



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 95501
Phone: (707) 445-7541 Fax: (707) 268-3792

Hearing Date: May 7, 2020

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

SUBJECT: **Lucchesi Lot Line Adjustment and Zone Boundary Adjustment**
Case Number PLN-2019-15634
Assessor's Parcel Numbers 504-221-015, 504-221-017
891 and 1019 Aldergrove Road, Arcata Area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at tflow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

| Hearing Date | Subject | Contact |
|--------------|--|---------------|
| May 7, 2020 | Lot Line Adjustment and Zone Boundary Adjustment | Trevor Estlow |

Project: A Lot Line Adjustment (LLA) between two parcels resulting in two parcels. APN 504-221-017 will increase in size by approximately 4 acres to align with the existing General Plan designation boundary between the Residential Estates (RE) and Timber (T) plan designation. Each parcel is currently developed with a single-family residence and after the LLA, one parcel will contain two residences and the other will be vacant. Also included is a Zone Boundary Adjustment to adjust the Agriculture General (AG) and Timberland Production Zone (TPZ) zone boundary to follow the adjusted parcel lines. The main purpose of the LLA is to alleviate water systems crossing property lines. The parcels are served with on-site water and on-site wastewater treatment systems.

Project Location: The project site is located in the Arcata area, on the east side of Aldergrove Road, at the southeast quarter of the intersection of Aldergrove Road and Lucchesi Road, on the properties known as 891 and 1019 Aldergrove Road.

Present Plan Designation: Residential Estates (RE); Timber (T); Agriculture Exclusive (AE). Humboldt County General Plan. Density: RE: one dwelling unit per 2.5-5 acres; T: one dwelling unit per 40-160 acres; AE: one dwelling unit per 20-60 acres; Slope Stability: Low Instability and Moderate Instability.

Present Zoning: Agriculture Exclusive (AE), Timberland Production Zone (TPZ).

Case Numbers: PLN-2019-15634

Assessor's Parcel Numbers: 504-221-015, 504-221-017

Applicant
Nick Lucchesi
891 Aldergrove Road
Arcata, CA 95521

Owner(s)
same as applicant

Agent
Kelly-O'Hern Associates
Mike O'Hern
3240 Moore Avenue
Eureka, CA 95501

Environmental Review: Project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

LUCCHESI LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Case Number PLN-2019-15634

Assessor's Parcel Numbers 504-221-015, 504-221-017

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Make all of the required findings for approval based on evidence in the staff report and public testimony, and recommend the project to the Board of Supervisors for approval as described in the Agenda Item Transmittal, subject to the recommended conditions of approval.

Executive Summary: The applicant is proposing a Lot Line Adjustment (LLA) between two parcels resulting in two parcels. APN 504-221-017 will increase in size by approximately 4 acres to align with the existing General Plan designation boundary between the Residential Estates (RE) and Timber (T) plan designation. Each parcel is currently developed with a single-family residence and after the LLA, one parcel will contain two residences and the other will be vacant. The main purpose of the LLA is to alleviate water systems crossing property lines. The parcels are served with on-site water and on-site wastewater treatment systems.

The proposed LLA also includes a Zone Boundary Adjustment (ZBA) to adjust the Agriculture General (AG) and Timberland Production Zone (TPZ) zone boundary to follow the adjusted parcel lines. Also included is the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (B-5(5)) to the smaller parcel to ensure consistency with the underlying plan designation and to limit future subdivision of the land. As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines. The current General Plan designation of Residential Estates (RE) is consistent with the AG-B-5(5) zone designation.

The project site is located in the Arcata area, just west of the City limits of Arcata, at the west end of Aldergrove Road where it intersects with Lucchesi Road. The parcels are mixed with timber and clearing and varying topography with an average slope less than 20%.

The ZBA will change approximately 2.94 acres, through an immediate conversion, from Timberland Production Zone (TPZ) into Agriculture General with a Special Building Site combining zone specifying a 5-acre minimum parcel size (AG-B-5(5)). The area to be zoned AG consists of historically open areas and not timbered. The ZBA will also change approximately 2.82 acres from Agriculture Exclusive (AE) to AG-B-5(5)). This action will create a zone classification that is consistent with the underlying General Plan designation.

While it is the policy of Calfire not to support immediate rezoning of lands out of TPZ, they have reviewed the facts specific to this project and support the project. In addition, the project was reviewed by the Forestry Review Committee at their October 15, 2019 meeting, and they recommended approval of the project with a vote of 5-0 (Attachment 5). Staff believes that the immediate rezone is consistent with the required findings for the ZBA, and with Article 4 of the California Government Code, specifically Section 51133, *Immediate Rezone*, including the Board of Supervisors approval process, and is consistent with the Forest Taxation Reform Act of 1976.

Based on the on-site inspection, a review of Planning Division reference sources and comments from all responding referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Lot Line Adjustment and Zone Boundary

Adjustment.

ALTERNATIVES:

The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Case Number PLN-2019-15634
Assessor Parcel Numbers 504-221-015, 504-221-017**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Lucchesi Lot Line Adjustment and Zone Boundary Adjustment.

WHEREAS, Mike O'Hern, on behalf of the owners, submitted an application and evidence in support of approving the Lot Line Adjustment between two parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Agriculture General (AG) and Timberland Production Zone (TPZ) zone coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with the underlying plan designation; and

WHEREAS, the proposed Zone Boundary Adjustment may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with the General Plan; and

WHEREAS, the immediate rezone may be approved if it can be found to be consistent with the Forest Taxation Reform Act of 1976 and with the requirements of Article 4, specifically Section 51133 et seq. of the California Government Code [*immediate TPZ rezone*]; and

WHEREAS, the County Planning Commission 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 project is categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Lucchesi Lot Line Adjustment and Zone Boundary Adjustment;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission finds the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
3. The proposed LLA and ZBA is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-15634 based on the submitted evidence; and
5. The Planning Commission approves the proposed LLA and ZBA application as recommended and considered in the Planning Division Staff Report for Case Number PLN-2019-15634.

