

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 25-_____

Record Number LRP-2025-19207

Recommending that the Board of Supervisors adopt the amendments to the Procedure for Processing Applications for Permits and Variances, to the Appeal Procedures, to De Minimus Waivers from Coastal Development Permit Requirements, to Amendments to the Zoning Regulations and Zoning Maps, to Wireless Telecommunications Facilities, and to other references to Notices of Final Action or Notices of Decision, as described in the draft ordinance.

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, the migration by the Humboldt County Planning and Building Department to a digital permitting process has revealed aspects of the code which limit the ability of the full process to remain digital, whereby amending the code to allow each step of said process to be digital would benefit the public and the County process, and

WHEREAS, on Thursday July 24, 2025, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed amendments regarding Notices of Action and Decision and Notice; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the amended Processing Applications for Permits and Variances regulations, the Decision and Notice provisions of the Appeal Procedures, the De Minimus Waivers from Coastal Development Permit Requirements regulations, the Wireless Telecommunications Facilities regulations, the Processing of Proposed Amendments provisions of the Amendments to the Zoning Regulations and Zoning Maps regulations, and other references to Notices of Final Action or Notices of Decision on August 7, 2025 to receive a report and any supplements to the report on the draft amendments, as well as evidence and testimony and made a recommendation to the Board of Supervisors to adopt the proposed draft amended Processing Applications for Permits and Variances regulations, the Decision and Notice provisions of the Appeal Procedures, the De Minimus Waivers from Coastal Development Permit Requirements regulations, the Wireless Telecommunications Facilities regulations, the Processing of Proposed Amendments provisions of the Amendments to the Zoning Regulations and Zoning Maps regulations,

and other amended references to Notices of Final Action or Notices of Decision within the Zoning Regulations;

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

REQUIRED FINDINGS OF APPROVAL

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. FINDING: The proposed amendments to the Zoning Ordinance are exempt from environmental review under the common sense exemption (Section 15061(b)(3) of the State CEQA Guidelines) where it can be seen with certainty that a project will not have an adverse effect on the environment and the definition of project under Section 15378 of the State CEQA Guidelines (per Section 15378(b)(2), continuing administrative activities such as general policy and procedure making are excluded from the definition of project).

EVIDENCE:

- a) The proposed ordinance will not allow any new development but will only slightly modify the procedures under which Planning Staff delivers the decisions made for planning permits and what those deliveries are called. There will be no change in the environment except for a small reduction in total carbon dioxide emissions, so it can be seen with certainty there will be no environmental impact.
- b) The amendments to the code to remove the requirement for Notices of Action to be sent via first class mail will have the effect of enabling electronic delivery of the Notices of Action, with the exception of those resulting from Appeals to the Board of Supervisors. Email requires significantly fewer material resources, energy, and time than traditional mailing over the entire course of each item's trip.
- c) The amendment to Section 312-13.7 of the ordinance to remove its dependency to Section 312-6.7 will have the effect of preventing the requirements of Section 312-13.7 from changing as a result of the amendments to Section 312-6.7. The notice of the decision from the Board of Supervisors for any application will continue to be required to be sent by first class mail, with all other associated requirements for the contents of the notice, so there will be no change in procedure. The amendments to Sections 312-16.4 and 314-91.2 of the code to establish that they are dependent on

Section 312-6.7 will have an identical effect as the changes to Section 312-6.7

- d) The changes to what were formerly “Notices of Final Action” to identify them as “Notices of Decision” will have no environmental impact.

PUBLIC INTREST

2. FINDING: The amendments are in the public interest. Allowing electronic delivery of the Notice of Decision and establishing new consistent references and procedures thereof is consistent with the purpose of the Adopted Ordinances. This reduces costs associated with processing permits, reducing burden otherwise renumarated by applicant fees and General Fund budget.

- EVIDENCE:**
- a) Currently the Planning and Building Department is required for all applications subject to Division 1 of Title III to send the final Notice of Action by first class mail. This standard was established at a time of limited email adoption. As the County continues to progress into the modern age, digital processes are becoming the norm, and the majority of the permitting process can be handled via electronic communication. By allowing electronic delivery of the Notice of Decision, the Planning and Building Department can handle most projects digitally from initial application to final approval.
 - b) Reducing time required for processing decisions by removing the mailing requirement and reducing the usage of paper materials both reduce costs from the budget and from applicant bills significantly.

CONSISTENCY WITH THE GENERAL PLAN

3. FINDING: The proposed Zoning Regulation Amendments are consistent with the General Plan.

- EVIDENCE:**
- a) Administrative procedures are not established by nor referenced within the General Plan, so changes to said procedures cannot be inconsistent with the General Plan.
 - b) The Zoning Regulations Amendments will not result in or affect any new development, nor will it affect any existing development.

CONSISTENCY WITH THE COASTAL ACT

- 4. FINDING:** The proposed Zoning Regulations Amendments will not adversely affect Coastal Access, Recreation, Marine, Land Resources, cause new development that may affect scenic resources, public works facilities, safety, and priority of coastal dependent developments or interfere with or allow industrial development.

EVIDENCE: a) The amendments to the Zoning Regulations will not result in or affect any new development. The amendments will, however, enable notices to the California Coastal Commission to be sent via electronic mail, as recently permitted by SB 951's amendment to Public Resources Code Section 30603.

CONSISTENCY WITH STATE PLANNING LAW

- 5. FINDING:** Humboldt County Code Section 312-50.3.4 requires any proposed amendment must 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, unless specific findings are made. The proposed amendments do not limit the number of housing units which may be constructed on an annual basis.

EVIDENCE: a) The amendments do not impact residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The amendments will not alter residential density of parcels within Humboldt County.

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

1. Adopt the required findings above.
2. Adopt the Planning Commission recommended amendments to Sections 312-6, 312-10, 312-11, 312-13, 312-16, 312-50 and 314-91 of Chapter 2 and Chapter 4 of the Zoning Regulations.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **August 7, 2025**.

The motion was made by _____ and seconded by _____ and the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. 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 H. Ford, Director
Planning and Building Department