

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 23-**

**Record Number PLN-2021-17037**

**Assessor's Parcel Numbers: 033-041-039 and 033-160-002**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves Benbow Properties Zone Reclassification.**

**WHEREAS, Benbow Properties, Inc.**, submitted an application and evidence in support of approving a Zone Reclassification (ZR) to reclassify approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D); and

**WHEREAS**, the application was reviewed by referral agencies and County departments; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on July 20, 2023 to receive other evidence and testimony; and

**WHEREAS**, the Planning Commission has reviewed and considered said other written evidence and testimony presented to the Commission; and

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:** The applicant requests a Zone Reclassification to rezone approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D) on two parcels in the Benbow Area, APNs 033-041-039 and 033-160-002.

**EVIDENCE:** a) Project File: PLN-2021-17037

- 2. FINDING:** **CEQA.** The project is exempt from environmental review under CEQA.

**EVIDENCE:** a) The project can be found exempt from CEQA pursuant to Guidelines Section 15183, the project is consistent with general plan policies for which an EIR was certified.

**FINDINGS FOR ZONE RECLASSIFICATION**

- 3. FINDING** The proposed Zone Reclassification is in the public interest.

- EVIDENCE** a) The Zone Reclassification will complement a recent reclassification nearby that was approved by the County for the same purpose, and will facilitate productive use of property planned for commercial uses.

### **FINDINGS FOR GENERAL PLAN AMENDMENT**

**FINDING** The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the General Plan

- EVIDENCE** a) The amendment is timely as there is an interest to utilize the property for Agricultural use now, and the General Plan is not scheduled for update in the near term.
- b) The project offers the potential for economic development and to retain and create living-wage job opportunities by utilizing the land and filling a market niche.

**FINDING** The reclassification is consistent with the County General Plan.

**EVIDENCE** a) C-2-D zoning is consistent with Commercial Recreation land use designation, per Table 4-H, Zoning Consistency Matrix, of the County General Plan.

**FINDING** The reclassification 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.

**EVIDENCE** a) The property is not included in the residential land inventory of the Housing Element.

**DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Planning Commission does hereby recommend that the Humboldt County Board of Supervisors:

- 1. Adopt the necessary findings set forth in this resolution; and
- 2. Recommend that the Board of Supervisors approve the rezoning of approximately 5.7 acres from Neighborhood Commercial, Design Control Combining Designation (C-1-D) to Community Commercial, Design Control Combining Designation (C-2-D) on two parcels in the Benbow Area, APNs 033-041-039 and 033-160-002.; and

Adopted after review and consideration of all the evidence on July 20, 2023

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES:            COMMISSIONERS:  
 NOES:            COMMISSIONERS:  
 ABSENT:        COMMISSIONERS:  
 ABSTAIN:       COMMISSIONERS:  
 DECISION:

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
 John H. Ford, Director  
 Planning and Building Department