

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

Resolution Number 23-

Record Number PLN-2021-17209

Assessor's Parcel Numbers: 033-101-011, 033-041-038, 033-091-025, 033-091-026, 033-091-027, 033-091-033, 033-091-034, 033-091-035, 033-101-001, 033-101-002, 033-101-003, 033-101-004, 033-101-005, 033-101-006, 033-101-007, 033-101-008, 033-101-010, 033-101-015, 033-101-021, 033-101-022, 033-101-028, 033-101-029, 033-101-031, 033-101-032, and 033-101-035

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and recommending the Board of Supervisors conditionally approve the Rock and Sky, LLC General Plan Amendment and Zone Reclassification.

WHEREAS, Benbow Properties, Inc., submitted an application and evidence in support of approving a General Plan Amendment (GPA) and Zoning Reclassification (ZR) of 25 parcels totaling 33.46 acres. The GPA is from Residential Low Density (RL) and Residential Estates (RE) to Residential Agriculture (RA). The Zone Reclassification is from Residential Single Family (R-1), Residential Multi-Family (R-3) and Residential Suburban (RS) to Agriculture General (AG).

WHEREAS, the application was reviewed by referral agencies and County departments; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on July 20, 2023 to receive other evidence and testimony; and

WHEREAS, the Planning Commission has reviewed and considered said other written evidence and testimony presented to the Commission; and

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

- 1. FINDING:** General Plan Amendment (GPA) and Zoning Reclassification (ZR) of 25 parcels totaling 33.46 acres. The GPA is from Residential Low Density (RL) and Residential Estates (RE) to Residential Agriculture (RA). The Zone Reclassification is from Residential Single Family (R-1), Residential Multi-Family (R-3) and Residential Suburban (RS) to Agriculture General (AG), in the Benbow Area, APNs 033-101-011, 033-041-038, 033-091-025, 033-091-026, 033-091-027, 033-091-033, 033-091-034, 033-091-035, 033-101-001, 033-101-002, 033-101-003, 033-101-004, 033-101-005, 033-101-006, 033-101-007, 033-101-008, 033-101-010, 033-101-015, 033-101-021, 033-101-022, 033-101-028, 033-101-029, 033-101-031, 033-101-032, and 033-101-035

EVIDENCE: a) Project File: PLN-2021-17209

2. FINDING: **CEQA.** The project is exempt from environmental review under CEQA.

EVIDENCE: a) The project can be found exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), it can be seen with certainty that the project does not have the potential to cause significant impacts because it is a downzoning to a reduced residential density, fewer urban features, and less disturbance to the environment.

FINDINGS FOR GENERAL PLAN AMENDMENT

3. FINDING The petition for amendment of the General Plan may be accepted for processing (General Plan Chapter 3, Goal G-P8)

EVIDENCE a) The condition of County owned roads in the project area is deteriorating due to slope instability, and the reduction in planned housing density will decrease potential future residents and traffic.
b) A change to the Agricultural designation is desired by the property owner because soil instability does not favor the probability or safety of housing at this location, and the change will facilitate historic agricultural use.

4. FINDING The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the General Plan

EVIDENCE a) The amendment is timely as there is an interest to utilize the property for Agricultural use now, and the General Plan is not scheduled for update in the near term.
b) The project offers the potential for economic development and to retain and create living-wage job opportunities by utilizing the land and filling a market niche.
c) The project will encourage, incentivize, and support agriculture and compatible uses on resource lands.

FINDINGS FOR ZONE RECLASSIFICATION

5. FINDING The proposed General Plan Amendment and Zone Reclassification is in the public interest.

EVIDENCE a) The General Plan Amendment and Zone Reclassification will reducing the residential density and potential future build-out of an

area of steep topography and unstable slopes.

6. FINDING

The reclassification 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.

- EVIDENCE** a) The property is not included in the residential land inventory of the Housing Element.

DECISION

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

- 1. Adopt the necessary findings set forth in this resolution; and
- 2. Recommend that the Board of Supervisors approve the General Plan Amendment (GPA) and Zoning Reclassification (ZR) of 25 parcels totaling 33.46 acres. The GPA is from Residential Low Density (RL) and Residential Estates (RE) to Residential Agriculture (RA). The Zone Reclassification is from Residential Single Family (R-1), Residential Multi-Family (R-3) and Residential Suburban (RS) to Agriculture General (AG); and

Adopted after review and consideration of all the evidence on July 20, 2023

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:
 NOES: COMMISSIONERS:
 ABSENT: COMMISSIONERS:
 ABSTAIN: 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