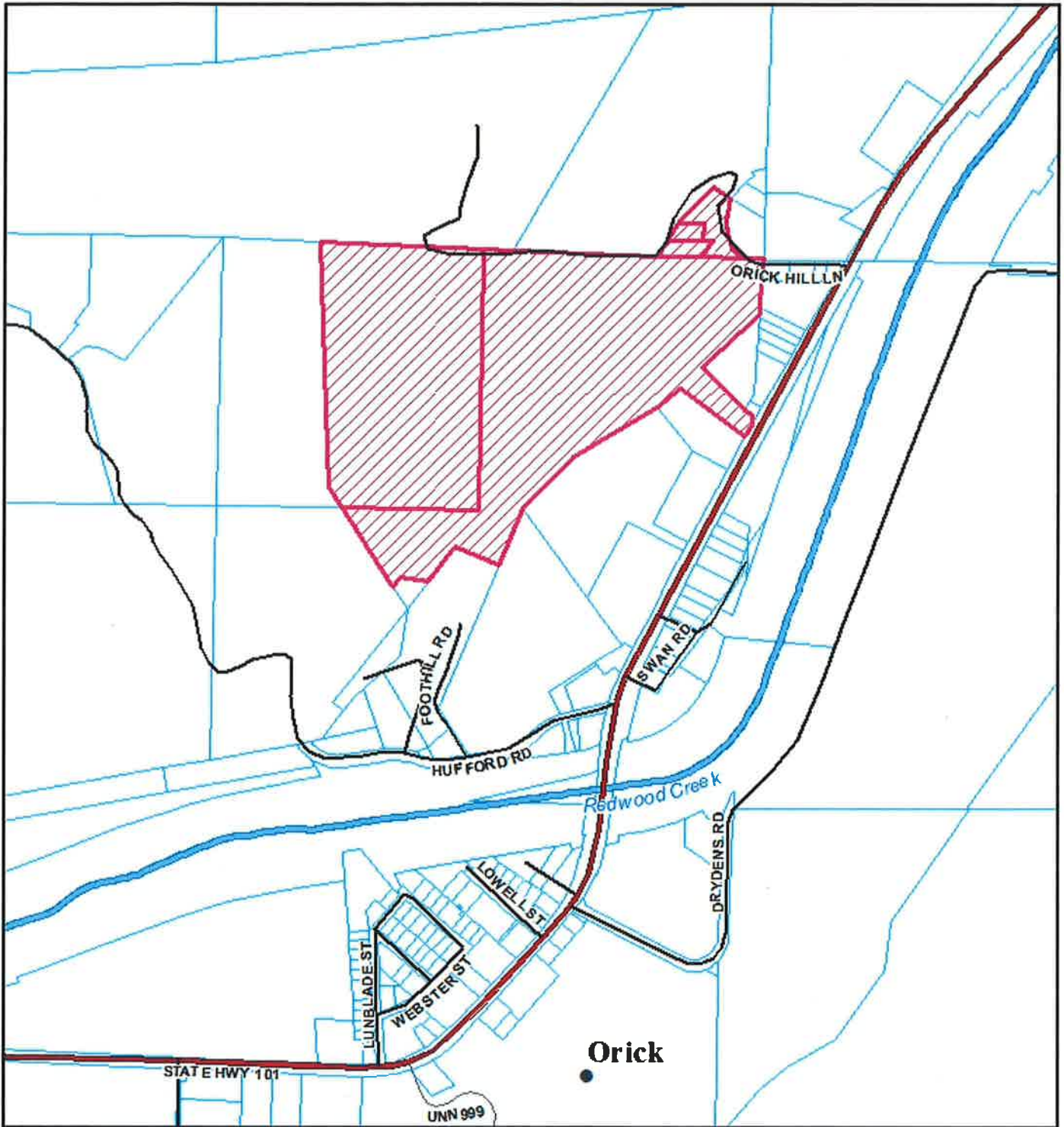
ABSENT: Commissioners:

DECISION:

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



LOCATION MAP

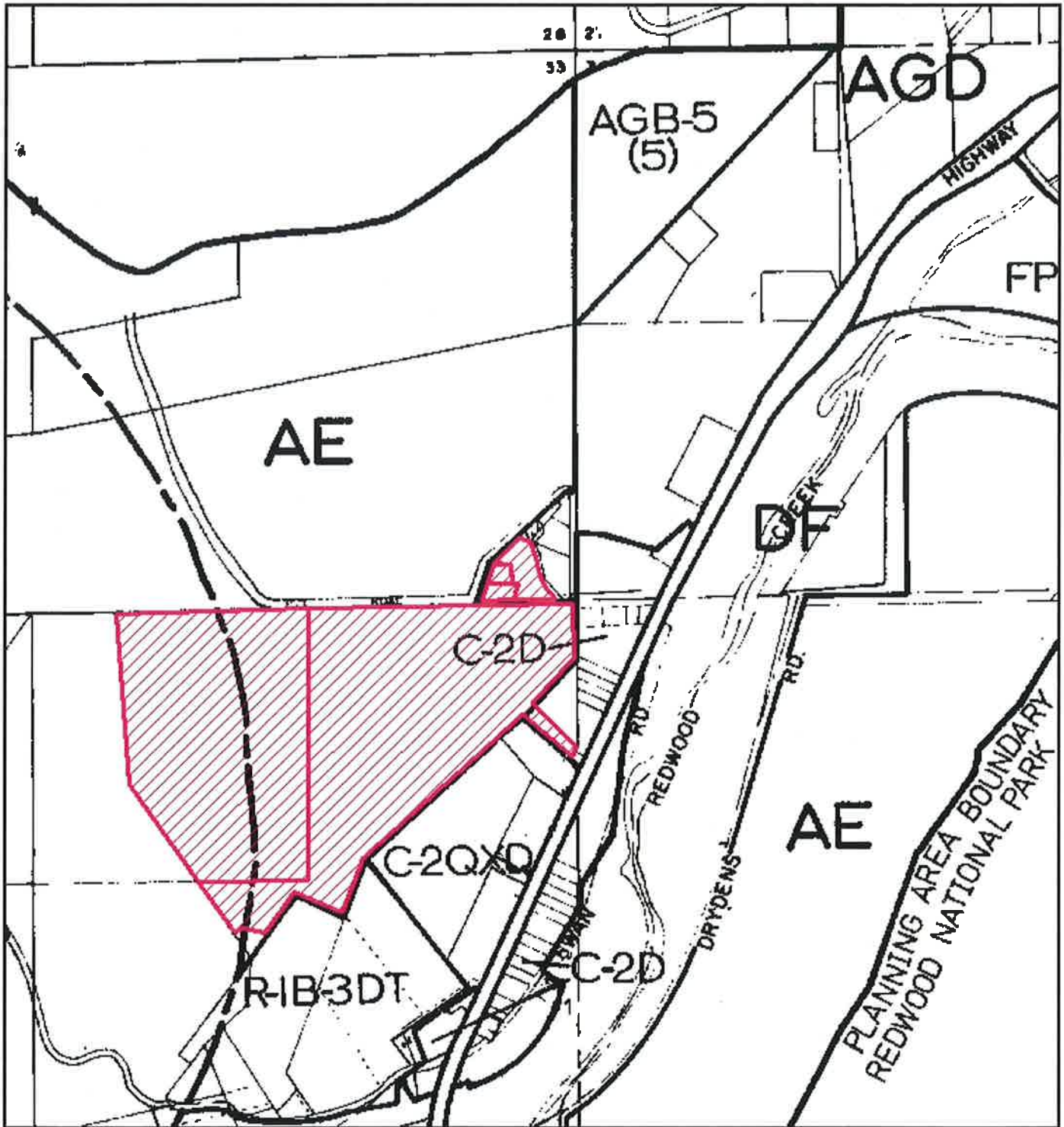
**PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA**

**LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)**



Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ZONING MAP (INLAND)
PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA

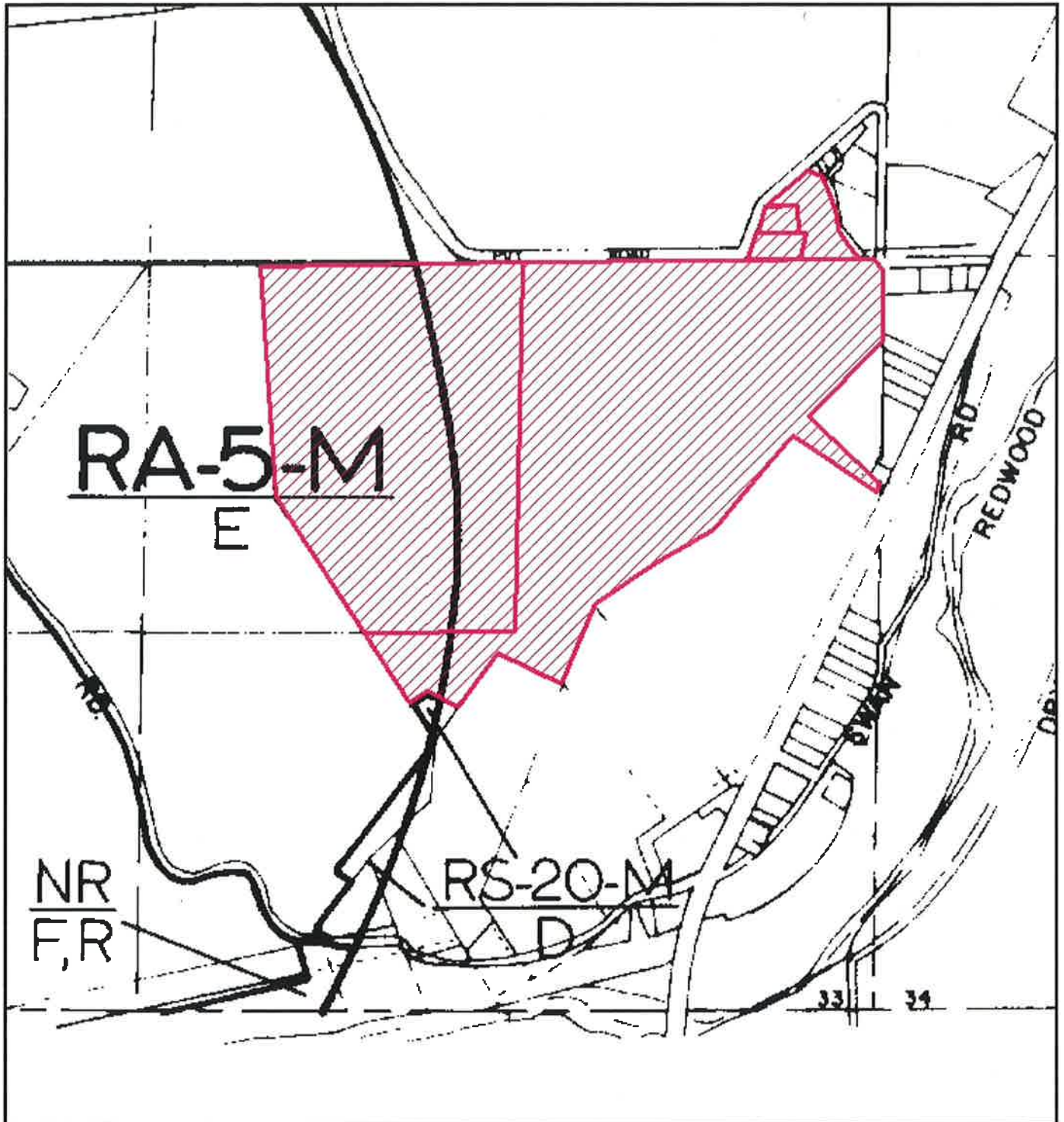
LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



