



PLANNING APPLICATION FORM
Humboldt County Planning Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792

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DEC
Humboldt County
Planning Division~~ *cm*

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APR 28 2021
Humboldt County
Planning Division

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business name, if applicable.) **AGENT** (Communications from Department will be directed to agent)

Business Name: <u>Humboldt Ranch, Inc.</u>	Business Name: <u>Rain & Zepp, PLC</u>
Contact Person: <u>Juan Arellano Sanchez</u>	Contact Person: <u>Nate Madsen</u>
Mailing Address: <u>PO Box 1429</u>	Mailing Address: <u>517 Third Street, Suite 30</u>
City, St, Zip: <u>Redway CA 95560</u>	City, St, Zip: <u>Eureka, CA 95501</u>
Telephone: <u>(707) 672-6114</u> Alt. Tel: _____	Telephone: <u>(707) 442-3034</u> Alt. Tel: _____
Email: <u>humboldtranch15@gmail.com</u>	Email: <u>natemadsen@rainzepplaw.com</u>

OWNER(S) OF RECORD (If different from applicant)

Owner's Name: _____	Owner's Name: _____
Mailing Address: _____	Mailing Address: _____
City, St, Zip: _____	City, St, Zip: _____
Telephone: _____ Alt. Tel: _____	Telephone: _____ Alt. Tel: _____

LOCATION OF PROJECT

Site Address: TBD (street address assignment pending) Assessor's Parcel No(s): 220-311-049
 Community Area: Briceland Parcel Size (acres or sq. ft.): 29 acres

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? YES NO

SECTION II

PROJECT DESCRIPTION

Describe the proposed project (attach additional sheets as necessary):

Application for a General Plan Petition

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are **not** complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

Juan Arellano
Applicant Signature

12/15/20
Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

Owner of Record Signature

Date

Owner of Record Signature

Date

PLN-2020-16884 GPP

*PLN-2021-17186
GPP*

This side completed by Planning Staff

Checklist Completed by: _____ Date: _____

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION

Item	Received	Item	Received
<input type="checkbox"/> Filing Fee of \$ _____	<input type="checkbox"/>	<input type="checkbox"/> Architectural Elevations	<input type="checkbox"/>
<input type="checkbox"/> Fee Schedule (see attached, please return completed fee schedule with application)	<input type="checkbox"/>	<input type="checkbox"/> Design Review Committee Approval	<input type="checkbox"/>
<input type="checkbox"/> Plot Plan 12 copies (folded if > 8½" x 14")	<input type="checkbox"/>	<input type="checkbox"/> CEQA Initial Study	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 12 folded copies (Minor Subd)	<input type="checkbox"/>	<input type="checkbox"/> Exception Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 18 folded copies (Major Subd) [Note: Additional plot plans/maps may be required]	<input type="checkbox"/>	<input type="checkbox"/> Joint Timber Management Plan	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map/Plot Plan Checklist (complete & return with application)	<input type="checkbox"/>	<input type="checkbox"/> Lot Size Modification Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Floor Plan	<input type="checkbox"/>	<input type="checkbox"/> Military Training Route (see County GIS)	<input type="checkbox"/>
<input type="checkbox"/> Division of Environmental Health Questionnaire	<input type="checkbox"/>	<input type="checkbox"/> Parking Plan	<input type="checkbox"/>
<input type="checkbox"/> On-site sewage testing (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Plan of Operation	<input type="checkbox"/>
<input type="checkbox"/> On-site water information (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Hydraulic & Drainage Plan	<input type="checkbox"/>
<input type="checkbox"/> Solar design information	<input type="checkbox"/>	<input type="checkbox"/> R1 / R2 Report (Geologic/Soils Report, 3 copies with original signatures)	<input type="checkbox"/>
<input type="checkbox"/> Chain of Title	<input type="checkbox"/>	<input type="checkbox"/> Reclamation Plan, including engineered cost estimate for completing reclamation	<input type="checkbox"/>
<input type="checkbox"/> Grant Deed <input type="checkbox"/> Current <input type="checkbox"/> Creation	<input type="checkbox"/>	<input type="checkbox"/> Accessory Dwelling Unit Fact Sheet	<input type="checkbox"/>
<input type="checkbox"/> Preliminary Title Report (two copies, prepared within the last six months prior to application)	<input type="checkbox"/>	<input type="checkbox"/> Variance Request Justification	<input type="checkbox"/>
		<input type="checkbox"/> Vested Right Documentation/Evidence	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>

