



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

**L-2**

Meeting Date: October 11, 2016

To: Board of Supervisors

From: Robert Wall, Interim Director, Planning and Building Department *RSW*

Subject: Grosjean Lot Line Adjustment and Zone Boundary Adjustment Application  
Case Numbers LLA-15-002, ZBA-15-001  
Assessor Parcel Numbers 504-021-007, 504-021-017  
15 Glendale Drive, Glendale area

### RECOMMENDATIONS

That the Board of Supervisors:

1. Introduce Ordinance No. 2564 (Attachment A) by title and waive further reading.
2. Open the public hearing and receive the staff report and public comment.
3. Close the public hearing and deliberate.
4. Make the necessary findings to approve the Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) and adopt Ordinance No. 2564 (Attachment A) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Glendale area (ZBA-15-001; Grosjean) from Agriculture General with a combining zone that requires a five-acre minimum parcel size (AG-B-5(5)) to Agriculture General (AG) to conform to the reconfigured lot lines approved with the LLA.

Prepared by \_\_\_\_\_  
Trevor Estlow, Senior Planner

CAO Approval *Cheryl Dillingham*

REVIEW: \_\_\_\_\_  
Auditor \_\_\_\_\_ County Counsel *JWC* Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
\_\_\_\_ Consent  
\_\_\_\_ Departmental  
☒ Public Hearing  
\_\_\_\_ Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

#### BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Sundberg*  
Seconded by Supervisor *Fennell*

Ayes *Sundberg, Fennell, Bohn, Lovelace, Bass*  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *October 11, 2016*  
By: *Kathy Hayes*  
Kathy Hayes, Clerk of the Board

5. Direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office and any other interested party, and direct Planning and Building Department – Planning Division to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).
6. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment B) and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance.

#### SOURCE OF FUNDING:

The applicant is responsible for all costs associated with the processing of the project. Applicant fees are deposited into Planning and Building Department Current Planning Revenue Account 1100-277-608000.

#### DISCUSSION:

This project consists of two parts: a Lot Line Adjustment (LLA) and a Zone Boundary Adjustment (ZBA). The LLA will adjust the boundary between two parcels to result in two parcels of 4.8 acres and 5.0 acres in size. The LLA utilizes an existing road as the parcel boundary. The ZBA will move the boundary between the AG zone and the AG-B-5(5) zone to coincide with the adjusted property line.

#### **Required Findings**

Section 312-50 of the Humboldt County Code Zoning Regulations, *Required Findings for All Amendments*, amendments may be approved only if the following findings are made:

1. The amendment is in the public interest;
2. The amendment is consistent with the County General Plan; and
3. The amendment 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.

*Planning Commission Recommendation:* Based on the information contained in the Planning Commission staff report (Attachment D), the Planning Commission recommended that the required findings be made and the proposed Lot Line Adjustment and Zone Boundary Adjustment be approved. Specifically, the Planning Commission found:

- The Zone Boundary Adjustment is in the public interest, and is consistent with a comprehensive view of the General Plan; and
- That the project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and
- The findings necessary for approval of the project can be made as indicated in the Planning Commission staff report.

#### FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application. This payment is typical for all individually-initiated plan amendment and zone reclassification applications.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either recommended approval or conditional approval.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Planning Division staff believes that satisfactory evidence has been provided in the project record to support making the requisite findings. Therefore, further consideration of this alternative is not recommended.



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.

- Attachment A: Resolution No. 16-121
- Attachment B: Ordinance No. 2564, Exhibit A (map), Exhibit B (legal description)  
Exhibit A: Map  
Exhibit B: Legal Description
- Attachment C: Post-Adoption Summary of Ordinance
- Attachment D: Copy of the Planning Commission Staff Report of October 1, 2015
- Attachment E: Planning Commission Resolution No. 15-33



**ATTACHMENT A**

**Resolution No. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 11, 2016

**RESOLUTION NO. 16-121**

**RESOLUTION TO MAKE THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE ZONE BOUNDARY ADJUSTMENT TO REZONE PROPERTY IN THE GLENDALE AREA FROM AGRICULTURE GENERAL WITH A SPECIAL BUILDING SITE COMBINING ZONE SPECIFYING A FIVE ACRE MINIMUM PARCEL SIZE (AG-B-5(5)) TO AGRICULTURE GENERAL (AG); CASE NUMBERS LLA-15-002, ZBA-15-001; ASSESSOR PARCEL NUMBERS: 504-021-007, 504-021-017**

**WHEREAS**, the owners submitted an application and evidence in support of approving the Lot Line Adjustment and Zone Boundary Adjustment application; and

**WHEREAS**, the proposed Zone Reclassification; that is, to rezone lands from Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) to Agriculture General, may be approved if it can be found that: (1) The proposed change is in the public interest; (2) The proposed change is consistent with a comprehensive view of the General Plan; and (3) The amendment 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; and

**WHEREAS**, the County Planning Division 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 Planning Division, the lead agency, found that the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 of Attachment D in the staff report to the Planning Commission includes evidence in support of making all of the required findings for approving the proposed Lot Line Adjustment and Zone Boundary Adjustment application for Case Nos.: LLA-15-002, ZBA-15-001; and

**WHEREAS**, the Planning Commission has reviewed and considered said reports and other written and spoken evidence and testimony presented to the Commission during a public hearing on October 1, 2015, and

**WHEREAS**, at their October 1, 2015 meeting, the Planning Commission recommended the Board make the necessary findings and approve the Lot Line Adjustment and Zone Boundary Adjustment.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors, based on Planning and Building Department - Planning Division staff reports, supplemental reports, testimony presented at the public hearing, and having considered the recommendation of the Planning Commission, that the Board:

1. Finds that 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
2. Makes the findings for the Lot Line Adjustment and Zone Boundary Adjustment as detailed in Attachment 2 of the Planning Commission Staff Report for Case Nos.: LLA-15-002, ZBA-15-001 based on the submitted evidence; and
3. Approves the Lot Line Adjustment and Zone Boundary Adjustment as recommended by the Planning Commission at their October 1, 2015 meeting for Case Nos.: LLA-14-028, ZBA-14-001; and
4. Adopts the Ordinance amending Section 311 -7 of the Humboldt County Code to rezone property in the Glendale area from Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) to Agriculture General (AG) in conformance with the mapping prepared for ZBA-15-001 (Grosjean).

