

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

**Resolution Number 23-052**

**Record Number PLN-2022-17796**

**Assessor's Parcel Numbers: 107-091-007 and 107-096-002**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves Knappek Zone Reclassification.**

**WHEREAS, Brent and Karla Knappek, submitted an application and evidence in support of approving a Zone Reclassification (ZR) to reclassify approximately 75 acres from Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) to Timberland Production Zone (TPZ); and**

**WHEREAS, the application was reviewed by referral agencies including the County's Forestry Review Committee; and**

**WHEREAS, the Planning Commission held a duly-noticed public hearing on June 1, 2023 to receive other evidence and testimony; and**

**WHEREAS, the Planning Commission has reviewed and considered said reports and 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:** The applicant requests a Zone Reclassification to rezone approximately 75 acres on two properties from Agriculture Exclusive with a 160 acre minimum parcel size (AE-B-5(160)) into Timberland Production Zone (TPZ). The parcels have a total acreage of 115 acres (Parcel -007 is 75 acres and Parcel 002 is 40 acres). Presently 35 acres of Assessor's Parcel Number (APN) -007 is zoned AE and all of APN -002 is zoned AE. After the proposed zone reclassification all of both properties will be zoned TPZ.

**EVIDENCE:** a) Project File: PLN-2022-17796

- 2. FINDING:** **CEQA.** The project is statutorily exempt from environmental review per Section 15264 of the CEQA Guidelines.

**EVIDENCE:** a) The Zone Reclassification will adopt Timber Production Zone, which is exempt from requiring submission of an EIR or Negative Declaration.

- b) No development is proposed and there is no substantial evidence that the proposed project will have a significant effect on the environment.

### **FINDINGS FOR ZONE RECLASSIFICATION**

**3. FINDING** The proposed Zone Reclassification is in the public interest.

**EVIDENCE** a) The Zone Reclassification will better match the zoning on the property to the existing and intended future use for timber production. The aerial imagery on the County's webGIS shows the property is stocked with large trees and the Timber Management Plan documents the commercial tree species composition.

**4. FINDING** The amendment is consistent with the County General Plan.

**EVIDENCE** a) RA40 and RA160 designations are applied to more remote, steep and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.

b) The TPZ Zone is consistent with the Residential Agriculture (RA) land use designation according to Table 4-H of the General Plan.

c) The aerial imagery on the County's webGIS shows the property is stocked with large trees and the Timber Management Plan documents the commercial tree species composition. Rezoning the property to Timberland Production Zone (TPZ) meets Forest Resources Goals of the General Plan to actively protect and conserve timberlands for long-term economic utilization and to actively enhance and increase county timber production capabilities.

**5. FINDING** The 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.

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

**6. FINDING** The amendment is consistent with the requirements of Section 312-50.8 of the Humboldt County Code, Supplemental Timberland Production Zoning Procedures.

**EVIDENCE** a) Maps have been prepared showing the assessor's parcel numbers for the properties desired to be zoned Timberland Production Zone.

b) A timber management plan has been submitted and approved by the

Forestry Review Committee on February 8, 2023.

- c) The areas to be rezoned are contained within the same ownership and are contiguous with other TPZ parcels in the ownership.
  - d) The areas proposed for rezoning have been managed for timber and grazing for over 100 years.
  - e) The site provides very good timber soil that would be capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
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**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. Approve the rezoning of approximately 75 acres out of AE-B-5(160) into TPZ on APN's 107-091-007 and 107-096-002; and
3. Direct the Clerk of the Board to record a Notice of Timberland Production Status.

Adopted after review and consideration of all the evidence on June 1, 2023

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Sarah West and the following ROLL CALL vote:

AYES:            COMMISSIONERS: Iver Skavdal, Lonyx Landry, Thomas Mulder, Peggy O'Neill, Brian Mitchell, Sarah West

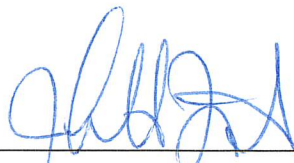
NOES:            COMMISSIONERS:

ABSENT:        COMMISSIONERS: Noah Levy

ABSTAIN:       COMMISSIONERS:

DECISION:      Motion carries 6/0

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.

  
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John H. Ford, Director  
Planning and Building Department

## Conditions of Approval

APPROVAL OF THE ZONE RECLASSIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE ZONE RECLASSIFICATION CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

1. The applicant shall submit a legal description of the lands to be re-zoned into TPZ for review and approval by the County Land Surveyor. The applicable review fee (currently \$280.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Reclassification being scheduled for a decision by the Board of Supervisors.
2. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
3. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka 95501.
4. Within five (5) days of the effective date of the approval of this permit, the applicant shall submit a check to the Planning Department, payable to "Humboldt County Recorder" in the amount of \$50. This check is to cover the County Clerk's costs for filing the Notice of Exemption pursuant to Section 15067 of the CEQA Guidelines.
5. The property owner(s) shall execute and file with the Planning Department the statement titled "Notice and Acknowledgement Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. A copy of the required form will be provided in the final approval packet.
6. The Assessor's office requires that any grazing acres to be reclassified as TPZ acres are to be shown by site class, with a map showing the site designation of all quality classes within the entire project. This documentation shall be prepared under the direction of a Registered Professional Forester and submitted to the Assessor's office for their acceptance.

### Informational Notes:

1. Per Public Works memo dated June 9, 2022, the subject property is located in the State Responsibility Area and is subject to the County's Fire Safe Regulations (FSR) as set forth in County Code. Development of the subject property must comply with the FSR. The Department is involved with ensuring that roads meet minimum FSR. The most common issues with roads not conforming to the FSR are: the maximum length of dead-end road is exceeded; the width of road is too narrow; the grade of the road is too steep; and curve radii are too small. Development for the subject property may require extensive on-site and off-site road improvements in order to meet minimum standards. The applicant should be advised that approval of the Zone Reclassification does not imply that the FSR have been met or can be met.

2. If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relation, excavation plan, protective cover). Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, dietary bone, and human burials.

The applicant is responsible for compliance with this requirement.