

# COUNTY OF HUMBOLDT PLANNING AND BUILDING DEPARTMENT CURRENT PLANNING DIVISION

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Hearing Date: December 7, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: Town of Scotia LLC Planned Development Permit Extension

Case Number PDP-05-001XXXX; Apps 13788 Assessor Parcel Number (APN) 205-351-031

Scotia Area

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Please contact Michael Wheeler, Senior Planner, at (707) 268-3730 or mwheeler@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

#### **AGENDA ITEM TRANSMITTAL**

Hearing Date	Subject	Contact
December 7, 2017	Planned Development Permit Extension	Michael Wheeler

**Project:** A fourth two-year extension of a Planned Development Permit (PDP) approved on November 10, 2009. The original project included a General Plan Amendment, Zone Reclassification, Final Map Subdivision, Planned Development Permit and establishment of urban boundary line for portions of Scotia, with land uses designations of Industrial General, Agricultural General, or Timberland. The General Plan and Zone Amendments have been adopted and are currently in effect. The request is for an extension for the Planned Development Permit (PDP) only. The approved tentative map was extended pursuant to the provisions of Government Code Section 66452.6(a), and is still valid. The PDP modifies development standards of the principal zone district and is applied over existing residentially developed areas of the town to accommodate the proposed subdivision. **If approved, the extension will expire on November 10, 2019.** 

**Project Location**: The project site is located in Humboldt County, in the Scotia area, on the west side of State Highway 101, on the property known as the community of Scotia.

Present Plan Designations: Residential Low Density (RL).

Present Zoning: Residential One-Family (R-1/D,N,P,Q).

Assessor Parcel Numbers: (Current) 205-351-031; (Former) 205-351-018, 205-351-019.

Applicant
Town of Scotia LLC
Attn: Frank Bacik
PO Box 245
Scotia CA 95565

OwnerAgentsame as applicantFrank Bacik

Town of Scotia LLC

**Environmental Review**: Review required per the State CEQA Guidelines. An EIR has been certified with the original project approval.

Major Issues: None.

State Appeal Status: Project is not appealable to the California Coastal Commission.

#### TOWN OF SCOTIA LLC PLANNED DEVELOPMENT PERMIT EXTENSION

Case No. PDP-05-01XXXX Assessor Parcel Number 205-351-031

#### RECOMMENDED COMMISSION ACTION:

- Describe the application as part of the Consent Agenda;
- 2. Survey the audience for any person who would like to discuss the application;
- 3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

"I move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval."

### Staff Analysis of the Evidence Supporting the Required Findings

**Required Findings:** Sections 312-11 (Extension of an Approval of a Final Map Subdivision, Development Permit or Variance) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved development permits, including Planned Development Permits, when it can be found that the findings and conditions of the original project have not changed significantly.

**Recommendation**: The findings and conditions of the original project have <u>not</u> changed significantly based on the following analysis.

**Staff Analysis**: This project involves a Planned Development Permit (PDP) for the community of Scotia. It is proposed that the PDP be valid for two (2) additional years and shall vest with the recording of each recorded phase of the approved tentative map. **No change to the original project is proposed.** 

The applicant states the conditions of the property have not changed since the original application/approval of FMS-05-001/PDP-05-001. This is the fourth extension of the PDP. It is proposed that the life of the PDP approval be valid until November 10, 2019.

The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that the findings and conditions of the original project, effective November 10, 2009, have <u>not</u> changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

- 1. The property's zoning, which was adopted as part of the original approval of GPA-05-01/ZR-05-01, and for which a conformance finding was made, has not changed.
- 2. The General Plan Land Use designations, which were adopted as part of the original approval of GPA-05-01/ZR-05-01, and for which a consistency finding was made, have not changed.
- 3. The applicable development standards, for which the original project was evaluated, have not changed.
- 4. The applicable design standards, for which the project was evaluated, have not changed.

- 5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
- 6. An Environmental Impact Report was completed for the Town of Scotia General Plan Amendment/Zone Reclassification/Final Map Subdivision and certified by the Board of Supervisors on November 10, 2009 (SCH #2007052042).

Referral agencies have recommended approval of the extension.

