



# COUNTY OF HUMBOLDT

For the meeting of: 9/10/2024

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File #: 24-1269

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**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**Vote Requirement:** Majority

**SUBJECT:**

Tomasini Zone Reclassification to Change the Zoning of Property Currently Zoned 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)

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Introduce an Ordinance by title and waive further reading;
2. Open the public hearing, receive, and consider the staff report, the Planning Commission's recommendation and accept public comment;
3. Close the public hearing;
4. Adopt a Resolution making all required findings for approval of the Zone Reclassification (Attachment 1);
5. Adopt an Ordinance amending section 311-7 of the Humboldt County Code by reclassifying property within Assessor Parcel Numbers 316-195-002 and 316-196-007 currently zoned 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) (Attachment 2);
6. Direct the Clerk of the Board to publish a summary of the zoning changes withing 15 days of the date of the hearing (Attachment 3); and
7. Direct the Clerk of the Board to give notice of the decision to Wayne Tomasini, the Planning and Building Department, and any other interested party.

**STRATEGIC PLAN:**

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Sustainable Natural Resources & Infrastructure Stewardship  
Strategic Plan Category: 5004 - Preserve agricultural and timber land

**DISCUSSION:**

**Executive Summary:** The applicant requests 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. APN 316-196-004 is currently zoned TPZ and AE-B-5(160) and is not part of the rezone. The parcel is approximately 159 acres in size. It is included in the project description because the applicant is a joint owner, and the parcel is managed under the same Forest Management Plan.

**Background**

On Aug. 1, 2024, the Planning Commission recommended the Board of Supervisors approve the Zone Reclassification with a vote of 5-0 without any changes to the project. Planning Commission Resolution 24-043 is included in this report as Attachment 4.

**Public Interest:** The applicant proposes managing the subject parcel for timber production and conservation. The rezone is in the public interest and is consistent with General Plan policies to actively protect and conserve timberlands for long-term economic utilization and to actively enhance and increase county timber production capabilities. The rezone to TPZ conforms to the historical, existing, and intended future land use of timber production. The rezone is consistent with the required findings for Zone Reclassifications, as well as the findings required under Section 312-50.8 of Humboldt County Code, Supplemental Timberland Production Zoning Procedures, and is consistent with the Forest Taxation Reform Act of 1976. The Forestry Review Committee reviewed the project at its meeting on March 7, 2023, and conditionally recommends approval of the Zone Reclassification by a vote of 6-0 (Attachment 5). The conditions required that the forester's name and the road access be corrected in the Forester Letter (Attachment 6). These conditions have been satisfied. The Forest Management Plan prepared by Hohman and Associates Forestry Consultants, Inc. (Attachment 7) documents how timber operations can be coordinated on the properties.

**Record Number:** PLN-2023-18912

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

**Project Location:**

The project site is in the High Prairie area, in the Redwood Creek drainage, on the property known as the Northeast Quarter of the Southeast Quarter of Section 12 Township 5 North, Range 3 East, and Lots 2 and 3 of Section 7, Township 5 North, Range 4 East, Humboldt Meridian.

**Present General Plan Land Use Designation:**

Agricultural Grazing (AG), 2017 General Plan. Density: 20-160 acres per unit. Slope Stability: Moderate to High Instability (2,3).

**Present Zoning:**

Agriculture Exclusive with Special Building Site combining zone specifying a 160-acre minimum lot size (AE-B-5(160)) and Unclassified (U).

**Environmental Review:**

The project can be found statutorily exempt from CEQA pursuant to Section 15264 which states: "Local agencies are exempt from the requirement to prepare an EIR or Negative Declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code, Sec. 51119)."

**State Appeal:**

Project is not appealable to the California Coastal Commission.

**Major concerns:**

None.

**SOURCE OF FUNDING:**

Applicant Fees - Planning and Engineering Services (1100277-608000)

**FINANCIAL IMPACT:**

The administrative cost of the zone reclassification does not impact the General Fund. The applicant is responsible for paying all actual costs involved. If the Zone Reclassification is approved, there will be an impact on property tax revenue. The Humboldt County Assessor estimated that the property tax revenue would be approximately \$4,066 less per year after the property is rezoned. Some of that tax revenue would be recouped through the timber yield tax when timber is harvested and sold.

**OTHER AGENCY INVOLVEMENT:**

The project was referred to responsible agencies and all responding agencies have either responded with comments or

recommended approval or conditional approval.

**Applicant**

Wayne Tomasini  
1881 Liberty Court  
Fortuna, CA 95540

**Owner**

Wayne & Anna Tomasini  
1881 Liberty Court  
Fortuna, CA 95540

**Agent**

None

**ALTERNATIVE TO STAFF RECOMMENDATIONS:**

The Board could deny approval if unable to make all the required findings.

**ATTACHMENTS:**

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

1. Draft Zone Reclassification Resolution
2. Ordinance No. \_\_\_\_
  - A. Ordinance No. \_\_\_\_ Exhibit B (map)
3. Summary of Ordinance
  - A. Summary of Ordinance, map to be published (Exhibit A)
4. Planning Commission Resolution 24-043
5. Forestry Review Committee Minutes March 7, 2024
6. Revised Forester Letter
7. Forest Management Plan

**PREVIOUS ACTION/REFERRAL:**

Planning Commission Resolution No.: 24-043

Meeting of: August 1, 2024

File No.: 24-1158 ~ PLN-2024-18912