

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on June 6, 2023

Resolution No. 23-79

Resolution of the Board of Supervisors of the County of Humboldt CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING FINDINGS FOR APPROVAL OF THE ZONE RECLASSIFICATION FOR RIO DELL LEASING, LLC ET AL, RECORD NO. PLN-14245-ZR.

WHEREAS, October 17, 2017 the Board of Supervisors accepted a petition to amend the Zoning Map for properties zoned MH-Q that are located in the Alton area; and

WHEREAS, Rio Dell Leasing, LLC submitted an application and evidence in support of a Zoning Map Amendment; 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 April 20, 2023, after considering the application, the Planning Commission adopted a Resolution which did the following:

1. Found that there is no substantial evidence that the proposed project would have a significant effect on the environment and found the project is exempt from CEQA; and
2. Recommend that the Board adopt the findings set forth in this resolution; and
3. Recommend that the Board approve the Zone Reclassification; and

WHEREAS, the Board of Supervisors held a public hearing, de-novo, on June 6, 2023 and reviewed, considered, and discussed the application for a Zone Reclassification and reviewed and considered all public testimony and evidence presented at the hearing, including the Initial Study and CEQA exemption; and

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

1.	FINDING:	Project Description: A Zone Reclassification to remove a Qualified (Q) combining zone currently in place on approximately 66 acres of heavy industrial (MH) zoned parcels known as Assessor Parcel Numbers (APN's) 201-311-012, 201-311-022, 201-311-024, 201-322-001, 201-322-010, 201-322-012, 201-322-017, 201-322-019, 201-322-031, 201-322-033, 204-081-003, 204-081-004 & 204-171-003. The Q zone,
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		for both retail sales/retail services and reserves the industrial use of the properties for timber products processing and storage of no longer than five (5) days. The Q-zone restrictions on industrial and commercial development limit their use in such a way that many of the parcels have been vacant for decades. Removal of the Q combining zone is being sought to allow these properties to host the broader assortment of commercial and industrial permitted under the Heavy Industrial (MH) base zoning district applied to this area.
	EVIDENCE	a) Project File: PLN-14245-ZR
2.	FINDING:	CEQA: The project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines.
	EVIDENCE	a) Section 15061(b)(3), which states that projects are exempt from environmental review where it can be seen with certainty that a project will not have a significant effect on the environment.
		b) Initial Study prepared for the project.
		FINDINGS FOR AMENDMENTS TO THE ZONING MAP (ZONE RECLASSIFICATION)
3.	FINDING:	The proposed amendment is in the public interest.
	EVIDENCE	a) Removal of the Qualified Combining Zone from approximately 66 acres of industrially zoned lands will facilitate redevelopment and reuse of valuable industrial lands in the Alton area. The original reason to reserve these properties for timber products processing is somewhat antiquated. In recent decades there has been a dramatic decline in the timber industry in the County and resulting in the closure of a number of local mills (examples include Sierra Pacific, Eel River Sawmills, Arcata Plywood, Arcata Redwood, and Humboldt Redwood Company). The amendment is being sought concurrently with a separate proposal to rezone several adjoining parcels from Limited Industrial (ML) to Heavy Commercial (C-3) to facilitate redevelopment and enable further occupancy of the site with a mixture of commercial uses. Removing an antiquated zoning restriction will allow for the use of the property in a manner that is consistent with the needs of the larger community.
4.	FINDING:	The amendment is consistent with the County General Plan.
	EVIDENCE	a) The 66-acre area has been planned Industrial General (IG) since at least 1985 when adoption of the Future Area Community

		Plan (FACP) occurred. The IG land use designation was upheld in 2017 during adoption of the updated countywide General Plan
	EVIDENCE	b) The IG designation provides for general industrial and manufacturing uses, where convenient access to transportation systems is available. All of the parcels included in the zoning district enjoy frontage along State Highway 36.
5.	FINDING:	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 written findings are made.
	EVIDENCE	a) None of the parcels targeted for rezone were included in the residential housing inventory utilized for determining compliance with housing element law. The parcels current Industrial, General (IG) land use designation is primarily intended to encourage commercial and industrial development. However, the designation also allows for residential development where subordinate to a primary commercial or industrial use. Removal of the Qualified combining zone will further facilitate the possibility of future mixed-use development.
6.	FINDING:	The amendment is consistent with the Open Space Element and Open-Space Action Program of the County General Plan.
	EVIDENCE	a) The proposed zone reclassification from Heavy Industrial – Qualified (MH-Q) to Heavy Industrial (MH) will not conflict with the Open Space Element and Open Space Action program as the area being rezoned has been host commercial and industrial development for over 40 years. Development setbacks and riparian and wetland protections will remain unaffected by the proposed removal of the Q zone.
7.	FINDING:	The amendment is consistent with the Guiding Principles of Section 1.4 of the General Plan.
	EVIDENCE	a) Guiding Principle #1 encourages that the plan ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves. Correcting the mapping error will help ensure historic/current commercial uses will once again be supported by the General Plan designation.
	EVIDENCE	b) Guiding Principle #5 encourages that the plan support the county's economic development strategy and other efforts to retain and create living wage job opportunities.

		Approval of the request to remove the antiquated Qualified zone restriction will help spur redevelopment of the area in a manner that is consistent with the current needs of the community. Collectively these actions help support economic development and creation and retention of living wage job opportunities.
8.	FINDING:	The amendment is consistent with the goals of the Plan.
	EVIDENCE a)	Economic Development Goal ED-G1 of the plan includes retention and support of a diverse, stable, and growing economy. Removal of the Qualified Zone restrictions will help foster redevelopment and commercial investment in this area and help retain and support economic development in this region.
	EVIDENCE b)	Economic Development Goal ED-G12 of the plan includes having a sufficient land inventory ready to meet the current and future demand for high value uses such as commercial and industrial expansion and natural resource production. Removal of the restrictions imposed under the Q-zone will help retain and support commercial and industrial uses as well as future potential expansion.

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

- a. Adopt the findings set forth in this Resolution; and
- b. Finds the Zone Reclassification consistent with the provisions of the Humboldt County Code and General Plan; and
- c. Finds that the Zone Reclassification is in the public interest and is consistent with the Guiding Principles and goals of the Plan; and
- d. Approves the Zone Reclassification, as shown in Exhibit 1; and
- e. Directs Planning and Building staff to file a Notice of Exemption pursuant to CEQA.



Steve Madrone
Chair, Humboldt County Board
of Supervisors

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on June 6, 2023, by the following vote:

Adopted on motion by Supervisor Bushnell, seconded by Supervisor Wilson
and the following vote:

AYES: Supervisors: Bohn, Bushnell, Madrone, Wilson

NOES: Supervisors:

ABSENT: Supervisors: Arroyo

STATE OF CALIFORNIA

SS.))

County of Humboldt

I, Kathy Hayes, Clerk of the Board of Supervisors of the 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-titled 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.

KATHY HAYES Clerk of the Board of Supervisors of the County of Humboldt, State of California

By 
Nikki Turner, Deputy

Exhibit 1
Map – Zone Reclassification