**Alternatives**: The Planning Commission could elect not to approve the extension. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Section 312-11.3. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

## RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT Resolution Number 17-\_\_\_

Case Number PDP-05-01XXXX
Assessor Parcel Numbers (current) 205-351-031); (former) 205-351-016, 205-351-018, 205-351-019

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the extension of the Final Map Subdivision and third extension of the Town of Scotia LLC Planned Development Permit.

**WHEREAS**, the Town of Scotia LLC, submitted an application and evidence in support of approving the Planned Development Permit Extension; 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

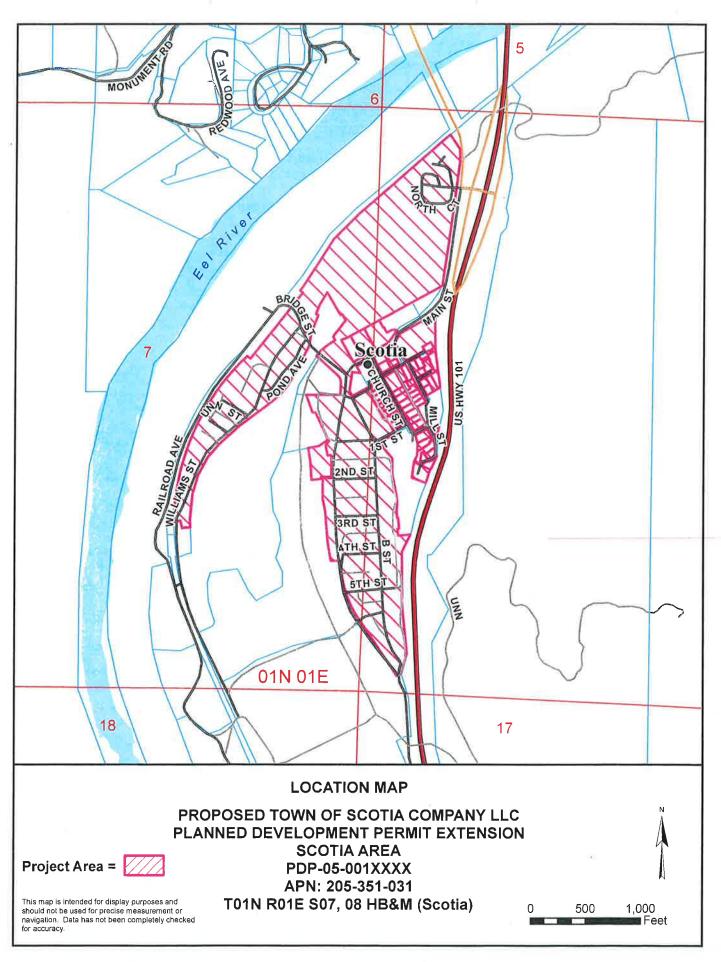
**WHEREAS**, the Board of Supervisors, on November 10, 2009, certified an Environmental Impact Report; and

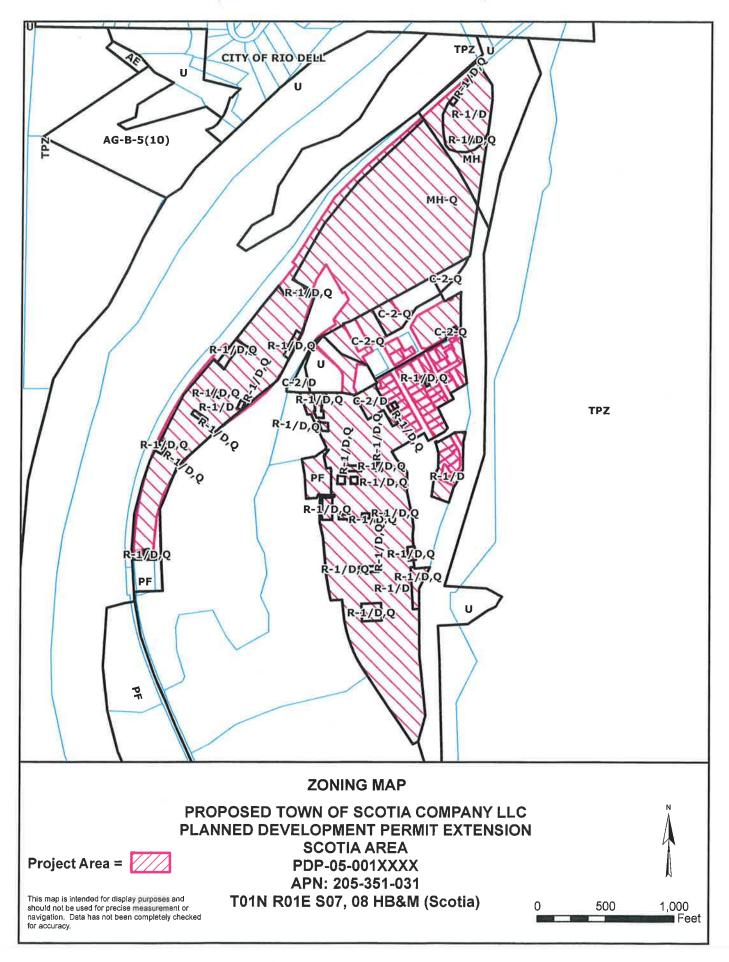
**WHEREAS**, the Planning Division staff report includes evidence in support of making all of the required findings for approving this second Planned Development Permit Extension request; and **WHEREAS**, a public hearing was held on this matter to receive other evidence and testimony on December 7 2017.