BE IT FURTHER 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-2019-15634, Lucchesi] so that the zone boundary between AG and TPZ is coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with the underlying plan designation.
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 May 7, 2020.

The motion was made by COMMISSIONER and seconded by COMMISSIONER and the following ROLL CALL vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

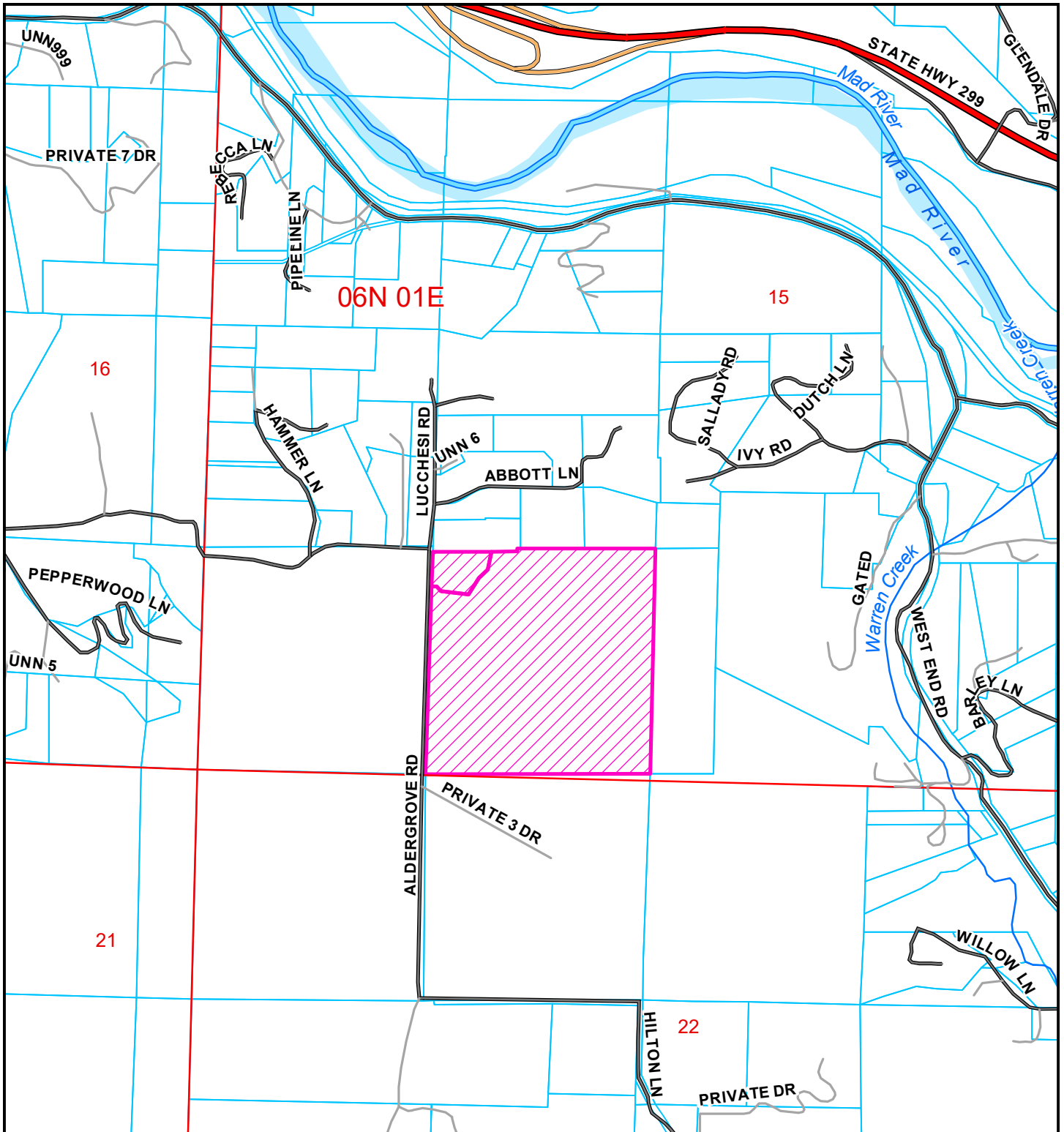
ABSENT: Commissioners:

DECISION:

