



# COUNTY OF HUMBOLDT

For the meeting of: 1/15/2019

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File #: 18-1684

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**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**SUBJECT:**

Zoning Text Amendments and Zone Reclassifications to Implement the General Plan

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Open the public hearing and receive the staff report and public testimony;
2. Close the public hearing;
3. Approve the strategy to carry out Zoning Text Amendments and Zone Reclassifications to implement the General Plan;
4. Adopt the attached resolution (Resolution 19-\_\_ (Attachment 1)) doing the following:
  - a. Consider the Environmental Impact Report (EIR) for the Humboldt County General Plan and find that it sufficiently addresses the potential environmental impacts associated with adoption of the Zone Reclassifications for three specific properties to be consistent with the General Plan designation: the Redwood Rural Health Center property in Redway (APN 077-312-016), the Save the Redwoods League parcels in Orick (APNs 519-231-018 and 520-012-013), and the Louis Gosselin property in the Fortuna area (APN 200-031-033); and find that the EIR was prepared in accordance with Section 15168 (c)(2); and no new information has been presented to change the findings of the EIR in accordance with section 15162 of the state California Environmental Quality Act (CEQA) guidelines;
  - b. Make all of the required findings for approval based on evidence in the staff report and public testimony;
5. Adopt the attached ordinance implementing Zone Reclassifications for three specific properties to be consistent with the General Plan designation: the Redwood Rural Health Center property in Redway (APN 077-312-016), the Save the Redwoods League parcels in Orick (APNs 519-231-018 and 520-012-013), and the Louis Gosselin property in the Fortuna area (APN 200-031-033) (Attachment 2);

6. Direct the Planning and Building Department to file a Notice of Determination with the Humboldt County Recorder's Office, pursuant to the California Environmental Quality Act; and
7. Direct the Clerk of the Board to publish summaries of the ordinance within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance (Attachment 4) 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 along with the names of those Supervisors voting for and against the ordinance.

SOURCE OF FUNDING:

The salary funding for this work is included is in the General Fund contribution to the Long Range Planning unit, 1100-282.

DISCUSSION:

The ultimate objective of this project is to bring the Zoning Regulations and Maps into consistency with the 2017 Humboldt County General Plan and Land Use Map, which satisfies requirements of California Planning and Land Use Law and is highest priority implementation action identified in the General Plan. Consistency between the General Plan and Zoning Regulations would be achieved by adding Principal and Combining Zones and applying these new zones on the Zoning Maps as well as applying other existing zones to properties as characterized on the General Plan Land Use Map.

At the December 11, 2018, Board of Supervisors hearing, the Board received a staff report that presented the Planning Commission recommendations regarding the Zoning Text Amendments and Zone Reclassifications to Implement the General Plan from their November 1, 2018 meeting. The Board first took public comment and considered two specific rezones that had been the subject of public controversy: the Big Foot Country Club in Willow Creek and the Mercer Fraser Company mineral extraction site in the Essex area near Glendale.

Public comments on the Big Foot Country Club in Willow Creek expressed concern about future uses of the site if the zone were to change, and a strong desire for community outreach to consider any recommended changes. The Board voted to not change the zoning for that site, leaving it as Qualified Residential Suburban with a Recreation Combining Zone (RS-X-Q).

Extensive public comments were made regarding the Mercer Fraser mineral extraction site in Essex, including: concerns about potential hazardous materials spills, potential impacts to water quality; the location of industrial uses within the flood plain; the effect of discharges from industrial uses on the Humboldt Bay Municipal Water District water supply which serves drinking water to 90,000 residents of the county; that the project site is within the zone of capture of the district's water supply wells; concerns about the effects of industrial discharges on fish and other critical habitat; concerns that the Q - Qualified Combining Zone may not provide adequate protections; and the need for additional community outreach, ideally as part of a community planning process. The Board voted to consider the rezoning of the Mercer Fraser Company mineral extraction site in the Essex area at a separately noticed hearing in the future.

