



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 22-77 **Version:** 1 **Name:**
Type: Zoning Item **Status:** Passed
File created: 1/13/2022 **In control:** Planning and Building
On agenda: 2/15/2022 **Final action:** 2/15/2022
Title: J&J Family LLC General Plan Amendment and Zone Reclassification Petition

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1 BOS Resolution.pdf, 3. Attachment 2 Application Materials.pdf, 4. Attachment 3 16400 Map Set 06.11.2020.pdf

Date	Ver.	Action By	Action	Result
2/15/2022	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

J&J Family LLC General Plan Amendment and Zone Reclassification Petition

RECOMMENDATION(S):

That the Board of Supervisors:

1. Consider the General Plan Amendment and Zone Reclassification Petition as part of the consent agenda; and
2. Accept the petition by approving the attached resolution (Attachment 1) based on the findings; and
3. 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 item requests the Board accept for processing an applicant-initiated General Plan Amendment and Zone Reclassification (Attachment 2). The petition seeks to change the General Plan designation for approximately 9,000 square feet of a single parcel of land known as Assessor's Parcel Number (APN) 015-111-012 from Medium Density Residential with a density of 7-30 units per acre (RM) to

Commercial General (CG). The petition also requests to change the zoning from Apartment Professional (R-4) to Neighborhood Commercial (C-1). The purpose is to allow development of mini-storage buildings as part of a larger mini-storage facility proposed on an adjacent parcel also owned by the applicant that is presently zoned C-1.

Should the General Plan and Zone Reclassification Petition be accepted, potential issues would be more thoroughly analyzed during the General Plan Amendment and Zone Reclassification application review process. On the positive side of the equation, the petition seeks to increase the area zoned commercial on the property to facilitate development of a commercial business that is supported by policies in the Economic Development Element. On the other hand, this request would result in a 9,000 square foot reduction of multi-family zoned property that is inconsistent with Housing Element policies supporting development of multifamily units, which tend to be more affordable to lower-income households. The parcel was not identified in the county's most recent housing inventory because the site is already developed with a single-family residence so the project would not result in a reduction of any parcel below the density utilized for determining compliance with housing element law. However, the county is implementing a county-wide rezoning process to increase the development potential for multifamily units, and this proposal runs counter to that effort. Environmental review pursuant to the California Environmental Quality Act (CEQA) would be conducted on the General Plan Amendment application should the Board approve this petition.

REQUIRED FINDINGS:

Policy G-P8 of the Humboldt County General Plan specifies that a petition for amendment of this plan may be accepted for processing upon the Board of Supervisors making one or more of the following findings:

- A. Base information or physical conditions have changed; or
- B. Community values and assumptions have changed; or
- C. There is an error in the plan; or
- D. To maintain established uses otherwise consistent with a comprehensive view of the plan; or
- E. The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the Plan

The Board must also determine the revision is not appropriate for the next scheduled update of the General Plan.

For approval of General Plan Amendments, the Board must make the findings that the proposed revision is in the public interest and is consistent with the Guiding Principles in Section 1.4 and applicable goals of the General Plan.

Section 312-50.5 of Humboldt County Code specifies that petitions for zoning map amendments shall be 1) in the public interest, and 2) consistent with the General Plan.

The applicant submitted information supporting a finding that the General Plan Amendment and Zone Reclassification Petition may be in the public interest. The two adjoining parcels are under the same

ownership and are currently zoned and planned for commercial uses. In order to maximize commercial development on these properties as a single and cohesive project the plan amendment and rezone is necessary. It is arguably in the public interest to help facilitate the maximum commercial development of the property.

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 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 the California Environmental Quality Act (CEQA). If accepted, environmental review will be conducted.

FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all costs involved in the processing of the application. The source of funding is applicant fees deposited into Planning and Building Department, Current Planning Revenue Account (1100-277-608000).

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework by encouraging new local enterprise [Click here to type another item\(s\) from the Strategic Framework, or leave as a period.](#)

OTHER AGENCY INVOLVEMENT:

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 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 may be made, so staff does not recommend further consideration of this alternative.

ATTACHMENTS:

- Attachment 1: Resolution No. _____
- Attachment 2: Copy of Application
- Attachment 3: Location Map/Assessor Parcel Map/Zoning Map/Aerial Map

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.](#)