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 11, 2016

**RESOLUTION NO. 16-121**

**BE IT FURTHER RESOLVED** by the Humboldt County Board of Supervisors that:

1. The Zone District for the subject property be amended from Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) to Agriculture General; and
2. Current Planning Division Staff is hereby directed to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research; and
3. The Clerk of the Board is hereby directed to give notice of the decision to the applicant, the County Assessor's Office and any other interested party; and
4. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after its adoption.

Dated: October 11, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Sundberg, seconded by Supervisor Fennell, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA   )  
County of Humboldt    )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California



## **ATTACHMENT B**

**Ordinance No. 2504 Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Glendale Area**

**Exhibit A: Map**

**Exhibit B: Legal Description**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 11, 2016

**ORDINANCE AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY  
REZONING PROPERTY IN THE GLENDALE AREA [ZBA-15-001 (Grosjean)]**

**ORDINANCE NO. 2564**

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 rezoning lands in the Glendale area, known as a portion of APN 504-021-017, out of Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) and into Agriculture General (AG).

The area described is also shown on the Humboldt County zoning map J-19 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 11<sup>th</sup> day of October, 2016 on the following vote, to wit:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NOES:	Supervisors	--
ABSENT:	Supervisors	--



MARK LOVELACE, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

(SEAL)

ATTEST:

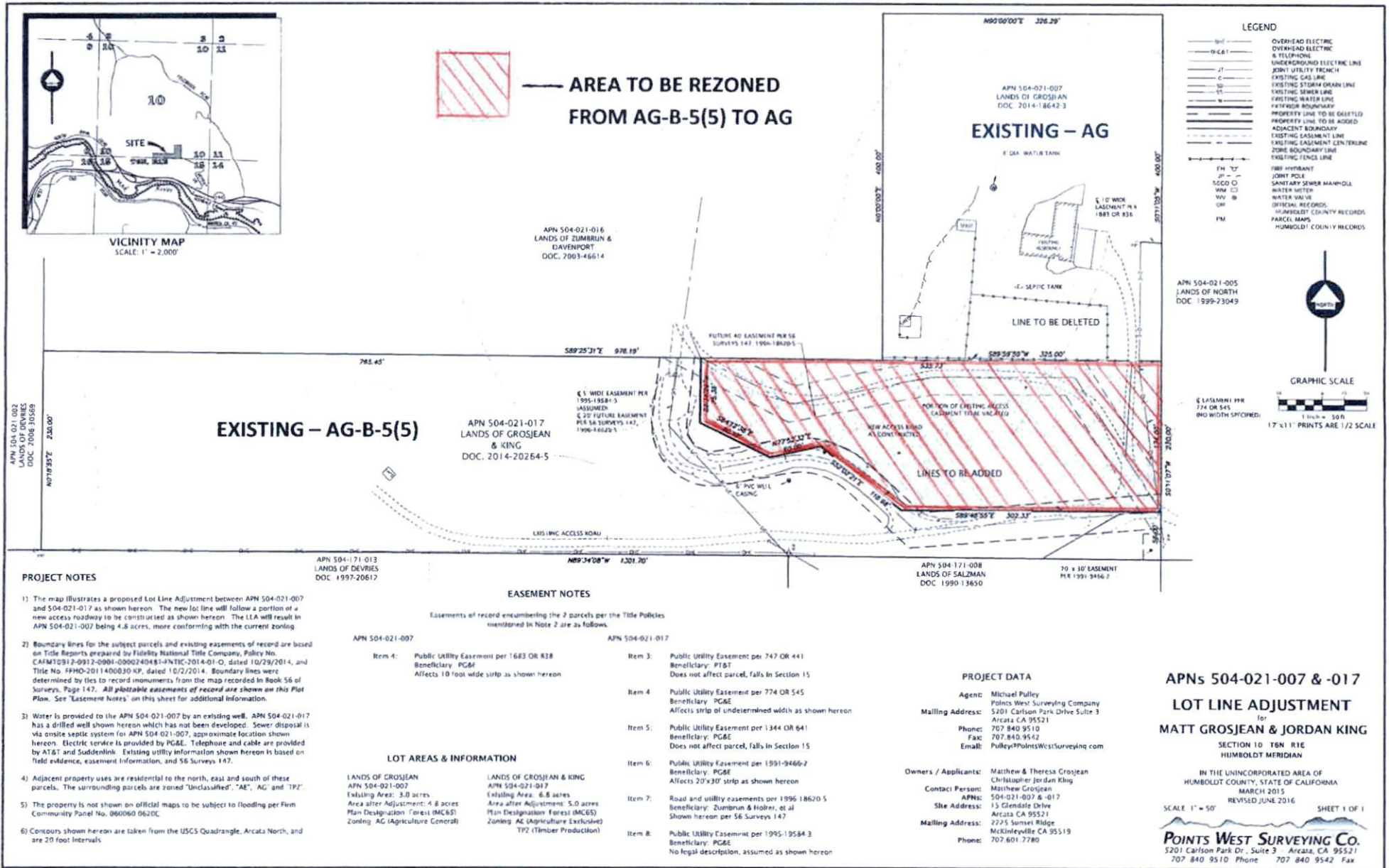
Kathy Hayes, Clerk of the Board of Supervisors  
of the County of Humboldt, State of California

By:   
Ana Hartwell, Deputy

**ATTACHMENT B, EXHIBIT A**

**Map**





## ATTACHMENT B, EXHIBIT B

### Legal Description

All that real property situated in the County of Humboldt, State of California, described as follows:

That portion of Section 10, Township 6 North, Range 1 East, Humboldt Meridian, more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 10, Township 6 North, Range 1 East, said point being marked by a brass cap stamped "E 1/16 S10 S15 LS3797" as shown on Book 56 of Surveys, Page 147, Humboldt County Records; Thence North  $0^{\circ}11'05''$  East 56.00 feet to the TRUE POINT OF BEGINNING of the property to be described;

Thence North  $89^{\circ}48'55''$  West, 302.33 feet;

Thence North  $52^{\circ}02'21''$  West, 118.98 feet;

Thence South  $77^{\circ}52'32''$  East, 60.00 feet;

Thence North  $64^{\circ}12'38''$  West, 90.10 feet;

Thence North  $0^{\circ}34'29''$  East, 75.36 feet to the north line of the real property designated as Parcel 'A' on Book 56 of Surveys, Page 147, Humboldt County Records;

Thence along said north line South  $89^{\circ}25'31''$  East, 210.74 feet;

Thence continuing along said north line East 325.00 feet to the northeast corner of said Parcel 'A', said corner being a point on the East line of the aforementioned Southwest Quarter of the Southeast Quarter;

Thence along said East line South  $0^{\circ}11'05''$  West, 174.00 feet to the POINT OF BEGINNING.

