

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-36**

RECOMMENDING THE BOARD OF SUPERVISORS ADOPT AN AMENDMENT TO SECTION 314-99.1.4, EXCEPTIONS TO LOT COVERAGE STANDARDS, OF THE HUMBOLDT COUNTY CODE.

WHEREAS, California Government Code Section 65853 authorizes counties to amend their zoning ordinances and sets forth procedures governing these amendments; and

WHEREAS, the County has recommended minor amendments to Humboldt County Code Title III, Division 1, Chapter 4 (Regulations outside the Coastal Zone), section 314-99.1.4 addressing Exceptions to Lot Coverage Standards for single story homes in Residential One-Family (R-1) zoning and located within a Housing Opportunity Zone; and

WHEREAS, the Planning Division prepared and circulated the draft Ordinance (Attachment 4 to the Planning Commission staff report); and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the proposed ordinance on July 13th, 2017 to receive evidence and testimony; and

WHEREAS, a Programmatic Environmental Impact Report for the 2010 Housing Element Update (SCH #2009022077), was certified on August 31, 2009, which identified the potential environmental impacts, and proposed mitigation measures to reduce those impacts; and

WHEREAS, an Addendum to the Final Supplemental Environmental Impact Report (SEIR) for the 2010 Housing Element was prepared to address any potential impacts of the proposed ordinance amendment; and

WHEREAS, the Planning Commission hereby makes findings in support of the amendment to section 314-99.1, as well as findings for the adoption of section 314-99.1.4.2, as contained in Attachment 4, and the Required Findings for Zoning Amendment as fully set forth in Attachment 2 of the Planning Commission staff report.

NOW, THEREFORE, be it resolved, determined and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during the hearing:

1. All of the above recitations are true and correct and incorporated herein by reference.
2. The proposed ordinance amendment is in the public interest because it is necessary to maintain consistency with the 2010 and 2014 Housing Element Updates.
3. The proposed ordinance amendment is consistent with the General Plan, all the other Elements of the Plan, and all the other sections of the zoning ordinance, including Humboldt County Code §312-50.3 (Required Findings for All Amendments).
4. The SEIR for the 2010 Housing Element Update certified on August 31, 2009 adequately disclosed the impacts of the proposed implementing ordinances and General Plan changes, and where feasible, mitigation measures were taken to reduce their impacts on the environment, consistent with the requirements of the California Environmental Quality Act (CEQA), prior to making its recommendations.

5. An addendum to the SEIR was prepared to incorporate into the public record the environmental review of the amendment to the ordinance. The addendum concludes there are no additional impacts from the ordinance amendment that were not already evaluated in the SEIR.
6. The proposed amendment to Humboldt County Code Title III, Division 4, Chapter 4 (Regulations Outside the Coastal Zone), Section 314-99.1 Exceptions to Development Standards, is hereby approved as described below:

99.1.4 Exceptions to Lot Coverage Standards. In any R-1 zone on lots 6,000 square feet or less in size, or for housing affordable to lower income households with covenants and restrictions ensuring long term affordability, any structure, building or any architectural feature of a building may be constructed in excess of the lot coverage requirements in this Division provided a Special Permit is first obtained. (Added by Ord. 2313A, 12/16/03; Amended by Ord. 2472, Sec. 1, 2/14/12)

99.1.4.1 Exceptions to Lot Coverage Standards for Decks. In any R-1 zone on lots 6,000 square feet or less in size, any deck or decks may be constructed in excess of the lot coverage requirements in this Division without a Special Permit provided all following conditions are met:

99.1.4.1.1 The building area does not exceed the maximum lot coverage allowed by the zone, and

99.1.4.1.2 The total lot coverage of all structures on the lot including the proposed deck does not exceed forty percent (40%), and

99.1.4.1.3 The proposed deck does not encroach into the required setbacks, and

99.1.4.1.4 The deck is uncovered, and

99.1.4.1.5 The deck allows the passage of water so that water can percolate into the soil below. (Added by Ord. 2313A, 12/16/03)

99.1.4.2 Exceptions to Lot Coverage Standards for Single Story, Single Family Residences.
In any R-1 zone on lots 10,000 square feet or less in size, a single story, single family home may be constructed up to 50% lot coverage inclusive of garages, decks and accessory structures.

BE IT FURTHER RESOLVED that minor changes that 1) do not substantially affect the proposed ordinance amendment, or General Plan; 2) are reasonably based on credible information that is readily accessible to the public, 3) are necessary to respond to comments on the approved 2014 Housing Element by HCD, or to make the Plans and ordinances more consistent with state law as directed by County Counsel shall not be considered substantial changes requiring further review by the Planning Commission.

BE IT FURTHER RESOLVED that this Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold public hearings in the manner prescribed by law;
2. Adopt the Planning Commission's findings;
3. Certify compliance with the requirements of CEQA as required by state law; and adopt the Planning Commission recommended amendment to Title III, Division 1, Chapter 4 (Regulations Outside the Coastal Zone, section 314-99.1).

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

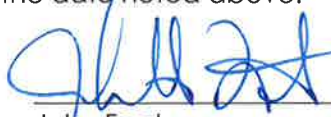
The motion was made by Commissioner Shepherd and seconded by Commissioner Mitchell.

AYES: Commissioners Bongio, Shepherd, Morris and Mitchell

ABSENT: Commissioners Edmonds, McKenny and Levy

DECISION: Motion carries 4/0.

I, John Ford, Secretary 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.



John Ford
Director, Planning and Building Department