Robert Morris, Chair

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



LOCATION MAP


**PROPOSED LUCCHESI
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ARCATA AREA
PLN-2019-15634**

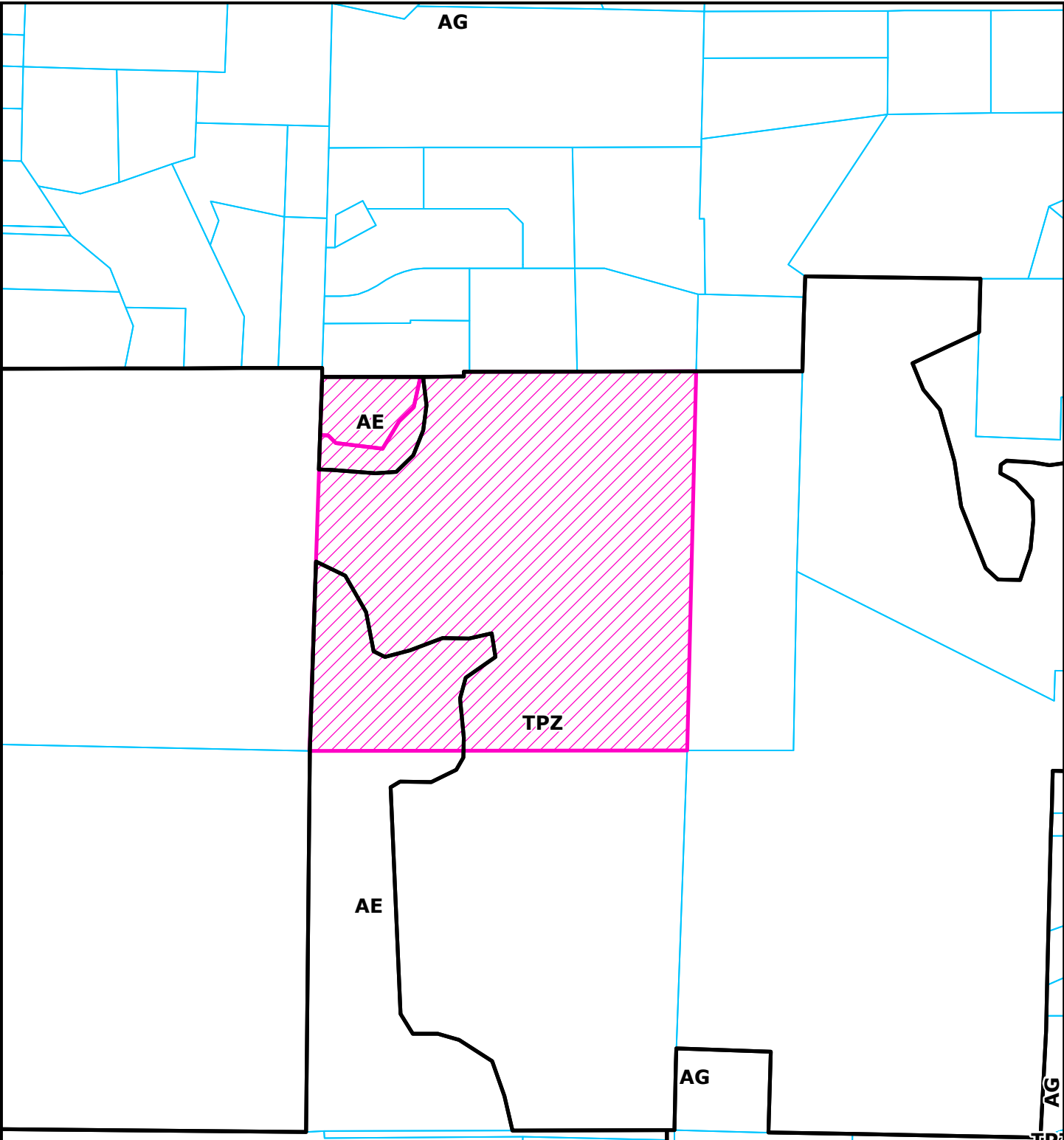
**APN: 504-221-015 & 504-221-017
T06N R01E S15 HB&M (Arcata North)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



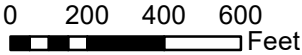
0 250 500 750 1,000
 Feet



ZONING MAP

**PROPOSED LUCCHESI
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ARCATA AREA
PLN-2019-15634**

**APN: 504-221-015 & 504-221-017
T06N R01E S15 HB&M (Arcata North)**

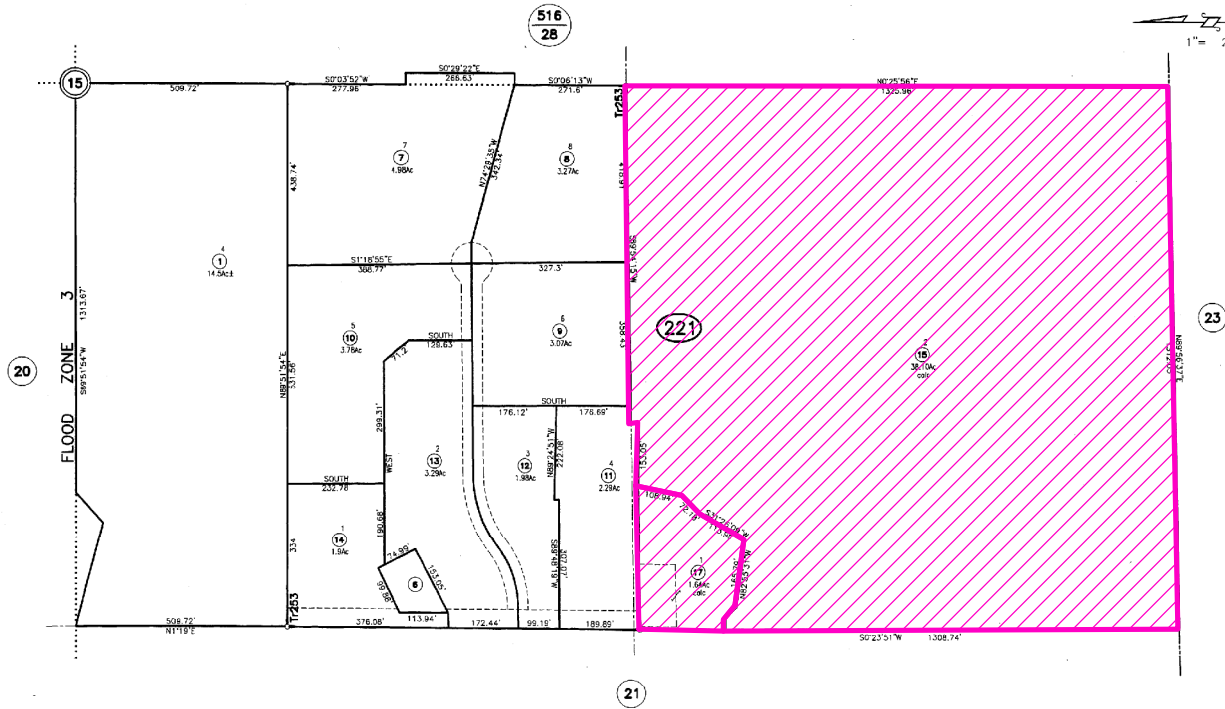


Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

E1/2 OF SW1/4 SEC 15 T6N R1E H.B.& M.

