



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

DATE: July 14, 2011
TO: Humboldt County Planning Commission
FROM: Kirk Girard, Director of Community Development Services
SUBJECT: **2010 Housing Element Implementation – Multifamily Rezoning Program (H-IM17 and H-IM18)**

This staff report has been prepared for your consideration of the multifamily rezoning program, implementing measures H-IM17 and H-IM18 of the 2010 Housing Element update at the public hearing on July 14, 2011. This staff report includes the following:

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Staff recommendations:

1. Open the public hearing item and receive a staff report.
2. Receive public comment.
3. Close the public comment portion of the meeting and deliberate on the proposed general plan and zoning ordinance amendments, and the draft Resolution of Approval;
4. Make the following motion to approve the item:

“I move to make all of the required findings, based on evidence in the staff reports, and approve the attached Resolution recommending approval of proposed general plan and zoning ordinance amendments by the Board of Supervisors.”

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 11-_____**

RECOMMENDING ADOPTION BY THE BOARD OF SUPERVISORS OF THE PLANNING COMMISSION APPROVED GENERAL PLAN AND ZONING ORDINANCE AMENDMENTS IMPLEMENTING THE 2010 HOUSING ELEMENT – MULTIFAMILY REZONING PROGRAM (H-IM17 AND H-IM18).

WHEREAS, The proposed plan and zoning amendments will change the General Plan Land Use and the zoning designations of the selected candidate sites to allow multifamily housing as a principally permitted use. Q- Qualified combining zone designations will be used to tailor the zoning for the selected candidate sites to site-specific conditions, to mitigate impacts on the environment, to establish a minimum residential density of 16 units per acre, and to allow more than four units per building.

WHEREAS, the proposed plan and zoning amendments implement measures in the 2010 Housing Element (H-IM17 and H-IM18) requiring the County adopt a General Plan Amendment, Zone Reclassification, and Local Coastal Plan Amendment of a set of candidate sites for rezoning, which will increase the inventory of multifamily housing development potential in the County by a minimum of 980 units; and,

WHEREAS, the list of 75 candidate sites with proposed plan and zoning amendments were reviewed by the Community Development Services Department - Planning Division for conformance with general and community plan policy, goals and regulations and applicable zoning as required to allow for the proposed zone reclassification; and; and,

WHEREAS, the Community Development Services Department - Planning Division referred the proposed plan and zoning amendments to involved reviewing agencies for site inspections, comments and recommendations; and,

WHEREAS, a Draft Subsequent Environmental Impact Report (DSEIR) was prepared for the proposed plan and zoning amendments; and

WHEREAS, in the month of June, 2011, public scoping meetings were held in the affected areas to discuss proposed plan and zoning amendments and the DSEIR; and

WHEREAS, the Planning Commission held public hearings on the proposed plan and zoning amendments on June 30, and July 14, 2011 during which they received staff reports, accepted public comment, and deliberated on the proposed rezones; and

WHEREAS, notices announcing the workshops and June 30, 2011 Planning Commission public hearing were published in the Times-Standard, a newspaper with general circulation throughout the County, and mailed to all property owners and neighbors within 300 feet of all the candidate sites on June 2, 2011,; and

WHEREAS, A notice announcing the July 14, 2011 Planning Commission public hearing was also published in the Times-Standard, a newspaper with general circulation throughout the County; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Humboldt County Planning Commission that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during the hearings:

1. All of the above recitations are true and correct and incorporated herein by reference.
2. The proposed General Plan and Zoning Amendments are in the public interest because they are necessary to facilitate residential development, particularly development affordable to lower income households.