MAP NOT TO SCALE



ZONING MAP (COASTAL)
PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA
LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)

Project Area = 

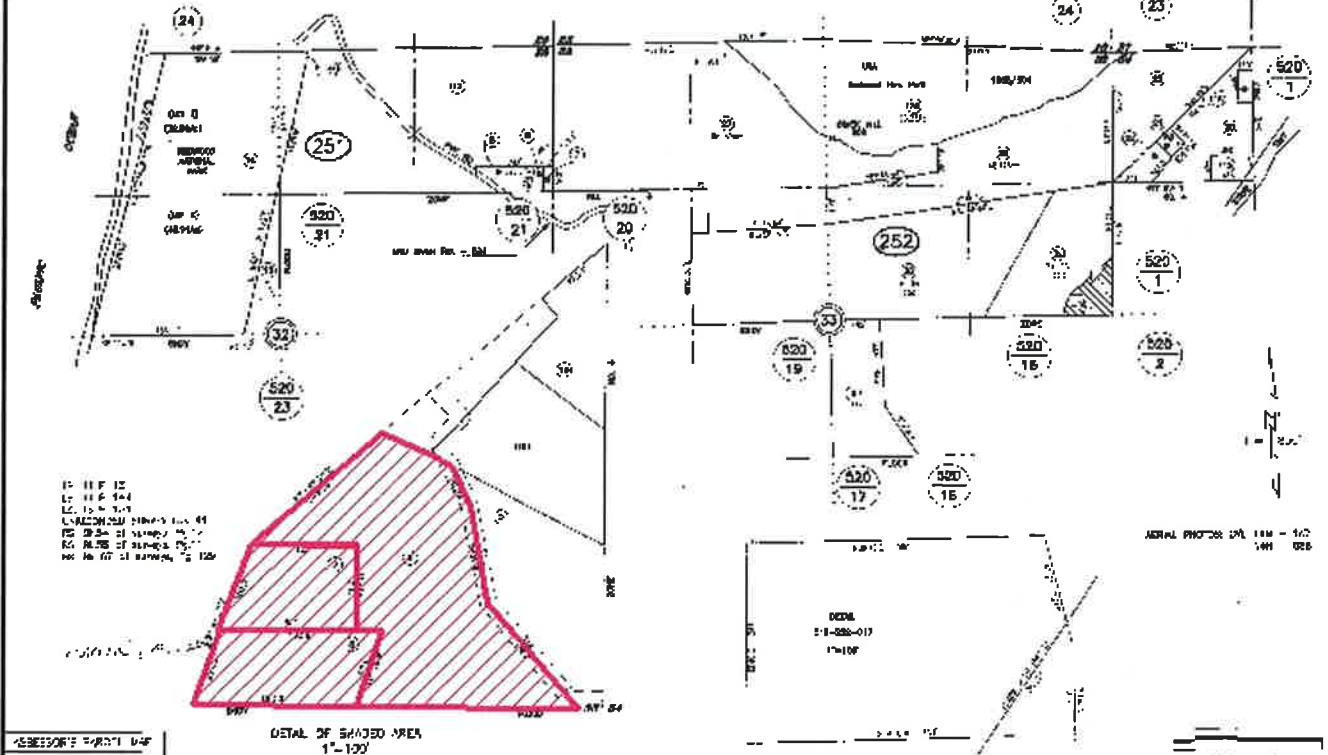
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MAP NOT TO SCALE

PTN SECS 32, 33 & 34 T11N R1E H.B.& M.

