

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

Certified copy of portion of proceedings, Meeting of August 18, 2020

**RESOLUTION NO. 20-75**

**RESOLUTION TO MAKE THE REQUIRED FINDINGS FOR APPROVING THE AMENDMENT OF THE GENERAL PLAN LAND USE DESIGNATION FOR PROPERTY IN THE REDWAY AREA FROM RESIDENTIAL LOW DENSITY (RL) TO COMMERCIAL SERVICES (CS), AND REZONING THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY (R-1-T) TO COMMUNITY COMMERCIAL (C-2-Q); PROJECT NUMBER PLN-2019-15571; ASSESSOR PARCEL NUMBER: 077-312-009**

**WHEREAS**, State law provides for local governments to amend their General Plans up to four (4) times per year; and

Redwoods Rural Health Center, Inc. submitted an application and evidence in support of approving a General Plan Amendment (GPA) and Zoning Reclassification (ZR) that would result in the development of parking spaces and new medical facilities; and

**WHEREAS**, the proposed GPA and ZR may be approved if found:

- (1) The proposed change is in the public interest; and
- (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 supporting substantial evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, Exhibit 2 to this resolution includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment and rezoning, Project No. PLN-2019-15571; and

**WHEREAS**, the Planning Commission reviewed and considered the staff report and other written and spoken evidence and testimony presented during a public hearing on May 7, 2020; and

**WHEREAS**, at their May 7, 2020 meeting, the Planning Commission recommended that the Board of Supervisors of the County of Humboldt:

- Hold a public hearing in the manner prescribed by law;
- Adopt the findings that the proposed ordinance is consistent with the applicable provisions of the Humboldt County Code and General Plan;
- Adopt a resolution certifying the Mitigated Negative Declaration prepared for the General Plan Amendment and rezoning;
- Adopt a resolution approving the General Plan Amendment;
- By ordinance, approve the zoning ordinance amendment;

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- Direct the Planning and Building Department to prepare and file a Notice of Determination pursuant to CEQA for the project;
- Direct the Clerk of the Board to publish a post approval summary in a newspaper of general circulation, and give notice of the decision to interested parties.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Humboldt County Board of Supervisors, that the Board:

1. Makes the findings for approval of the General Plan Amendment and Zoning Ordinance Amendment, based on the evidence as detailed in Exhibit 2 to this Resolution which is fully incorporated herein by reference; and
2. Approves the General Plan amendment re-designating the subject land from Residential Low Density (RL) to Commercial Services (CS) (as shown in Exhibit 1) for Project No.: PLN-2019-15571.

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

3. Planning and Building Department staff is hereby directed to prepare and file a Notice of Determination with the County Clerk and Office of Planning and Research; and
4. The Clerk of the Board is hereby directed to give notice of the decision to the applicant and any other interested party.

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Dated: August 18, 2020



\_\_\_\_\_  
Estelle Fennell, Chair  
Humboldt County Board of Supervisors

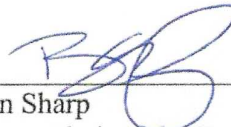
Adopted on motion by Supervisor Bohn, seconded by Supervisor Madrone, and the following vote:

|          |             |                                      |
|----------|-------------|--------------------------------------|
| AYES:    | Supervisors | Bohn, Bass, Wilson, Fennell, Madrone |
| 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.



\_\_\_\_\_  
Ryan Sharp  
Deputy Clerk of the Board of Supervisors of  
the County of Humboldt, State of California