3. The proposed General Plan and Zoning Amendments are necessary to respond to new requirements of the Housing Element, which are considered changes to the base information of the General Plan.
4. The proposed General Plan Amendments are consistent with all the other Elements of the General Plan, including §1452.2 of the General Plan (Findings Required for Plan Amendments).
5. The proposed ordinance changes are consistent with all the Elements of the Plan, and all the other sections of the zoning ordinances, including Humboldt County Code §312-50.3 (Required Findings for All Amendments).
6. The June 2011 Draft SEIR for the proposed General Plan and Zoning Amendments have been reviewed and considered by the Planning Commission, consistent with the requirements of the California Environmental Quality Act (CEQA), prior to making its recommendations.
7. The findings and evidence from the June 30, 2011 Planning Commission staff report are incorporated into this resolution as if set forth in their entirety herein.
8. The proposed General Plan and Zoning Amendments shown in Attachment 1 of this Resolution are hereby approved with the mitigation measures shown in Attachment 2. These attachments are incorporated into this resolution as if fully set forth in their entirety herein.

BE IT FURTHER RESOLVED that for the purposes of these proposed General Plan and Zoning Ordinance amendments, minor changes that 1) do not substantially differ from what was considered by the Planning Commission, 2) are reasonably based on credible information that is readily accessible to the public, and 3) are necessary to respond to comments on the proposed General Plan and Zoning Ordinance amendments shall not be considered substantial changes requiring further review by the Planning Commission.

BE IT FURTHER RESOLVED that this Commission recommends that the Board of Supervisors of the County of Humboldt:

Hold public hearings in the manner prescribed by law;

Adopt the Planning Commission's findings;

Complete the environmental review of the project as required by state law; and

Adopt the Planning Commission recommended General Plan and Zoning Ordinance amendments.

Adopted after review and consideration of all the evidence on _____.

Chair, Humboldt County Planning Commission

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____. by the following ROLL CALL vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

I, Siana Watts, Clerk 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.

By: _____
Siana Watts, CLERK

Attachment 1
Selected Candidate Sites

Attachment 2
Mitigation Measures

Description of Q- Qualified Combining Zone Restrictions

Q-Zone Requirements which apply to all the selected candidate sites

1. In the non-costal areas, two-family dwellings and multiple dwellings and dwelling groups are allowed. In coastal areas, duplexes and Multifamily Residential uses are allowed.
2. Unless otherwise specified in Table A-1 of this ordinance, development potential on each property is limited to a minimum density of 16 units per acre times the developable area of the site according to the table in Attachment 1 of the DSEIR, and a maximum density of 30 units per acre times the developable area of the site according to the table in Attachment 1 of the DSEIR. (Mitigation Measure 1)
3. Subject to review and approval by the Planning Director, the developable area of candidate sites may be expanded if site specific information is provided by a licensed civil engineer showing actual flood hazards, slope hazards, earthquake fault hazards or other constraints on the ground are less than the amount shown in Attachment 1 (of the DSEIR). (Mitigation Measure 2)
4. All new outdoor lighting in new multifamily housing development on the candidate sites selected for rezoning shall be required to be shielded, designed and located so that direct rays are confined to the property. (Mitigation Measure 5)
5. Exterior roofing and siding materials in new multifamily housing development on the candidate sites selected for rezoning shall be required to be non-reflective. (Mitigation Measure 6)
6. The following design guidelines from §314-6.4 and 314-6.5 of the zoning ordinance shall be used for new multifamily development for projects involving more than four units:
 - Avoid letting garages, driveways and parking lots dominate the streetscape.
 - Design to minimize conflicts between vehicles and pedestrians.
 - Design public open areas to the same level of quality as any other "space" in the development.
 - Provide direct access to open space from the dwelling units that the open space is intended to serve.
 - Provide visual access to shared open spaces from individual units, preferably from the kitchen, living room or dining room.
 - Avoid lighting which shines directly into dwelling units on- and off-site.
 - Private outdoor space, including patios, porches, decks, balconies and yards should be of adequate size and within easy access of each dwelling unit.
 - Good landscaping is critical to the quality of any multifamily project. (Mitigation Measure 7)
7. Candidate sites for rezoning in the coastal zone shall incorporate the development standards consistent with the visual resource protection measures of the Coastal Act. (Mitigation Measure 8)
8. All soils exposed during construction of new multifamily housing development on the candidate sites selected for rezoning shall be required to be watered to reduce potential wind erosion of the soils; Water shall be applied to disturbed land surfaces at a frequency high enough to maintain soil cohesion and to reduce blowing dust to the extent practicable. The project engineer or prime contractor shall maintain a log identifying the date and time and the amount of water applied to maintain dust control. The log shall be kept on the project site and shall be presented for review by county or other agency personnel upon request. (Mitigation Measure 11)
9. All construction equipment used during construction of new multifamily housing development on the candidate sites selected for rezoning shall be required to be equipped with approved exhaust systems; Construction waste or debris shall not be burned on the project site under any circumstances. Vegetation waste shall not be burned except under conditions established by permit from the North Coast Unified Air Quality Management District. (Mitigation Measure 12)