519-25



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ASSessor's Parcel Map
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DETAIL OF SHADED AREA 1"=100'

ASSessor's Parcel Map

Assessor's Map 519-25, Pg 25
County of Humboldt, CA

ASSESSOR PARCEL MAP
PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA
LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)

Project Area = 

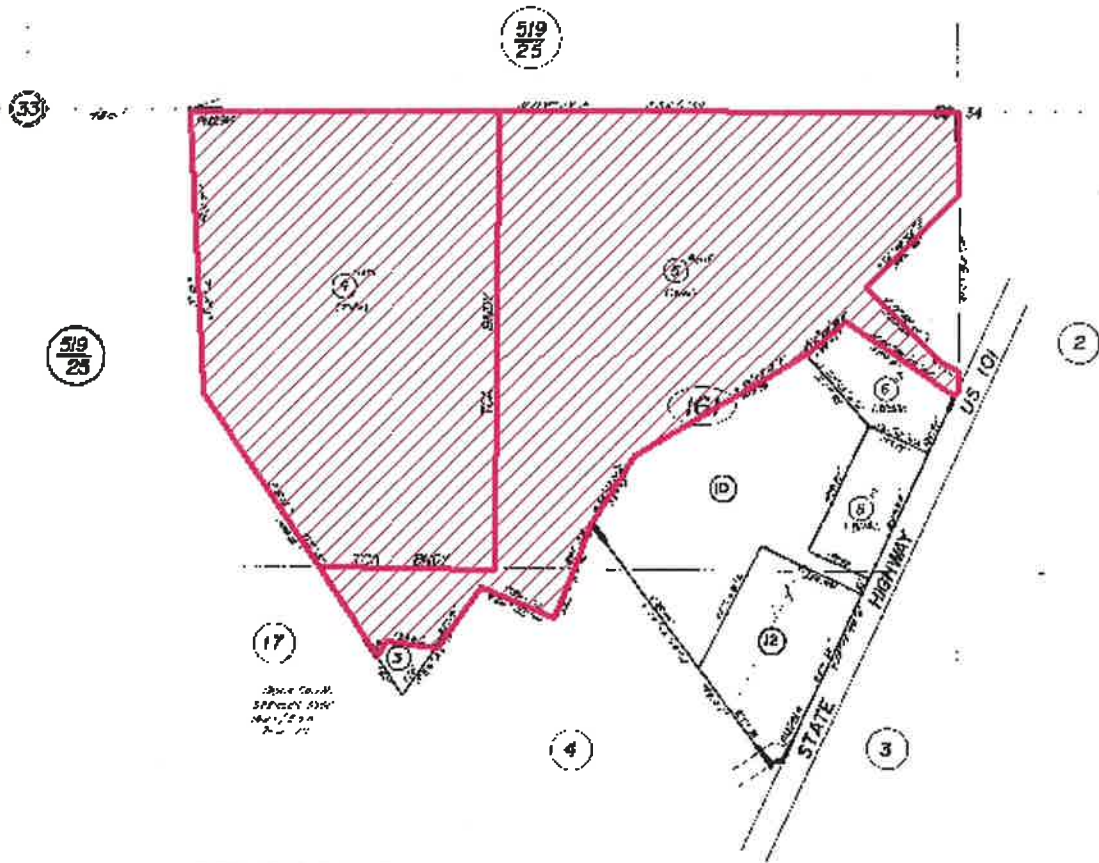


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MAP NOT TO SCALE

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520-16



AM294 of PM28, Pg. 10
L.S. 6 Pg. 70
L.S. 12 Pg. 140

Assessor's Maps Bk. 520-Pg. 16
County of Humboldt, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