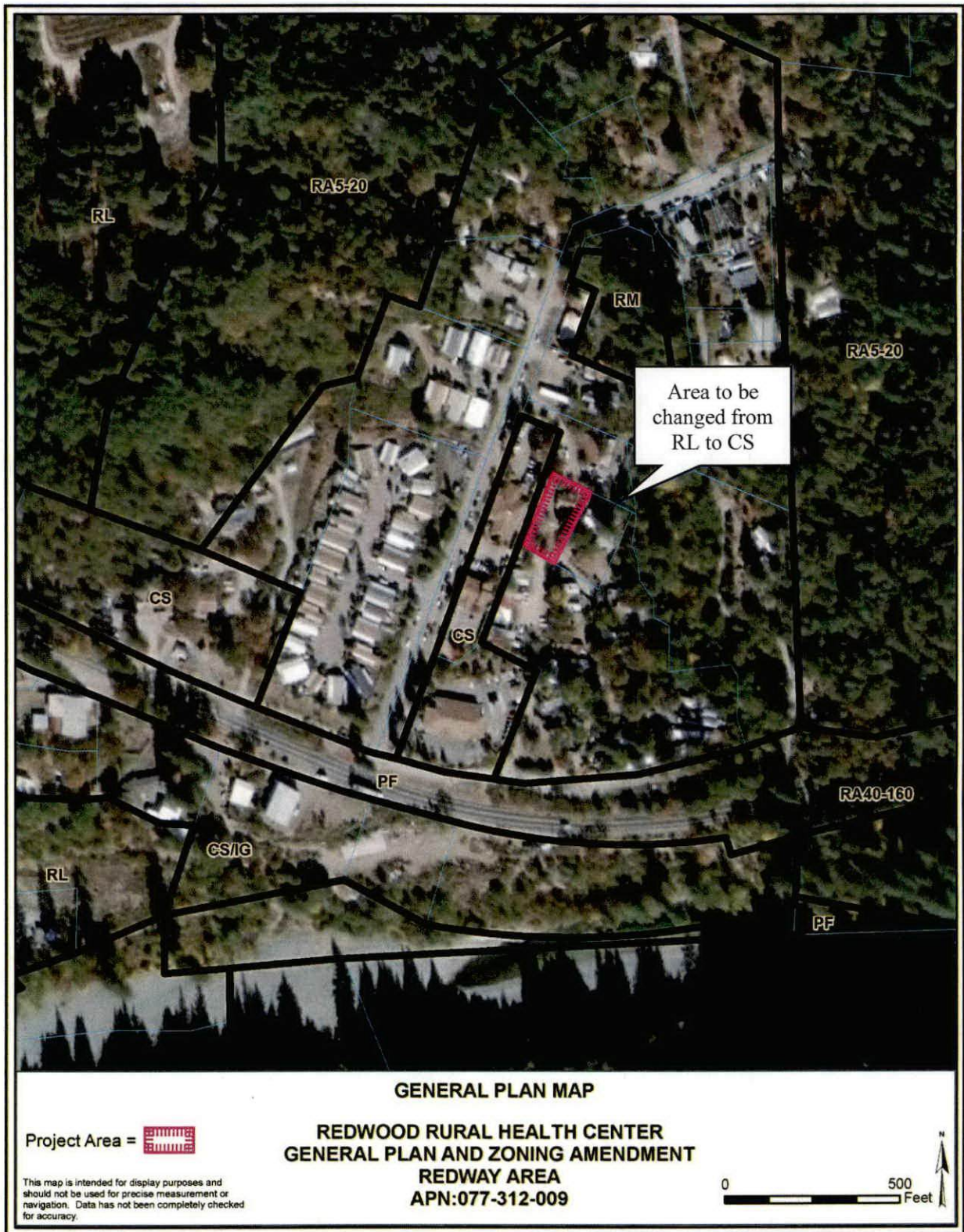
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**EXHIBIT 1**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
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**Existing and Proposed Plan Designations**

**EXHIBIT 2**

FINDINGS IN SUPPORT OF THE GENERAL PLAN AMENDMENT,  
AND ZONING ORDINANCE AMENDMENT  
FOR PROJECT NO.: PLN-2019-15571



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**The Board of Supervisors hereby find as follows:**

***A. Findings for a General Plan Amendment***

1. The General Plan of Humboldt County is a dynamic document that can be modified to reflect changing social, economic or environmental conditions, or changes in state law. These changes include changing property from one plan designation or zone to another. Per Policy G-P8, *Required Findings and Criteria for Amendments* of the 2017 General Plan, an amendment may be approved if:
  - a) Base information or physical conditions have changed; or
  - b) Community values and assumptions have changed; or
  - c) There is an error in the plan; or
  - d) To maintain established uses otherwise consistent with a comprehensive view of the plan; or
  - e) The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the Plan.
2. In addition, the Board must determine that the revision is not appropriate for the next scheduled update; and
3. The Plan Amendment must be found to be in the public interest in accordance with Section 65358(a) of the California Government Code; and
4. The Plan Amendment must be found to be consistent with Government Code Section 65302.8, which contains requirements for any General Plan Amendment that limits the number of housing units which may be constructed on an annual basis; and
5. The plan is required to be consistent with the Zoning or other implementation of the Plan.

