

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF
CALIFORNIA

Certified copy of portion of proceedings; Meeting on March 7, 2023

Resolution No. 22-36

Resolution of the Board of Supervisors of the County of Humboldt ADOPTING FINDINGS FOR APPROVING A GENERAL PLAN AMENDMENT IN ASSOCIATION WITH THE NORTH MCKAY RANCH SUBDIVISION PROJECT, RECORD NO. PLN-9902-GPA.

WHEREAS, Kramer Properties submitted an application for a General Plan Amendment that would change approximately 18.5 acres of land designated as Residential low Density to residential Medium Density and approximately 2.2 acres of land designated as Residential Low Density to Commercial General; and

WHEREAS, the Planning and Building Department reviewed the application and supporting evidence and referred the application materials to applicable reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, on January 6, 2022 the Planning Commission considered the application, and adopted a Resolution which recommended that the Board of Supervisors conditionally approve the General Plan Amendment; and

WHEREAS, the Board of Supervisors held public hearings, *de-novo*, on March 8, 2022 and March 22, 2022 and reviewed, considered, and discussed the application and evidence and considered all public testimony and evidence presented at the hearing; and

WHEREAS, the Board of Supervisors closed the public hearing on March 22, 2022 and approved a motion of intent to approve the North McKay Ranch Subdivision Project with the direction for staff to bring the project back on the consent agenda of April 5, 2022; and

WHEREAS, following the Board of Supervisor's March 22, 2022 public hearing, in consultation with the Applicant, a Supplement to the Final EIR was prepared, and brought back to the Board of Supervisors' advertised public hearing on March 7, 2023; and

Now, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following findings:

1. **FINDING:** **PROJECT DESCRIPTION**
Amending the Humboldt County General Plan to change approximately 18.5 acres of land designated as Residential low Density to residential Medium Density and approximately 2.2 acres of land designated as Residential Low Density to Commercial General.

- EVIDENCE:**
- a) Evidence in File (PLN-9902-GPA)
 - b) The project description is based on the information submitted as part of the application package, and all subsequent technical documents and information used to evaluate the project.
 - c) These documents are on file in the Planning Department and are hereby incorporated herein by reference.

2. **FINDING:** **THE GENERAL PLAN AMENDMENT IS IN THE PUBLIC INTEREST**

- EVIDENCE:**
- a) The General Plan Amendment provides an increased range of densities which is needed to provide housing opportunities across a range of income ranges.
 - b) The Humboldt County Housing Element identified that this project site could provide 323 units as part of the housing opportunity inventory. The County is significantly behind in providing housing to meet its regional housing obligations. The county's projected housing needs for the current period (2019-2027) is 1,413 units spread across all housing income categories. These amendments allow for the project to provide for 320 units over a variety of different housing income categories.
 - c) As demonstrated by the significant deficit in available housing, there is a significant need for housing in Humboldt County and it is in the public interest to facilitate housing development.
 - d) The amendment results in a portion of the property being developed for neighborhood commercial facilities which will serve the needs of the residents of the development and result in less vehicle miles traveled for convenience items.
 - e) Lastly, the amendment facilitates the transfer of approximately 21.73 acres to the County for future trails and open space which will serve the public.

3. **FINDING:** **APPROVAL OF THE GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE GUIDING PRINCIPLES IN SECTION 1.4 OF THE GENERAL PLAN**

- EVIDENCE:**
- a)
 1. *Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves.* The General Plan Amendment will implement the policy focus of the Housing Element and provide a range of housing opportunities for a variety of household incomes.
 2. *Preserve and enhance the diverse character of Humboldt County and the quality of life it offers.* The General Plan Amendment will allow a range of housing types to meet the needs of many different income levels.

