



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 21-1720 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 11/16/2021 **In control:** Planning and Building
On agenda: 12/7/2021 **Final action:** 12/7/2021
Title: Martin Lot Line Adjustment and Zone Boundary Adjustment, File No.: APNs 211-302-001, 217-191-003, Record No.: PLN-2020-16327, Myers Flat area and Ordinance (4/5 Vote Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment A - Resolution No. ____.pdf, 3. Attachment B - Ordinance No. ____.pdf, 4. Attachment C - Certificate of Rezoning.pdf, 5. Attachment D - Post Adoption Summary.pdf, 6. Attachment E - PC Staff Report.pdf, 7. Attachment F - PC Resolution.pdf, 8. Executed Resolution 21-141.pdf, 9. Executed Ordinance 2682.pdf

Date	Ver.	Action By	Action	Result
12/7/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Martin Lot Line Adjustment and Zone Boundary Adjustment, File No.: APNs 211-302-001, 217-191-003, Record No.: PLN-2020-16327, Myers Flat area and Ordinance (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Introduce Ordinance No. _____ (Attachment B) by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's recommendation and accept public comments;
3. Close the public hearing;
4. Adopt the Resolution to take the following actions:
 - a. Find the project exempt from CEQA pursuant to Section 15305 and 15061(b)(3) of the CEQA guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment
 - b. Make the necessary findings to approve the Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA);
5. Adopt by 4/5ths vote Ordinance No. _____ (Attachment A) amending Section 311-7 of the

Humboldt County Code by reclassifying, through immediate conversion, approximately 9,000 square feet from Timberland Production Zone (TPZ) to Unclassified (U) and 9,000 square feet from Unclassified (U) to Timberland Production Zone (TPZ) to conform to the reconfigured lot lines approved with the LLA;

6. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance;
7. Direct the Chair of the Board to sign and the Clerk of the Board to record a Certificate of Rezoning (Notice of Timberland Production Zone Status) (Attachment C);
8. 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
9. Direct Planning and Building Department to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).

SOURCE OF FUNDING:

Applicant fees.

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 31.6 acres and 1.4 acres through an equal area exchange. The purpose of the LLA is to remedy a long-standing encroachment of a residence and curtilage area on the Humboldt Redwood Company property. The ZBA will move the boundary between the Unclassified (U) zone and the Timberland Production Zone (TPZ) zone to 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 E), the Planning Commission recommended that the required findings be made and the proposed Lot Line Adjustment and Zone Boundary Adjustment be approved. Furthermore, the project was found consistent with the Humboldt County General Plan. 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 action is consistent with the Board's Strategic Framework through the Board's core roles of enforcing laws and regulations to protect residents.

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:

Attachment A	Resolution No. _____
Attachment B	Ordinance No. _____, Exhibit A (map), Exhibit B (legal description)
Attachment C	Certificate of Rezoning (Notice of Timberland Production Status)
Attachment D	Post-Adoption Summary of Ordinance
Attachment E	Copy of the Planning Commission Staff Report of May 6, 2021
Attachment F	Planning Commission Resolution No. 21-71

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A