



# COUNTY OF HUMBOLDT

For the meeting of: 6/6/2023

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File #: 23-692

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**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**Vote Requirement:** Majority

**SUBJECT:**

Russ Renner Zone Reclassification, General Plan Amendment, and Conditional Use Permit  
Assessor Parcel Numbers (APNs) 201-311-026 & 201-311-028  
Record No.: PLN-2023-18078  
Alton area

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Open the public hearing, receive presentation by County staff, the applicant and receive public comment; and
2. Close the public comment portion of the hearing; and
3. Deliberate on the Zone Reclassification and General Plan Amendment; and

*Make a motion to take the following actions:*

4. Adopt the resolution (Resolution 23-\_\_\_) (Attachment 1) finding that the requirements of the California Environmental Quality Act have been complied with and that the Board has considered the previously adopted Mitigated Negative Declaration and the Addendum to that has been prepared for the General Plan Amendment, Zone Reclassification, and Conditional Use Permit currently requested; and
5. Adopt the resolution (Resolution 23-\_\_\_) (Attachment 2) taking a comprehensive view of the General Plan and making findings that there is an obvious error in the General Plan land use mapping for this area and requesting correction of the mapping error be completed during the next available set of amendments; and
6. Adopt the resolution (Resolution 23-\_\_\_) (Attachment 3) making findings in support of the Zone Reclassification and approving the Zone Reclassification to change 6.3 acres of property from Limited Industrial (ML) to Industrial Commercial (C-3) and Limited Industrial (ML) to Industrial Commercial (C-3) with the Streamside management Areas and Wetlands Combining

Zone (C-3/WR); and

7. Adopt the Ordinance (Attachment 4) to approve Zone Reclassification of 6.3 acres from Limited Industrial (ML) to Industrial Commercial (C-3) and Industrial Commercial with the Streamside management Areas and Wetlands Combining Zone (C-3/WR); and
8. Direct the Clerk of the Board to give notice of the decision to Russ Renner, the Planning and Building Department, and any other interested party.

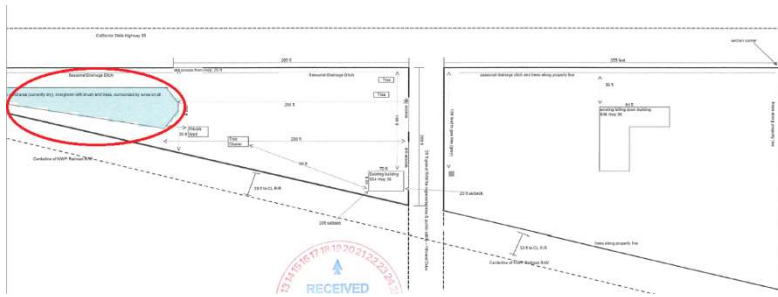
SOURCE OF FUNDING:

Applicant fees to Current Planning budget unit (1100277)

DISCUSSION:

A Zone Reclassification is being requested to change approximately 6.3 acres of property from Limited Industrial (ML) to Industrial Commercial (C-3) and from Limited Industrial (ML) to Industrial Commercial with the Streamside management Areas and Wetlands Combining Zone (C-3/WR). This request was recently considered by the Planning Commission at their meeting on April 20, 2023 during which the Commission voted unanimously recommending the Board approve the Zone Reclassification request. During this meeting the Commission also voted to approve a Conditional Use Permit request to allow retail sales to be conducted at the site. Initiation of the retail use may not occur until all Conditions of Approval have been satisfied. Chief among these is a requirement that the Zone Reclassification be finalized and a requirement that certain improvements to the existing driveway be completed. The zoning change and CUP are being requested to enable the property to host an existing business engaged in the storage, repair, servicing, and customization of recreational vehicles as well as sales of RV parts. Since 2008 the business has been operating from a neighboring property (APN 201-322-011) less than a quarter mile to the east. The business will operate in a 7,500 square foot building currently under construction and a separate 4,800 square foot building.

