



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-547, **Version:** 1

To: Planning Commission
From: Planning and Building Department
Agenda Section: Public Hearing

SUBJECT:

Rio Dell Leasing, LLC et al Zone Reclassification

Assessor Parcel Numbers (APNs) 201-311-012, 201-311-022, 201-311-024, 201-322-001, 201-322-010, 201-322-012, 201-322-017, 201-322-019, 201-322-031, 201-322-033, 204-081-003, 204-081-004 & 204-171-003

Record No.: PLN-14245-ZR

Alton Area

A Zone Reclassification to remove a Qualified (Q) combining zone currently in place on +/- 66 acres of Heavy Industrial (MH) zoned parcels in the Alton area. The Q zone, adopted under Ordinance 1689, precludes the use of the parcels for both retail sales/retail services and reserves the industrial use of the properties for timber products processing and storage longer than five (5) days. The Q-zone restrictions on industrial and commercial development limit their use in such a way that many of the parcels have been vacant for decades. Removal of the Q combining zone is being sought to allow these properties to host the broader assortment of commercial and industrial permitted under the Heavy Industrial (MH) base zoning district applied to this area. The zone reclassification is being brought forward together with another rezoning request (PLN-2023-18078) to change adjoining lands to the west from Limited Industrial (ML) to Heavy Commercial (C-3).

RECOMMENDATION(S):

That the Planning Commission:

1. Open the Public Hearing on this item.
2. Survey the audience for any person who would like to discuss the application.
3. Close the Public Hearing on this item.
4. Adopt the resolution (Resolution 23-__). (Attachment 2) which does the following:
 - a. Finds that the Planning Commission has determined the project is exempt from further Environmental Review; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Recommends that the Board of Supervisors find the project exempt from CEQA and approve the Zone Reclassification and General Plan Amendment as conditioned

DISCUSSION:

The project before the Planning Commission is a Zone Reclassification (ZR) of 13 parcels in the Alton area totaling approximately 66 acres in area. All of the properties are currently zoned Heavy Industrial with a Qualified Combining zone (MH-Q). This particular MH-Q zoning district is located on the south side of Highway 36, approximately ½-mile west of the Rohnerville Airport. Parcels 201-322-001, and 201-311-020 are currently vacant. The remaining parcels are either developed with industrial or storage uses.

The project applicant is requesting removal of the Q zone designation from the subject parcels in order to reflect the contemporary use of industrial, agricultural, and wholesale/retail commercial activities in the area. The original reason to reserve these properties for timber products processing is no longer a priority as there has been a significant decline in the timber industry in the County and many of the local mills have shut down in recent decades. The applicants' desire is to begin, and continue, transporting, selling and producing agriculture products and other materials, and begin storing and selling water and septic tanks from these industrial properties. The Zone Reclassification will facilitate use of the site for these other industrial uses by removal of the Q zone. There are several businesses currently desiring to utilize these parcels for other uses that would be allowed under the MH zoning but are restricted at present by the Q zone. The petition states that each of these businesses utilize previously underutilized industrially zoned properties that were a blight to the Alton area. These businesses are not allowed under the Q zone, and the owners are requesting removal of the Q zone designation from these parcels in order to reflect contemporary use for industrial, agricultural, and wholesale/retail commercial activities. The owners wish to begin and continue selling and producing agriculture products and other materials and begin storing and selling water and septic tanks from these prime industrial properties.

Public Interest

To authorize amendments to the Zoning Ordinance and maps, the proposed change must be found to be in the public interest. Given the past vacancy and underutilization of the parcels in this zoning district, current conditions, and present redevelopment interest, staff believe these factors signal that removal of the Q-zone restrictions will have immediate benefit to the general public and economic development goals in the General Plan.

CEQA

The project is exempt from environmental review pursuant to Section 15183, Projects Consistent with a Community Plan or Zoning as well as the 'General Rule' exemption found in Section 15061(b)3 of the State CEQA Guidelines which applies where it can be seen with certainty that a project will not have a significant effect on the environment. An Initial Study (IS) has been prepared for the project and is included under Attachment 4. The IS documents the basis for the determination that the project is eligible for use of exemptions provided in Section 15183, Projects Consistent with a Community Plan or Zoning as well as the 'General Rule' exemption found in Section 15061(b)3 of the State CEQA Guidelines.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and most responding agencies have either responded with no comment or recommended approval or conditional approval. A summary of their responses can be found in Attachment 6.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.
2. The Planning Commission could also decide the project may have environmental impacts that would

require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND that was previously prepared for an earlier rezone proposal. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to conduct further environmental review.

ATTACHMENTS:

1. Draft Resolution - Zone Reclassification Recommendation
 - A. Draft Board Resolution Approving Zone Reclassification
2. Draft Zoning Ordinance for Adoption by the Board of Supervisors
3. Location, Zoning, and Land Use Maps
4. CEQA Initial Study
5. Applicant’s Evidence in Support of the Required Findings
 - A. Zone Reclassification Justification Statement
6. Referral Agency Comments and Recommendations

Applicant Rio Dell Leasing
LLC /Manuel Meras 1298 Highway 36
Fortuna, CA 95540

Owners	Address			
Northwestern Pacific Railroad Co	Sbe 853-12-2			
Philip J Nyberg & Melinda J Trust	1 Quail Canyon	Fortuna	CA	95540
Steve Wills Trucking & Logging Llc	Po Bx 335	Fortuna	CA	95540
Unique Bagz Inc	705 N State St	Ukiah	CA	95482
Rio Dell Leasing Llc Co	1298 Hwy 36	Fortuna	CA	95540
Kenneth M Bareilles Cotr	533 E St	Eureka	CA	95501
Humboldt Iq Llc Co	Po Box 543	Hydesville	CA	95547

Please contact Steven Lazar, Senior Planner, at slazar@co.humboldt.ca.us <<mailto:slazar@co.humboldt.ca.us>> or at (707)268-3741 if you have any questions about this public hearing item.