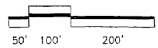
504-22



PM1159 of PM Bk 10, Pgs 64-65
 Tr253, Bk 18 of MAPS, Pgs 105-106
 "Abbott sub'd"
 RS, Bk 70 of surveys, Pg 11

ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
 3. POSSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.
 Assessor's Map Bk. 504, Pg.22
 County of Humboldt, CA.



4 Feb 8, 2013

ASSESSOR PARCEL MAP
PROPOSED LUCCHESI
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ARCATA AREA
PLN-2019-15634

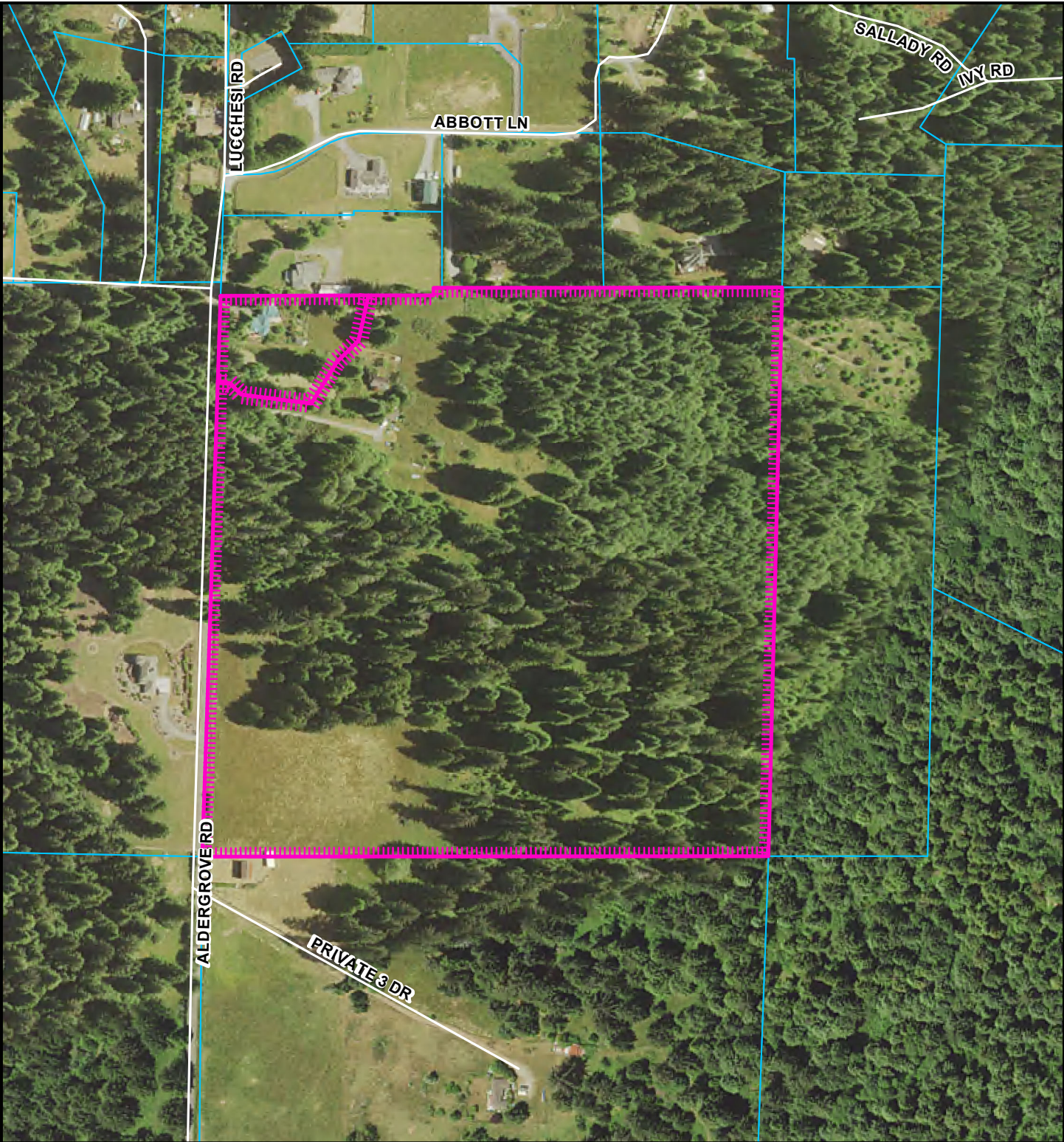
Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

APN: 504-221-015 & 504-221-017
T06N R01E S15 HB&M (Arcata North)