10. All Wood-burning appliances used for space-heating purposes in the new multifamily housing development on the candidate sites selected for rezoning shall meet Environmental Protection Agency or state requirements for particulate emissions. "Wood-burning appliances" shall include all of the following: any fireplace, or any wood-fired heater that burns wood, pelleted wood, or any other nongaseous or nonliquid fuels, or any similar device burning any solid fuel used for aesthetic or space-heating purposes, and which has a heat input less than one million British Thermal Units per hour. (Mitigation Measure 13)
11. All exterior walls in the new multifamily housing development on the candidate sites selected for rezoning shall be at least 6" in thickness, and use R-19 insulation. (Mitigation Measure 14)
12. All new multifamily housing development on the candidate sites selected for rezoning shall extend 10 gauge electrical conduit from the electrical panel into the attic space with extra length as necessary to serve photovoltaic panels on the roof. (Mitigation Measure 15)
13. Candidate sites for rezoning in the coastal zone shall incorporate development standards for consistency with the biological resource protection measures of the Coastal Act. (Mitigation Measure 17)
14. A Q-Qualified Zone shall be applied to each candidate site selected for rezoning requiring new development to comply with the following cultural and historic resource preservation measures:

"If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains.

The applicant is ultimately responsible for ensuring compliance with this condition." (Mitigation Measure 19)
15. Selected candidate sites for rezoning in the tsunami runup area shall contribute a proportional share to the emergency warning siren fund, and provide a tsunami evacuation plan to persons living on the property, (Mitigation Measure 21)
16. A Q-Qualified Zone will be applied to each site to apply LID strategies to each of the candidate sites, including Best Management Practices for soil erosion, detention of stormwater runoff, and to minimize impervious surfaces. (Mitigation Measure 22)
17. Candidate sites for rezoning in the coastal zone shall incorporate the development standards for consistency with the coastal access protection measures of the Coastal Act. (Mitigation Measure 24)
18. A Q-Qualified Zone shall be applied to APN 510-071-001 requiring an easement or other similar instrument be recorded to the benefit of APN 510-071-003 protecting the solid waste transfer use from future claims related to the noise, odor, dust and other noxious characteristics of the neighboring solid waste processing use. (Mitigation Measure 26)
19. To ensure that the necessary traffic, road access and safety concerns are properly address for the rezone parcels, the following provisions shall be incorporated and implemented as Q-zone requirements.
 - A. The project will be evaluated to determine the extent of needed traffic improvements relative to road capacity, intersection functionality, normal and emergency access, and on-street/off-street

parking, non-motorized transportation (pedestrians, bicycles, etc...), and road surfacing.. Appropriate requirements will be imposed to ensure that design standards and adequate service levels are maintained and consistent with General Plan and Community Plan policies and standards.

B. Access Road Standards (Road Category Standards are described in Appendix to Title III, Division 2 of the Humboldt County Code)

Road Category	Maximum number of dwelling units served by the road	
	Inside the State Responsibility Area (County Code Section 3112-3)	Outside the State Responsibility Area (Appendix to Title III, Division 2 of the Humboldt County Code)
Road Category 2	Up to 2	Up to 10
Road Category 3	Up to 8	Up to 20
Road Category 4	Up to 100 ¹	Up to 100
Road Category 5	none specified	none specified
Road Category 6	none specified	none specified

Footnotes:

¹ None specified in County Code Section 3112-3; therefore the maximum dwelling units shown in Appendix to Title III, Division 2, Humboldt County Code applies.