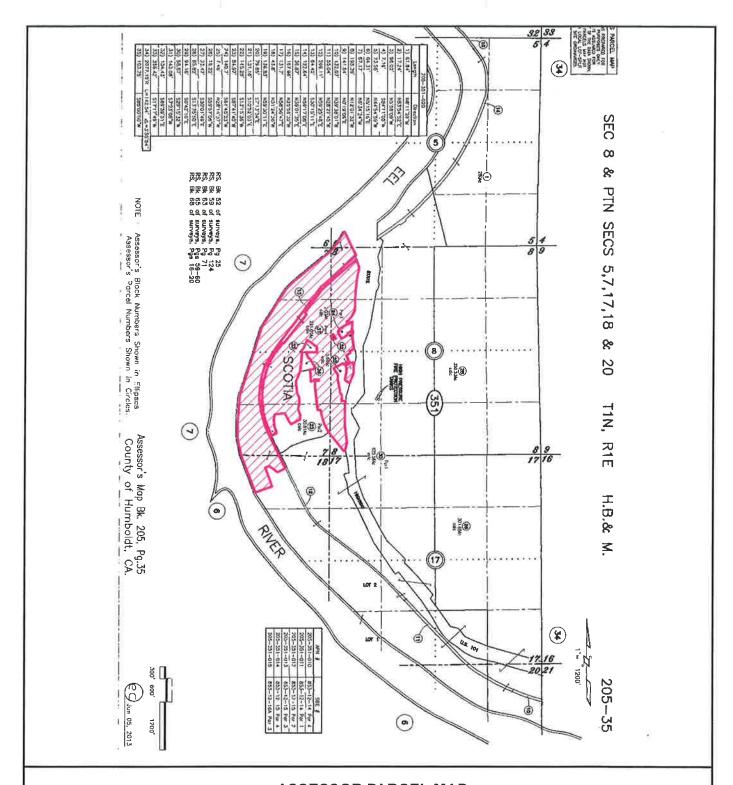
NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

- 1. The Board of Supervisors did certify an Environmental Impact Report for the original project on November 10, 2009, and found that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
- 2. The Planning Commission makes the findings in H.C.C. § 312-11.3 in the Planning Division staff report for Case Number: PDP-05-01XXXX based on the submitted evidence; and
- 3. The Planning Commission approves the Planned Development Permit Extension as recommended and conditioned in the Planning Division staff report for Case Numbers: PDP-05-01XXXX.