FOR INTERNAL USE

<input type="checkbox"/> Ag. Preserve Contract	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Reclamation Plan
<input type="checkbox"/> Certificate of Compliance	<input type="checkbox"/> General Plan Petition	<input type="checkbox"/> Surface Mining Permit
<input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission	<input type="checkbox"/> Information Request	<input type="checkbox"/> Surface Mining Vested Right Determination
<input type="checkbox"/> Design Review <input type="checkbox"/> Inland <input type="checkbox"/> Coastal	<input type="checkbox"/> Modification to _____	<input type="checkbox"/> Timber Harvest Plan Information Request
<input type="checkbox"/> Determination of Legal Status	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Use Permit H.C.C. § _____
<input type="checkbox"/> Determination of Substantial Conformance	<input type="checkbox"/> Preliminary Project Review	<input type="checkbox"/> Variance H.C.C. § _____
<input type="checkbox"/> Extension of _____	<input type="checkbox"/> Special Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission H.C.C. § _____	<input type="checkbox"/> Zone Reclassification
<input type="checkbox"/> Fire Safe Exception Request	<input type="checkbox"/> Subdivision <input type="checkbox"/> Parcel Map <input type="checkbox"/> Final Map	<input type="checkbox"/> Other _____
	<input type="checkbox"/> Exception to the Subdivision Requirements	<input type="checkbox"/> Other _____

Application Received By: _____ Date: _____ Receipt Number: _____

General Plan Designation: _____

Plan Document: _____

Land Use Density: _____

Zone Designation: _____

Coastal Jurisdiction Appeal Status: Appealable Not Appealable

Preliminary CEQA Status:

Environmental Review Required

Categorically Exempt From Environmental Review: Class _____ Section _____

Statutory Exemption: Class _____ Section _____

Not a Project

Other _____

RAIN & ZEPP

A PROFESSIONAL LAW CORPORATION

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Email: tracyrain@rainzepplaw.com beornzepp@rainzepplaw.com



Zone Reclassification in the Public Interest

APN: 220-311-049

October 14, 2020



This proposed zone reclassification is in the public interest because it ensures consistency between the General Plan Land Use Policy and Map and the Zoning Regulations and Map by amending the Zoning Designation to add Principal and Combining Zones specified in the General Plan and applying Zoning Classifications consistent with the General Plan Land Use Map and Table 4-H Zoning Consistency Matrix.

Residential Agriculture (RA)

This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. The varying densities are reflective of land capabilities and/or compatibility issues. RA5- 20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are typically applied to more remote, steep and high hazard areas, or where appropriate to ensure compatibility with adjacent resource production and open space uses.

The subject parcel (APN: 220-0311-049) has a current general plan designation of RA40.

This application seeks to re-designate this parcel from RA40 to RA20. RA20 is appropriate for the following reasons:

1. RA20 is consistent with the existing parcel configuration and the topographic nature of the parcel;
2. Though there are portions of the property that have slopes approaching (and arguably exceeding) 30%, the "area of use" (location of home and all supporting infrastructure; solar system, road network, ancillary structures, etc.) is postured on the ridge-top portion of the property, where slopes are moderate to gentle (10% or less);
3. There exists more than adequate gentle-sloped ground on the parcel to accommodate its existing use; and
4. To re-designate the parcel as RA20 rather than RA40 would achieve the goal of limiting development on steep slopes, accommodating the current and appropriate use, and maintain conformity with zoning regulations and the Humboldt County General Plan.

This parcel is appropriate for RA20 zoning designation because the access road system is in good condition and can accommodate the intended and existing use. The location of this parcel

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is approximately 2.1 miles from the county road (Briceland-Thorne Road) and is a Category 4 Road (or equivalent). The road is well-maintained by the local road association and is known to be able to accommodate emergency vehicle traffic as needed.

On-site water is sourced from a registered diversion, and an existing roof-top rainwater catchment system. There is an existing septic system on site to treat effluence from the single two bedroom residence on site.