During public comment, many people requested that the county defer action on rezones within the Blue Lake, Fieldbrook-Glendale, McKinleyville, and Willow Creek Community Planning Areas. In response to these public comments, the Board directed staff to bring back a strategy for the Zoning Text Amendments and Zone Reclassifications for separate consideration. That strategy is presented in Attachment 3, and describes a four step process with the last step being initiation of community planning efforts in several focused areas: the McKinleyville Town Center, the Fieldbrook/Glendale/Blue Lake area and Willow Creek in May, 2019. Once initiated, these community planning efforts would become a part of the Advance Planning work program for the 2018-2019 and 2019-2020 fiscal years. .

The four steps include:

1. Review and approval of zoning text changes
2. Review of Zoning Text and Map amendments affecting City Spheres of Influence
3. Zoning Map Amendment
4. Community Plan development.

The Strategy provides for public outreach at each of these stages and staggers consideration of items by the Board of Supervisors so that not all of the proposed changes would be in front of the Board simultaneously. The work program is projected to last 15 months and is limited to implementation of the General Plan (consistent with the Land Use Map.) Most of the time is devoted to development of the Community Plans.

Also at the meeting individual Board members requested staff to bring forward rezones on three specific properties that are not controversial and where the property owner has been waiting for the completion of the General Plan Update process to proceed with a project: the Redwood Rural Health Center property in Redway (APN 077-312-016), the Save the Redwoods League parcels in Orick (APNs 519-231-018 and 520-012-013), and the Louis Gosselin property in the Fortuna area (APN 200-031-033). Staff is recommending that the Board adopt the ordinance in Attachment 2 to rezone these three properties at the January 15, 2019 meeting. For implementation of the Save the Redwoods League parcels near Orick the proposal includes implementing the WR (Streamside Management Areas - Wetlands) and F (Floodplain) overlay zoning districts.

**FINANCIAL IMPACT:**

If so directed by the Board, future community planning efforts in the McKinleyville, Fieldbrook-Glendale/Blue Lake and Willow Creek areas would become part of the budget for the Advance Planning in FY 2019 -2020. Estimated staff, consultant and public outreach costs for this effort would be approximately \$100,000 in the next fiscal year, which will be funded by the General Fund contribution to Advance Planning (Budget Unit 282).

This project fits into the County's Strategic Framework by supporting the Mission Statement,

providing community appropriate levels of service and safeguarding the public trust by ensuring sustainability of services.

OTHER AGENCY INVOLVEMENT:

The proposed Strategy in Attachment 3 identifies many agencies that would be involved in the rezoning program including cities and community services districts.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

A number of options are presented for the Board's consideration in Attachment 3. These include options to have a more robust public engagement program using and to expand the community planning effort into other areas. Another alternative is to make additional changes to the resource production zones (AE - Agriculture Exclusive and TPZ - Timber Production Zone) to identify performance standards for new development to be consistent with resource protection policies in the General Plan. If this alternative is selected, these changes would need to be reviewed by the Planning Commission prior to Board action.

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.

1. Draft Board of Supervisors Resolution.
2. Draft Board of Supervisors Ordinance to rezone three properties to be consistent with the General Plan designation: the Redwood Rural Health Center property in Redway (APN 077-312-016), the Save the Redwoods League parcels in Orick (APNs 519-231-018 and 520-012-013), and the Louis Gosselin property in the Fortuna area (APN 200-031-033).
3. Strategy for Adoption of Zoning Text Amendments and Zone Reclassifications to Implement the General Plan.
  - 3a. Schedule for implementation of Strategy.
4. Post Approval Summary of the Ordinance.
5. Link to the Environmental Impact Report for the 2017 General Plan Update.

PREVIOUS ACTION/REFERRAL:

Board Order No.: F2

Meeting of: December 11, 2018

File No.: 18-1604