

Beere Minor Subdivision, Special Permit and Coastal Development Permit
Record Number: PLN-2021-16997
Assessor Parcel Number: 510-371-044

Recommended Commission Action

1. Describe the application as a public hearing;
2. Request staff to present the project;
3. Open the public hearing and receive public testimony; and
4. Close the public hearing and adopt the resolution to take the following actions:

1) Find the project exempt from environmental review pursuant to Section 15183 of the CEQA Guidelines, 2) make all of the required findings for approval of the Project and 3) approve the proposed Beere Minor Subdivision, Special Permit and Coastal Development Permit project subject to the recommended conditions.

The application is for the subdivision of a 1.49-acre parcel into two parcels (Parcel 1 is 0.97 acres and Parcel 2 is 0.51 acres) The project also requires the approval of a Coastal Development Permit (CDP) as the project site is located within the boundaries of the Coastal Zone. The site is located within an existing residential community bordered by the Mad River to the west and Highway 101 to the east. The site is located south of the intersection of Eucalyptus Road and Boiler Avenue, near the terminus of Boiler Avenue. Parcel 1 is currently developed with an existing residence and two detached accessory structures. Parcel 2 is currently developed with a manufactured home and three accessory structures. No demolition or new construction is proposed as part of the subdivision. The site contains several mature trees and grassland which been previously disturbed due to the use of the property. The site does not contain any streams, creeks, or wetland features onsite.

The proposed subdivision is to allow for individual ownership of the existing dwellings. Based on the orientation of the existing dwellings, a flag lot layout is required to subdivide the parcel. The site will be served by the Mckinleyville Community Service District and site drainage will continue to be conveyed via natural on-site surface drainage. The proposed development has been reviewed for compliance with the standards of the RS-20-M/G zone. The minimum permitted lot size is 20,000-sq.ft. and the proposed parcels are 42,489-sq.ft. and 22,555-sq.ft. The minimum required lot width is 75 feet and the proposed lot widths are 220 feet (Parcel 1) and 110 feet (Parcel 2). The maximum lot depth is three times the lot width and the proposed lot depths are 142-235 feet (Parcel 1) and 203 feet (Parcel 2). The maximum density is one dwelling per legally created lot, and the project proposed one dwelling per lot. The setback requirements for the zone are 20 feet to the front, 10 feet to the rear, and 5 feet to the interior side. The existing structures meet all required setbacks for the existing and proposed parcel lines. The maximum lot coverage is 35% and both proposed parcels will be less than 35% lot coverage.

A 20-foot-wide access easement serving Parcel 2 would be achieved via a 10.5-foot easement on the adjacent parcel to the north and a new 9.5-foot easement on Parcel 2. The site takes direct access from Boiler Avenue, currently a two-lane private road. Improvements to Boiler Avenue are required per County standards, and as provided as conditions of approval provided by the Department of Public Works. However, the applicant has requested an exception to reduce the required right-of-way width from 50 feet down to 40 feet for the required dedication for Boiler Avenue. The applicant has also requested an exception to the paving requirement for Boiler and and to the requirement for curb, gutter and sidewalk on the frontage along Boiler Avenue. The Public Works Department responded in their referral response letter that a 40-foot right-of-way could be supported as proposed by the applicant however the exceptions to paving and curb, gutter and sidewalk are not supported. The reduction in right of way width is consistent with the

width of the existing private road (Boiler Ave) and is constrained by existing development on both sides of the street. The reduced right-of-way will not negatively impact adjacent parcels or create a situation that would negatively impact the site including emergency response or traffic safety. Therefore, the granting of the exception to the right of way width will not be detrimental to the public welfare or injurious to surrounding neighborhood. The Public Works Department has indicated that gravel surfaced roadways are only appropriate for rural situations with parcels greater than 1 acre in size where houses would be less impacted by dust from traffic and that urban subdivisions should be developed with proper drainage and pedestrian infrastructure.

The property is located approximately ½ mile from Murray on Boiler Avenue. Boiler Avenue is currently a gravel surface with no curb, gutter or sidewalks. The applicant has proposed to pave the first 200 feet along Boiler as an alternative to the requirement to pave the entirety of Boiler from Murray Road and argues that paving the entire half-mile of Boiler Avenue is a substantial economic hardship that is not justified for the division of a single parcel into two, and that curb, gutter and sidewalks would be unusable given that there are no other such facilities along Boiler Avenue. The applicant's exception request letter (Attachment 2) argues that the exception to paving and to curb, gutter and sidewalks are supported by the County Housing Element which includes the policy to *"prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing."* (Policy H-P1).

The project is located within the McKinleyville Area Plan (MAP). The project site is designated Residential Estates (RE) within the MAP. The RE designation provides for residential development where community objectives, including resource protection, limit density of potential development, but where urban services such as public sewer and water lines are required. The proposed subdivision is located within the urban limit line of the MAP. The subdivision complies with the permitted density range of 0-2 dwelling units per acre. The project does not impact any wetlands, riparian corridors or stream courses, dune habitat, or beach areas. The site is also not located within a scenic corridor and will not create new aesthetic impacts to the communities. The site does not have direct access to the coastline and the subdivision will not reduce or otherwise impact access to the coast. The project is located within the Alquist-Priolo Fault Zone area and a special permit is required for approval of the subdivision. A Fault Hazard Evaluation Report was prepared for the project in March 2020 and was peer reviewed by a third party geologist. A site investigation conducted of the project site identified no presence of fault or surface ruptures on the site. Trenching materials identified no history of previous faulting having occurred at the site. The project parcel is not identified as an area of historic landslides. The subdivision is not located within an area subject to steep slopes, seismic activity, or flooding that would negatively impact subdivision of the site.

ALTERNATIVES: The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.