



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-518, **Version:** 1

Hearing Date: May 2, 2023
To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Consent

SUBJECT:

Strombeck Zone Reclassification Petition
APN: 511-491-021
Case No.: PLN-2022-17943

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached resolution (Attachment 1) to accept the rezone petition; 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:

The Board is being asked to accept an applicant-initiated Zone Reclassification (Attachment 2) for processing. The property owner seeks to change the underlying Zone classification on a single parcel of approximately 14.98 acres in the McKinleyville area. The zoning would change from Agriculture General with Special Building Site combining zone specifying a 10-acre minimum size (AG-B-5(10)) to Agriculture General with Special Building Site combining zone specifying a 5-acre minimum size (AG-B-5(5)). The applicant seeks the proposed change to be consistent with the Residential Agriculture 5-20 acres per unit (RA5-20) designation specified in the General Plan. Following this, the applicant will be proposing to subdivide the parcel into two resulting parcels.

The project is in the McKinleyville area, on the north side of Elizabeth Road, approximately 0.55 miles northwest from the intersection of Murray Road and Elizabeth Road, on the property known as 2427 Elizabeth Road.

The General Plan land use designation for the subject property is Residential Agriculture: (RA5-20),

Density Range: 5 to 20 acres per unit; McKinleyville Community Plan (MCCP), 2017 General Plan, Slope Stability: Low Instability (1).

The current zoning on the subject property is Agriculture General with Special Building Site combining zone specifying a 10-acre minimum size (AG-B-5(10)).

The petition was filed by the property owner and includes information meeting the requirements of HCC 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.

Public Interest

The subject property is currently zoned for agriculture (AG), allowing for differing types of general agriculture uses and some residential uses. The applicant notes that the rezoning would make the subject parcel consistent with the density specified in the General Plan. The subject parcel is in an area in McKinleyville that has agricultural zoning intermixed with timber production zoning. All other AG zoned parcels in the area surrounding the subject parcel currently have a ten-acre minimum parcel size, with the exception of the neighboring parcel to the west that was approved for a rezone from a ten-acre minimum parcel size to a five-acre minimum parcel size in December of 2022. There are also several parcels in the area zoned for a ten-acre minimum parcel size that are approximately five acres in size. The prior Framework Plan designation for the area was Agricultural Rural with a density of 10-acres per unit (AR (10ac)) which is reflected in the current zoning designation of (AG-B-5(10)). With the adoption of the 2017 General Plan, the designation was changed to RA5-20, allowing for a density of one unit per 5-20 acres. This proposed reclassification will bring the zoning into alignment with the current General Plan designation.

It is in the public interest to modify the zoning for the subject parcel. The rezoning of the subject parcel would bring the parcel into alignment with the current General Plan designation for the property and allow for the subdivision of the parcel, thereby creating a new housing opportunity. Expanding housing opportunities at all income levels is a Guiding Principle of the Humboldt County General Plan.

Consistent with the General Plan

The current General Plan land use designation for the subject parcel is as follows, with a description of the designation from the Land Use Element:

Residential Agriculture (RA)

This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. RA5-20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are applied to more remote, steep and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.

Table 4-H of the General Plan (Land Use Element) shows the Agriculture General (AG) zone as compatible with the Residential Agriculture (RA) land use designation and requires that AG zones in the RA designation are consistent with the identified land use designation only when combining zone density/minimum lot size designators are consistent with General Plan policies and standards. This proposal would bring the parcel into conformance with this requirement.

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 zoning change is both in the public interest and consistent with the General Plan.

A preliminary analysis of the Tentative Map (Attachment 4) provided by applicant by staff concludes that the property could be subdivided resulting in one five-acre parcel containing an existing residence and garage and an approximately ten-acre parcel containing a shop and accessory structures.

A petition to accept an application for a zone reclassification is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA. Should the petition be accepted, the Planning Department will complete an environmental analysis as part of the review of the reclassification application.

Applicant

Steve Strombeck
960 S G Street
Arcata, CA 95521

Owners

Steve & Tina Strombeck
PO Box 37
Eureka, CA 95502

Agent

Points West Surveying
c/o Jesse Buffington
5201 Carlson Park Drive, Ste. 4
Arcata, CA 95521

Please contact Rodney Yandell, Senior Planner, at 707-445-7541 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled item.

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.

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, which has not expressed concern with the proposed petition. Should the petition be accepted, responsible and trustee state and local agencies will be involved in the referral process of the Reclassification.

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: Draft Resolution

Attachment 2: Application Form

Attachment 3: Location Map

Attachment 4: Tentative Map

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A