Adopted a	after review and consideration of all the e	vidence on December 7, 2017.
The motion	n was made by Commissioner and se	conded by Commissioner
AYES: NOES: ABSTAIN: ABSENT: DECISION:	Commissioners: Commissioners: Commissioners: Commissioners:	
		Ford, Director g and Building Department







### **ASSESSOR PARCEL MAP**

PROPOSED TOWN OF SCOTIA COMPANY LLC
PLANNED DEVELOPMENT PERMIT EXTENSION
SCOTIA AREA
PDP-05-001XXXX

Project Area =

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

APN: 205-351-031 T01N R01E S07, 08 HB&M (Scotia)



MAP NOT TO SCALE



### **AERIAL MAP**

PROPOSED TOWN OF SCOTIA COMPANY LLC PLANNED DEVELOPMENT PERMIT EXTENSION **SCOTIA AREA** 

PDP-05-001XXXX

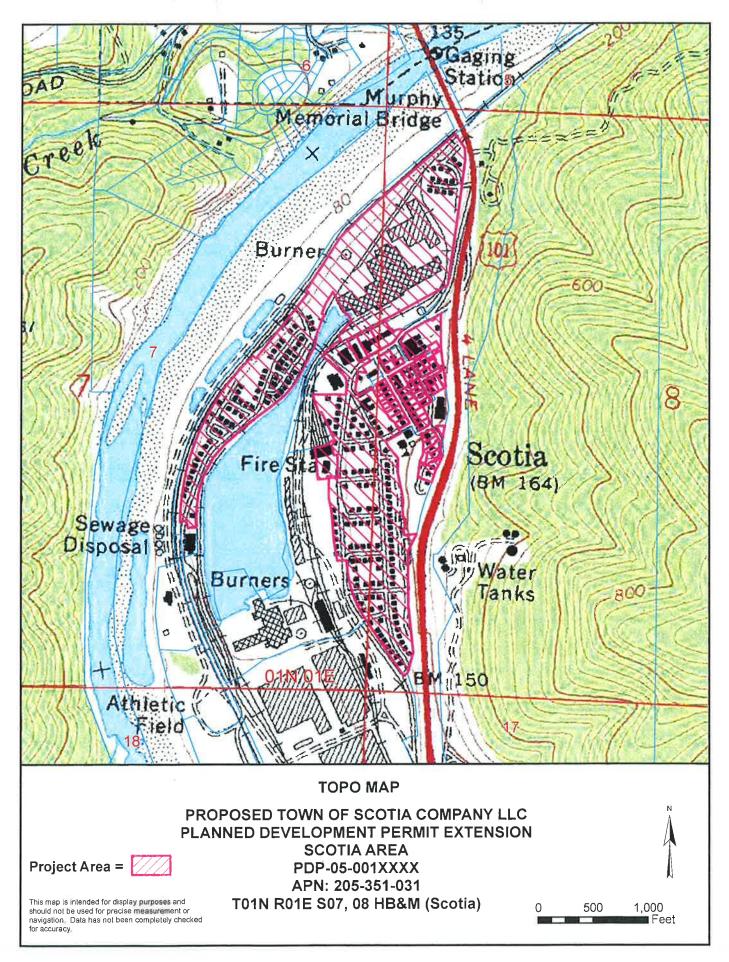
Project Area =

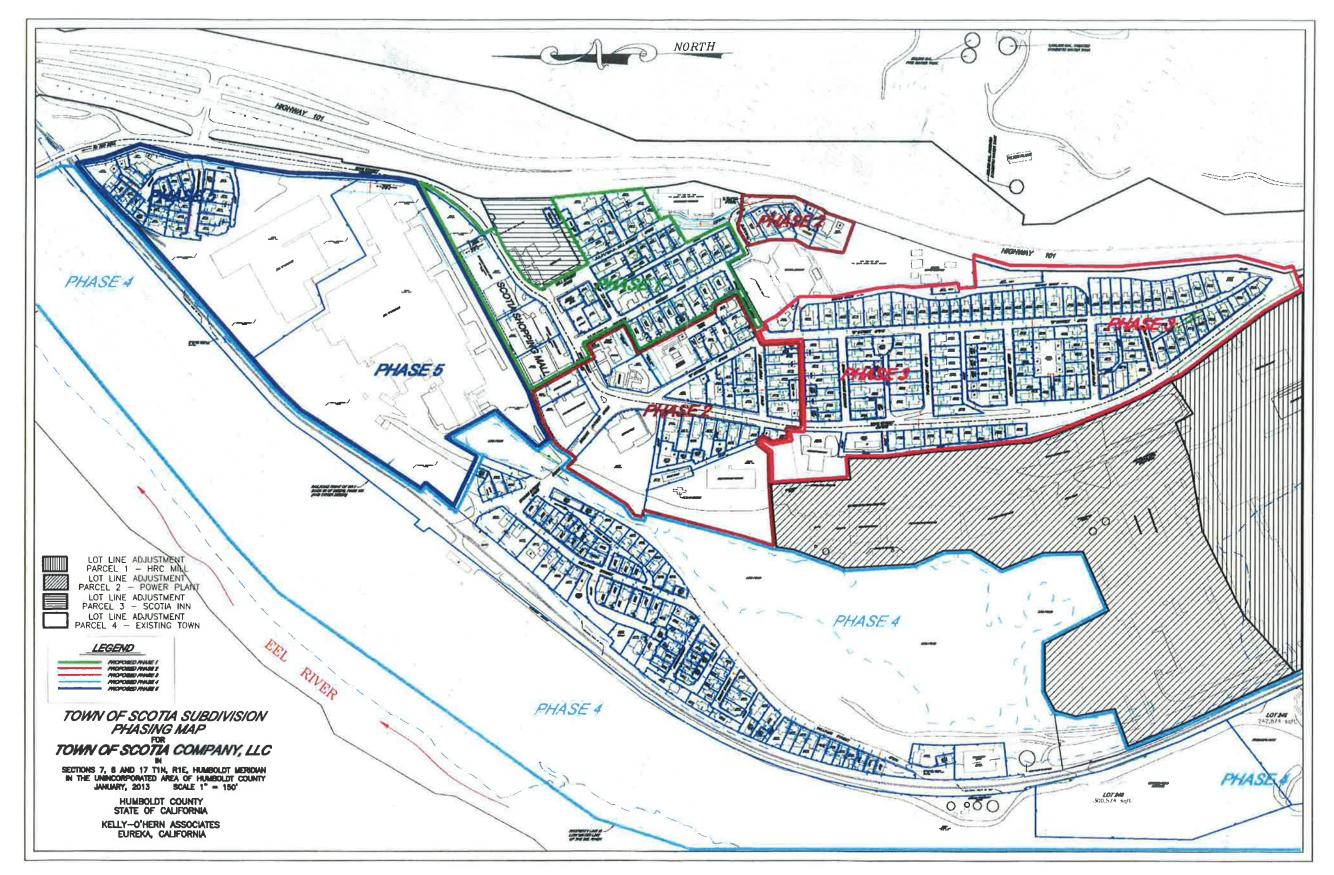


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

APN: 205-351-031 T01N R01E S07, 08 HB&M (Scotia)







and Physe 1

Parcels created by Lot Line Adjustment (LLA) are no longer part of the Scotia Subdivision. LLA Parcel 3 (Scotia Inn) will be improved in connection with Subdivision Phase 1. LLA Parcels 1 and 2 already have improvements secured by Active Performance Bonds and are no longer part of any Subdivision Phase. For purposes of coordination, these industrial areas will be associated with similar improvements in Subdivision Phase 5.