In conclusion, the public interest mores be best served by this proposed Zone Reclassification because it protects public interests of appropriate development density on appropriately sloped ground and maintaining adequate areas for the existing and proposed development.

Based on the foregoing, this application seeks RA20 zoning designation as appropriate and in the public interest.

Vicinity Map
APN: 220-311-049
General Plan Petition
Preliminary Map Set p1

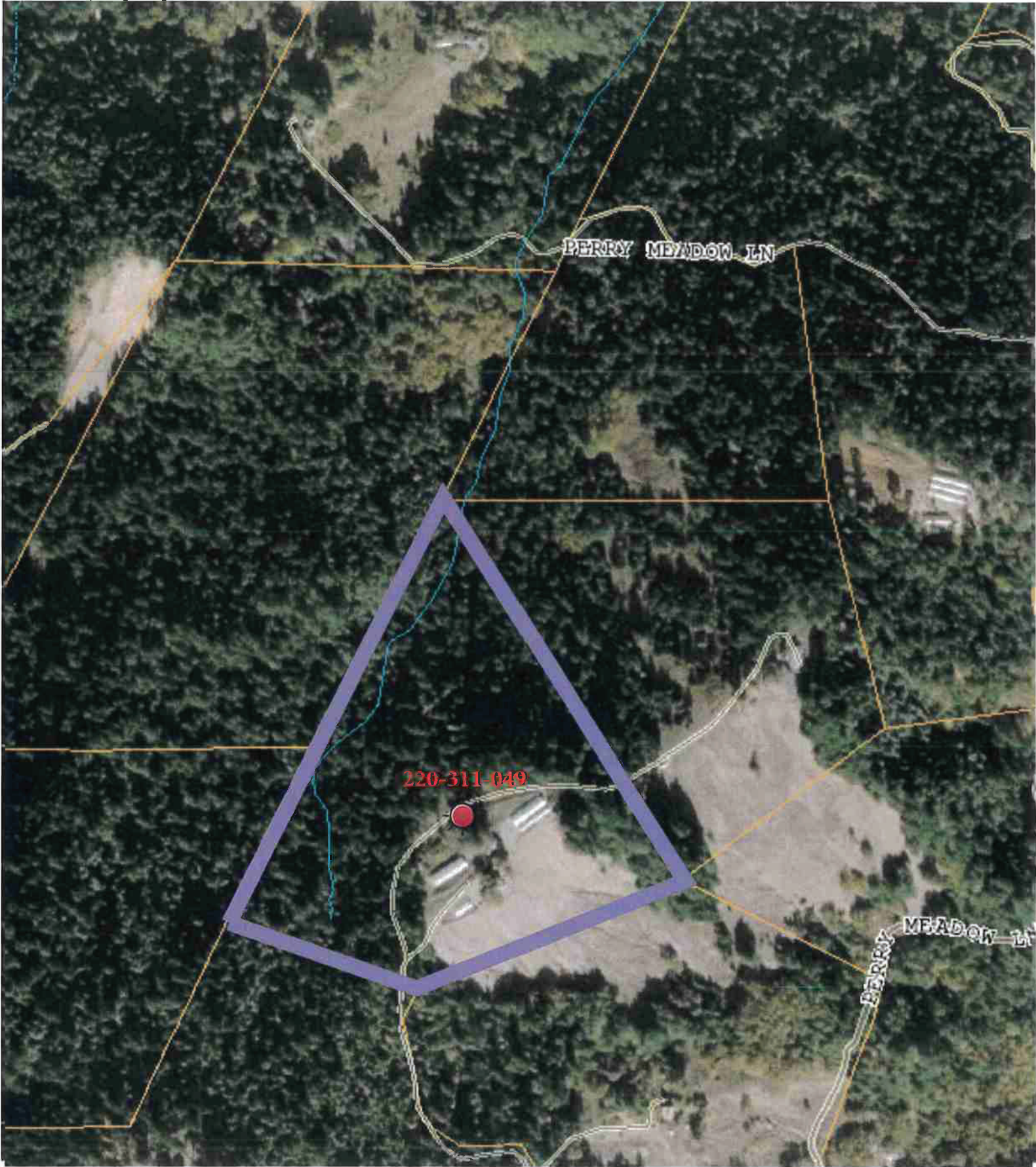
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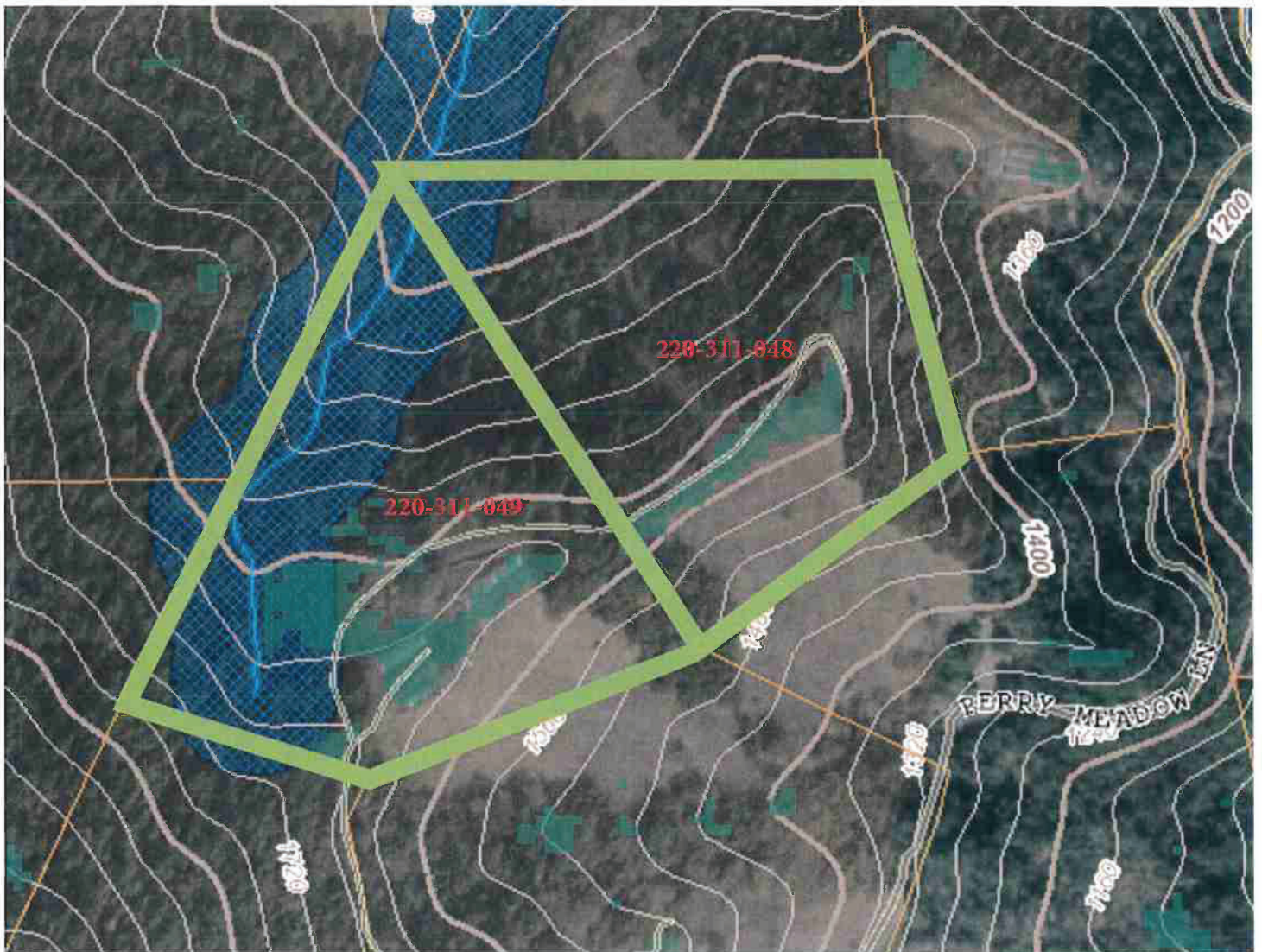
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Current Parcel Configuration
APN: 220-311-049
General Plan Petition
Preliminary Map Set p2







Green Lines represent current assessed and proposed parcel configuration.