MAP NOT TO SCALE





AERIAL MAP

**PROPOSED LUCCHESI
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ARCATA AREA
PLN-2019-15634**

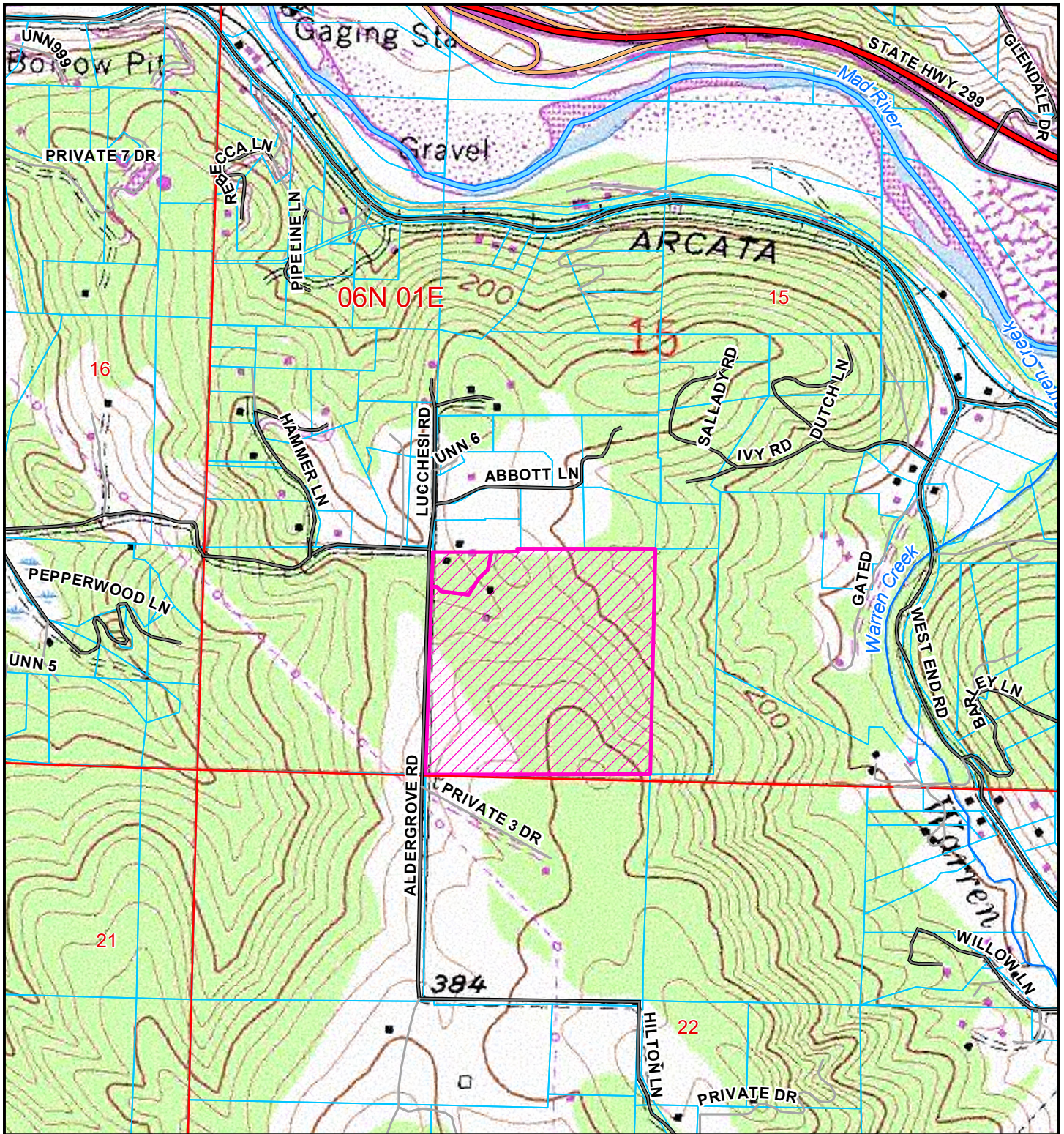
**APN: 504-221-015 & 504-221-017
T06N R01E S15 HB&M (Arcata North)**



0 100 200 300 400
Feet

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



TOPO MAP


**PROPOSED LUCCHESI
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
ARCATA AREA
PLN-2019-15634**

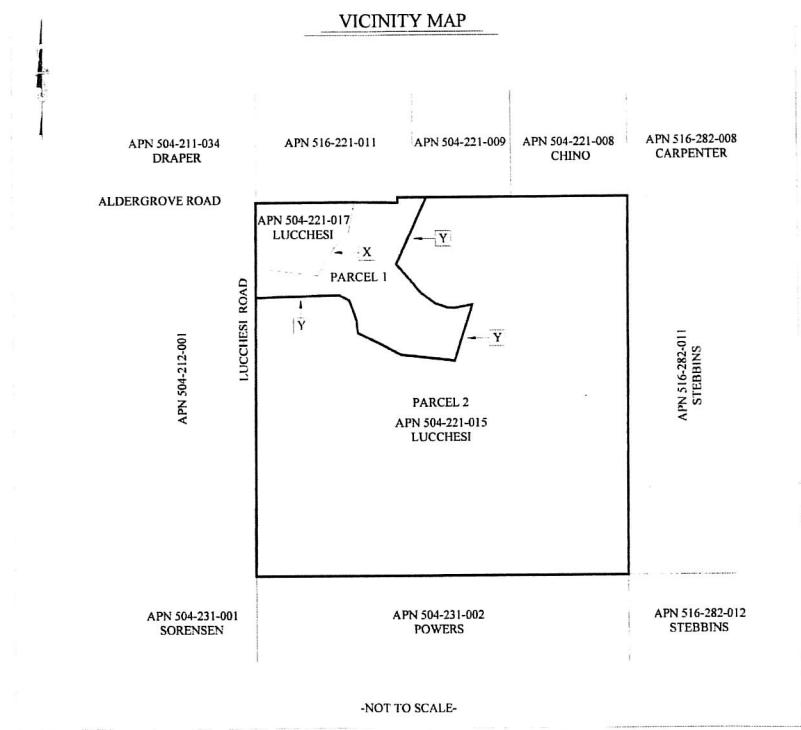
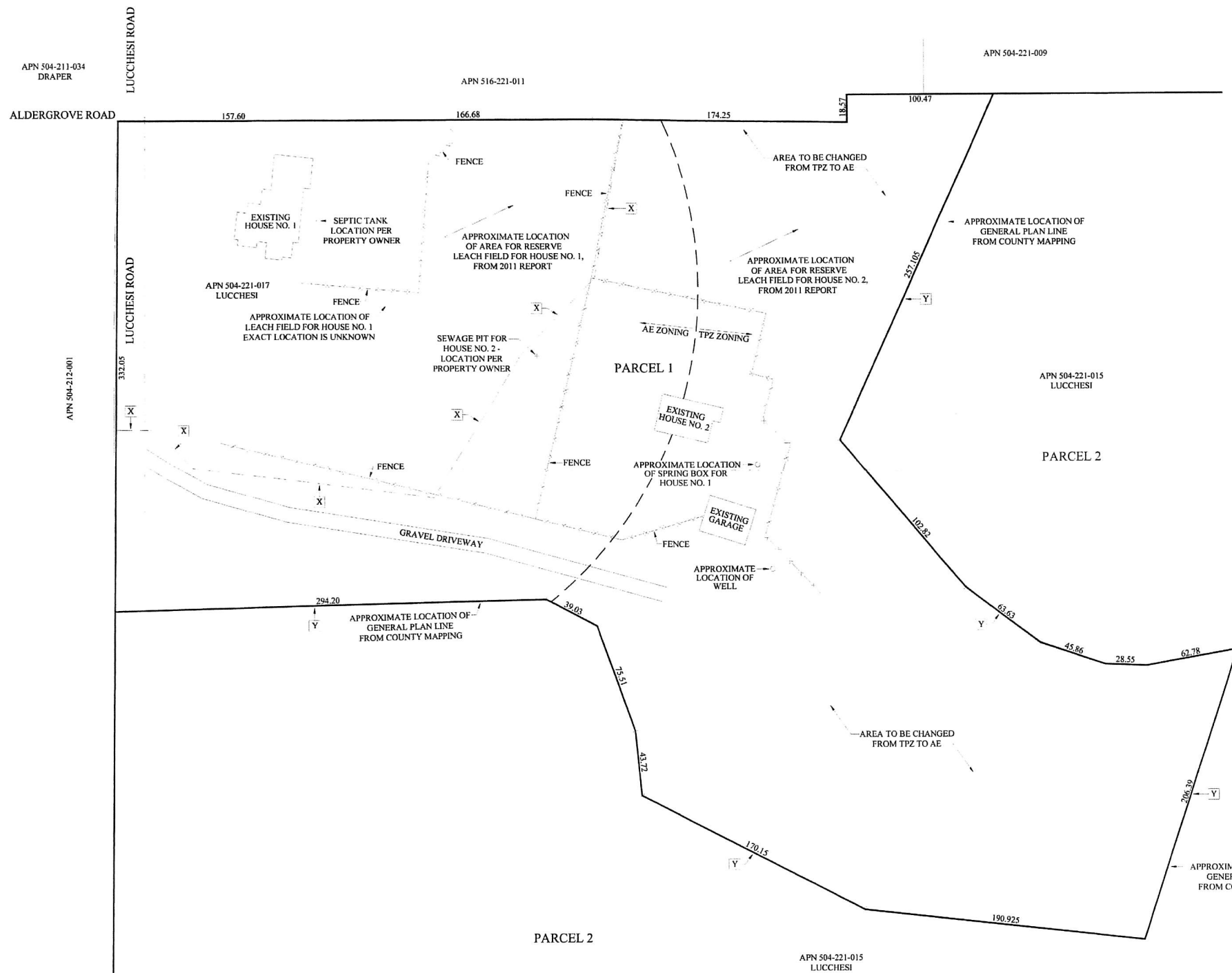
**APN: 504-221-015 & 504-221-017
T06N R01E S15 HB&M (Arcata North)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 500 750 1,000
 Feet