# SCOTIA SUBDIVISION

- 1. THIS MAP ILLUSTRATES THE SUBDIVISION OF THE TOWN OF SCOTIA INTO 335 LOTS. 35 LOTS ARE GARAGE LOTS ONLY. THIS APPLICATION INCLUDES THE REQUEST FOR APPROVAL OF THE FOLLOWING:
  - A. GENERAL PLAN AMENDMENT AND REZONING
  - SUBDIVISION
  - C. PLANNED DEVELOPMENT PERMIT
  - D. SPECIAL PERMIT FOR EXISTING PARKING
- WATER AND SANITARY SEWER SERVICES ARE CURRENTLY PROVIDED BY TOWN OF SCOTIA COMPANY, LLC. THE CURRENT PROPOSAL IS TO FORM A COMMUNITY SERVICES DISTRICT TO PROVIDE THESE SERVICES.
- MOST STREETS WITHIN SCOTIA ARE INCLUDED IN THE COUNTY MAINTAINED SYSTEM. CURRENTLY TOWN OF SCOTIA COMPANY, LLC, MAINTAINS PRIVATE STREETS AND ALLEYS, AS WELL AS SOME MAINTENANCE OF COUNTY ROADS.
- 4. STORM WATER FROM HIGHWAY 101 AND FROM RUNGFF IN THE TOWN IS COLLECTED IN AN EXISTING STORM DRAIN SYSTEM. THIS SYSTEM TRANSMITS WATER THROUGH THE HUMBOLDT REDWOODS COMPANY SAWMILL PROPERTY AND EVENTUALLY INTO THE EEL RIVER.
- 5. ELECTRICAL SERVICE TO THE TOWN OF SCOTIA IS CURRENTLY SUPPLIED BY TOWN OF SCOTIA COMPANY, LLC. SOME OF THE ELECTRICAL ENERGY IS CREATED BY THE TOWN OF SCOTIA COMPANY, LLC, COGENERATION FACILITY AND SOME IS PROVIDED BY PACIFIC GAS AND ELECTRIC COMPANY. ELECTRICAL SERVICES WILL BE SEPARATED FROM THE COGENERATION FACILITY AND PROVIDED BY PACIFIC GAS AND ELECTRIC COMPANY. RESIDENTIAL, COMMERICAL AND INDUSTRIAL GAS SERVICES ARE PROVIDED BY PACIFIC GOMPANY.
- ALL OF THE LOTS SHOWN ON THIS MAP ARE CURRENTLY DEVELOPED WITH THE EXCEPTION OF FIVE VACANT LOTS AVAILABLE FOR FUTURE DEVELOPMENT.
- THIS TENTATIVE MAP IS BASED ON AN AERIAL TOPOGAPHIC SURVEY THAT WAS PREPARED FOR PALCO IN 2000. TWO FOOT CONTDURS ARE SHOWN.
- 8. NO NEW ROAD CONSTRUCTION IS PROPOSED FOR THIS SUBDIVISION SINCE ROADWAYS ARE EXISTING. NO TYPICAL ROAD SECTIONS OR PROFILES ARE INCLUDED WITH THIS MAP.
- ALL DIMENSIONS ARE APPROXIMATE AND MAY BE REVISED FOLLOWING A
  FIRED SURVEY
- 19. FIVE PHASES OF THIS SUBDIVISION ARE PROPOSED, AS ILLUSTRATED ON SHEET 2 OF THIS MAP.

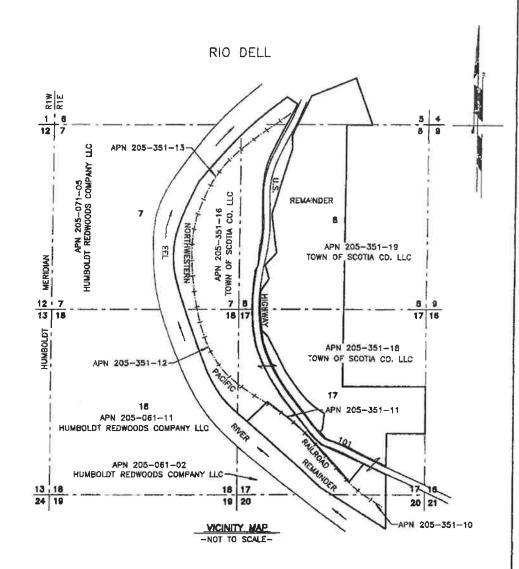


- 11. THIS PROPERTY MAY BE ENGUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
  - BOOK 38 DEEDS, PAGE 40 EASEMENT FOR A PUBLIC HIGHWAY GRANTED TO THE COUNTY OF HUMBOLDT. (WAIN STREET HOSPITAL AREA NORTHERLY AND ALONG THE BANK OF EEL RIVER)
  - BOOK 38 DEEDS, PAGE 41 EASEMENT FOR A PUBLIC HIGHWAY GRANTED TO THE COUNTY OF HUMBOLDT. (OLD ROAD ALONG THE BANK OF EEL RIMER)
  - BOOK 118 DEEDS, PAGE 312 DEED TO NORTHWESTERN PACIFIC RAILROAD COMPANY. (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
  - BOOK 82 DEEDS, PAGE 410 RIGHT OF WAY FOR RAILROAD PURPOSES (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 140 DEEDS, PAGE 224 RIGHT OF WAY FOR RAILROAD PURPOSES (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 202 DEEDS, PAGE 373 RIGHT OF WAY FOR RAILROAD PURPOSES (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 98 DEEDS, PAGE 108 RIGHT OF WAY FOR RAILROAD PURPOSES