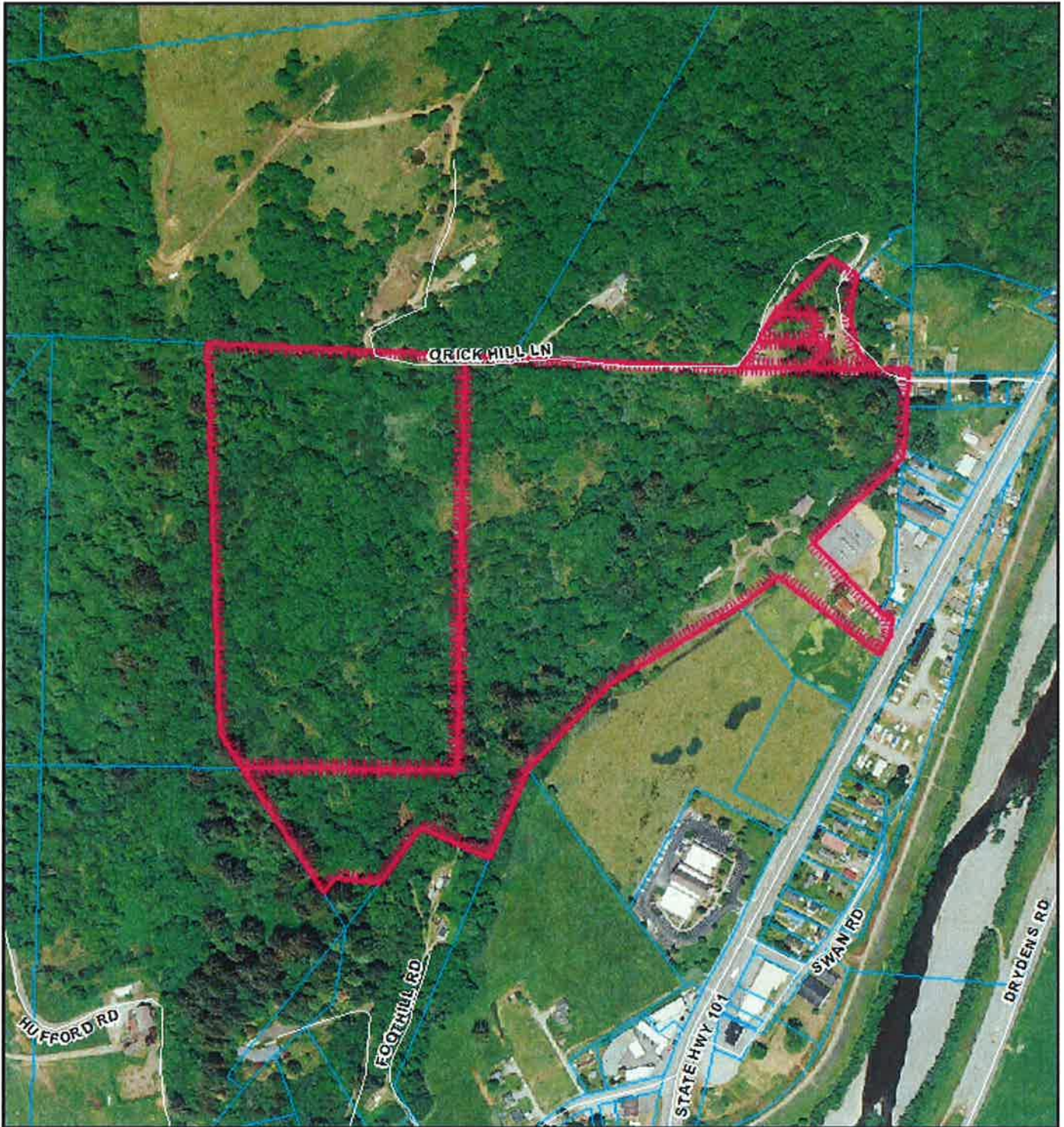
ASSESSOR PARCEL MAP
PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA

LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)

Project Area = 

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MAP NOT TO SCALE



AERIAL MAP

**PROPOSED LOGAN
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ORICK AREA**


**LLA-16-024/ZBA-16-003
APN: 519-252-006 et seq
T11N R01E S33 HB&M (Orick)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



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Feet



ATTACHMENT 1
CONDITIONS OF APPROVAL (Lot Line Adjustment)

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE PROJECT:

1. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
 - d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00 per notice plus \$211.00 for each additional legal description plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$74.00 per parcel) as required by the County Assessor shall be paid to the County Community Development Services, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition.** *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has*

delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

6. The property owner(s) shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required document.
7. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
8. Applicant shall obtain Board of Supervisors approval for the associated Zone Boundary Adjustment.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
4. The Humboldt County zoning map shall be revised to conform to the realigned zone boundary per the zone boundary determination of the Humboldt County Planning Commission (H.C.C. §311-8.2).

CONDITIONS OF APPROVAL (Zone Reclassification)

APPROVAL OF THE ZONE RECLASSIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE ZONE RECLASSIFICATION CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

Conditions of Approval:

1. The applicant shall submit a legal description of the area to be rezoned from AE into AG-B-5(5)-D for review and approval by the County Land Surveyor. The applicable review fee (currently \$211.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Boundary Adjustment being scheduled for a decision by the Board of Supervisors.

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To approve this project, the Hearing Officer shall determine that the applicants have submitted evidence in support of making all of the following required findings.

A. Lot Line Adjustment

The following tables provide evidence in support of the required findings for the Lot Line Adjustment:

1. The Lot Line Adjustment application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project conforms to zoning and building ordinances, and conforms to all applicable standards and requirements of the coastal zoning regulations;
4. The project is consistent with the General Plan; and
5. The project, and the conditions under which it may be operated or maintained, will not adversely impact the environment; and the required CEQA findings can be made for any development which is subject to the regulations of CEQA.

A.1. The application is Complete: The following table identifies the evidence which supports the finding that the applicant has submitted the information which is required by Section 325.5-6(a) of the Humboldt County Code.

Application Requirements	Submitted
Completed and Signed Application Form	✓
Copies of Present Owners Deeds	✓
Preliminary Title Report	✓
Copy of the Creation Documents for the parcels	✓
6 Copies of a Lot Line Adjustment Plot Plan	✓
Required County Fees	✓
A Written Statement Explaining the Reasons For the Adjustment (Project Description)	✓

A.2. Consistency with the Subdivision Map Act: The following table identifies the evidence which supports the finding that the parcels to be adjusted are found to be in compliance with the Subdivision Map Act which is required by Section 325.5-6(b) of the Humboldt County Code.