Green Shading represents slopes less than 15%

**Note the two independent and ideally situated ridge top home sites;
one serving each accessed parcel.**

General Plan and Zoning Reclassification Petition is in the Public Interest

APN: 220-311-049

July 23, 2021

Proposal

This proposed General Plan Petition (GPP) and combined Zoning Reclassification Petition (ZRP) is in the public interest because it ensures consistency between the General Plan Land Use Policy and Map and the Zoning Regulations and Map by amending the General Plan designation from RA40 to RA20 and the Zoning Designation from FR-B-5(40) to FR-B-5(20).

Existing Conditions

This parcel has an existing residence developed on an appropriate portion of the property with gentle slopes and existing functioning water and permitted waste water systems. Power is supported by an existing solar system. The family loves their home and their neighborhood. The children attend local schools and the homestead supports the family with garden vegetables and animals for sustenance. The home site is an active and functioning family farm and the community is served by having good stewards actively managing the property for community values.

General Plan Petition in the Public Interest

The subject parcel (APN: 220-311-049) has a current general plan designation of RA40.

This petition seeks to re-designate this parcel from RA40 to RA20. RA20 is appropriate for the following reasons:

1. RA20 is consistent with the existing parcel configuration and the topographic nature of the parcel;
2. Though there are portions of the property that have slopes at or near 30% the “area of use” (location of home and all supporting infrastructure; solar system, road network, ancillary structures, etc.) is postured on the ridge-top portion of the property where slopes are moderate to gentle (less than 10%);
3. There exists more than adequate gentle-sloped ground on the parcel to accommodate its existing and intended use; and
4. To re-designate the parcel as RA20 rather than RA40 would achieve the public interest goal of limiting development on steep slopes while accommodating the current and

appropriate use including meeting the public interest need in providing housing in well sited locations and while conforming with the Humboldt County General Plan.

Residential Agriculture (RA)

This GP designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. The varying densities are reflective of land capabilities and/or compatibility issues. RA5- 20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems having good road access. RA40, RA60, and RA160 designations are typically applied to more remote, steep and high hazard areas, or where appropriate to ensure compatibility with adjacent resource production and open space uses.

In this case RA20 is appropriate because much of the parcel is less than 30% slope and served by individual water and wastewater systems having good well maintained road access.

As discussed further below this property is located relatively close to the Briceland area (between Redway and Briceland), is not far off the county road (Briceland-Thorne Road), is close to emergency services (Briceland Volunteer Fire Department), close to schools for the children, and would be appropriately designated RA20 rather than the more restrictive RA40. Though this parcel does have a rural character it is not a truly remote (close geographically to town and services), excessively steep (actually flat to gentle sloped in the area of developed use), nor a high hazard area.

Re-designating this parcel to RA20 is in the public interest.

Zoning Reclassification Petition in the Public Interest

The subject parcel (APN: 220-311-049) has a current Zoning Classification of FR-B-5(40).

This petition seeks to rezone this parcel from FR-B-5(40) to FR-B-5(20). FR-B-5(20) is appropriate for the following reasons.

FR Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare. This parcel is primarily timbered with significant open grass land areas where agriculture is an ideal secondary use. The majority of this property will be maintained in a forested state while secondary agriculture uses will be limited to the appropriate areas for that use. The public interest will be maintained because forest and water resources will be protected from impacts with an FR-B-5(20) zoning designation and at the same time meeting the public interest need in having available and appropriately sited housing. This parcel in its current configuration does have an existing family homestead.

The FR-B-5(20) zoning designation will not change the character of this zoning but will allow for the existing compatible use to continue. The public has an interest in having the forest and

waters protected while at the same time supporting reasonable development to meet the ongoing housing need and maintaining agricultural production in appropriate locations to help support the local economy.

This request serves the public interest by achieving those compatible goals; protecting forest and water resources and supporting reasonable and needed housing development and economic sustainability through compatible secondary agricultural activities.

A FR-B-5(20) zoning re-designation is in the public interest.

Development Density and Conformance with Neighborhood Norm

Under Humboldt County zoning code FR zoned parcels have special development density limitations. §7.4.1.6.1 states, “[t]he total residential density shall not exceed one (1) dwelling unit per twenty (20) acres. (Former Section INL#314-12(f)(1)).” In this case the development density is in conformance with this limitation as there is an existing single family residence and the parcel is in excess of this 20 acre minimum.

