

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

**Resolution Number: 23-**

**Record Number: PLN-2022-18050**

**Assessor's Parcel Number: 109-161-063**

**Resolution by the Zoning Administrator the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Rosenblum Coastal Development Permit, Special Permits, and Notice of Merger.**

**WHEREAS, Einat Rosenblum** submitted an application and evidence in support of approving a Coastal Development Permit, Special Permits, and Notice of Merger for a single family residence, detached garage, and Accessory Dwelling Unit for Record No, PLN-2022-18050; and

**WHEREAS,** the project is categorically exempt from CEQA pursuant to Section 15303(a) and 15305 of the state CEQA Guidelines; and

**WHEREAS,** the Humboldt County Zoning Administrator held a duly-noticed public hearing on August 3, 2023, and reviewed, considered, and discussed the application for the Coastal Development Permit, Special Permits, and Notice of Merger, 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:** A Coastal Development Permit, Special Permits, and Notice of Merger for the construction of an approximately 1,532 square foot single family residence, a 517 square foot detached garage, and a 768 square foot detached ADU. Water and sewer service will be provided by the Shelter Cove Resort Improvement District. Minimal grading will be required. The Special Permits are for design review of the residence and vegetation removal, and a notice of merger will combine two parcels.

**EVIDENCE:** a) Project File: PLN-2022-18050

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

**EVIDENCE:** a) The project is categorically exempt from environmental review pursuant to section 15303(a) and 15305 of the CEQA Guidelines.

## **FINDINGS FOR ALL PERMITS**

### **3. FINDING**

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

#### **EVIDENCE**

- a) The property is designated Residential Single Family (RS) in the South Coast Area Plan. The (RS) designation is intended to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available. The project is for a Single Family Residence which is identified as a principal use in the (RS) plan designation.
- b) The subject parcel is located in an area that requires special attention in regard to sensitive and critical resource habitats. A Coastal Biological Resource Evaluation was completed by Leopardo Wildlife Associates in October 2022 to evaluate potential project impacts. A subsequent Addendum was provided June 2023 to assess the potential impacts of Major Vegetation Removal without the benefit of County review. The reports' conclusions are that the site is highly disturbed from human activity and does not provide any suitable habitat for sensitive flora or fauna, and the proposed development will not result in any negative impacts to localized sensitive species.
- c) The project was referred to the NWIC, the Bear River Band, and the Intertribal Sinkyone Wilderness Council. NWIC expressed a concern for potential undiscovered archaeological sites and recommended both a referral to the other tribes and an Archaeological Study. The Bear River Band has determined the site has potential for undiscovered archaeological, historical, or cultural resources, and requests both an archaeological survey by a licensed professional and Standard Inadvertent Discovery Protocols for any ground disturbing activities. An Archaeological Study for the project site was received June 16, 2023 and covered the entire parcel. No sensitive historic or cultural resources were located, and the report recommended standard inadvertent discovery protocol be implemented. An informational note has been included in the Conditions of Approval identifying the applicant's responsibility if archaeological or historical resources are encountered during project development.
- d) The project is consistent with the agricultural policies of the South Coast Area Plan because no conversion of agricultural lands is proposed. The area is predominately residential and parcels do not contain sufficient space for commercial agriculture.

- e) The project is consistent with the hazards policies of the South Coast Area Plan because an engineering soils report was provided indicating additional development requirements to address high instability. Additionally, the project is not located in a mapped flood zone, and meets amended Shelter Cove State Responsibility Area (SRA) requirements for fire protection in high fire severity area.

#### **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 RS Zone is intended to allow development of a primary residence, second residential unit, and minor utilities to serve these uses.
- b) The Design Review (D) combining zone ensures development is compatible with neighboring residences. The applicant provided an assessment of nearby residences and has proposed construction aligning with neighboring residences.
- c) The location and height of all project elements meet the setback and building height requirements for the RS zone.
- d) A. APN 109-161-014

The parcel was created in its current configuration via Record Map 14, Pages 85 & 86 for the Shelter Cove Subdivision, recorded in Assessor's Maps, Book 109, Page 16 of Humboldt County.

#### **B. APN 109-161-015**

The parcel was created in its current configuration via Record Map 14, Pages 85 & 86 for the Shelter Cove Subdivision, recorded in Assessor's Maps, Book 109, Page 16 of Humboldt County.

#### **Findings:**

The two above-mentioned parcels have acquired a single APN (109-161-063) but are recognized as two discrete, contiguous parcels.

#### **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 site is located on paved publicly maintained road that can safely accommodate the amount of traffic generated by the proposed project during construction.

b) Although the proposed project may block some or all views to the ocean from a neighboring residential property, the subject parcel is not located in a designated coastal scenic area and there are no Local Coastal Plan policies or zoning regulations that protect private views.

**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.

**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, Special Permit, And Notice of Merger 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 August 3, 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.

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