

PROJECT DESCRIPTION

Mitchell Minor Subdivision and Development Plan Modification

Michael and Karen Mitchell
1975 Ollivier Road, McKinleyville, Humboldt County, California
Assessor's Parcel Number 511-141-017
LACO Project Number 6849.09
March 5, 2020



Project Overview

Michael and Karen Mitchell, Trustees of The Michael and Karen Mitchell Family Trust (Applicants), propose a minor subdivision of the approximately 8.12-acre property identified as Assessor's Parcel Number (APN) 511-141-017, located at 1975 Ollivier Road, in McKinleyville in unincorporated Humboldt County (Site). The applicants propose subdividing the Site into individual parcels. Parcel lines would run north to south and each individual parcel would be accessed off Ollivier Road. The first westerly parcel is proposed to be three (3) acres in size, with the two additional lots proposed to be equal in size (approximately 2.56 acres each). In addition, the Applicants are seeking modifications to the previously-approved Development Plan (PMS-57-88) for the properties located along Ollivier Road, including the subject Site. A modification to the established open space location on Parcel 3 (APN 511-141-18, parcel immediately east of the Site and owned by the Applicants) was authorized under PMS-00-02 on April 10, 2001. Specifically, the Applicants are requesting the location of the required open space (currently established for the northerly 280 feet of Parcel 1, the subject property) be predominately relocated to the southerly portion of the Site, with some established open space remaining along the northern portion of the Site; however, the exact sizing and location is not known at this time. The amount of open space would still meet the 40 percent required under Policy 2514.D of the 1985 McKinleyville Community Plan. Please note we are requesting the specific details of the open space modification be addressed following completion of the Tentative Map, where a Notice of Development Plan and associated documents would be developed and recorded.

No development is proposed at this time under the project. However, residential development, consistent with surrounding development, is anticipated in the future and may include construction of a single-family residence and accessory dwelling unit on each lot. The individual lots are likely to be sold and developed by the individual landowner(s) in the future as desired.

Site Description

The Site, located between Hooven and Ollivier Roads, was purchased by the Applicants in 2007. The Applicants own two adjacent parcels (APNs 511-141-021 and -022), located immediately east of the Site. The Site is currently designated as Residential Low Density with Airport Land Use Compatibility Zone Overlay (RL-AP) under the Humboldt County General Plan and zoned Agriculture General with a 1-acre minimum lot size and Airport Safety Review Combining Zone [AG-B-7(1)-AP] under the Humboldt County Zoning Regulations.

The Site is located approximately 0.9 miles east of the Coastal Zone boundary and is relatively flat in nature. The proposed project area is residential in nature, with residential development located west, south, and east of the Site, with vacant, primarily-forested privately-owned land to the north of the Site, across Hooven Road, with an open grassy area in the western portion of the parcel with intermixed trees and shrubs. Review of the Site's characteristics indicates the Site is predominately undeveloped and vacant. An existing fence surrounds the Site and an existing shed structure is located in the southeastern portion of the Site. Additionally, Ollivier Road is partially located within the southern portion of the Site.

Currently, vegetation primarily consists of grasses with interspersed trees and shrubs. The Site is regularly mowed and maintained by the Applicants, who access the Site via an existing gate along the Site's eastern boundary. The Site is not under a Williamson Act contract, although it contains prime agricultural soils. The Site is located approximately 240 feet north of Norton Creek, a perennial stream, and is outside of the County-designated Streamside Management Area (SMA). The Site is located within the State Responsibility Area (SRA) for fire protection services, but is served by both the California Department of Forestry and Fire Protection (CalFire) and the Arcata Fire Protection District. The majority of the Site is within the High Fire Hazard Severity Zone (FHSZ), with the northwestern and southeastern-most portions of the Site located within the Moderate FHSZ. The Site does not contain any known earthquake faults and is located approximately 1,800 feet northeast of the Alquist-Priolo Fault Zone (Web GIS, 2019).

The Site is located approximately 2,025 feet east of the California Redwood Coast-Humboldt County Airport's eastern boundary and is located within Airport Compatibility Zone C, but outside of the Federal Aviation Regulation (FAR 77) and Building Height Restriction (CC 333-3) areas.

Potential Future Development

Though no development is proposed at this time, future development of the Site is anticipated. Future development on-site may entail construction of a single-family residence and accessory dwelling unit in compliance with Section 314-87.1 (Second and Secondary Dwelling Units) of the Humboldt County Zoning Regulations and/or current state regulations regarding accessory dwelling units (ADUs), although a variety of uses are allowed within the Site's principal zoning district [Agriculture General (AG)]. Secondary dwelling units are permitted in any AG zone that is planned and zoned for parcel sizes of five (5) acres or less, provided that the allowable density on the lot on which it is located is not exceeded, the parcel is within a community plan area, and all criteria denoted in §87.1.3.1.1 through 87.1.3.1.6 of the County's Zoning Regulations are met, including:

- The subject lot has a minimum of 50 feet of frontage on a publicly maintained street that is improved to a road category 4, as specified in the Appendix to Title III, Division 2, of the Humboldt County Code;
- The primary and secondary units comply with all applicable County Health Department requirements for sewage disposal and water supply without the issuance of waivers;
- The secondary unit complies with all applicable County development standards and other zoning requirements;
- Both dwellings share a common driveway off the access road;
- At least one point of a bearing wall on the secondary dwelling unit is located within thirty (30) feet of the principal dwelling; and
- The secondary unit is subordinate to the primary residence.

