

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

Resolution Number: 25-053

Record Number: PLN-2024-18989

Assessor's Parcel Number: 514-014-001

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Scott Cyr Special Permit.

WHEREAS, Scott Cyr Special Permit, provided an application and evidence in support of approving a Coastal Development Permit (CDP) for the construction of an approximately 783 square-foot one-bedroom single-family residence with an attached approximately 993 square-foot two-car garage and a Special Permit is required for the removal of several redwood clumps and redwood trees, one Douglas-fir, and one Grand Fir that exceed 38-inches in circumference at 4-1/2 feet above the ground subject to Section 313-64.1 of HCC, Major Vegetation Removal. A Less Than Three Acre Conversion Exemption is proposed for the removal of the stumps and trees. Water lines from an existing well to the residence will be constructed within 100 feet of a wetland; and

WHEREAS, the lead agency, found that project is categorically exempt from environmental review pursuant to Sections 15301 Existing Facilities, 15303 New Construction or Conversion of Small Structures, and 15304 Minor Alterations to Land of the CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly noticed public hearing on August 21, 2025, and reviewed, considered, and discussed the application for a Conditional Use 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 Coastal Development Permit (CDP) for the construction of an approximately 783 square-foot one-bedroom single-family residence with an attached approximately 993 square-foot two-car garage and an on-site wastewater treatment system. The parcel is served with a shallow well. A Special Permit is required for the removal of several redwood clumps and redwood trees, one Douglas-fir, and one Grand Fir that exceed 38-inches in circumference at 4-1/2 feet above the ground subject to Section 313-64.1 of HCC, Major Vegetation Removal. A Less Than Three Acre Conversion Exemption is proposed for the removal of the stumps and trees. Water lines from an existing well to the residence will be

constructed within 100 feet of a wetland.

EVIDENCE: a) Project File: PLN-2024-18989

2. FINDING: **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The project is categorically exempt from environmental review pursuant to Sections 15301 Existing Facilities, 15303 New Construction or Conversion of Small Structures, and 15304 Minor Alterations to Land of the CEQA Guidelines.

EVIDENCE: a) The project is categorically exempt from environmental review pursuant to Sections 15301 Existing Facilities, 15303 New Construction or Conversion of Small Structures, and 15304 Minor Alterations to Land of the guidelines for the implementation of CEQA. The Class 1 exemption applies because the project includes the use of an existing well on the parcel for domestic purposes. The Class 3 exemption applies because the project includes the construction of a single-family residence in a residential zone. The Class 4 exemption applies to private alterations in the condition of vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. None of the exceptions per Section 15300.2 apply to this project.

FINDINGS FOR COASTAL DEVELOPMENT PERMIT

3. FINDING: The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

EVIDENCE: a) The proposed residence and garage comply with all development standards of the zone district which are intended to protect public health safety and welfare. Based on staff analysis and the findings made in this report, there is no evidence that the proposed residence and garage will be materially injurious to properties or improvements in the vicinity.

b) The existing well is located immediately adjacent to a delineated wetland and running water lines from the well to the residence will require disturbance of the ground adjacent to the wetland area. While the location is above the 40-foot elevation contour and may be considered outside of the defined wetland buffer, the project will maintain a 100 foot setback for all development except for the existing well and the water supply line to the residence. Wells and associated well infrastructure are allowable uses in wetland buffers

per the Trinidad Area Plan.

- c) None of the area within 100 feet of the wetland will be covered with impervious surfaces or include any storm drain features. A condition of approval requires the topsoil of any disturbed soil to be retained and replaced after trenching of water lines in order to facilitate regrowth of existing vegetation. The proposed septic system is outside of the 100-foot setback from both the wetland and the well.

4. FINDING:

The proposed development is consistent with the purposes of the existing Residential Single Family (RS) with combining zone designation's No Further Subdivision Allowed, Manufactured Homes, and Steams and Riparian Corridor Protection Combining Zones (RS-X-M/R).

EVIDENCE:

- a) The project involves the development of a single-family residence with an attached garage. Single-family dwellings are principally permitted in the RS zone.
- b) This project does not include a subdivision.
- c) This project does include adding a manufactured home.
- d) This project does not contain any Steams and Riparian Corridor Protection Combining Zones.

5. FINDING:

The proposed development conforms with all applicable standards and requirements of these regulations.

EVIDENCE:

- a) The proposed residence and garage comply with all development standards of the zone district which are intended to protect public health safety and welfare. Based on staff analysis and the findings made in this report, there is no evidence that the proposed residence and garage will be materially injurious to properties or improvements in the vicinity.
- b) The site will obtain energy from PG&E.

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.

7. FINDING: The proposed development will not adversely impact the public trust.

EVIDENCE: a) Typical residential use of water is approximately 110,000 gallons per year. The nearest mapped surface water feature is an unnamed intermittent stream that is located over 1,900 feet from the well and the nearest watercourse that provides habitat for important fisheries is Luffenholz Creek which is approximately 5,000 feet from the well. The well is immediately adjacent to a wetland which may provide habitat for sensitive animal species, however the use of the well for as much as 300 gallons per day is unlikely to significantly affect the wetland.

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 and Special Permit for Scott Cyr subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **August 21, 2025**.

I, John H. 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, Director
Planning and Building Department

Conditions of Approval

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

1. All development shall conform to the approved site plan.
2. Vegetation removal should occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.
3. The applicant shall remove the top approximately six inches of soil for any underground lines that require trenching and store it for replacement. Once the rest of trench is completed and line installed, that original topsoil shall be replaced. The top few inches of existing soil contains hundreds of seeds and rhizomes that should allow for rapid regrowth of the natural vegetation.
4. The applicant shall have a qualified biologist survey for Northern red-legged frog prior to vegetation removal regardless of the time of year.
5. The applicant shall obtain a well permit from the Division of Environmental Health for the well that will be used for the residence.
6. Only one well is permitted on the property. The existing well that is not being utilized for the residence shall be destroyed in accordance with Division of Environmental Health Standards.

B. General and Ongoing Requirements Which Must be Satisfied for the Life of the Project:

1. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

2. The project shall be developed, operated, and maintained as described in the Project Description, site plan, and as conditioned herein. Changes in the project other than Minor Deviations from the Plot Plan as provided in Humboldt County Code Sec. 312-11.1 shall require a modification of this permit.
3. The Applicant shall incorporate Best Management Practices (BMPs) for erosion and sediment control as set forth in the County's Grading Ordinance (HCC Section 331-12.H.6(c)) during any grading activities.
4. The project shall maintain compliance with State Minimum Fire Safe Regulations.
5. All new and existing outdoor lighting shall be directed within the property boundaries.
6. New utilities shall be installed underground, when feasible.
7. Alteration to natural landforms shall be minimized.
8. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
9. Once the structure has been built, CDFW recommends that the applicant get on the waiting list for connection to the Westhaven CSD. The new water treatment plant may be able to support some new connections, primarily limited to existing residences. CDFW also encourages the applicant to reach out to the General Manager of Westhaven CSD to discuss the challenges of shallow groundwater wells and possibly receive some suggestions.
10. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be

commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.

11. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