PARCELS	CREATION DOCUMENT	LEGAL STATUS
519-252-006-000	Deed, Talley to McCombs, filed in Volume 236 Official Records, page 196 on January 19, 1953.	Legal parcel
519-252-007-000	Parcel Two, Deed, Mozzini to Taggart, filed in Volume 125 Official Records, page 4 on March 22, 1950.	Legal parcel
519-252-008-000	Deed, Konrad to Henderson, filed in Volume 137 Official Records, page 317 on July 24, 1950.	Legal parcel

520-161-004-000, 520-161-005-000	Remainder parcel of Parcel Map No. 2914 filed in Book 26 of Parcel Maps, page 110 on September 18, 1992.	Legal parcel
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Based upon requirements of the County Lot Line Adjustment Ordinance, and due to requirements in the Subdivision Map Act, a Notice of Lot Line Adjustment must be recorded for each resultant parcel.

A.3. Conformance with Zoning and Building Ordinances: The following tables identify the evidence which supports the finding that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Agriculture Exclusive (AE) Agriculture General (AG) Note: the C-2 and RA-5 zoned portions of APNs 520-161-004 and 520-161-005 are not affected by the LLA	General agriculture and single family residential is principally permitted in both zones.	The project will adjust the parcel lines between four parcels to accommodate existing development and provide additional area for APN 519-252-008 to construct a shop. APN 519-252-007 is vacant and the remaining three parcels are developed with single family residences and accessory structures. The parcels are served with community water and on-site wastewater treatment systems.
Development Standards		
Minimum Parcel Size	AE: 20 acres AG: 2.5 acres AG-B-5(5)	APNs 519-252-006 and 519-252-007 are nonconforming with respect to the minimum parcel size and will remain nonconforming after completion of the LLA. APN 519-252-008 is currently nonconforming with respect to parcel size and will become more conforming after completion of the LLA. APNs 520-161-004 and 520-161-005 will remain conforming to minimum parcel size before and after completion of the LLA. The LLA does not cause a nonconformance or increase the severity of the pre-existing nonconformity.
Minimum Lot Width	AE: 100 feet AG: 60 feet	All parcels comply with their respective requirements.

<p>Minimum Yard Setbacks within SRA:</p>	<p>30 feet from all property lines</p>	<p>There are several structures on the property, two of which do not meet current setback requirements. These are considered legal nonconforming as they pre-date building permit requirements. All other structures comply. Future development must comply with zone standards and building regulations.</p>
<p>Maximum Lot Coverage</p>	<p>AE: 35% AG: 35%</p>	<p>APN 519-252-006: ±5% APN: 519-252-007: vacant APN: 519-252-008: ±2% APN: 520-161-004, 520-161-005: ±1% Note: lot coverage calculated after adjustment</p>

A.4. The proposed development must be consistent with the General Plan. The following table identifies the evidence, which supports finding that the proposed development is in conformance with all applicable policies and standards of the Orick Community Plan (OCP), the Framework General Plan (FRWK) and pursuant to the provisions of SB 497 (Sher) effective January 1, 2002.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use: Agriculture Rural (AR); Agriculture Suburban (AS); Community Recreation (CR); Agriculture General (AG)(Coastal Zone) Note: the CR and AG planned portions of APNs 520-161-004 and 520-161-005 are not affected by the LLA</p>	<p>AR and AE: Both general agriculture and single family residential are allowed under these plan designations. Density: AR: one dwelling unit per 5-20 acres; AS: one dwelling unit per 2.5-5 acres</p>	<p>The project will adjust the parcel lines between four parcels to accommodate existing development and provide additional area for APN 519-252-008 to construct a shop. APN 519-252-007 is vacant and the remaining three parcels are developed with single family residences and accessory structures. The parcels are served with community water and on-site wastewater treatment systems. The zone boundary between APN 519-252-008 and 520-161-004 and 520-161-005 will be adjusted to follow the new property line dividing the two parcels. The current plan designation supports general agriculture and low density residential uses.</p>
<p>Hazards</p>	<p>New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.</p>	<p>The site is in an area of low to moderate slope instability and a low and high wildlife fire rating. The site is located outside any mapped floodplain. Redwood Creek is located just east and south of the subject property on the east side of Highway 101 and the Pacific Ocean is located approximately one and one-half miles west of the subject property.</p>

Cultural Resources	New development shall protect cultural, archaeological and paleontological resources.	The Department does not have record of any culturally sensitive sites located in or around the project location. The referral comments from NWIC indicated that their office had no record of any previous cultural resource studies and recommended a study. The Yurok Tribe was also consulted and recommended approval with no further study. Nonetheless, the standard condition regarding inadvertent discovery will be included.
Sensitive and critical habitats	New development shall protect designated sensitive and critical resource habitats.	Redwood Creek is located just east and south of the subject property on the east side of Highway 101 and the Pacific Ocean is located approximately one and one-half miles west of the subject property. No sensitive habitat was identified on site. The project was referred to the Eureka office of the California Department of Fish and Wildlife, however, they did not respond with any concerns.