## **ATTACHMENT C**

### **Post- Adoption Summary of Ordinance**

**Exhibit A: Map**



## POST-ADOPTION SUMMARY OF ORDINANCE

(For publication after adoption)

On October 11, 2016, the Humboldt County Board of Supervisors adopted Ordinance No. \_\_\_\_\_, which amends the zoning of property in the Glendale area known as a portion of APN 504-021-017, out of Agriculture General with a Special Building Site combining zone specifying a five acre minimum parcel size (AG-B-5(5)) and into Agriculture General (AG). The new zone will become effective thirty (30) days after the date of adoption. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors:

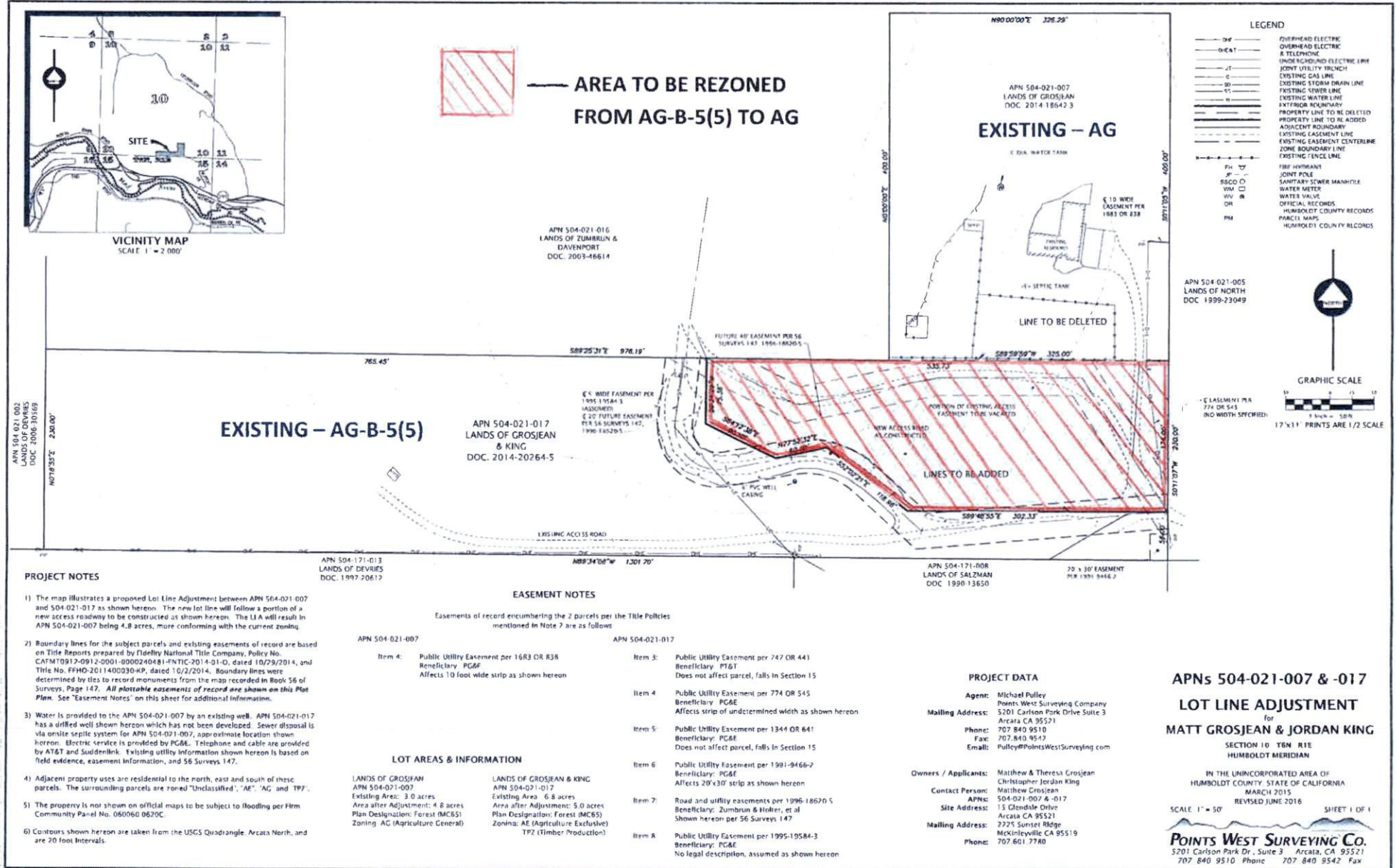
NOES: Supervisors:

ABSENT: Supervisors:

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

**ATTACHMENT C, EXHIBIT A**

**Map**





## **ATTACHMENT D**

### **Copy of Planning Commission Staff Report for October 1, 2015**



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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

Hearing Date: October 1, 2015

To: Humboldt County Planning Commission

From: Kevin R. Hamblin, Director of Planning and Building Department

SUBJECT: **Grosjean** Lot Line Adjustment and Zone Boundary Adjustment  
Application Number 9518  
Case Numbers LLA-15-002, ZBA-15-001  
Assessor's Parcel Numbers 504-021-007, 501-021-017  
15 Glendale Drive, Glendale Area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at [teflow@co.humboldt.ca.us](mailto:teflow@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
October 1, 2015	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

**Project:** A Lot Line Adjustment between two parcels where 1.8 acres will be adjusted from APN 504-021-017 to APN 504-021-007. The new lot line will approximately follow a new road that will serve APN 504-021-016. Also included is a Zone Boundary Adjustment to adjust the Agriculture General (AG) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) zone boundary between the two involved parcels such that it follows the new dividing line. Both parcels will be served with individual wells and on-site wastewater treatment systems.