- All roads and driveways shall comply with Visibility Obstruction Regulations (Title III, Division 4 of the Humboldt County Code) and the Protection and Control of County Roads (Title IV, Division 1 of the Humboldt County Code.)
- Driveways onto County arterial roads shall be minimized in number.
- Dead end roads shall have an adequate turnaround at their termination pursuant to Figure 10 in Appendix to Title III, Division 2 of the Humboldt County Code; and County Code Section 3112-7.
- No roadway grade in excess of 16% shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual pursuant to County Code Section 3112-5
- The maximum length of dead-end roads shall be in conformance with the standards specified in Humboldt County Code Division 11 of Title III, Section 3112-11.
- Access roads shall be paved, and pedestrian and other non-vehicular access shall be provided consistent with neighborhood needs.
- Road and sidewalk improvement requirements for any project shall be allowed to be phased to require improvements commensurate with the portion of the expected development potential shown in Table A-1 proposed for construction
- The applicant shall attempt to create a road maintenance association for non-county maintained roads, if none exists.

Candidate Sites as of June 13, 2011 (by NSA)

Neighborhood Study Area	Total Units
Eureka-Cutten	4
Eureka-Humboldt Hill	173
Eureka-Mrytletown	115
Eureka-Pine Hill	190
Eureka-Ridgewood	17
Humboldt Bay-Manila	16
Hydesville	11
McKinleyville-Central	137
McKinleyville-East	117
McKinleyville-South	30
Phillipsville	33
Redway	24
Total	867

Candidate Sites as of June 13, 2011 (Parcel listing)

