



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 23-1195      **Version:** 1      **Name:**  
**Type:** Informational Report      **Status:** Passed  
**File created:** 8/22/2023      **In control:** Planning and Building  
**On agenda:** 9/12/2023      **Final action:** 9/12/2023  
**Title:** Stokes General Plan Text Amendment and Zone Reclassification Petition  
 APNs: 017-015-034, 017-041-008  
 Case No.: PLN-2023-18149

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 2 Petition Request, 3. Attachment 1 Resolution DRAFT-2.pdf, 4. Attachment 3 Location Map, 5. Attachment 4 Ordinance No. 2078, 6. Attachment 5 Eureka Community Plan Policy Excerpt, 7. Resolution No. 23-130.pdf

Date	Ver.	Action By	Action	Result
9/12/2023	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Consent

**SUBJECT:**

Stokes General Plan Text Amendment and Zone Reclassification Petition  
 APNs: 017-015-034, 017-041-008  
 Case No.: PLN-2023-18149

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Adopt the attached resolution (Attachment 1) to approve the petition to accept the applications for a General Plan Amendment and Rezone; and
2. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

**SOURCE OF FUNDING:**

Applicant fees.

**DISCUSSION:**

This is a petition to accept an applicant-initiated General Plan Amendment and Zone Reclassification

application (Attachment 2) for processing. Staff recommends the Board of Supervisors accept the application for a General Plan Amendment and Rezone for processing and further analysis.

The property owner seeks a text amendment to the Eureka Community Plan, which is part of the General Plan, and also to change the zone classification on a single parcel (comprised of two Assessor Parcel Numbers) of approximately 10.3 acres in the Eureka area. The language in the Eureka Community Plan - specifically Policy 2620.15 - would be changed to remove the reference to the R-4-Q zone reference to the Eureka City Schools property. The property is currently zoned Apartment Professional with a Qualified combining zone (R-4-Q). This Qualified combining zone (Q-zone) “restricts all uses otherwise allowed in the R-4 zone except for medical, dental, and other health related uses on the property.” The General Plan designation does not need to change and would remain Residential Medium Density (RM). The applicant seeks the proposed changes to facilitate the development of a multi-family residential and medical project on the subject parcel.

The project site is in the Eureka area, on the east side of Walford Avenue, approximately at the intersection of Timber Fall Lane and Walford Avenue, on the property known as 3200 Walford Avenue.

The current General Plan land use designation for the subject property is Residential Medium Density (RM), Density Range: 7 to 30 units per acre; Eureka Community Plan (ECP), 2017 General Plan, Slope Stability: Low to Moderate Instability.

The petition was filed by the property owner and includes information meeting the requirements of Section 312-50.5 which specifies that petitions for zoning map amendments shall be 1) in the public interest, and 2) consistent with the General Plan. Section 312-50.6 specifies that a petition for amendment of the text or the zoning maps of the Zoning Regulations may also be initiated in conjunction with a petition for a General Plan Amendment. Section 3.3 of the General Plan, Amendments, states, *“The General Plan may only be amended ‘in the public interest’ as determined by the Board of Supervisors...the Plan can only be amended when the change benefits the entire County, not merely because the change would benefit a particular property owner. Every General Plan amendment must also be consistent with the rest of the Plan or appropriate changes need to be made to the Plan to achieve consistency with the proposed amendment.”*

### **Public Interest**

The subject property is currently prohibited from developing residential uses due to the Qualified combining zone. The applicant notes that the rezoning would allow multi-family residential uses in addition to medical offices. The subject parcel is in an area in Eureka that hosts a variety of medical and professional offices with limited multi-family residential uses. The rezoning of the subject parcel would allow a residential component to integrate with the surrounding medical and professional offices.

It is arguably in the public interest to modify the zoning for the subject property to allow for residential uses that are otherwise prohibited under the existing Q-zone. As sufficient housing continues to be limited in the county, this project would assist the county in meeting its housing goals. Additionally, expanding housing opportunities is supported by the guiding principles of the Humboldt County General Plan and this amendment would allow for future development of multi-family residential units

that would allow for additional housing opportunities.

The parcel being considered for a text amendment and Zone Reclassification was not included in the 2019 Regional Housing Needs Assessment (RHNA) Vacant Land Inventory. Therefore, any future housing units developed on-site would be in addition to those identified in the land inventory.

### **Consistent with the General Plan**

The current General Plan land use designation for the subject property is as follows:

#### ***Residential Medium Density (RM)***

*This designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments and manufactured home park developments. Design review can be used to ensure compatibility with neighborhood character.*

The RM designation has a residential density range of 7-30 units/acre. The RM designation is consistent with the proposed Zone Reclassification, as the base zone (R-4) will not change.

The decision to be made at this time is whether the Board will accept the proposed application for processing, review, and consideration. If accepted for review and consideration, more in-depth analysis will be performed assessing whether the proposed General Plan Amendment and zoning change is both in the public interest and consistent with the General Plan.

A petition to accept an application for a General Plan Amendment and Zone Reclassification is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

#### **FINANCIAL IMPACT:**

The applicant is responsible for paying all actual costs involved in the processing of the application.

#### **STRATEGIC FRAMEWORK:**

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents.

#### **OTHER AGENCY INVOLVEMENT:**

The project was referred to County Counsel. Should the petition be accepted, responsible and trustee state and local agencies will be involved in the referral process of the Reclassification, including Native American Consultation pursuant to SB 18 and AB 52, and as part of the environmental review for the project.

#### **ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board could reject the petition if it believes the required findings cannot be made. Staff believes the necessary findings for accepting the petition may be made, so staff does not recommend further consideration of this alternative.

#### **ATTACHMENTS:**

Attachment 1: Resolution No. \_\_\_\_\_  
Attachment 2: Applicant's Petition Request  
Attachment 3: Location Map  
Attachment 4: Ordinance No. 2078 (Qualified Combining Zone)  
Attachment 5: Eureka Community Plan Policy 2620.15 with strikethrough

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: [Click or tap here to enter text.](#)

Meeting of: [Click or tap here to enter text.](#)

File No.: [Click or tap here to enter text.](#)