



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 23-112 **Version:** 1 **Name:**
Type: Zoning Item **Status:** Passed
File created: 1/23/2023 **In control:** Planning and Building
On agenda: 3/7/2023 **Final action:** 3/7/2023
Title: General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit hearing for the Lucas & Myrtle Mini-Storage Center by J&J Family, LLC

Sponsors:

Indexes:

Code sections: 311-7 - ZONE AMENDMENT

Attachments: 1. Staff Report, 2. Attachment 1 Resolution Adopting Mitigated Negative Declaration.pdf, 3. Attachment 2 Resolution making findings in support of the General Plan Amendment.pdf, 4. Attachment 3 Resolution making findings in support of the Zone Reclassification.pdf, 5. Attachment 4 Ordinance Adopting Rezone (Revised).pdf, 6. Attachment 5 Resolution adopting findings for approval of and approving CUP and LLA.pdf, 7. Attachment 6 16400 Approved Site Plan 10.14.22.pdf, 8. Attachment 6a 16400 Map Set 06.11.2020.pdf, 9. Attachment 6b 16400 Wetland Delineation Report 2021.pdf, 10. Attachment 7 16400 IS&MND 2022.pdf, 11. Attachment 8 Referral Agency comments and recommendations.pdf, 12. Attachment 9 CEQA Comment - Jason Whitcomb - Paye Lucas and Myrtle Mini Storage 08.12.22.pdf, 13. Attachment 10 Planning Commission Resolution.pdf, 14. Attachment 11 Zoning Ordinance Post Adoption Summaries.pdf, 15. Resolution No. 23-31.pdf, 16. Resolution No. 23-33.pdf, 17. Resolution No. 23-32.pdf, 18. Resolution No. 23-34.pdf, 19. Ordinance 2710.pdf

Date	Ver.	Action By	Action	Result
3/7/2023	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

Vote Requirement: Majority

SUBJECT:

General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit hearing for the *Lucas & Myrtle Mini-Storage Center by J&J Family, LLC*

RECOMMENDATION(S):

That the Board of Supervisors:

1. Re-open the public hearing on new information and receive presentation by county staff, the applicant, and receive public comment; and
2. Close the public comment portion of the hearing; and

3. Deliberate on the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and

Make a motion to take the following actions

4. Adopt the resolution (Resolution 23-____) (Attachment 1) to find the requirements of the California Environmental Quality Act have been complied with and adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and
5. Adopt the resolution (Resolution 23-____) (Attachment 2) making findings in support of the General Plan Amendment and approving the General Plan Amendment to change a 9,000 square-foot portion of the property currently designated Residential Medium Density to Commercial General; and
6. Adopt the resolution (Resolution 23-____) (Attachment 3) making findings in support of the Zone Reclassification and approving the Zone Reclassification to change 1.42 acres of property from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and
7. Adopt the Ordinance (Attachment 4) to approve Zone Reclassification and Qualified zoning of 1.42 acres on APN 015-111-006 from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres on APN 015-111-012 from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres on APN's 015-111-012, and 015-111-013 from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and
8. Adopt the resolution (Resolution 23-____) (Attachment 5) which does the following:
 - a. Finds the Lot Line Adjustment and Conditional Use Permit comply with the General Plan and Zoning; and
 - b. Approves the Lot Line Adjustment between Assessor's Parcel Numbers 015-111-006, and 015-111-012, and 015-111-013; and
 - c. Approves the Conditional Use Permit (CUP) to develop Lucas & Myrtle Mini-Storage Center.
9. Direct the Clerk of the Board to give notice of the decision to J&J Family, LLC, the Planning and Building Department, and any other interested party.

SOURCE OF FUNDING:

Applicant fees to Current Planning budget unit (1100277) provided the bulk of the funding for this application. At your Board's request, this project was modified to provide additional protection for potential future multi-family residential development at no cost to the applicant. The work associated with this project after the Jan. 10, 2023, hearing has no dedicated source of funding.

DISCUSSION:

This is a continuation of a public hearing that was held on Jan. 10, 2023. At that meeting, the Board of Supervisors directed staff and the applicant to work together to determine ways to encourage multifamily residential development on the subject parcels. The solution to this direction is to adopt a Qualified zoning ordinance (Overlay Zone) to principally allow residential development in the C-1 zone. This captures the Board's stated intent not to completely change direction on the applicant, at the last minute, but to provide an incentive for residential use of the property.

The Qualified zone can be combined with any principal zone to provide sound and orderly planning as well as indicate that specified principal permitted uses or conditional uses otherwise allowed under the principal zone may be limited and development standards/restrictions can be added, deleted, or modified to implement the General Plan or CEQA mitigation. The Qualified zoning ordinance will eliminate the standard code requirement that any residence on the parcels must have commercial establishments on the first floor.

The Qualified zoning ordinance will not affect the findings of the Initial Study/Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act. The MND that was prepared for this project (SCH# 2022070274) analyzed the project-specific impacts from this application because these specific project impacts were not analyzed by the programmatic Environmental Impact Report (EIR) certified for the General Plan as they would not be authorized under the existing zoning that was considered under the programmatic EIR. Because the rezone is adding a Q that only further restricts the allowable uses within the existing zone, no additional impacts associated with the Q are expected.

FINANCIAL IMPACT:

Narrative Explanation of Financial Impact:

The cost for this item up to the Jan. 10, 2023 hearing is funded from applicant fees in the Current Planning budget unit 1100277. All costs subsequent to the Jan. 10, 2023 hearing has been done at no cost to the applicant per direction from your Board. This is approximately \$2,000 which has no current source of funding.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework priority of supporting business, workforce development and creation of private-sector jobs .

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board of Supervisors may decide to deny the request for a General Plan Amendment and Zone Reclassification. Subsequently, the Conditional Use Permit and Lot Line Adjustment for the proposed development of the Lucas & Myrtle Mini-Storage Facility would not be authorized.

ATTACHMENTS:

1. Resolution Adopting Mitigated Negative Declaration
2. Resolution making findings in support of the General Plan Amendment and approving the

General Plan Amendment

3. Resolution making findings in support of the Zone Reclassification and approving the Zone Reclassification
4. Ordinance Adopting Rezone
5. Resolution adopting findings for approval of and approving Conditional Use Permit, Lot Line Adjustment and Mitigation, Monitoring, and Reporting Program
6. Applicant's Evidence in Support of the Required Findings: Maps, Site Plan, and SHN 2021 Wetland Delineation Report
7. Initial Study and Mitigated Negative Declaration
8. Referral Agency Comments and Recommendations
9. Public Comment
10. Planning Commission Resolutions
11. Zoning Ordinance Post Adoption Summaries

PREVIOUS ACTION/REFERRAL:

Board Order No.: J-2

Meeting of: January 10, 2023

File No.: 22-1712