LOT LINE ADJUSTMENT SUMMARY

- X LINE TO BE DELETED BY LOT LINE ADJUSTMENT
- Y LINE TO BE ADDED BY LOT LINE ADJUSTMENT

| PARCEL | AREAS BEFORE LLA | AREAS AFTER LLA |
|-----------------|------------------|-----------------|
| APN 504-221-015 | 38.10 ACRES +/- | |
| APN 504-221-017 | 1.65 ACRES +/- | |
| PARCEL 1 | | 5.76 ACRES +/- |
| PARCEL 2 | | 33.99 ACRES +/- |

NOTES

1. THIS TENTATIVE MAP PROPOSES A LOT LINE ADJUSTMENT BETWEEN TWO EXISTING PARCELS RESULTING IN TWO PARCELS.
2. WATER: ON-SITE
SEWER: ON-SITE
3. TOPOGRAPHIC INFORMATION SHOWN HEREON IS PER A FIELD SURVEY IN JUNE 2011.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN. A BOUNDARY SURVEY IS CURRENTLY IN PROGRESS.
5. PARCEL NUMBERS SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT INTENDED TO REPRESENT A SUBDIVISION OF LAND.
6. THIS PROJECT INCLUDES A REQUEST FOR A ZONE BOUNDARY ADJUSTMENT FROM APPROXIMATELY 2.94 ACRES PROPOSED TO BE CHANGED FROM TPZ TO AE.

RECEIVED JUN 11 2019
 HUMBOLDT COUNTY Planning Division
 AGENT/SURVEYOR: MICHAEL J. O'HERN
 KELLY-O'HERN ASSOCIATES
 3240 MOORE AVENUE
 EUREKA, CA 95501
 (707)442-7283
 OWNER/APPLICANT: NICK LUCCHESI
 891 ALDERGROVE ROAD
 ARCATA, CA 95521
 (707)822-1508

APN 504-221-015, -017
LOT LINE ADJUSTMENT MAP
 FOR
JAMES NICHOLAS AND LINDA ENGLAND LUCCHESI

IN
 SECTION 15 T6N, R1E, HUMBOLDT MERIDIAN
 IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
 MAY 2019 SCALE 1" = 40'

HUMBOLDT COUNTY
 STATE OF CALIFORNIA

KELLY-O'HERN ASSOCIATES
 EUREKA, CALIFORNIA

PURPOSE STATEMENT

THE PURPOSE OF THIS LOT LINE ADJUSTMENT IS TO RECONFIGURE THE EXISTING PARCEL LINES TO FIT THE RECENTLY ADOPTED GENERAL PLAN LINES FOR THESE PARCELS FOR MORE EFFICIENT LAND MANAGEMENT.

ATTACHMENT 1
CONDITIONS OF APPROVAL (Lot Line Adjustment)

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE PROJECT:

1. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
 - d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$424.00 per notice plus \$289.00 for each additional legal description plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$75.00 per parcel) as required by the County Assessor shall be paid to the Humboldt County Planning Department, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition.** *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five*

or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

6. The property owner(s) shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required document.
7. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission 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 Division, 3015 "H" Street, Eureka.
8. Applicant shall obtain Board of Supervisors approval for the associated Zone Boundary Adjustment.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
4. The Humboldt County zoning map shall be revised to conform to the realigned zone boundary per the zone boundary determination of the Humboldt County Planning Commission (H.C.C. §311-8.2).