  (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 140 DEEDS, PAGE 226 RIGHT OF WAY FOR RAILROAD PURPOSES (RAILROAD RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 96 DEEDS, PAGE 288 SUNSET TELEPHONE CO. EASEMENT (RIGHT TO ERECT AND MAINTAIN POLES IN SE 1/4 NE 1/4 SECTION 7 NOT ILLUSTRATED HEREON)
- BOOK 113 DEEDS, PAGE 138 PACIFIC TELEPHONE EASEMENT
  (EASEMENT FOR A POLE LINE WEST OF N.W.P.
  RAILROAD R/W)
- BOOK 1540 O.R., PAGE 87 PACIFIC GAS & ELECTRIC CO. EASEMENT (SEE NOTE 12)
- BOOK 1808 O.R., PAGE 88 DEED TO THE STATE OF CALIFORNIA (UTILITY EASEMENTS CRANTED TO THE STATE OF CALIFORNIA)
- BOOK 1813 O.R., PAGE 804 PACIFIC GAS & ELECTRIC CO. AND PACIFIC TELEPHONE CO. EASEMENT. (SEE NOTE 12)
- 800K 1793 O.R., PAGE 1435 PACIFIC GAS & ELECTRIC CO. EASEMENT (SEE NOTE 12)
- BOOK 888 O.R., PAGE 281 PACIFIC GAS & ELECTRIC CO. EASEMENT (SEE NOTE 12)
- BOOK 631 C.R., PAGE 592 PACIFIC TELEPHONE EASEMENT (SEE NOTE 12)
- BOOK 140 DEEDS, PAGE 50 AND BOOK 140 DEEDS, PAGE 481 RIGHT OF WAY FOR A PUBLIC HIGHWAY GRANTED TO THE STATE OF CALIFORNIA. (OLD STATE HIGHWAY THROUGH SCOTTA ILLUSTRATED HEREON)
- BOOK 202 DEEDS, PAGE 378 RIGHT OF WAY FOR A PUBLIC HIGHWAY GRANTED TO THE STATE OF CALIFORNIA. (FOR MAIN STREET)
- BOOK 1140 O.R., PAGE 228 RELINQUISHMENT OF ABUTTER'S RIGHTS (HIGHWAY 101 RIGHT OF WAY ILLUSTRATED HEREON
- BOOK 1686 O.R., PAGE 887 RELINQUISHMENT OF ABUTTER'S RIGHTS (HIGHWAY 101 RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 1056 O.R., PAGE 503 NOTICE OF CONSENT TO USE OF LAND (NOT ILLUSTRATED HEREON)
- BOOK 1804 O.R., PAGE 513 RELINQUISHMENT OF ABUTTER'S RIGHTS (HIGHWAY 101 RIGHT OF WAY ILLUSTRATED HEREON)
- BOOK 1611 O.R., PAGE 446 RELINQUISHMENT OF ABUTTER'S RIGHTS (HIGHWAY 101 RIGHT OF WAY ILLUSTRATED HEREON)
  BOOK 1845 O.R., PAGE 1275 PACIFIC CAS & ELECTRIC CO. EASEMENT
- INSTRUMENT NO. 1995-1516-4, 1995-1517-5, 1995-1618-8 EASEMENT FOR A PUBLIC HIGHWAY (COUNTY ROAD EASEMENTS FOR MILL STREET, CHURCH STREET AND NORTH COURT)
- INSTRUMENT NO. 1998-1858-155 RECIPROCAL RIGHTS AGREEMENT (NOT ILLUSTRAYED HEREON)

(SEE NOTE 12)

- INSTRUMENT NO. 1999-6264-187 COVENANTS, CONDITIONS AND RESTRICTIONS (HABITAT CONSERVATION PLAN NOT ILLUSTRATED HEREON)
- ALL EASEMENTS OF RECORD ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE RECORDED SUBDIVISION MAP.
- 12. UTILITY EASEMENTS WILL BE CREATED FOR UTILITIES AS NECESSARY FOLLOWING THE DESIGN OF NEW UTILITY FACILITIES. EXISTING EASEMENTS FOR UTILITIES MAY BE MODIFIED OR ELIMINATED ALSO. EASEMENTS WILL BE CREATED AND SHOWN ON THE RECORDED SUBDIMISION MAP.