***B. Amendments to the Zoning Map***

Section 312-50.3 of the Zoning Ordinance requires all the following findings for approval of changes to the Zoning Map:

1. The amendment is consistent with the County General Plan; and
2. The amendment is in the public interest; and
3. 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 mid-point of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:

***C. Required Finding for Consistency With the California Environmental Quality Act***

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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:

- 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>Finding A: Required Findings for General Plan Amendments</b>  |   |
|--|---|
| <b>Section(s)</b>  | <b>Applicable Requirements</b>  |
| Policy G-P8, Required Findings (2017 General Plan)   | <b>Finding A1.</b> Base information or physical conditions have changed; or Community values and assumptions have changed; or There is an error in the plan; or To maintain established uses otherwise consistent with a comprehensive view of the plan; or The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the Plan. |
| <p><b>Evidence Supporting Finding A1.</b> The proposed General Plan Amendment facilitates the expansion of healthcare services in the Garberville/Redway area. The development of parking and medical offices on the property has the potential to benefit the public through greater access to care and improvement of health outcomes. The proposed Wellness Center will offer healthcare services like dedicated perinatal care and acupuncture that are not currently available in the area.</p> <p>The project is consistent with Guiding Principle No. 2: "Preserve and enhance the diverse character of Humboldt County and the quality of life it offers."</p> |   |

|  |  |
|--|--|
| Policy G-P8, Required Findings (2017 General Plan)   | <b>Finding A2.</b> In addition, the Board must determine that the revision is not appropriate for the next scheduled update. |
| <p><b>Evidence Supporting Finding A2.</b> The Plan was updated in 2017. The next update is not scheduled for 10 years or more.</p> |  |
| 65358(a) of the Government Code  | <b>Finding A3.</b> The amendment must be in the public interest.   |



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**Evidence Supporting Finding A3.** The General Plan Amendment is in the public interest if it benefits the County as a whole and not just certain property owners. The Garberville/Redway area where the project is located is designated by the HRSA as a Health Professional Shortage Area. The amendment will facilitate the expansion of healthcare services in an underserved area, therefore benefiting the County as a whole and not just the property owners.

65302.8 of the  
Government  
Code

**Finding A4** If the amendment limits the number of housing units which may be constructed on an annual basis, it must include the required evidence detailed in Government Code Section 65302.8

**Evidence Supporting Finding A4.** The findings required by Section 65302.8 are:

- (a) A description of the city's or county's appropriate share of the regional need for housing.*
- (b) A description of the specific housing programs and activities being undertaken by the local jurisdiction to fulfill the requirements of subdivision (c) of section 65302*
- (c) A description of how the public health, safety and welfare would be promoted by such adoption or amendment*
- (d) The fiscal and environmental resources available to the local jurisdiction*

The County's RHNA (Regional Housing Needs Allocation) share, as well as the programs and activities to be undertaken to fulfill Section 65302(c), are detailed in the General Plan 2019 Housing Element Update. The subject parcel is not included in the Housing Element Inventory (Appendix G), so conversion of the property from residential to commercial uses will not affect the County's actions to meet its RHNA share.

The project will directly improve public health, safety and welfare in the southern Humboldt area by facilitating the expansion of healthcare services in the area and allowing for ease of access to those services.

The property is currently zoned for low-density residential and is developed with unmaintained landscaping and a derelict single-story residential structure. Paving the landscaped portion and constructing a single-story medical offices building will not impact the environmental resources available to the County.

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| <p>Policy G-P8:<br/>Consistency<br/>with the<br/>Zoning<br/>Ordinance</p>  | <p><b>Finding A5.</b> The plan is consistent with the Zoning or other implementation of the Plan.</p> |
| <p><b>Evidence Supporting Finding A5.</b></p> <p><b>3.4 G-P8(A) - Public Interest.</b> See Finding A3 discussion above.</p> <p><b>3.4 G-P8(B) - Guiding Principles.</b> Guiding Principle No. 2: <i>“Preserve and enhance the diverse character of Humboldt County and the quality of life it offers.”</i></p> <p>The Plan Amendment will facilitate the improvement and expansion of medical services in the southern Humboldt community. This project is consistent with Guiding Principle #2 because it will enhance the quality of life of members of the southern Humboldt community through the improvement of health outcomes. The proposed Wellness Center will offer healthcare services like dedicated perinatal care and acupuncture that are not currently available in the area.</p> <p><b>G-G2. Plan Maintenance.</b> <i>A current General Plan responsive to community needs, which is updated on a regular basis.</i></p> <p>The proposed Plan Amendment is consistent with G-G2 because it responds to the community need for expanded healthcare services</p> <p><b>C-G1. Circulation System Safety and Functionality.</b> <i>A safe, efficient, accessible and convenient circulation system in and between cities, communities, neighborhoods, hamlets and adjoining regions taking into consideration the context-specific needs of all users, consistent with urban, suburban, rural or remote community character</i></p> <p><b>C-G2. Diverse Transportation Opportunities.</b> <i>A transportation system that provides the availability of options among modes of travel by considering the needs of all users in a context sensitive manner that is appropriate to urban, suburban, rural or remote community character.</i></p> <p>The proposed Plan Amendment is consistent with C-G1 and C-G2 because it will divert parking from West Coast Road to the project site, allowing for greater ease and safety of access along West Coast Road for motorists, buses, bicyclists and pedestrians. Sufficient on-site parking at the RRHC facilities will allow for greater accessibility for all users.</p> |   |