3. *Promote and facilitate the creation of affordable housing opportunities to meet current and future demands for all income levels.* The General Plan Amendment allows a higher density on some parcels which will provide housing that is more affordable by design.
4. *Cooperate with service providers and promote efficient use of roads, water, and sewer services by encouraging development that is consistent with Land Use maps contained in the General Plan. Support home construction methods and alternative wastewater systems that are proven to minimize threats to human health and safety with a goal of reducing energy and water usage.* The applicant and County have been coordinating with the Humboldt Community Services district and as identified in the EIR there is a need to install a new sewer line and install a new water tank which are requirements of this project.
5. *Support the County's economic development strategy and other efforts to retain and create living-wage job opportunities.* The provision of housing will create jobs to construct the housing and install the infrastructure.
6. *Encourage, incentivize and support agriculture, timber ecosystem services and compatible uses on resource lands.* As part of the dedication of the McKay Forest this property was set aside for development. This is no longer a resource land and so development this parcel is consistent with this provision.
7. *Support individual rights to live in urban, suburban, rural or remote areas of the County while using a balanced approach to protect natural resources, especially open space, water resources, fisheries habitat and water quality in cooperation with state and federal agencies.* This parcel was identified as a non-resource land as part of setting aside the McKay Forest. The proposed development has been analyzed in an EIR prepared for the proposed project.
8. *Adhere to practical strategies that can be implemented utilizing constructive cooperation and common sense.* This is a unique proposal on a unique property that has required sound reasoning in order to apply appropriate conditions and mitigation measures that balance the need for improvements with the impact which can be assigned to the project.
9. *Provide a clear statement of land use values and policies to provide clarity in the County's permit processing system and simplify review of projects.* Within the Housing Element this parcel is identified as a priority location for housing. The fact that the project proponent is proposing a range of housing types makes this even more of a priority from a County Policy standpoint.
10. *Maximize the opportunities to educate the public about the planning process, in order to have meaningful participation in the development and maintenance of the Plan. In addition to the legal notices for the CEQA*

document review and public hearings there have been press releases to notify the public that they may participate in the review of this project.

11. Support a broad public participation program at all levels of the decision making process; including study, workshops, hearings, a citizens handbook and plan revisions. The Planning Commission and Board of Supervisors consideration of this project occurred at notice and advertised public hearings.

FINDING:

THE GENERAL PLAN AMENDMENT IS CONSISTENT WITH APPLICABLE GOALS OF THE GENERAL PLAN

EVIDENCE:

- a) The Residential Medium Density designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments and manufactured home park developments. Design review can be used to ensure compatibility with neighborhood character. The allowable density is 7-30 units per acre. The land use designation of approximately 18.5 acres of RL designated property will be redesignated as RM to accommodate 174 multi-family units, at an average of 9 units per acre which is within the range specified in the RM designation.
- b) The Commercial General (CG) designation is intended to classify lands that because of their location, access, and availability of services are suitable for commercial development. This includes retail trade services that are easily accessible, compatible and geared for local neighborhood or regional needs. A total of 2.2 acres of RL designated land will be redesignated as CG to accommodate 22,000 square feet of office and neighborhood commercial space that will serve the development and surrounding community.
- c) Goal C-G1 Circulation System Safety and Functionality. 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.

The amendment facilitates a project that includes various intersection improvements that would help minimize traffic congestion in the vicinity of the proposed project, and includes pedestrian pathways which would connect the new development to the existing community and surrounding recreational opportunities.
- d) Goal C-G4 Access to Active Transportation. Improved access to non-motorized modes of transportation, including walking, bicycling, horseback riding and hiking.

The amendment facilitates the construction of the McKay Community Forest trail segments that are within the project boundary and provides for a bus stop in the vicinity of the commercial development and bike lanes within the public rights-of-way.
- e) Goal H-G2 Housing Diversity. An adequate supply of all types of affordable

housing for all income levels in all areas of the County, including urban, suburban, rural, hamlet and remote areas.

The amendment is necessary to facilitate a mixed-use development which would include 146 single-family houses and 174 multi-family units. The development would provide for a range of income levels, with 18 affordable units, 50 smaller (less than 5,000 square feet) single-family lots, and 96 larger lots measuring 6,600 square feet or more.

- f) Goal G-3 Workforce Housing. An adequate supply of rental and homeownership opportunities affordable to wage earners within close proximity to local businesses, recreational facilities, community services, transit corridors and schools.

The development associated with the amendment places new residences and new commercial uses near existing residential, business, and community services. The range of unit types, including multi-family and single-family residential, would provide for ownership and rental opportunities for wage earners. The nearest transit stop is approximately 0.2 mile to the west, the nearest elementary school is adjacent to the site, and more extensive employment, commercial, health and other services and opportunities are approximately 1 mile to the north.