This parcel is also in conformance with similarly situated neighboring parcels. The majority of nearby parcels have the same general plan and zoning designations with a significant number of nearby parcels of similar size 20+ acres but less than 40 acres (see attached map showing neighboring parcels of less than 35 acres with RA40 GP designations and FR-B-5(40) Classifications). This parcel conforms to the “neighborhood” norm in that it is in excess of 20 acres and has significant portions of the parcel held in open space while consolidating development in the area appropriate for domestic use (flat to gently sloped area, with naturally occurring non-forested open space).

This general plan petition and zoning re-designation petition seeks to balance the public interest by limiting development on lands that are remote and steep and at the same time allowing for the reasonable use of appropriately sited home sites on gently sloped areas with agricultural uses in naturally occurring open “range” lands.

The use of this parcel in its current configuration achieves these public interest goals because the natural topography of this parcel is suited to this somewhat less restrictive designation and zoning.

It is in the public interest to have parcels that conform to the GP designation and zoning classifications. In this case the parcel would be conforming if this petition to re-designate and re-classify were granted and that would be appropriate as the site specific topography is well suited for the existing use.

Road Condition will Support RA20 GP designation and FR-B-5(20) Zoning Classifications

This parcel is appropriate for a general plan designation RA20 and a zoning designation of FR-B-5(20) because the access road system is in good condition and can accommodate the intended and existing use. The location of this parcel is approximately 2 miles from the county road

(Briceland-Thorne Road) and is a Category 4 Road (or equivalent). The road is well-maintained by the local road association and is known to accommodate emergency vehicle traffic as needed. The family contributes to the road association.

The access road is well designed. It is out-sloped where feasible with good drainage features and rolling dips in strategic locations. Where out-sloping is not feasible the road is crowned to eliminate pooling, puddling, or riling with well-maintained drainage features to breakup and dissipate water flow velocity. It is well rocked with a good base layer and a surface rock layer producing a good driving surface and minimizing erosion potential. Culverts are appropriately sized and functioning properly. The public interest is served by this well maintained road system because erosion is minimized and the waters of the state are protected as much as feasible. By contributing to the community road association, the land owner of this parcel is doing their share to enhance and maintain the public interest. The public interest would be served by this re-designation because it would include continuing contribution to the road association; an act that serves the public interest.

Services will Support RA20 GP Designation and FR-B-5(20) Zoning Designation

Fire Services

Briceland Volunteer Fire Department (BVFD) is approximately a mile from the turn off to the access road and within 3 miles of the site. Fire service vehicles stand ready in close proximity to this property. Having an additional supportive neighbor who contributes to the local VFD is in the public interest in maintaining the local VFD network.

Having well sited development near fire protective services serves the public interest because if an emergency were to occur neighboring properties could be protected by the readily available nearby fire protection services.

Fire protection services are in close proximity to this property and supporting reasonable well sited development near those services serves the public interest.

Water System

On-site water was historically sourced from a registered diversion, but the current property owner has transitioned to an existing roof-top rainwater catchment system as the exclusive water source. This project maintains the public interest by sourcing all water that is used on site at this time from rain-catchment there by limiting impacts to the waters of the state and preserving those waters for the beneficial use of fish and wildlife. It is in the public interest to have a land owner who contributes to the public interest by taking this significant step, especially during this time of extreme drought, to ensure the maximum benefit to the environment and the neighborhood while ensuring the minimal impact to rivers and streams. The transition to exclusively using rainwater catchment is in the public interest and the existing system will meet all the existing and proposed demands for this property.

Waste Water

There is an existing permitted septic system on site to treat effluence from the single two bedroom residence on site. That system is functioning properly and serving the exiting development. The public interest is served by having a functioning permitted septic system that protects water quality.

Schools

This parcel and home is in close proximity to Redway School as well as Beginnings in Briceland. The kids attend Redway School. Having sufficient student body to keep and maintain the school serves the public interest by ensuring state funding. Having a robust student body keeps the school vibrant and healthy. Supporting this petition will help maintain the school with the continued attendance of this family.

Medical Services

Redwoods Rural Health Center (RRHC) is approximately 10-15 minute drive from this property. RRHC is a full service health center capable of providing the vast majority of required health care needs. Having these quality health care services nearby further supports the proposed GPP and ZRP as these essential services can be readily accessed in close proximity to this parcel.