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**Evidence Supporting Finding A5, cont.**

*ED-G6. Competitive Quality of Life. Maintained and enhanced natural resources, recreational opportunities, quality education, vibrant town centers, access to employment, housing, retail, health care, childcare, safety, multimodal transportation, advanced telecommunications, and cultural and natural resources*

The proposed plan amendment is consistent with ED-G6 because it improves access to health care within the southern Humboldt community.

*AQ-G4. Greenhouse Gas Emissions. Successful mitigation of greenhouse gas emissions associated with this Plan to levels of non-significance as established by the Global Warming Solutions Act and subsequent implementation of legislation and regulations*

The project will facilitate expansion of healthcare services in an underserved area, including services like perinatal care, acupuncture and nutrition that aren't currently available in the area. This will reduce high-mileage vehicle trips to healthcare providers in other population centers like Eureka, thus reducing greenhouse gas emissions

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| <b>Finding B. Amendments to the Zoning Map</b>   |  |
|--|--|
| <b>Section(s)</b>  | <b>Applicable Requirements</b>   |
| §312-50 of the Zoning Ordinance  | <b>Finding B1.</b> That the proposed zoning change is consistent with the General Plan   |
| <p><b>Evidence Supporting Finding B1.</b><br/>                     Finding A5 above demonstrates that the proposed Plan Amendment is consistent with the General Plan. The proposed Zoning Map change is consistent with the proposed change in General Plan designation because the C-2 Zoning Designation allows the same uses as the CS Plan designation.</p>   |  |
| 65358(a) of the Government Code  | <b>Finding B2.</b> The amendment is in the public interest.  |
| <p><b>Evidence Supporting Finding B2.</b><br/>                     Since the proposed Land Use Map and Zoning Map amendments both result in a property allowing development of healthcare facilities, the Zoning Map amendment is in the public interest just as the Land Use Map is in the public interest as discussed in Finding A2 above. The public interest finding for the proposed changes to the Land Use Map equally apply to the proposed changes to the Zoning Map.</p>  |  |
| §312-50 of the Zoning Ordinance  | <b>Finding B3.</b> 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 mid-point of the density range specified in the plan designation). |
| <p><b>Evidence Supporting B3.</b> The proposed amendment changes the property's plan designation from a residential to a commercial character. The property is currently developed with an inhabitable, dilapidated single-story residential structure. Conversion of the property from a residential to a commercial use does not impact existing residential density. Precluding the property from future residential development does not impact the County's compliance with Housing Element Law, as the subject parcel is not included in the Housing Element Inventory (Appendix G of the General Plan).</p> |  |

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**Finding C. Required Finding for Consistency With the California Environmental Quality Act**

| Section(s)   | Applicable Requirements  |
|--|--|
| CEQA Guidelines Section 15070  | <b>Finding C(b).</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 |
| <b>Evidence Supporting Finding C(b).</b><br>An Initial Study was performed for the proposed General Plan amendment and rezone as per Sections 15063 of the California Environmental Quality Act (CEQA) Guidelines. The Initial Study finds that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made and agreed on by the applicant. Those potential impacts were evaluated, and appropriate mitigation was identified, resulting in a Mitigated Negative Declaration being prepared (SCH #2020039025). There is no evidence before the Department that the project, as mitigated, would have an adverse effect, either individually or cumulatively, on the environment. The Initial Study and Mitigated Negative Declaration are included in Attachment E. |  |