

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 25-

Record Number: PLN-2024-19058

Assessor's Parcel Number: 501-181-010

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the 4050 Hwy 101 Coastal Development Permit and Conditional Use Permit.

WHEREAS, Redwood Coast Cabins and RV Park has submitted an application and evidence in support of approving a Coastal Development Permit and Conditional Use Permit for conversion of two existing short-term rental units into two long-term (non-transient) apartments; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the Planning Division as the Lead Agency has determined that the project qualifies for categorical exemptions found in Sections 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit and Conditional Use Permit (Record Number PLN-2024-19058); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on February 6, 2025, and reviewed, considered, and discussed the application for the Coastal Development Permit and Conditional Use Permit, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

FINDINGS FOR COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

1. FINDING:

A Coastal Development Permit (CDP) and Conditional Use Permit (CUP) for the conversion of previously permitted short-term vacation rentals (PLN-2023-18177) to long-term (non-transient) apartments. The units are located on the second floor of the existing office/store building. The two-bedroom units are each approximately 1,148 square feet in size with approximately 189 square foot decks. Units are located on the existing footprint of the ground floor, and the building is located within the grounds of the Redwood Coast Cabins and RV resort. The parcel is served by onsite septic with community water provided by the City of Eureka. The project does not require ground disturbing activities nor encroachment into the nearby wetland area. Project is exempt from CEQA review pursuant to Section 15303(a) - New Construction or Conversion of Small Structures.

EVIDENCE:

- a) Project File: PLN-2024-19058

2. FINDING:

CEQA: The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed project is exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.

EVIDENCE:

- a) The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
- b) A project can be disqualified from using a Categorical Exemption if any of the exceptions listed in 15300.2 apply, however, none of these exceptions apply to the proposed project.

3. FINDING:

The proposed development is in conformance with all applicable policies and standards in the Humboldt Bay Area Plan.

EVIDENCE:

a)

§3.15 Recreational and Visitor Serving Areas

30213 - The project site is at an existing RV park and campground and the proposed conversion of these two short-term rentals to long-term occupancy units will remove two transient habitation units from a lower-cost visitor and recreation facility. However, the change will be insignificant regarding the existing number of visitor-oriented overnight units on this property.

30222 - The project is located on private property on a site dedicated to commercial recreation to the public – converting these two transient habitation units into long-term occupancy will remove two visitor-serving units from this designated commercial recreational facility. However, the change will be insignificant regarding the existing number of visitor-oriented overnight units on this property.

30233 - As the two units mentioned in this proposal are currently designated short-term rentals, they are supporting visitor-oriented coastal recreational uses. Converting them to long-term rentals does not necessarily exclude the facilities from supporting coastal recreation, but the conversion to long-term habitation does reduce the possibility of visitor-oriented coastal recreation at this specific project site. However, the change will be insignificant regarding the existing number of visitor-oriented overnight units on this property.

b)

§3.16 Housing

The proposed conversion of two short-term rentals to two long term occupancy (apartments) will not directly impact the official County Housing Inventory.

c)

§3.17 Hazards

The subject parcel is located in an area of relative stability - per review of WebGIS, slopes on the parcel are below 15%. The site is not located within an Alquist-Priolo Fault

Hazard Zone, nor is it within an area of potential liquefaction.

The project site is not located in a tsunami hazard zone; site is located within a zone of moderate coastal vulnerability but does not reside within an area susceptible to coastal inundation related to sea level rise (1 meter).

The parcel is not located within a FEMA 100-year Flood Zone.

The subject parcel is located within a Local Responsibility Area for fire protection and is served by the Arcata Fire Protection District, who provides structural fire protection as well as responding to medical emergencies.

The proposed project does create new residential habitable living space but would not introduce individuals to known hazards.

d) §3.18 Archaeological and Paleontological Resources

Area tribes of interest were contacted during referral consultation for permit number PLN-2023-1877, a Coastal Development Permit (CDP) for the after-the-fact development of two transient habitation occupancy units on the second floor of the existing office/store building. The Bear River Band and Blue Lake Rancheria THPOs responded that since the project was related to the second floor of an existing building, they have no concerns. NWIC recommended a cultural survey and to contact interested tribes, but since the tribes did not request a CRS and all project work is within the footprint of the existing office, a CRS is not warranted. The current proposed project references the same building and within the confines of a conversion of uses from short term rental to long term occupancy, therefore no additional archaeological or paleontological concerns are warranted.

e) §3.30 Natural Resources

The proposed project is for a conversion of uses of an existing building - no environmental/biological concerns are evident. On the adjacent property, there is a small coastal wetland which is approximately 50 feet from the footprint of the existing building mentioned in this report.

