

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

Resolution Number 24-043

**Tomasini Zone Reclassification
Record Number PLN-2024-18912**

Assessor Parcel Numbers 316-195-002 and 316-196-007 (one separate legal parcel)

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and recommending the Tomasini Zone Reclassification to the Board of Supervisors for approval.

WHEREAS, the owner submitted an application and evidence in support of approving the Zone Reclassification to rezone one legal parcel of approximately 120 acres from both Agriculture Exclusive with Special Building Site combining zone specifying a 160-acre minimum lot size (AE-B-5(160)) and Unclassified (U) and into Timberland Production Zone (TPZ); and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the Zone Reclassification is statutorily exempt from environmental review per Section 15264 of the CEQA Guidelines; and

WHEREAS, a public notice was sent via mail to all owners and occupants of property within 300 feet of the boundaries of the project; and

WHEREAS, on August 1, 2024, a public hearing was held before the Humboldt County Planning Commission during which the Planning Commission reviewed, considered, and discussed the application and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** A Zone Reclassification to rezone one legal parcel of approximately 120 acres (APN 316-195-002 and 316-196-007) from both Agriculture Exclusive with Special Building Site combining zone specifying a 160-acre minimum lot size (AE-B-5(160)) and Unclassified (U) into Timberland Production Zone (TPZ). The General Plan designation is Agricultural Grazing (AG),

which is consistent with TPZ and does not need to be changed. The parcel is currently managed for timber production as part of a larger land unit that includes APN 316-196-004.

EVIDENCE: a) Project File: PLN-2024-18912

CALIFORNIA ENVIRONMENTAL QUALITY ACT

2. FINDING: The requirements of the California Environmental Quality Act (CEQA) have been met. The Humboldt County Planning Commission has considered the project and finds the proposed Zone Reclassification statutorily exempt from environmental review per Section 15264 of the CEQA Guidelines.

EVIDENCE: a) The Zone Reclassification will adopt Timberland Production Zone, which is statutorily exempt from environmental review.

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

4. FINDING: The amendment is in the public interest.

EVIDENCE: a) The Zone Reclassification will be consistent with the existing and intended future use for timber production. The Forester Letter and Forest Management Plan detail the ability to conduct timber production on the subject parcel.

5. FINDING: The amendment is consistent with the County General Plan.

EVIDENCE: a) The AG designation is applied to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands.

b) The TPZ zone is consistent with the AG designation as indicated in the Zoning Consistency Matrix (Table 4-H) of the General Plan.

- c) Rezoning the parcel to 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.

6. 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 parcel was not included in the residential land inventory of the Housing Element and the amendment will not prohibit future residential development of the parcel.

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. Hold a public hearing in the manner prescribed by law; and
2. Adopt the necessary findings set forth in this resolution; and
3. Approve the rezoning of approximately 120 acres out of Agriculture Exclusive with Special Building Site combining zone specifying a 160-acre minimum lot size (AE-B-5(160)) and Unclassified (U) into Timberland Production Zone (TPZ) on APNs 316-195-002 and 316-196-007; and
4. Direct the Clerk of the Board to record a Notice of Timberland Production Zone Status.

Adopted after review and consideration of all the evidence on **August 1, 2024**.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Sarah West and the following vote:

AYES: Commissioners: Noah Levy, Iver Skavdal, Jerome Qiriazzi, Peggy O'Neill, Sarah West

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Thomas Mulder, Lorna McFarlane

DECISION: Motion carried 5/0

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.



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 \$300.00) 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 property owner(s) shall execute and file with the Planning Department the statement titled "Notice and Acknowledgment 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.

Informational Notes:

1. Lands classified as Timberland Production Zone (TPZ) are enforceably restricted under the California State Constitution and are subject to applicable provisions of the California Government Code and California Revenue and Taxation Codes. These provisions of law affect the manner in which the subject real property may be used and conveyed. A Joint Timber Management Plan (JTMP) will be required in certain situations. Please contact the Humboldt County Assessor (445-7276) or Planning Department (445-7541) for further information.
2. Agricultural and timber lands are identified in the Government Code as a class of open space land [Section 65560(b)(2)]. Government Code Section 65567 prohibits the issuance of a building permit if the proposed construction is inconsistent with the local open space plan.

Wayne Tominsini Parcel Zoning Reclassification Map 2024
Sec 12; T5N; R3E & Sec 7; T5N; R4E; HB&M
USGS 7.5' Quad: Maple Creek
Contour Interval: 40 ft

Redwood Creek

APN: 316-196-004
GIS acres: 157
Assessed acres: 159

APN: 316-196-007
GIS acres: 78
Assessed acres: 81.5

APN: 316-195-002
GIS acres: 38
Assessed acres: 38

	40' Contour
	TPZ Zoning
	AE-B-5(160) Zoning
	AE-B-5(160)/Unclassified Zoning
	Property Boundary
	Access Road
	Class I Watercourse
	Standard Class II Watercourse
	Class III Watercourse

1 inch = 756 feet