APN	OWNER	NSA	ACRES	LACO Developable Acres	LACO Development Potential (Units)	staff acres	potenital units
016112010	REDWOOD MEAT CO INC	Eureka-Mrytle town	2.50	2.21	35		35
017032007	GREEN DIAMOND RESOURCE CO	Eureka-Mrytle town	22.81	5.00	80		80
018052019	WHITING DARLENE	Eureka-Cutten	0.34	0.27	4		4
019041009	ABRAHAMSEN ALFRED K & PRYOR ALICE S	Eureka-Pine Hill	9.35	3.67	58		58
019071007	LAMBERT FRANCES R TR	Eureka-Pine Hill	4.05	1.60	25	2	32
019131018	BONOMINI ROBERT L SUCTR	Eureka-Pine Hill	6.13	5.40	86		88
077081035	WHITE ADONA C & WALSH DAVID M	Redway	0.50	0.30	4		4
077181001	RUSSELL DOROTHY A	Redway	0.31	0.19	3	0.06	1
077302002	WILCOX RAY D & JANINE	Redway	1.34	0.67	10	1.19	19
204192015	FISHER COREY D & PAMELA K	Hydesville	1.14	0.25	4	0.7	11
214051001	BEEBE KENNETH D & JENNIE C	Phillipsville	13.13	2.00	32	2.06	33
302021003	STODDER TED	Eureka-Pine Hill	2.49	0.90	14	0.16	4
302041005	BURGER GREG & JENNIFER L	Eureka-Pine Hill	4.44	0.80	12	0.27	8
303062002	DECARLI ERNEST E & SALLY L	Eureka-Ridgewood	1.16	0.26	4		4
303191048	FORSTER GILL INC	Eureka-Ridgewood	5.10	0.48	7	0.3	4
303240011	JON AND MARY STONE	Eureka-Ridgewood	1.20	1.00	16	0.56	9
306022001	KRAMER INVESTMENT CORP	Eureka-Humboldt Hill	0.53	0.20	3	0.1	1
306022002	SWARTZLANDER DENA J	Eureka-Humboldt Hill	0.19	0.05	1		1
306023002	KGK RENTALS LLC	Eureka-Humboldt Hill	0.21	0.18	2		2
306023004	KRAMER INVESTMENT CORPORATION	Eureka-Humboldt Hill	0.15	0.15	2		2
306023005	KRAMER INVESTMENT CORPORATION	Eureka-Humboldt Hill	0.15	0.15	2		2
306023006	KRAMER INVESTMENT CORPORATION	Eureka-Humboldt Hill	0.15	0.15	2		2
306023007	KRAMER INVESTMENT CORPORATION	Eureka-Humboldt Hill	0.15	0.15	2		2
306361003	FRAZIER ROBERT J & DEBRA J	Eureka-Humboldt Hill	49.68	4.00	64	6.6	105
306381007	BAKER HOMER W & ROSE E	Eureka-Humboldt Hill	4.00	3.55	56		56
506082017	REDWOOD COAST TRUCKING	Humboldt Bay-Manila	1.02	1.02	16		16
508172024	BENSON BARBARA A & COOLEY ROBERT TR	McKinleyville-South	0.26	0.09	1		1
508182012	BENSON BARBARA A & COOLEY ROBERT TR	McKinleyville-South	0.27	0.10	2		2
508182013	BENSON BARBARA A & COOLEY ROBERT TR	McKinleyville-South	0.27	0.00	0		0
508182014	BENSON BARBARA A & COOLEY ROBERT TR	McKinleyville-South	0.27	0.06	1		1
508191084	BENSON BARBARA TR	McKinleyville-South	0.18	0.07	1		1
508232004	JONES BARBARA A	McKinleyville-South	1.74	1.63	26	1.06	17
508301021	CONRAD MAYA T TR	McKinleyville-South	0.80	0.70	11	0.5	8
509093002	RICE WILLIAM L & MITCHELL-RICE JUDITH	McKinleyville-East	1.24	0.50	8	0.6	9
509095004	SUNDBERG-GROOMS CHERYL L	McKinleyville-East	1.02	0.82	13	0.538	16
509104022	DUSSELL BRYAN & BURGARD AMY	McKinleyville-East	0.69	0.39	6		12
509114002	PETERSEN ERIC N	McKinleyville-East	1.15	1.08	16	0.87	16
509132007	Dan Christie	McKinleyville-East	2.00	0.50	8	0.75	12
509151028	HUNTER ARTHUR C & SUSAN M	McKinleyville-East	11.42	7.67	44	2.42	38
509151029	HUNTER ARTHUR C	McKinleyville-East	0.43	0.22	3	0.16	2
509212023	DEL MONTE ANDREW R	McKinleyville-East	0.28	0.18	2	0.27	4
509212024	DEL MONTE ANDREW R	McKinleyville-East	0.34	0.14	2		2
509221016	MARKS JULIUS	McKinleyville-East	1.04	0.90	14	0.4	6
510051008	VAN CLEAVE JAMES E & JUDITH E	McKinleyville-Central	5.88	1.05	16	1.23	19

APN	OWNER	NSA	ACRES	LACO Developable Acres	LACO Development Potential (Units)	staff acres	potenital units
510071001	STODDER TED & TERESA L TR	McKinleyville-Central	1.83	0.09	1	0.47	7
510091021	NORTH COAST PROPERTY HOLDINGS LLC	McKinleyville-Central	1.45	1.00	4	0.36	5
510091074	LAKE ROBERT D & JUDITH M	McKinleyville-Central	0.92	0.85	13	0.48	7
510101008	RAY NONJUA L & GARY L	McKinleyville-Central	1.09	0.36	5	0.73	11
510101020	EMERY DARRYL D & JEANETTE TR	McKinleyville-Central	4.48	4.33	69	3.8	61
510101025	RAY GARY & NONJUA & DANIELLE M	McKinleyville-Central	0.47	0.20	3		3
510142052	DAY CHARLES I & OLGA S	McKinleyville-Central	1.12	0.40	6	0.55	8
510211075	J L FURTADO INC	McKinleyville-Central	0.25	0.25	4		4
510211076	J L FURTADO INC	McKinleyville-Central	0.17	0.17	2		2
510211077	J L FURTADO INC	McKinleyville-Central	0.16	0.16	2		2
510281021	MIKE CARDOVA	McKinleyville-Central	0.4	0.40	4	0.295	8