Having near nearby health care services supports the conclusion that this GPP and ZRP is in the public interest.

Veterinary

Garberville Redway Veterinary is located just outside of Garberville on Alderpoint Road. Having adequate animal care services will support the proposed GPP and ZRP by ensuring readily available access to essential animal care services.

Automotive

Automotive services are readily available at a number of locations in both Redway and Garberville. Having automotive services near the property will further support the conclusion that this proposed GPP and ZRP will support the public interest.

Availability of Goods will Support RA20 GP Designation and FR-B-5(20) Zoning Designation

Having access to goods is also an essential consideration in planning and zoning considerations. In this case effectively all essential goods and services are readily available in the Garberville/Redway area a mere 10-15 minute drive from the property. Given this readily available access to conveniently located goods will support the public interest related to this GPP and ZRP.

Automotive services are readily available at a number of locations in both Redway and Garberville.

Groceries are available at multiple locations in both Redway and Garberville.

Agricultural supplies are available at multiple locations in both Redway and Garberville and will be essential to support this properties secondary agricultural use in conformance with the proposed GGP and ZRP designations.

Clean-up Legacy Logging Impacts

FR-B-5(20) is a forest based zoning designation. This property was subject to legacy logging and suffers legacy logging impacts that this rezoning designation to FR-B-5(20) can help mitigate.

The land owner is dedicated to sustaining the existing forests recovery through secondary agricultural endeavors while at the same time having an active management roll that can help accelerate recovery from legacy logging impacts and help protect the community by addressing fire safety with reduced hazard fuel loads.

In this case the majority of the parcel is forested and the vast majority of that portion of the property is the steepest portions of the property. The now forested areas will remain forested if this rezoning designation is granted. The secondary agricultural activities are limited to the areas that are not forested and are gently sloped and open grass land. The property if rezoned will continue with the management goals that insure the public interests are maintained by protecting those steep forested slopes and supporting the local economy with the secondary agricultural project.

Some anticipated projects that would be better facilitated by this rezoning petition and further the public interest include but are not limited to; legacy logging road decommissioning, light touch thinning of thick “dogfir” young timber stands, and appropriate treatment of historic slash when needed.

Developing and maintaining a recovering and healthy forest stand condition is in the public interest. Supporting sufficient management capacity to achieve that goal with reasonable well sited owner occupancy is in the public interest. This rezoning petition would help support management capacity that in turn would support forest-stand recovery which in turn is in the public interest.

Fire Safety

The land owner intends to maintain the forest in a state of growth and use light touch sustainable forestry fire safe minded thinning from below and protection of the over story above to shade ladder fuel and help develop a generally more fire resilient landscape **at a time when the public interest needs fire resilience now more than ever before.**

Maintaining a fire resilient forest stand either takes sufficient foresight to not log the old-growth forest (the most fire resilient forest-stand condition), or sufficient management dedication to help bring back those late seral forest-stand conditions, or significantly more time for those conditions to naturally develop.

In this case the land was historically logged by previous land owners and for that reason the first option of not logging the old-growth forest is not available. The next best way to serve the public interest is to have sufficient hands on management to remove ladder fuel, thin from below, and protect the overstory from above. This rezoning designation would provide the ability for the land owner to have and maintain the existing home in conformance with the General Plan and Zoning regulations so there could then be an active forest manager present to put energy into maintaining the forest in as fire safe a condition as possible moving forward from the current thick young forest-stand condition.

Active fire safe forest management is in the public interest and this rezoning petition would support that goal by affording the land owner more opportunity to be present and manage the forest for fire safe goals.

Conclusion

The public interest mores are best served by this proposed GPP and ZRP because it maintains appropriate development density on appropriately sloped ground. The area of the existing development is sited on gentle to flat open grassland ridge tops. This siting helps meet the housing demand while at the same time protecting forest resources and enhancing fire safety while maintaining the opportunity for the family to contribute to local service providers and contributing to the local economy with appropriate secondary agricultural endeavors.

Based on the foregoing, this application seeking RA20 GP designation and FR-B-5(20) Zoning Designation as appropriate and supportive of the public interest.

Parcels in General Vicinity of Similar Condition
Parcels of 35 acres or less with RA40 Designation and FR-B-5(40) Zoning