This wetland is heavily degraded and currently being utilized as log storage by the adjacent property owner. The wetland setback is a minimum of 100 feet, and setbacks to development of less than 100 feet may only be permitted when the setback would prohibit development of the site for the principal use for which it is designated. The existing building is therefore non-conforming to the required setback. However, development of the second story does not further reduce the setback and will not degrade the wetland. Additionally, this second story addition has already previously obtained approval of a Coastal Development Permit, prior to the California Coastal Commission notifying the County about the existence of the wetland that is located under the log storage on the adjacent property. The change of use of this building from a transient occupancy to long term occupancy does not have any impact on the wetland.

The California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project on August 14, 2024. No response has been received.

f) §3.40 Visual Resources

The proposed project is not within a Coastal Zone Scenic View Area, nor within a Coastal Zone Scenic Area, as depicted on the County's GIS database. The project is located roughly 500 feet east of the Highway 101 corridor but is not within an area that would be included in the Scenic Route part of the corridor, therefore there will be no visual impact concerns.

The proposed project is a conversion of uses for an existing building so there will be no physical alterations that may impact any views or visual compatibility with the neighborhood.

g) §3.50 Access

The proposed project will not interfere with right of access to the sea, as there are no coastal access points on the subject parcel.

h) §4.10 Land Use

Allows for conditional uses in CR zones, including apartments on the upper floor of multi-story structures.

Gross density states a maximum density of twelve overnight units per gross developed acre. At an assessed acreage of 9.65 acres and with RV sites, cabins, tent sites, and the currently designated STR units totaling 128 overnight units, the parcel appears to be operating above these density requirements. However, since the two units in this proposal were previously permitted as short-term rentals, and this proposed project is simply a conversion of uses, the density requirements are not applicable.

4. FINDING:

§313-5.2 Recreation and Conservation Zones

The proposed development is consistent with the purposes of the existing CR zone and A combining zone in which the site is located.

EVIDENCE:

- a) The subject parcel has been determined to be one legal parcel
- b) The following uses are principally permitted within the CR zone: Visitor Serving Facilities, Transient Habitation, Commercial Recreation, Coastal Dependent Recreation, Resource Related Recreation, Coastal Access Facilities, and Minor Utilities to serve these uses. Single-family residential is listed as a conditionally permitted use. The proposed project would convert two visitor-serving units into two single-family residential units and would thus fit with the conditionally permitted uses of this parcel.
- c) The proposed project is a use conversion with no physical alterations to the project site and would not increase ground coverage exceeding the maximum coverage allowed on the lot; project conforms to all minimum yard setback requirements.
- d) "A" combining zone provides for reasonable mitigation measures where development would have an adverse impact upon archaeological and paleontological resources. The proposed use conversion of an existing building does not warrant any mitigation measures. The Bear River Band and Blue Lake Rancheria THPOs responded to the previously approved STR permit that since the project was related to the second floor of an existing building, they have no concerns.

5. FINDING:

§312-17.1.4 Public Health, Safety and Welfare

There is no indication that the proposed conversion of short-term rental units to long-term occupancy units will be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE:

- a) The proposed project includes use modifications of an existing building and complies with all development standards of the zone district. No detrimental conditions to public health, safety or welfare have been identified nor is the proposed project expected to have a detrimental effect on neighboring property values. Environmental Health has identified a need for a new septic design regarding a previously submitted building permit application for this site, but no current public health hazards exist. The septic design is conditioned in Attachment 1A.

6. FINDING:

§312-17.1.5 Housing Element Densities

The proposed use conversion from short-term rental units to long-term occupancy will not reduce the residential density of this parcel.

EVIDENCE:

- a) The parcel is currently listed as Commercial Recreation under the Humboldt Bay Area Plan and was not included in the County's Housing Element Inventory; the proposed project would not change or modify the possibility of meeting the goals established by the County's housing inventory and is consistent with the goals, policies, and standards of the Humboldt County Housing Element.

Decision

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Approve the 4050 Hwy 101 Coastal Development Permit and Conditional Use Permit subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **February 6, 2025**.

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

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John Ford, Secretary 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.

John H. Ford, Director
Planning and Building Department