- g) Goal ED-G6. Competitive Quality of Life calls for 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 amenities.

The amendment facilitates the dedication and development of trails to provide access to adjacent recreational and open space opportunities and proposed commercial spaces and would be located within one mile of retail, childcare, transportation, employment and retail opportunities.

- h) Goal CO-G4. Parks and Recreation calls for maintained and accessible parks offering a range of popular recreation opportunities and a regional trail system that meets future recreational and non-motorized transportation demands. The amendment makes possible the project that includes designating and preserving 21.73 acres of permanent open space through a permanent easement dedicated to the County. In addition, 20-foot wide trail easements and trail connections would be provided on-site to connect to the future public trails to the McKay Community Forest.

- i) Goal CO-G5: Open Space and Residential Development. Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to natural hazards, and seeks to minimize the costs of providing public infrastructure and services.

The project location is adjacent to developed lands, including community playfields at Redwood Fields Park, and would be provided with public water and sewer from HCSD, as outlined in the approved MSR. The Eureka

Community Plan calls for the site's development, and the Housing Element identifies 5 of the 7 APNs as available for residential development in the Residential Land Inventory. 21.73 acres of permanent open space would be preserved and dedicated to the County through an easement or conveyed in fee. Additionally, 20-foot-wide trail easements and constructed trail connections would connect the future public trails to the McKay Community Forest.

- j) Goal BR-G2: Sensitive and Critical Habitat calls for mapped inventory of sensitive and critical habitat where biological resource protection policies apply. Numerous biological resource surveys have been prepared and utilized to support project planning. Based on the results of the literature and database review and field surveys, a thorough inventory of sensitive and critical habitat within the project site has been mapped. This inventory is found in the Draft EIR and refined in the Final EIR.
- k) Goal BR-G3: Benefits of Biological Resources calls for Fish and wildlife habitats protected on a sustainable basis to generate long-term public, economic, and environmental benefits. Mitigation measures are included in the DEIR in order to minimize potential impacts on fish and wildlife habitats. These mitigations measures are primarily found in the biological resources section and hydrology and water quality section. No significant and unavoidable impacts to biological resources were identified in the environmental review.

FINDING:

THE GENERAL PLAN AMENDMENT IS CONSISTENT WITH APPLICABLE GOALS OF THE EUREKA COMMUNITY PLAN

3. EVIDENCE:

- a) Goal 2510.1: To protect resource production lands (agriculture, timberlands) in the outlying areas by concentrating future development around existing communities and infrastructure.
Although the proposed project area consists of a previously undeveloped area with timber harvesting operations, the area has been identified in the Eureka Community Plan as an area proposed for future development.
- b) Goal 2610.2: To protect the area's numerous drainage gulches (greenway/open space areas) while providing for development along hillside terrain.
The amendment facilitates the designation of 21.73 acres of permanent open space, including areas of steep slopes and drainages to be preserved through the establishment of permanent easements.
- c) Goal 2610.3: To provide opportunities for public recreation.
The amendment facilitates the designation of 21.73 acres of permanent open space, including areas of steep slopes and drainages, to be preserved through the establishment of permanent easements.

4. FINDING:

CEQA – The County has complied with the California Environmental Quality Act.

EVIDENCE:

- a) An Environmental Impact Report (EIR) has been prepared and circulated for public review pursuant to sections 15080 through 15097 of the CEQA Guidelines. As part of the review of this project the Humboldt County Board of Supervisors adopted Resolution No. 23- __ certifying the Final

Environmental Impact Report prepared for the project, adopting Statements of Overriding Considerations, making the required CEQA findings prior to approving the project, and adopting the Mitigation Monitoring and Reporting Plan for implementation of the mitigation measures contained in the EIR.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Board of Supervisors do hereby:

- Adopt the findings set forth in this resolution; and
- Amends the General Plan as shown on the Attached Map included as Exhibit A

Adopted after review and consideration of all the evidence on March 7, 2023.



Steve Madrone, Chair
Humboldt County Board of Supervisor

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

AYES: Supervisors-- Bushnell, Bohn, Madrone, Wilson, Arroyo
NOES: 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 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

Exhibit A – Land Use Map