**Project Location:** The project site is located in the Glendale area, at the west end of Glendale Drive, on the property known as 15 Glendale Drive.

**Present Plan Designation:** Forest/Watershed. 1977 McKinleyville General Plan (MC77). Density: one dwelling unit per 20 acres. Slope Stability: Low Instability and High Instability.

**Present Zoning:** Agriculture General (AG) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)).

**Application Number:** 9518

**Case Numbers:** LLA-15-002, ZBA-15-001

**Assessor's Parcel Numbers:** 504-021-007, 501-021-017

**Applicant**

Matt Grosjean  
2225 Sunset Ridge  
McKinleyville, CA 95519

**Owner(s)**

same and Jordan King  
600 F St., Ste. PMB 605  
Arcata, CA 95521

**Agent**

Points West Surveying Co.  
Michael Pulley  
5201 Carlson Park Dr., Ste. 3  
Arcata, CA 95521

**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.



## **GROSJEAN LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT**

Case Numbers LLA-15-002, ZBA-15-001

Assessor's Parcel Numbers 504-021-007, 501-021-017

### **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 to result in two parcels of 4.8 acres and 5.0 acres in size. Both parcels were legally created either by a previous LLA or deed subdivision. Proposed Parcel 1 is developed with a single family residence and associated accessory structures. Proposed Parcel 2 is developed with a small shed and well. The LLA will move the line between the two parcels such that it more or less follows a proposed access road.

The proposed LLA also includes a Zone Boundary Adjustment to move the boundary between the Agriculture General (AG) zone and the Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) zone as they apply to proposed Parcels 1 and 2. As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines, which coincides with the proposed access road. The current General Plan designation of Forest is consistent with both zone designations and would not need to be changed.

The project site is located in the Glendale area, north of Highway 299, at the west end of Glendale Drive. The parcels are relatively flat, with slopes between 10 and 20%.

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 15-**

**Case Numbers LLA-15-002, ZBA-15-001  
Assessor Parcel Numbers 504-021-007, 504-021-017**

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

**WHEREAS**, Michael Pulley, 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 and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) zone coincidental with the relocated property line; 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 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 Grosjean Lot Line 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
2. The proposed ZR is in the public interest;
3. The proposed ZR is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-15-002, ZBA-15-001 based on the submitted evidence; and

5. The Planning Commission approves the proposed LLA, ZR application as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-15-002, ZBA-15-001.

**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 Zone Boundary Adjustment and Lot Line Adjustment.
4. Adopt Ordinance No. \_\_\_\_\_ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Glendale area [ZBA-15-001, Grosjean] so that the zone boundary between AG and AG-B-5(5) is coincidental with the relocated property line.
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 1, 2015.

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

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

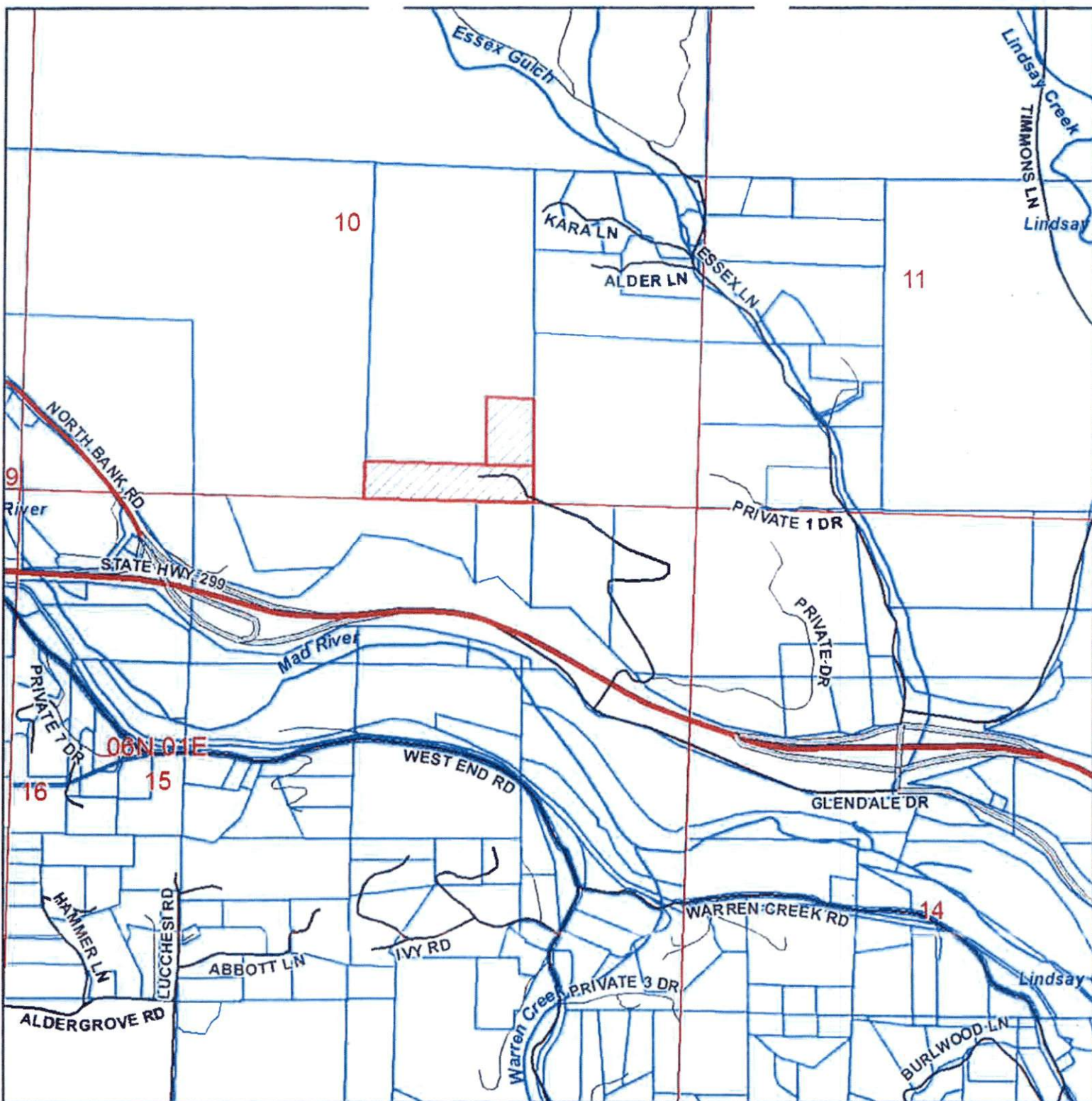
DECISION:

\_\_\_\_\_  
Robert Morris, Chair

I, Catherine Munsee, Clerk 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.

