



COUNTY OF HUMBOLDT

For the meeting of: 11/28/2023

File #: 23-1486

To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Public Hearing
Vote Requirement: Majority

SUBJECT:

Benbow Properties, Inc. Zone Reclassification
Assessor Parcel Numbers (APNs) 033-041-039 (formerly 033-041-036) and 033-160-002
Record No.: PLN-2021-17037
Garberville/Benbow Area

A Zone Reclassification of approximately 5.7 acres from Neighborhood Commercial with a Design Control combining zone (C-1-D) to Community Commercial with a Design Control and Qualified combining zone (C-2-D-Q).

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the resolution (Resolution 23-___). (Attachment 1) which does the following:
 - a. Make the required findings for approval;
 - b. Approves the Zone Reclassification; and

2. Adopt Ordinance No. __ Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Benbow Area (Attachment 2).

SOURCE OF FUNDING:

General Fund - Current Planning (1100277)

DISCUSSION:

On Oct. 24, 2023 your Board entertained a proposal for a Zone Reclassification of approximately 5.7 acres from Neighborhood Commercial with a Design Control combining zone (C-1-D) to Community Commercial with a Design Control combining zone (C-2-D). The subject properties are on the east side of Highway 101 and separated from Highway 101 by a golf course. Both involved parcels are visible from Highway 101, which in this location is potentially eligible for official designation as a

California State Scenic Highway and concern was raised by members of the Board and regarding the potential of development in this location to disrupt the scenic character of the Benbow area and to conflict with any potential designation of Highway 101 as a State Scenic Highway. Your Board voted unanimously to continue the project for staff to bring the application back with a proposal to add a Qualified “Q” zone to these properties to protect the scenic character of the Benbow area.

The draft ordinance attached to this staff report includes the addition of the Q zone which would require all development, including grading or building permits, to be consistent with the following restrictions and requirements:

- (1) Existing topography and vegetation shall be retained to the maximum extent feasible.
- (2) Structures, signs and plant materials shall be constructed, installed and planted to complement, enhance and retain scenic views from Highway 101. Proposed structures and signs shall not impede views from the highway of the forested hillside located to the east.
- (3) Vegetation shall be installed where necessary to soften views of new buildings and to incorporate new development into the existing landscape.
- (4) Potentially unsightly features such as parking lots, trash enclosures and outside storage shall be located in areas not visible from the highway or shall be screened from view by installed vegetation.
- (5) Mechanical equipment shall be screened from all public views.
- (6) Exterior lighting more than seven feet in height shall be shielded and directed downward. Lighting shall not spill off-premises.
- (7) Shipping containers shall be prohibited.
- (8) Exterior walls and roofing materials of unfinished or galvanized metal are prohibited.
- (9) Any vegetation installed for the purpose of implementing these special restrictions shall be native and drought tolerant.
- (10) Buildings shall be designed to add visual interest. Structures with flat roofs shall include projecting cornices of a design sufficient to add visual interest.
- (11) Buildings shall be designed to reflect interior spaces and shall not include false projections that rise above the true roof line, except that parapets and gables may be installed provided that the side-returns or roof planes extend around the building.

These requirements will ensure that development associated with these parcels does not adversely impact the scenic character of the area or compromise the ability of the highway in this location to be officially designated as a State Scenic Highway. Your Board could choose to delete or amend any of these restrictions or requirements, or to add additional restrictions or requirements.

FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved.

STAFFING IMPACT:

Staff time related to implementation has been accomplished with current staff resources. The applicant is responsible for paying all actual costs of staff time.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework priority of encouraging new local enterprise.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all but one responding agency have either recommended approval or provided no comment (Attachment 4). The Northwest Information Center recommended that a cultural resources survey (CRS) be conducted and that the application be referred to local tribes. The application was referred to local tribes and no response was received however a Cultural Resources Survey was prepared, which found no archaeological or cultural resources at the project site.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board of Supervisors could elect not to approve the project. This alternative should be implemented if the Board is unable to make all of the required findings. Planning staff believes that the required findings can be made and does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Resolution
2. Rezone Ordinance
3. Maps
4. Referral Agency Comments and Recommendations
5. Planning Commission Resolution
6. Post Adoption Summary
7. Public Comment

Applicant and Owner

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File #: 23-1486

[<mailto:cjohnson@co.humboldt.ca.us>](mailto:cjohnson@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.