

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

Resolution Number 23-072

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, Rock and Sky LLC, 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

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 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 shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka 95501.