\_\_\_\_\_  
Catherine Munsee, Clerk





### LOCATION MAP

**PROPOSED GROSJEAN & KING  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
GLENDALE/ESSEX AREA**

**LLA-15-002/ZBA-15-001**

**APN: 504-021-007, -017**

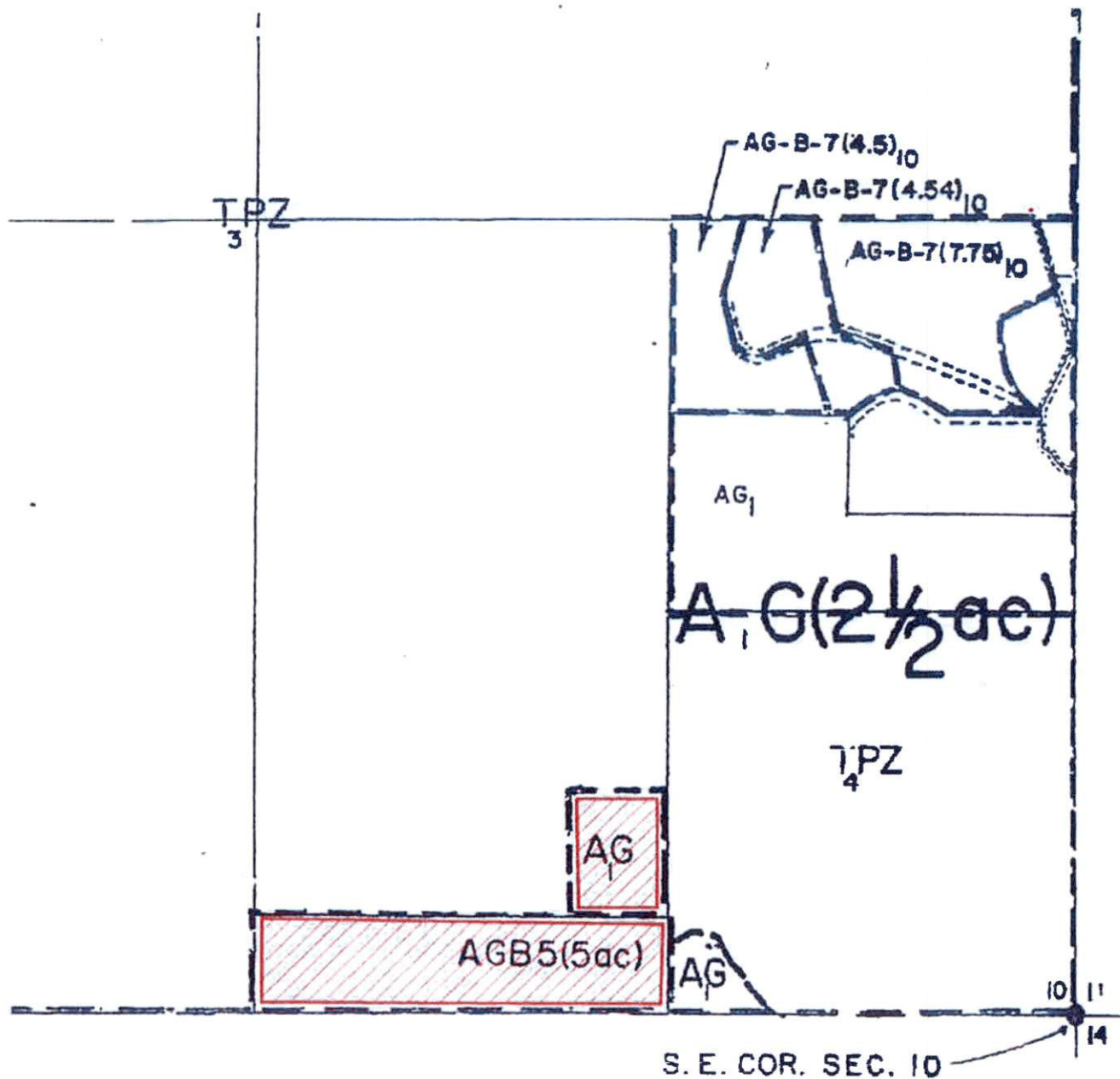
**T06N R01E S10 HB&M (Arcata North)**

**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.

0 500 1,000 1,500  
Feet





PROJECT AREA = 

### ZONING MAP

**PROPOSED GROSJEAN & KING  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
GLENDALE/ESSEX AREA  
LLA-15-002/ZBA-15-001  
APN: 504-021-007, -017  
T06N R01E S10 HB&M (Arcata North)**

