



exempt pursuant to Sections 15061(b)(3) and 15305(a) of the CEQA Guidelines. Section 15061(b)(3) applies to projects when it can be seen 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) All three 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.
5. **FINDING:** The project conforms to zoning and building ordinances.
- EVIDENCE:** a) The parcels are zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ) which both allow general agriculture and single family residential as principally permitted uses. The project will adjust the parcel lines between three parcels with the smallest parcel acquiring approximately nine acres from the two adjoining parcels. The smallest parcel is developed with a residence and the two larger parcels are managed for timber production. 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 Agriculture Grazing (AG) designation applies 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. The Timberland (T) designation applies to land that is primarily suitable for growing, harvesting and production of timber. The smaller parcel will continue to be utilized for rural residential uses and the larger parcels will continue to be utilized for timber production and grazing.
- b) General Plan Ch. 10: The Open Space (OS) land use designation provides for land which is essentially unimproved and devoted to opens space uses, conservation of natural resources and habitat, managed production of resources, outdoor recreational uses, and

for protection of public safety in areas subject to flooding or unstable slopes. All three parcels are planned and zoned for timber and agricultural uses. The smallest parcel was created in 1947, prior to any land use designation or zoning and is considered legal nonconforming with respect to parcel size. No development is proposed with the LLA, and future development and uses on the project parcels will have minimal impacts on lands planned for preservation and conservation of Open Space.

- 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. Lake Prairie Creek, a tributary to Redwood Creek is located just south of the subject parcels. 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.
- 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. 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. The Bear River Band of the Rohnerville Rancheria did not respond with any concerns. Additionally, no development is proposed as the LLA is intended to provide additional buffer to the industrial timberlands. 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 in an area of moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area. According to FIRM Map Panel 1675, the property is approximately 4.5 miles away from the nearest 100-year flood zone associated with the Mad River. 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 outside of a mapped fire district but within the response area of the Blue Lake Fire Department who provides structural fire protection as well as responding to medical emergencies.

**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 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 Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ). The ZBA would adjust the zone boundary of the resultant 10-acre parcel such that the entire parcel is zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)). This action would rezone approximately three acres from TPZ to AE-B-5(160). The Zone Boundary Adjustment would also rezone approximately six acres of the adjoining parcels from AE-B-5(160) into TPZ. The LLA will provide the smaller parcel an additional buffer to the adjacent industrial timberlands. The zone boundary is proposed to be coincidental with the new lot line as adjusted and avoid a mixed-zone condition. The Planning Division believes that the ZBA is in the public interest in that it accurately zones property and is 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 Agriculture Grazing (AG) and Timber (T) by the Humboldt County General Plan. According to the Zoning Consistency Matrix of the Humboldt County General Plan, both the AG and T plan designations are both compatible with the AE 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; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

**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,** based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Lot Line Adjustment and Zone Boundary Adjustment for Victor Blanc (16919), based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

**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 Korbel area [PLN-2021-16919, Blanc] so that the zone boundary between AE-B-5(160) and TPZ 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 **July 29, 2021**

The motion was made by COMMISSIONER Noah Levy and seconded by COMMISSIONER Melanie McCavour and the following ROLL CALL vote:

AYES: Commissioners: Alan Bongio, Thomas Mulder, Noah Levy, Mike Newman, Peggy O'Neill, Brian Mitchell, Melanie McCavour

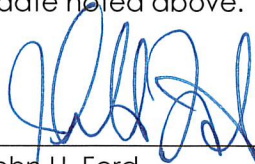
NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION: Motion carries 7/0

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