Both parcels were the subject of a prior owner-initiated Zone Reclassification and General Plan Amendment request which was approved by the Board of Supervisors on Jan. 10, 2012. This action resulted in a change to the General Plan land use designation from Commercial General (CG) to Industrial General (IG) as well as a Zone Reclassification from Commercial Highway with a Qualified combining zone to Limited Industrial (ML). The Q-zone limited allowed uses to Amusement Parks and Recreational Facilities. This was based on the fact that at the time of adoption of the community plan, the site was already being used as a closed track railroad amusement park. At the time of the 2012 zone reclassification request, the tourist attraction had been vacant for over a decade and redevelopment of the property was being sought by a new owner. Soon after the rezone was approved, the property was redeveloped with a storage yard and office building for a fence contracting business. Construction of a 7,500 square foot shop building began in September of 2022 and is now nearing completion.



Western portions of the site (APN 201-311-026) are host to a wetland area lying between the highway and former railroad grade. The existence, location and extent of the pond was noted during processing of the 2012 rezone and plan amendment and shown on the site plan at that time. The land use designation of both parcels was changed from Industrial General (IG) to Open Space (OS) with the Airport (AP) overlay during adoption of the comprehensive update of the Countywide General Plan on October 23, 2017. This OS designation was incorrectly applied to the entirety of both parcels when only the westernmost portions of APN 201-311-001 (containing the human-made pond) were expected to be changed from IG to OS. Consequently, staff is recommending that the current land use mapping be viewed as a mistake, as provided for in Policy G-P9 of the General Plan “Errors in the Plan.” However, instead of completing an individual plan amendment at this time, staff is recommending that the Board acknowledge the error during action on the rezone and defer that correction of the error be bundled with the next available set of amendments. Section 65358 of the Government Code limits cities and counties from amending certain elements of the General Plan more than four times per year. Two General Plan amendments have already been approved by the Board during this calendar year (2023). Deferring action on correcting this error in the plan will preserve the remaining 2023 quarterly amendments for more pressing concerns. The mapping exhibit prepared for the Zone Reclassification uses the current vegetation boundary to separate which areas include the Streamside management Areas and Wetlands Combining Zone “WR” coupled with the proposed new Industrial Commercial base zoning (C-3). The Use Permit approval included a condition of approval requiring that the applicant prepare and submit a Development Plan which clearly identifies the wetland area and labels it “unbuildable,” as well as recordation of a Notice of Development Plan to provide constructive notice

to future property owners and tenants.

### **CEQA**

The requested zoning change and conditional use permit will help spur further redevelopment of the site with a broader range of new uses, and relocation of a neighboring commercial business already operating in the area. The location targeted for the relocated business lies within a domesticated portion of the site that has already been developed with gravel and a shop building in recent years. Consequently, environmental impacts associated with these changes are understandably minimal. A Mitigated Negative Declaration (MND) was prepared and adopted during the approval of the prior zone reclassification and plan amendment in 2012. An Addendum to the MND has been prepared for the current proposal. Both the Addendum and previously adopted MND have been provided for the Board's review and consideration (Attachment 5 and Attachment 6).

### **FINANCIAL IMPACT:**

The cost for this item is funded from applicant fees in the Current Planning budget unit 1100277. There is no impact to the General Fund related to this action.

### **STRATEGIC FRAMEWORK:**

This action supports your Board's Strategic Framework priority of supporting business, workforce development and creation of private-sector jobs , encouraging new local enterprise, and retaining existing and facilitating new living-wage private sector jobs and housing.

### **OTHER AGENCY INVOLVEMENT:**

None.

### **ALTERNATIVES TO STAFF RECOMMENDATIONS:**

1. The Board of Supervisors may decide to deny the request for a General Plan Amendment and Zone Reclassification. As a consequence, the applicant would be unable to satisfy the conditions of approval of Use Permit approved by the Planning Commission, and the retail sales use could not be initiated on the site.

### **ATTACHMENTS:**

1. Resolution Considering the Previously Adopted Mitigated Negative Declaration and the Addendum prepared for the Renner project.
2. Resolution making findings recognizing that there is an error in the General Plan
3. Resolution making findings in support of the Zone Reclassification and approving the Zone Reclassification
4. Ordinance Adopting Rezone
5. Addendum to the Mitigated Negative Declaration
6. Previously Adopted Mitigated Negative Declaration
7. Applicant's Evidence in Support of the Required Findings: Basis for Zone Reclassification
8. Referral Agency Comments and Recommendations
9. Planning Commission Resolutions
10. Zoning Ordinance Post Adoption Summary

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**PREVIOUS ACTION/REFERRAL:**

Board Order No.: N/A

Meeting of: 4.20.23 Planning Commission

File No.: 23-548