MAP NOT TO SCALE





PT E $\frac{1}{2}$  SEC 9 & S $\frac{1}{2}$  SEC 10 6N1E

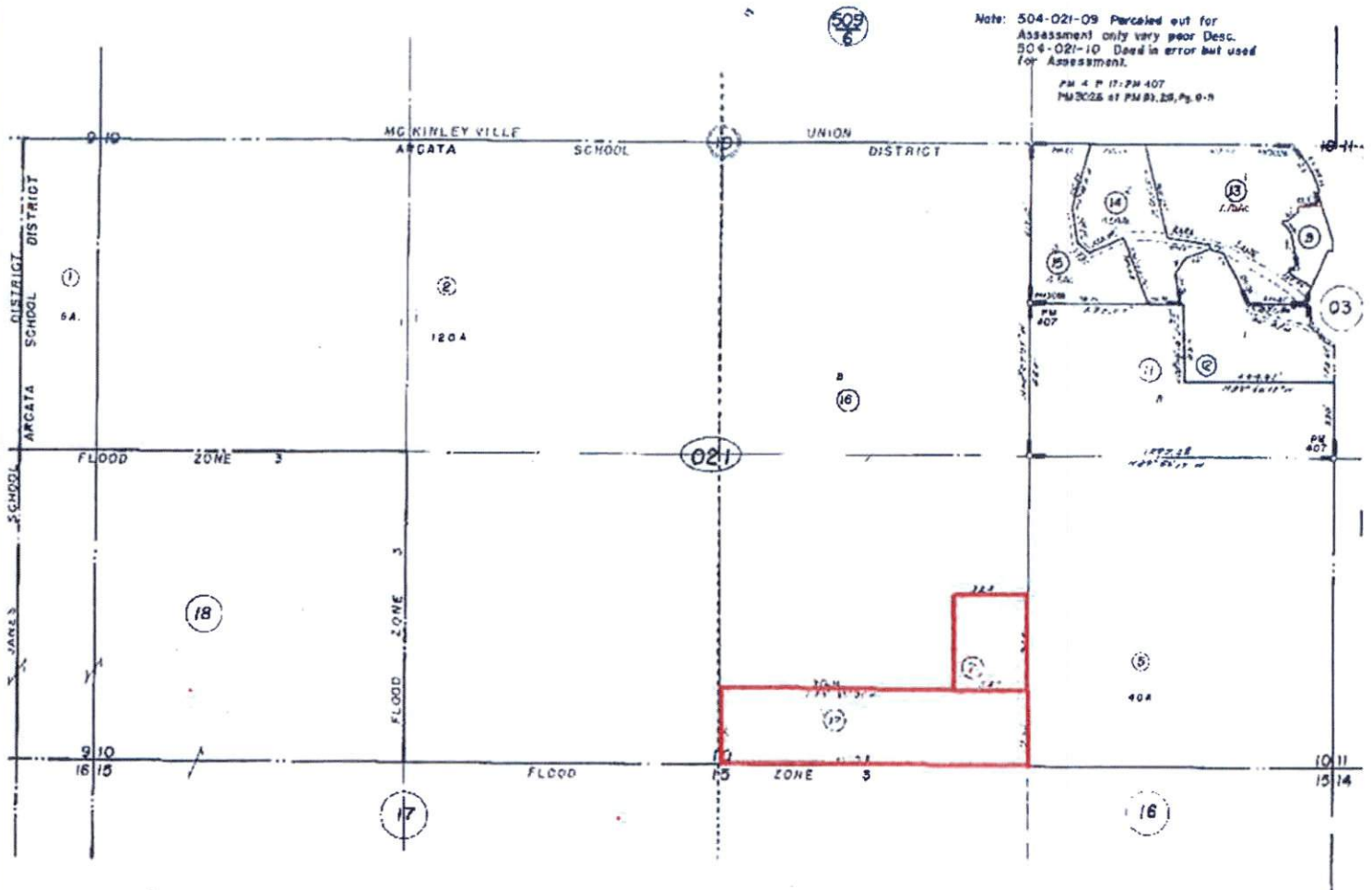
504-02

T.C.A 53-05

1" = 400'

Note: 504-021-09 Percealed out for  
Assessment only very poor Desc.  
504-021-10 Dated in error but used  
for Assessment.

PM 4 P 17:2M 407  
PM 3026 at PM 31.25, Pg. 0-9



PROJECT SITE =

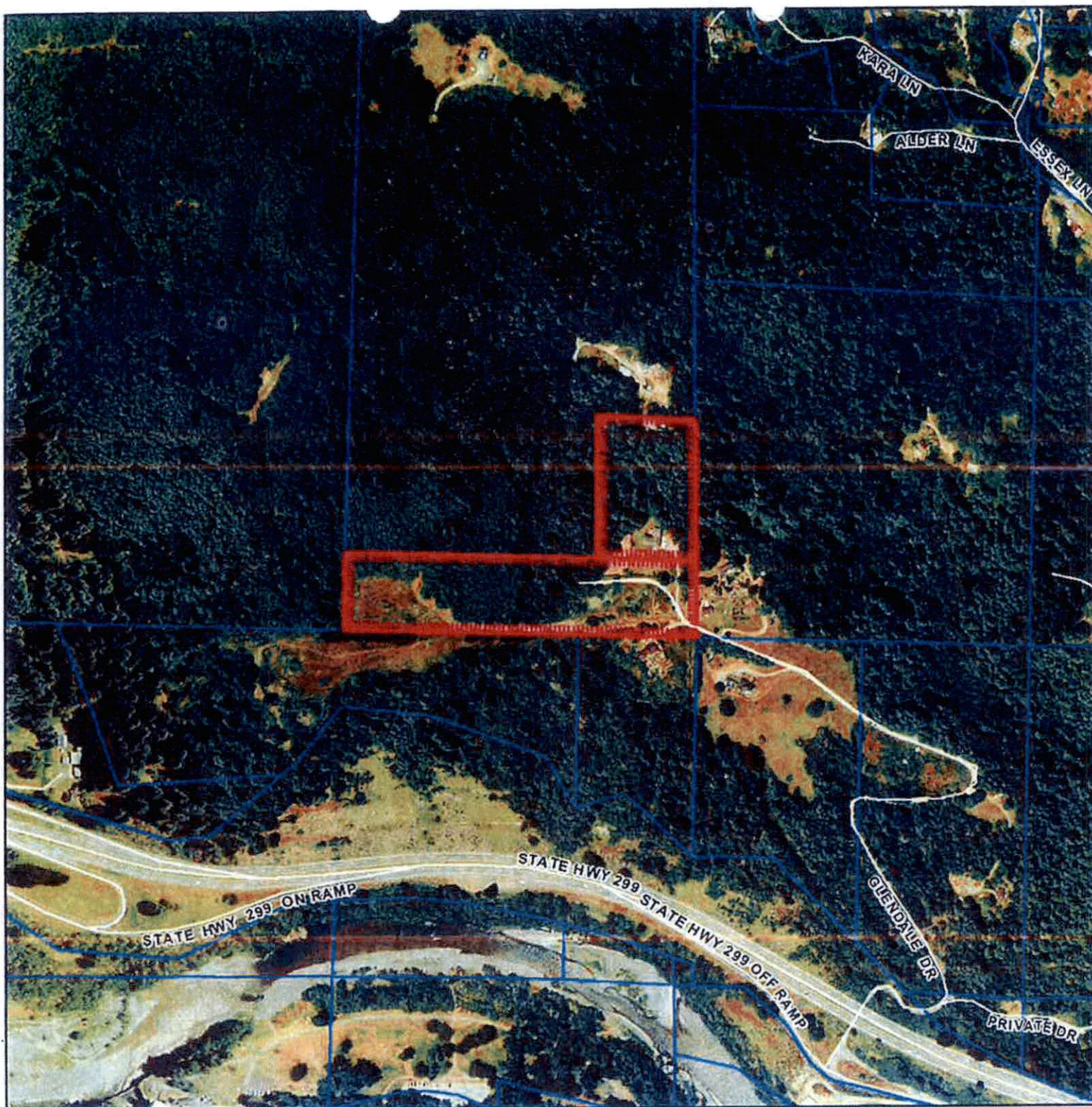


### ASSESSOR PARCEL MAP

PROPOSED GROSJEAN & KING  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
GLENDALE/ESSEX AREA  
LLA-15-002/ZBA-15-001  
APN: 504-021-007, -017  
T06N R01E S10 HB&M (Arcata North)

