

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 23-

Record Number: PLN-2022-17535

Assessor's Parcel Number: 515-271-013

Resolution by the Zoning Administrator the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Jackson Coastal Development Permit.

WHEREAS, Timothy Jackson submitted an application and evidence in support of approving a Coastal Development Permit for the repair of an existing Onsite Wastewater treatment System for a single family residence for Record No, PLN-2022-17535; and

WHEREAS, the project is categorically exempt from CEQA pursuant to Section 152302 of the state CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on February 16, 2023, and reviewed, considered, and discussed the application for the Coastal Development Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING:** Project Description: A follow up Coastal Development Permit to an approved Emergency Coastal Development Permit which authorized the repair of an existing Onsite Wastewater Treatment System (OWTS) to serve an existing single-family residence. The existing septic failed and will be repaired by adding two new leach lines, leaving the failed leach line in place, and to make other minor repairs to the OWTS. No grading, vegetation removal, or other development is proposed at this time.

EVIDENCE: a) Project File: PLN-2022-17535

- 2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been complied with.

FINDINGS FOR ALL PERMITS

3. FINDING

The proposed development is in conformance with the Trinidad Area Plan, Open Space Plan, and the Open Space Action Program.

EVIDENCE

- a) The property is designated Rural Residential (RR) in the Trinidad Area Plan. The (RR) designation is intended to allow the development of homeowner residential uses in areas where urban services are not available. The project is for the replacement of a wastewater treatment system for a single-family residence.
- b) The project is consistent with the biological resources protection policies of the Trinidad Area Plan because it is for a treatment system that is in a previously disturbed area of the curtilage of the existing residence. No known sensitive resources are in the area of the treatment system. The replacement system is located 95 feet from the nearest watercourse.
- c) The project is consistent with the cultural and archaeological resources protection policies of the South Coast Area Plan because project was referred to affected Tribal Historic Preservation Officers, and NWIC. No ground disturbing activities outside of the curtilage of the residence are proposed.

4. FINDING

The proposed development is consistent with the purposes of the existing zone in which the site is located, including combining zones.

EVIDENCE

- a) The Residential Single Family or RA Zone is intended to allow development of a primary residence and minor utilities to serve these uses.
- b) The Design Review (D) combining zone ensures development is compatible with neighboring residences. The wastewater treatment facility will be located below grade and not visible from any adjacent properties.
- c) The project complies with the Streams and Riparian Corridor Protection (R) Combining Zone requirements because no removal of riparian or woody vegetation is required for the replacement of the septic system. While the septic system will be within 100 feet of the edge of riparian vegetation and therefore within the riparian corridor, it is located in the approximately location of the existing septic system being replaced, within the existing curtilage of the residence and no riparian or woody vegetation will be disturbed.

5. FINDING

The Project and the conditions under which it may be operated or

maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE a) The replacement of the septic system is necessary to ensure that wastewater from the existing residence is properly treated and not leaching into the adjacent environment.

6. FINDING The proposed development 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 parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1A and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on February 16, 2023.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator,
Planning and Building Department