



with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

#### **LOT LINE ADJUSTMENT**

- 3. FINDING:** The Lot Line Adjustment application is complete
- EVIDENCE:** a) The applicant has submitted a completed and signed application form, copies of present owners' deeds, a preliminary title report, copies of the creation documents for the parcels and a Lot Line Adjustment Plot Plan.
- 4. FINDING:** The project is consistent with the Subdivision Map Act.
- EVIDENCE:** a) Both parcels involved in the Lot Line Adjustment were created in compliance with the Subdivision Map Act and the governing rules at such time the parcels were created as both were created by deeds executed prior to the establishment of County subdivision regulations.
- 5. FINDING:** The project conforms to zoning and building ordinances.
- EVIDENCE:** a) The parcels are zoned Timberland Production Zone (TPZ) and Unclassified (U), with no development associated with the project proposal. The project will adjust the parcel lines between two parcels with the smallest parcel acquiring approximately 1.5 acres. The largest parcel is developed with a residence and smaller parcel is currently undeveloped. All development standards are currently met. The new zone boundary will follow the new property lines.
- 6. FINDING:** The project is consistent with the General Plan.
- EVIDENCE:** a) General Plan Ch. 4: The Residential Estates designation applies to lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use. The Timberland (T) designation applies to land that is primarily suitable for growing, harvesting and production of timber. The smaller parcel may be utilized for residential uses in the future though it is currently undeveloped. The larger parcel is developed with a home and may be utilized for timber production and grazing.
- c) General Plan Ch. 10.4 (Biological Resources). Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species. Kelly Creek is located just south of the subject parcels. No sensitive habitat was identified on site via review of the CNDDDB. The project was referred to the office of the California Department of Fish and Wildlife, however, they did not respond with any concerns. No ground breaking activities are associated with the proposal.
- d) General Plan Ch. 10.6 (Cultural Resources). Goals and policies

contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. The Department does not have record of any culturally sensitive sites located in or around the project location. No referral comments were received from NWIC. The Bear River Band of the Rohnerville Rancheria did not respond with any concerns. Blue Lake Rancheria and the Wiyot Tribe have requested Inadvertent Discovery protocol. Additionally, no development is proposed as the LLA. Nonetheless, the standard inadvertent discovery condition is included in the conditions of approval.

- e) General Plan Ch. 14: Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. The site is divided into areas of low slope instability and high slope insatiability and is outside of the Alquist-Priolo Fault Hazard Area. The project is not located in proximity of a flood zone. The subject properties are located within the primary responsibility area of the Arcata Fire Protection District. The project is also located in the State Fire Responsibility Area where the State of California has the responsibility for the prevention and suppression of wildland fires.

**7. FINDING:** The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

**EVIDENCE:** a) All reviewing referral agencies have approved or conditionally approved the proposed project. The project will not result in changes in land use or density and will not create a new parcel.

**8. FINDING:** The project, and the conditions under which it may be operated or maintained, will not adversely impact the environment; and the required CEQA findings can be made for any development which is subject to the regulations of CEQA.

**EVIDENCE:** a) As lead agency, the Planning and Building Department found the LLA to be categorically exempt per Class 5, Section 15305(a) of the CEQA Guidelines. The LLA does not result in a change in land use or overall density and is intended to remedy an inconsistency in parcel size with the underlying General Plan designation. Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

#### **ZONE BOUNDARY ADJUSTMENT**

**9. FINDING:** The proposed project is in the public interest.

**EVIDENCE:** a) The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Unclassified (U) and Timberland Production Zone (TPZ). The ZBA would adjust the zone boundary of the resultant 2.4-acre parcel such that the entire parcel is zoned Unclassified with a minimum parcel size that is not specified. This action would rezone approximately 1.5 acres from TPZ to U. The Zone Boundary Adjustment would also allow for the resulting parcel size to be consistent with the General Plan designation for the smaller parcel (GP Designation of RE 2-2.5). The Planning Division believes that the ZBA is in the public interest in that it accurately zones property and plan designation and alternations are minor in nature.

**10. FINDING:** The proposed change is consistent with the General Plan.

**EVIDENCE:** a) The properties involved in the ZBA are planned both Residential Estates (RE 2-2.5) and Timberland (T) by the Humboldt County General Plan. According to the Zoning Consistency Matrix of the Humboldt County General Plan, both the RE 2-2.5 and T plan designations are both compatible with the U and TPZ zoning.

**11. FINDING:** There is no substantial evidence that the project will have a significant effect on the environment.

**EVIDENCE:** a) As lead agency, the Planning and Building Department found the ZBA to be exempt per Section 15061(b)(3) of the CEQA Guidelines. 15061(b)(3) applies to projects that can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**12. FINDING:** The proposed development 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 unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need.

**EVIDENCE** a) These parcels were not utilized by the Department of Housing and Community Development in determining compliance with housing element law. The project has no impact on overall density.

**DECISION**

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Adopt the necessary findings prepared by Planning Staff.
3. Approve the Lot Line Adjustment and Zone Boundary Adjustment.
  4. Adopt Ordinance No.\_\_\_\_\_ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Arcata area [PLN-2022-17758, Davies] so that the zone boundary between Timberland Production Zone (TPZ) and Unclassified (U) is coincidental with the relocated property lines.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on **October 6, 2022**

The motion was made by \_\_\_\_\_and seconded by \_\_\_\_\_and the following ROLL CALL vote:

AYES:                   Commissioners:  
 NOES:                   Commissioners:  
 ABSTAIN:               Commissioners:  
 ABSENT:               Commissioners:  
 DECISION:

I, John 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