MAP NOT TO SCALE






# **AERIAL MAP**

**PROPOSED GROSJEAN & KING  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
GLENDALE/ESSEX AREA**

**LLA-15-002/ZBA-15-001**

**APN: 504-021-007, -017**

**T06N R01E S10 HB&M (Arcata North)**

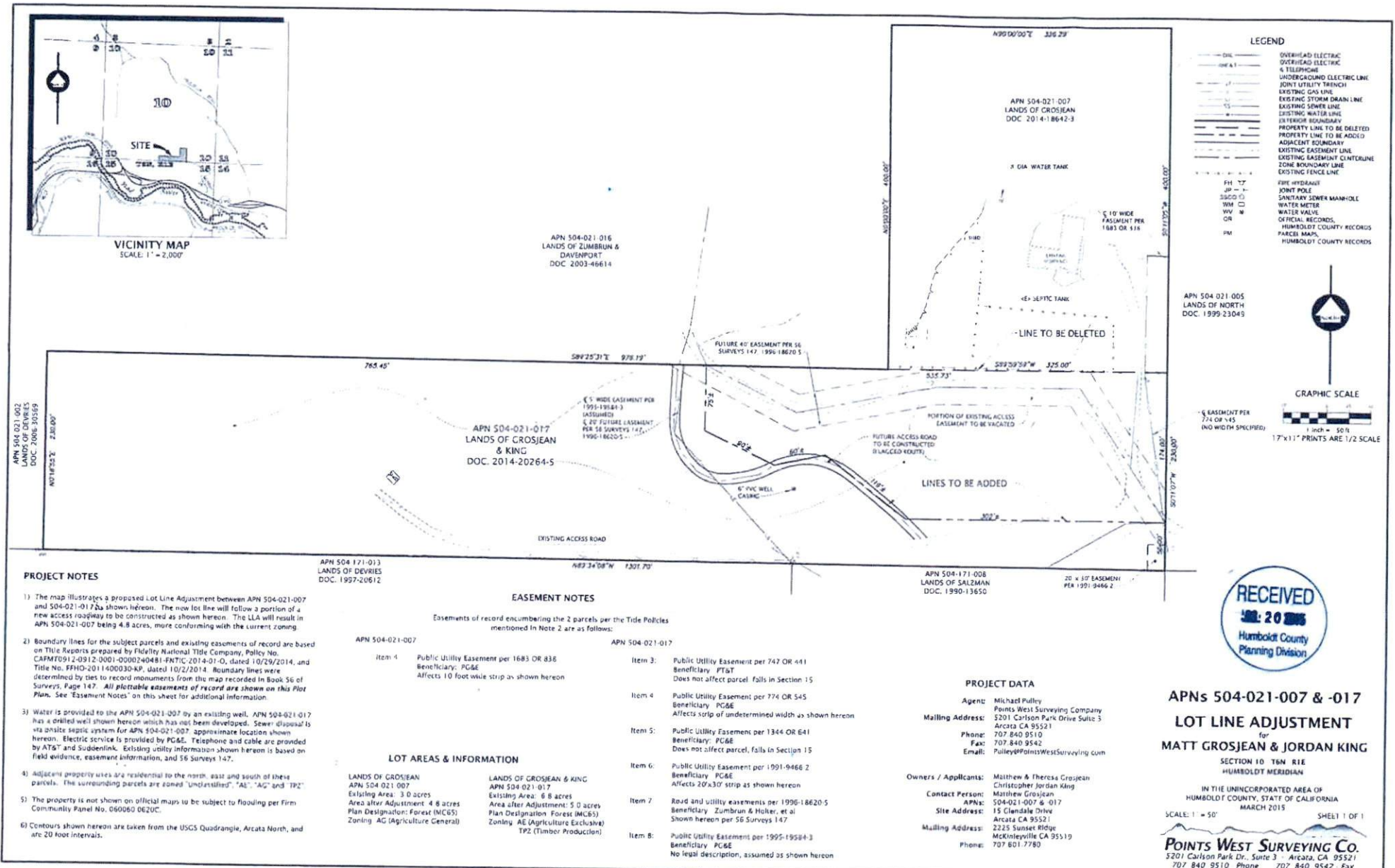
Project Area = 

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 Feet





**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 \$209.00 per notice 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 \$70.50) as required by the County Assessor shall be paid to the County Community Development Services, 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 Reclassification)**

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:

#### **Conditions of Approval:**

1. The applicant shall submit a legal description of the area to be rezoned from AG-B-5(5) into AG for review and approval by the County Land Surveyor. The applicable review fee (currently \$209.00) 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.