A.5. and A.6. PUBLIC HEALTH SAFETY & WELFARE AND ENVIRONMENTAL IMPACT:

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1	The proposed development will not adversely impact the environment, and will not be detrimental to the public health, safety or welfare and will not be materially injurious to properties or improvements in the vicinity.	All reviewing referral agencies have approved or conditionally approved the proposed project. The project will not result in changes in land use or density, and will not create a new parcel.
§15305(a) CEQA	Categorically exempt from State environmental review.	Based on the above discussion, the Lot Line Adjustment is categorically exempt from State environmental review per Section 15305(a).

B. Zone Boundary Adjustment

Section 312-50.3 of the Humboldt County Code (H.C.C.) specifies the findings that must be made in order to grant approval of a Zone Boundary Adjustment. The required findings needed to approve the ZBA are as follows:

1. The proposed change is in the public interest; and

2. The proposed change is consistent with the General Plan.

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:

3. a) The project either is categorically or statutorily exempt; or
- b) There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
- (c) An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

B.1. Public Interest

The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Agriculture Exclusive (AE) and Agriculture General with a combining zone for Design Review (AG-D). The zone boundary is proposed to be coincidental with the new lot line as adjusted and avoid a mixed-zone condition. In addition, a combining zone specifying a five acre minimum parcel size (B-5(5)) will be added to the smaller parcel to ensure consistency with both general plan densities. APN 519-252-008 is currently substandard to the zone, however, after the LLA is completed, it will become more conforming to the zone. APN 520-161-004 and 520-161-005 will remain conforming to the zone. Planning staff believes that the ZBA is in the public interest in that it supports the existing use of the land and is minor in nature.

B.2. General Plan Consistency

The properties involved in the ZBA are planned both Agriculture Suburban and Agriculture Rural by the Orick Community Plan. These designations and the implementing zoning (AE/AG-B-5(5)) support general agriculture and low density residential uses. The ZBA is consistent with General Plan policies and standards as noted in the above discussion (A.4). The adjustment supports the LLA and land exchange which results in logical use of the land.

B.3. Environmental Impact

As the principal zone and allowed uses for both parcels remain unchanged and no change to land use or density will result, the Planning Division believes that the ZBA has no potential for causing a significant effect on the environment, and that it can be seen with certainty that there is no possibility that the rezone would have a significant effect on the environment, and is exempt per Section 15061(b)(3) of CEQA.

ATTACHMENT 3

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on _____, 2017

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE ORICK AREA
[ZBA-16-003 (LOGAN)]

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 adjusting the zone boundary between Agriculture Exclusive (AE) and Agriculture General with a Design Review combining zone including the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (AG-B-5(5)-D) coincidental with the proposed property lines. The area described is also shown on the Humboldt County zoning map ocpz 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 _____ day of _____, 2017, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the 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

Deputy

ATTACHMENT 4

Applicant's Evidence In Support of the Required Findings

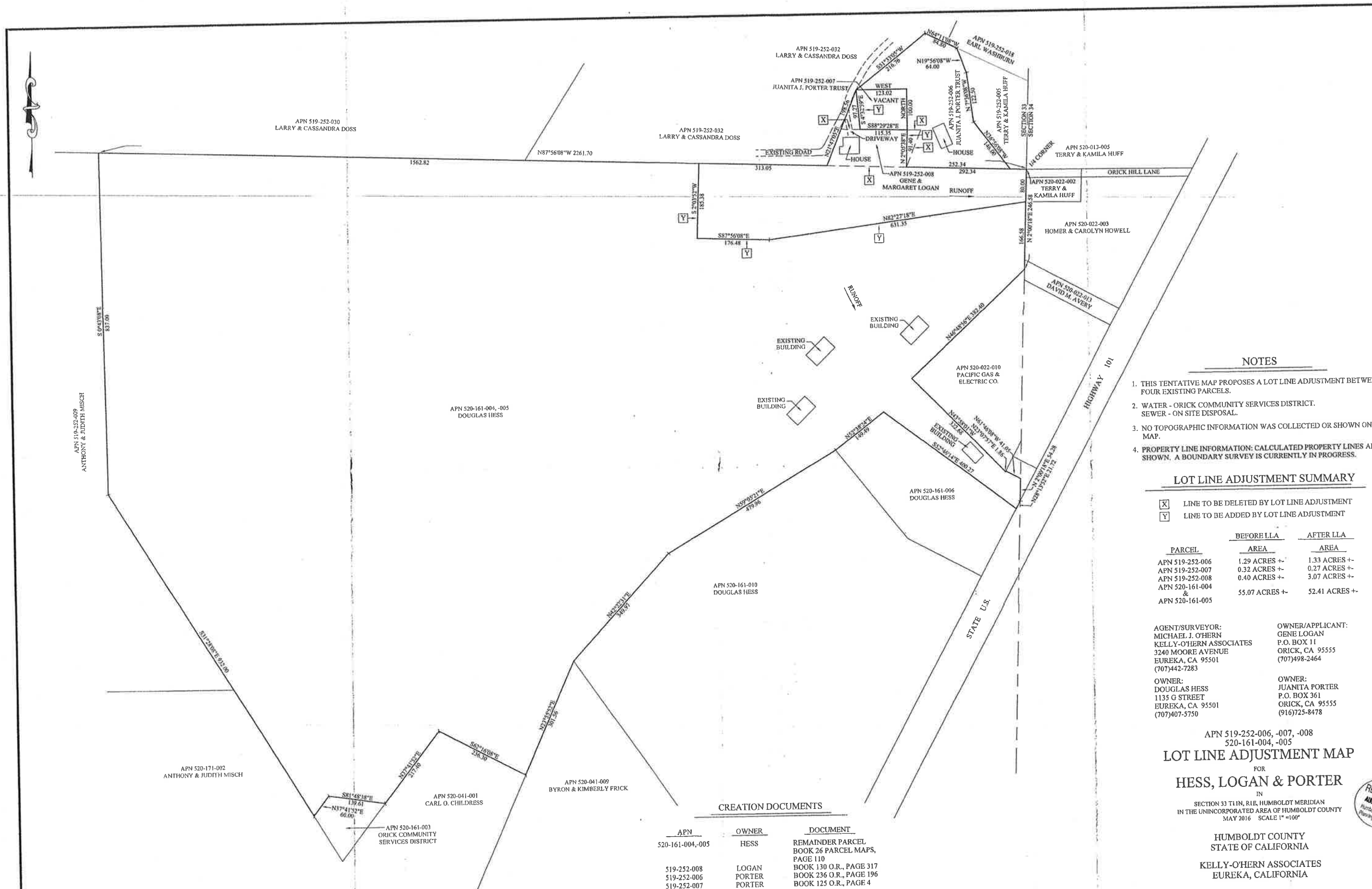
Attachment 4 includes a listing of all written evidence that has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division unless otherwise noted:

- Application Form (On File)
- Plot Plan/Tentative Map Checklist (On File)
- Detailed Plot Plan (Attached)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)

ATTACHMENT 5

Referral Agency Comments

Referral Agency	Recommendation	Location
County Building Inspection Division	Approval	On file
Department of Public Works, Land Use Division	Comments	On file
Division of Environmental Health	Approval	On file
Arcata Fire Protection District	Approval	On file
Calfire	No comment	
Ca. Dept. of Fish and Wildlife	No comment	
Northwest Information Center	Recommend Study	On file
Yurok Tribe	Conditional Approval – no study required	On file



NOTES

1. THIS TENTATIVE MAP PROPOSES A LOT LINE ADJUSTMENT BETWEEN FOUR EXISTING PARCELS.
2. WATER - ORICK COMMUNITY SERVICES DISTRICT. SEWER - ON SITE DISPOSAL.
3. NO TOPOGRAPHIC INFORMATION WAS COLLECTED OR SHOWN ON THIS MAP.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN. A BOUNDARY SURVEY IS CURRENTLY IN PROGRESS.

LOT LINE ADJUSTMENT SUMMARY

- LINE TO BE DELETED BY LOT LINE ADJUSTMENT
- LINE TO BE ADDED BY LOT LINE ADJUSTMENT

PARCEL	BEFORE LLA AREA	AFTER LLA AREA
APN 519-252-006	1.29 ACRES +/-	1.33 ACRES +/-
APN 519-252-007	0.32 ACRES +/-	0.27 ACRES +/-
APN 519-252-008	0.40 ACRES +/-	3.07 ACRES +/-
APN 520-161-004 & APN 520-161-005	55.07 ACRES +/-	52.41 ACRES +/-

AGENT/SURVEYOR:
MICHAEL J. O'HERN
KELLY-O'HERN ASSOCIATES
3240 MOORE AVENUE
EUREKA, CA 95501
(707)442-7283

OWNER/APPLICANT:
GENE LOGAN
P.O. BOX 11
ORICK, CA 95555
(707)498-2464

OWNER:
DOUGLAS HESS
1135 G STREET
EUREKA, CA 95501
(707)407-5750

OWNER:
JUANITA PORTER
P.O. BOX 361
ORICK, CA 95555
(916)725-8478

APN 519-252-006, -007, -008
520-161-004, -005
LOT LINE ADJUSTMENT MAP
FOR
HESS, LOGAN & PORTER

IN
SECTION 33 T11N, R1E, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
MAY 2016 SCALE 1"=100'

HUMBOLDT COUNTY
STATE OF CALIFORNIA
KELLY-O'HERN ASSOCIATES
EUREKA, CALIFORNIA



CREATION DOCUMENTS

APN	OWNER	DOCUMENT
520-161-004, -005	HESS	REMAINDER PARCEL BOOK 26 PARCEL MAPS, PAGE 110
519-252-008	LOGAN	BOOK 130 O.R., PAGE 317
519-252-006	PORTER	BOOK 236 O.R., PAGE 196
519-252-007	PORTER	BOOK 125 O.R., PAGE 4