CONDITIONS OF APPROVAL (Zone Boundary Adjustment)

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

Conditions of Approval:

1. The applicant shall submit a legal description of the area to be rezoned from TPZ into AG-B-5(5) for review and approval by the County Land Surveyor. The applicable review fee (currently \$289.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Boundary Adjustment being scheduled for a decision by the Board of Supervisors.

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To approve this project, the Hearing Officer shall determine that the applicants have submitted evidence in support of making all of the following required findings.

A. Lot Line Adjustment

The following tables provide evidence in support of the required findings for the Lot Line Adjustment:

1. The Lot Line Adjustment application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project conforms to zoning and building ordinances, and conforms to all applicable standards and requirements of the coastal zoning regulations;
4. The project is consistent with the General Plan; and
5. 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.

B. Zone Boundary Adjustment

Section 312-50.3 of the Humboldt County Code (H.C.C.) specifies the findings that must be made in order to grant approval of a Zone Boundary Adjustment. The required findings needed to approve the ZBA are as follows:

1. The proposed change is in the public interest; and
2. The proposed change is consistent with the General Plan.

In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:

3. a) The project either is categorically or statutorily exempt; or

b) There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or

c) An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.
4. Furthermore, per Section 312-50.8.2, *Rezoning From Timberland Production to a Different Zone*, rezoning of the land shall be in conformance with the requirements of the Forest Taxation Reform Act of 1976. Immediate rezoning out of TPZ must be consistent with the requirements of Article 4, *Immediate Rezone*, of the California Government Code, specifically Section 51133:

5. a) The board or council may tentatively approve the immediate rezoning after notice and hearing and only if by a four-fifths vote of the full body; and:
- (1) A public hearing is held with notice of the hearing being given to all owners of lands situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.
 - (2) The board or council makes written findings that immediate rezoning is not inconsistent with the purposes of subdivision (j) of Section 3 of Article XIII of the Constitution and of this Chapter (refer to Attachment 1A) and with the provisions of the Timber Yield Tax Law (Sections 51130 through 51134 of the California Government Code).
 - (3) The board or council makes written findings that immediate rezoning is in the public interest.
- b) The board or council shall forward its tentative approval to the State Board of Forestry, together with the application for immediate rezoning, a summary of the public hearing and any other information required by the State Board of Forestry.

A.1. The application is Complete: The following table identifies the evidence which supports the finding that the applicant has submitted the information which is required by Section 325.5-6(a) of the Humboldt County Code.

| Application Requirements | Submitted |
|---|-----------|
| Completed and Signed Application Form | ✓ |
| Copies of Present Owners Deeds | ✓ |
| Preliminary Title Report | ✓ |
| Copy of the Creation Documents for the parcels | ✓ |
| 6 Copies of a Lot Line Adjustment Plot Plan | ✓ |
| Required County Fees | ✓ |
| A Written Statement Explaining the Reasons For the Adjustment (Project Description) | ✓ |

A.2. Consistency with the Subdivision Map Act: The following table identifies the evidence which supports the finding that the parcels to be adjusted are found to be in compliance with the Subdivision Map Act which is required by Section 325.5-6(b) of the Humboldt County Code.

| PARCELS | CREATION DOCUMENT | LEGAL STATUS |
|-------------|---|--------------|
| 504-221-015 | Parcel 2 of Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded as Document No. 2012-019347-5. | Legal parcel |
| 504-221-017 | Parcel 1 of Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded as Document No. 2012-019347-5. | Legal parcel |

Based upon requirements of the County Lot Line Adjustment Ordinance, and due to requirements in the Subdivision Map Act, a Notice of Lot Line Adjustment must be recorded for each resultant parcel.

A.3. Conformance with Zoning and Building Ordinances: The following tables identify the evidence which supports the finding that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances.

| Zoning Section | Summary of Applicable Requirement | Evidence That Supports the Zoning Finding |
|--|--|---|
| Agriculture General (AG) Timberland Production Zone (TPZ) Agriculture Exclusive (AE) | General agriculture and single family residential is principally permitted in all zones. | The project will adjust the parcel lines between two parcels to add approximately four acres to the smaller parcel. Although some of the land to be adjusted is zoned TPZ, it is less than three acres in size and is subject to a Less Than 3-Acre Conversion Exemption from Calfire. Furthermore, the new zone boundary will correct an inconsistency with the underlying General Plan designation. The smaller parcel is served with on-site water and an on-site wastewater treatment systems. The larger parcel is vacant. |
| Development Standards | | |
| Minimum Parcel Size | AG-B-5(5): 5 acres TPZ: 160 acres AE: 60 acres | Parcel 1: 5.76 acres Parcel 2: 33.99 acres |
| Minimum Lot Width | AG: 60 feet TPZ: n/a AE: 100 feet | All parcels comply with their respective requirements. |
| Minimum Yard Setbacks within SRA: | 30 feet from all property lines | One existing structure on Parcel 1 is approximately 22 feet from the property line, however, it was constructed prior to the implementation of the FireSafe Ordinance. The larger parcel is vacant. Future development must comply with zone standards and building regulations. |
| Maximum Lot Coverage | AG: 35% TPZ: n/a | Parcel 1: ±2% Parcel 2: vacant |

A.4. The proposed development must be consistent with the General Plan. The following table identifies the evidence, which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan and pursuant to the provisions of SB 497 (Sher) effective January 1, 2002.