**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
504-021-007	Deed, McCloskey to Murray, recorded as Document No. 4314 in Volume 287, Official Records, page 23, on March 30, 1954.	Legal parcel
504-021-017	Notice of Lot Line Adjustment and Certificate of Subdivision Compliance, recorded as Document No. 1996-8985-4, Official Records, on April 11, 1996.	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) Agriculture General with a five-acre minimum parcel size (AG-B-5(5))	General agriculture and single family residential is principally permitted in both zones.	The project will adjust the parcel lines between two parcels to follow a proposed access road. Parcel 1 is developed with a single family residence and associated outbuildings and Parcel 2 contains an old shed and a well. The previous Lot Line Adjustment (LLA-22-91) was required to provide adequate primary and reserve leachfield areas on Parcel 2 to the satisfaction of the Division of Environmental Health. In addition, a well was installed in 2013 (Permit 11/12-1273) that provides adequate water. Both parcels are served by on-site water and on-site wastewater treatment systems.
Development Standards		
Minimum Parcel Size	AG: 2.5 acres AG-B-5(5): 5 acres	The Lot Line Adjustment results in Parcels 1 (AG) and 2 (AG-B-5(5)) of approximately 4.8 acres and 5 acres respectively. Both parcels will remain conforming to their respective zones.
Minimum Lot Width	AG: 60 feet AG-B-5(5): 60 feet	Both parcels comply
Minimum Yard Setbacks within SRA:	30 feet from all property lines	One shed exists on Parcel 1 that does not meet current setbacks. This structure pre-dates the Firesafe Ordinance and is considered legal, non-conforming. All other structures comply. Future development must comply with zone standards and building regulations.
Maximum Lot Coverage	AG: 35% AG-B-5(5): 35%	The AG portion is developed at less than 5%. The AG-B-5(5) portion is developed at less than 1%.



**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 1977 McKinleyville General Plan (MC77), the Framework General Plan (FRWK) 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
Land Use:	Forest/Watershed	The project will adjust the parcel lines between two parcels to follow a proposed access road. Parcel 1 is developed with a single family residence and associated outbuildings and Parcel 2 contains an old shed and a well. The previous Lot Line Adjustment (LLA-22-91) was required to provide adequate primary and reserve leachfield areas on Parcel 2 to the satisfaction of the Division of Environmental Health. In addition, a well was installed in 2013 (Permit 11/12-1273) that provides adequate water. Both parcels are served by on-site water and on-site wastewater treatment systems. The zone boundary between the two parcels will be adjusted to follow the new property line dividing the two parcels. The current plan designation supports general agriculture and low density residential uses.
Hazards:	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	The site is in an area of low to high slope instability and a high wildlife fire rating. The site is located outside any mapped floodplain. Essex Gulch is located approximately one-half mile to the east and the Mad River is located approximately 1,000 feet to the south on the other side of Highway 299.
Cultural Resources	New development shall protect cultural, archaeological and paleontological resources.	The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria and the Wiyot Tribe. The NWIC recommended a study, however, further consultation with the Tribal Historic Preservation Officers (THPOs) determined that the project did not warrant a study provided the standard condition regarding inadvertent discovery is included. The standard informational note has been included in the Conditions of Approval should archaeological resources be found.

Sensitive and critical habitats	New development shall protect designated sensitive and critical resource habitats.	Essex Gulch is located approximately one-half mile to the east and the Mad river is located approximately 1,000 feet to the south, on the other side of Highway 299. 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.
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**A.5. and A.6. PUBLIC HEALTH SAFETY & WELFARE AND ENVIRONMENTAL IMPACT:**

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1	The proposed development will not adversely impact the environment, and will not be detrimental to the public health, safety or welfare and will not be materially injurious to properties or improvements in the vicinity.	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.
§15305(a) CEQA	Categorically exempt from State environmental review.	Based on the above discussion, the Lot Line Adjustment is categorically exempt from State environmental review per Section 15305(a).

**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.



### **B.1. Public Interest**

The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Agriculture General (AG) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)). The zone boundary is proposed to be coincidental with a proposed access road to be constructed and avoid a mixed-zone condition. Both parcels conform to the minimum parcel size and will remain so after the LLA. Planning staff believes that the ZBA is in the public interest in that it supports the existing use of the land and is minor in nature.

### **B.2. General Plan Consistency**

The properties are planned Forest/Watershed by the 1977 McKinleyville General Plan. These designations and the implementing zoning (AG/AG-B-5(5)) support general agriculture and low density residential uses. The ZBA is consistent with General Plan policies and standards as noted in the above discussion (A.4). The adjustment supports the LLA and land exchange which results in logical use of the land.

### **B.3. Environmental Impact**

As the principal zone and allowed uses for both parcels remain unchanged and neither resultant parcel is large enough to be further subdivided, 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 \_\_\_\_\_, 2015**

**ORDINANCE NO. \_\_\_\_\_**

**AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE  
BY REZONING PROPERTY IN THE GLENDALE AREA  
[ZBA-15-001 (GROSJEAN/KING)]**

**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 (AG) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) coincidental with the proposed property lines. The area described is also shown on the Humboldt County zoning map J-19 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 \_\_\_\_\_, 2015, 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)

## ATTACHMENT 5

### Referral Agency Comments

Referral Agency	Recommendation	Location
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	Approval	On file
Calfire	No comment	
Ca. Dept. of Fish and Wildlife	No comment	
Northwest Information Center	Conditional Approval	On file
Blue Lake Rancheria	Conditional Approval	On file
Wiyot Tribe	Conditional Approval	On file
Bear River Tribe	Conditional Approval	On file

**ATTACHMENT E**

**Planning Commission Resolution No. 15-33**



**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 15-33**

**Case Numbers LLA-15-002, ZBA-15-001  
Assessor Parcel Numbers 504-021-007, 504-021-017**

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

**WHEREAS**, Michael Pulley, 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 and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) zone coincidental with the relocated property line; 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 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 Grosjean Lot Line 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
2. The proposed ZR is in the public interest;
3. The proposed ZR is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-15-002, ZBA-15-001 based on the submitted evidence; and

5. The Planning Commission approves the proposed LLA, ZR application as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-15-002, ZBA-15-001.

**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 Zone Boundary Adjustment and Lot Line Adjustment.
4. Adopt Ordinance No. \_\_\_\_\_ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Glendale area [ZBA-15-001, Grosjean] so that the zone boundary between AG and AG-B-5(5) is coincidental with the relocated property line.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

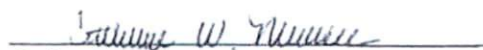
Adopted after review and consideration of all the evidence on October 1, 2015.

The motion was made by Commissioner Shepherd and seconded by Commissioner McKenny and the following ROLL CALL vote:

AYES:	Commissioners	Levy, McKenny, Morris, Shepherd, Bongio
NOES:	Commissioners	None
ABSTAIN:	Commissioners	None
ABSENT:	Commissioners	Ulansey, Edmonds
DECISION: Motion carries 5/0.		

for   
Robert Morris, Chair

I, Catherine Munsee, Clerk 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.

  
Catherine Munsee, Clerk