A secondary dwelling unit that does not conform with all the criteria specified in subsections 314-87.1.3.1.1, 87.1.3.1.4, and 87.1.3.1.5 of the County's Zoning Regulations may be permitted with a Special Permit in the AG zoning district where sufficient information is submitted with the application to enable the Hearing Officer to determine, after providing for public comment that:

1. The subject property is served by a road design that meets the Fire Safe Ordinance considering all development served by the road;
2. If the subject property is served by a road category 3 road, it has public water and sewer; and the total development potential of all lots served by the road is eight (8) or fewer dwelling units;
3. The secondary dwelling unit is subordinate to the principal unit;
4. The development is compatible with the existing neighborhood; and

5. The development is consistent with General Plan policies regarding maintenance of open space, retention of agriculture and timber lands, and protection of the environment (Humboldt County Zoning Regulations §314-87.1.3.2).

The Agriculture General (AG) zoning district "is intended to be applied in areas in which agriculture is the desirable predominant uses and rural residential uses are secondary" (§314-7.2 AG: Agriculture General Zone, Humboldt County Zoning Regulations) allows for a variety of uses. As provided in Section 314-7.2 of the County's Zoning Regulations, principally permitted uses include general agriculture (including accessory agricultural uses and structures), one-family dwellings and farm dwellings, rooming and boarding of not more than two (2) persons not employed on the premises, and manufactured homes. Uses permitted with a Use Permit include but are not limited to:

- Guest houses, servants' quarters, labor camps, and labor supply camps
- Hog farms, turkey farms, frog farms, and fur farms
- Animal feed lots and sales yards
- Agricultural and timber products processing plants
- Rental and sales of irrigation equipment and storage incidental thereto
- Animal hospitals and kennels
- Golf courses
- Private institutions and cemeteries
- Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the AG zone.

Subdivision Improvements

Since no specific development plans for the Site are proposed at this time, the Applicants are requesting the required minor subdivision improvements be deferred until specific development plans are proposed for the Site, pursuant to Section 66411.1 of the Subdivision Map Act.

Services and Utilities

The Site is located within the McKinleyville Community Services District (MCSD) and would be served by MCSD for community water service, but private individual on-site septic systems for wastewater disposal. On-site septic suitability evaluation and testing performed by LACO in February 2008 and February 2020 indicates each lot proposed under the project is suitable for a Class A disposal system consisting of a gravity-fed dual-disposal field with a 100 percent reserve area. Class D single-disposal fields would also be acceptable for the Site, provided percolation testing conducted by a qualified individual is performed in order to size the system(s) appropriately.

Electricity and natural gas would be provided by Pacific Gas and Electric Company (PG&E). Several information providers (SuddenLink, AT&T, DirecTV) are available to provide land-line telephone service and internet. All utility lines within the project Site would be underground.

Site Access

Site access is currently and would continue to be provided off Ollivier Road, a private road approximately 1,325 feet in length and 50 feet in width, with an existing turnaround. Three existing easements are located within or adjacent to the Site, including:

1. A 50-foot non-exclusive right of way for ingress, egress, and public utilities per 1090 OR 70, along the Site's western boundary;

2. A 50-foot easement for ingress, egress, and public utilities per 25 PM 17, along the southern portion of the Site; and
3. A 25 foot easement for ingress, egress, and public utilities per 25 PM 17, along the Site's eastern boundary.

Drainage

Currently, stormwater run-off is in the form of sheet flow and until development is proposed on the Site, stormwater detention on-site is not proposed. Any future development on the Site would be anticipated to increase stormwater runoff, as the Site currently does not contain any impervious surfaces. The Site is located within a municipal separate storm sewer system (MS4) permit area (Web GIS) and, as a result, would be subject to the County's MS4 requirements. Future anticipated development of the Site, which would likely include construction of a single-family residence and accessory dwelling unit on each lot, would likely be subject to the Small Projects standards specified in the Humboldt LID Stormwater Manual, where projects that create or replace between 2,500 and 5,000 square feet of impervious surface must incorporate specified Site Design Measures to reduce stormwater runoff. However, should future development on any of the proposed lots exceed 5,000 square feet or more of impervious surface, a comprehensive Stormwater Control Plan for Regulated Projects would be required.

Once anticipated future development is proposed for the Site, it is anticipated that drainage would be retained on-site using Low Impact Development (LID) elements and other methods to prevent impacts to the County's storm drain system and to comply with the requirements of the Phase II Small MS4 General Permit (for municipalities services less than 100,000 persons).