| Plan Section | Summary of Applicable Goal, Policy or Standard | Evidence Which Supports Making the General Plan Conformance Finding |
|--|---|---|
| <p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p> | <p>Residential Estates (RE): Lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use. Density range is 2.5 – 5 acres/unit</p> <p>Timberland (T): Land that is primarily suitable for growing, harvesting and production of timber. Density range is 40 – 160 acres/unit</p> <p>Agriculture Exclusive (AE): Bottomland farms and lands that can be irrigated; also used in upland areas to retain agricultural character. Density range is 20-60 acres/unit.</p> | <p>The project will adjust the parcel lines between two parcels to add approximately four acres to the smaller parcel. Although some of the land to be adjusted is zoned TPZ, it is less than three acres in size and is subject to a Less Than 3-Acre Conversion Exemption from Calfire. Furthermore, the new zone boundary will correct an inconsistency with the underlying General Plan designation. The smaller parcel is served with on-site water and on-site wastewater treatment systems. The larger parcel is vacant.</p> |

| | | |
|--|---|--|
| <p>Safety Element Chapter 14</p> <p>Geologic and Seismic</p> | <p>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 (S-G1, S-G2)</p> <p>Related policies: S-PX1. Site Suitability, S-P6. Structural Hazards</p> | <p>The site is in an area of low to moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area.</p> |
| <p>Safety Element Chapter 14</p> <p>Flooding</p> | <p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p> | <p>According to FIRM Map Panel 695, the property is approximately 1,300 feet away from the nearest 100-year flood zone associated with Warren Creek.</p> |

| | | |
|--|---|--|
| <p>Safety Element Chapter 14</p> <p>Fire Hazards</p> | <p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations</p> | <p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. The parcel is also within the Arcata Fire Protection District who provides structural fire protection as well as responding to medical emergencies.</p> |
| <p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p> | <p>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 (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation</p> | <p>The Department does not have record of any culturally sensitive sites located in or around the project location. The referral comments from NWIC indicated that their office had no record of any previous cultural resource studies and recommended consultation with the local tribes. Correspondence with both the Blue Lake Rancheria and the Wiyot Tribe indicated that there was no knowledge of archaeological sites in the area and recommended the standard inadvertent discovery condition. This is included in the conditions of approval.</p> |
| <p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p> | <p>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 (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p> | <p>Warren Creek is located over 1,000 feet to the east of the subject property. No sensitive habitat was identified on site. The project was referred to the Eureka office of the California Department of Fish and Wildlife, however, they did not respond with any concerns.</p> |

to land use or density will result, the Planning Division believes that the ZBA has no potential for causing a significant effect on the environment, and that it can be seen with certainty that there is no possibility that the rezone would have a significant effect on the environment, and is exempt per Section 15061 (b)(3) of CEQA.

ATTACHMENT 3

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on _____, 2020

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE ARCATA AREA
[PLN-2019-15634 (LUCCHESI)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by adjusting the zone boundary between Agriculture General including the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (AG-B-5(5)) and Timberland Production Zone (TPZ) coincidental with the proposed property lines. The area described is also shown on the Humboldt County zoning map J-20 and on the map attached as Exhibit A.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2020, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:
Kathy Hayes
Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Deputy

ATTACHMENT 4

Applicant's Evidence In Support of the Required Findings

Attachment 4 includes a listing of all written evidence that has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division unless otherwise noted:

- Application Form (On File)
- Plot Plan/Tentative Map Checklist (On File)
- Detailed Plot Plan (Attached)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)
- Purpose Statement (On File)

ATTACHMENT 5

Referral Agency Comments

| Referral Agency | Recommendation | Location |
|---|----------------------|----------|
| County Assessor | Approval | On file |
| County Building Inspection Division | Approval | On file |
| Department of Public Works, Land Use Division | Comments | On file |
| Division of Environmental Health | Approval | On file |
| Arcata Fire Protection District | No comment | |
| Calfire | Comments | On file |
| Ca. Dept. of Fish and Wildlife | No comment | |
| Northwest Information Center | Recommend Study | On file |
| Blue Lake Rancheria | Conditional Approval | |
| Bear River Band of the Rohnerville Rancheria | | On file |
| Wiyot Tribe | Conditional Approval | On file |
| Forestry Review Committee | Approval | Attached |

DRAFT Minutes

October 15, 2019 Meeting

I. Attendance

FRC Members Present: Jim Able, Mark Andre, Thomas Blair, Chris Carroll, Yana Valachovic

FRC Members Absent: Gary Rynearson, Kurt McCray, Ben Hawk

Staff Present: Trevor Estlow, Planning and Building Department

The Committee welcomed guests: Steve Madrone, Nick Lucchesi

II. Public Appearances: None.

III. Approval of Minutes from the April 11, 2019.

On a motion by Chris Carroll, seconded by Thomas Blair, the minutes of the April 11, 2019 meeting were approved by a vote of 5-0.

IV. New Business (in order of items heard):

2. Lucchesi Lot Line Adjustment and Zone Boundary Adjustment Case Number: PLN-2019-15634; Assessor's Parcel Numbers 504-221-015, 504-221-017; Arcata area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between two parcels resulting in two parcels. APN 504-221-017 will increase in size by approximately 4 acres to align with the existing General Plan designation boundary between the Residential Estates (RE) and Timber (T) plan designation.

At this time, the Chair opened the meeting to public comments. There was discussion regarding access and development potential and whether this action would affect either. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Yana Valachovic, seconded by Jim Able, the Lucchesi project was approved by a vote of 5-0.

3. Discussion on the membership of the Forestry Review Committee.

There was discussion on the number of members and options of reducing it back to seven members or leaving it at 9. A question was raised regarding the Calfire representative and if they can have a designee. The consensus was to remain at nine members for the time being and try to recruit additional members.

1. Election of Officers.

There was discussion on previous attendance records and who has been chair previously. On a motion by Jim Able, seconded by Thomas Blair, Chris Carroll was nominated Chair by a vote of 5-0. On a motion by Mark Andre, seconded by Thomas Blair, Yana Valachovic was nominated vice-Chair by a vote of 5-0.

V. Future Agenda Items

None.

VII. Adjournment

The meeting was adjourned at 6:35 p.m.