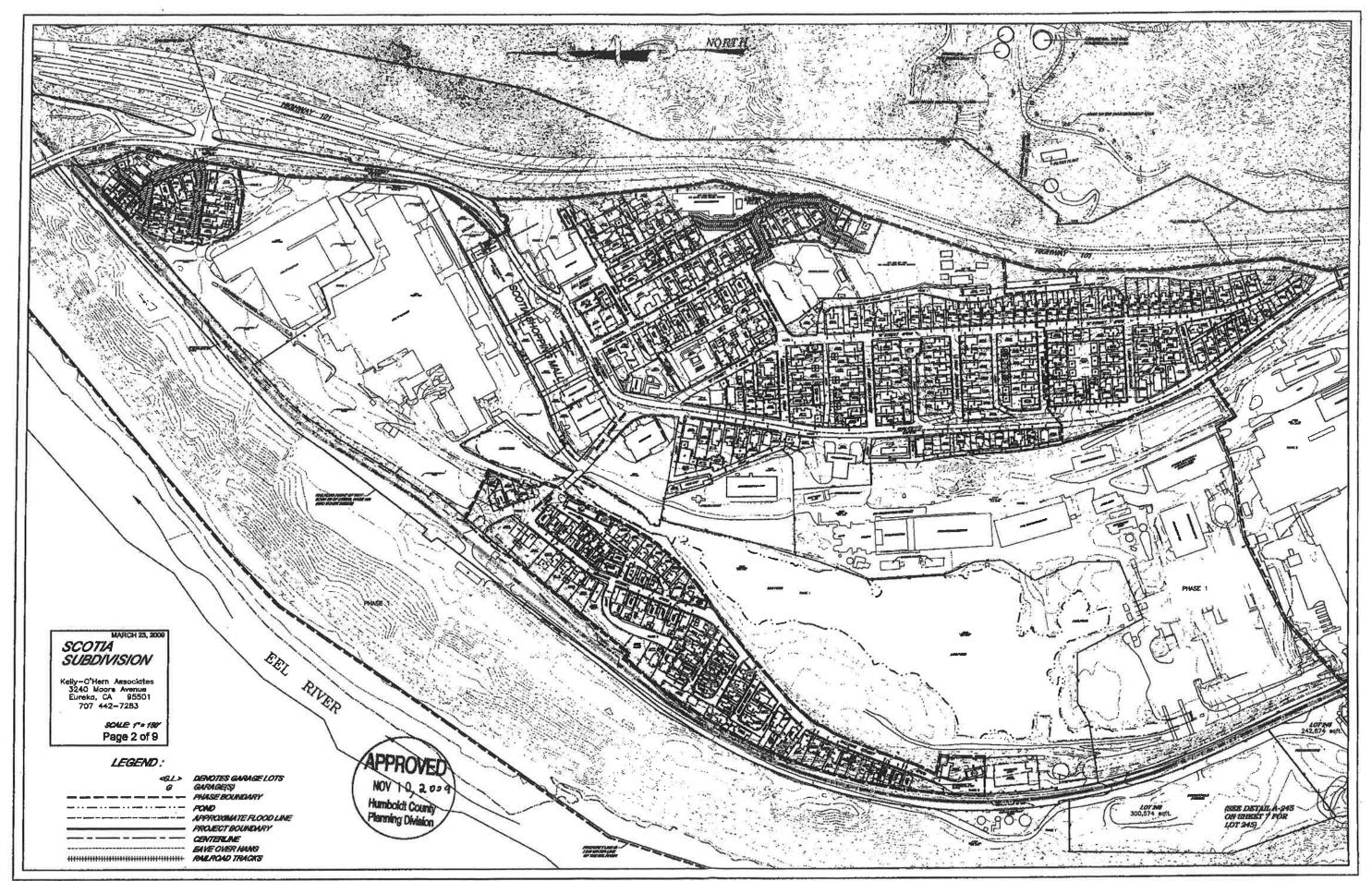
APPLICANT AND OWNER: TOWN OF SCOTIA COMPANY, LLC C/O FRANK BACIK, VICE PRESIDENT P.O. BOX 245 SCOTIA, CA 95585 764-4131 SURVEYOR/AGENT: MIKE O'HERN KELLY-O'HERN ASSOCIATES 3240 MOORE AVENUE EUREKA, CA 95501

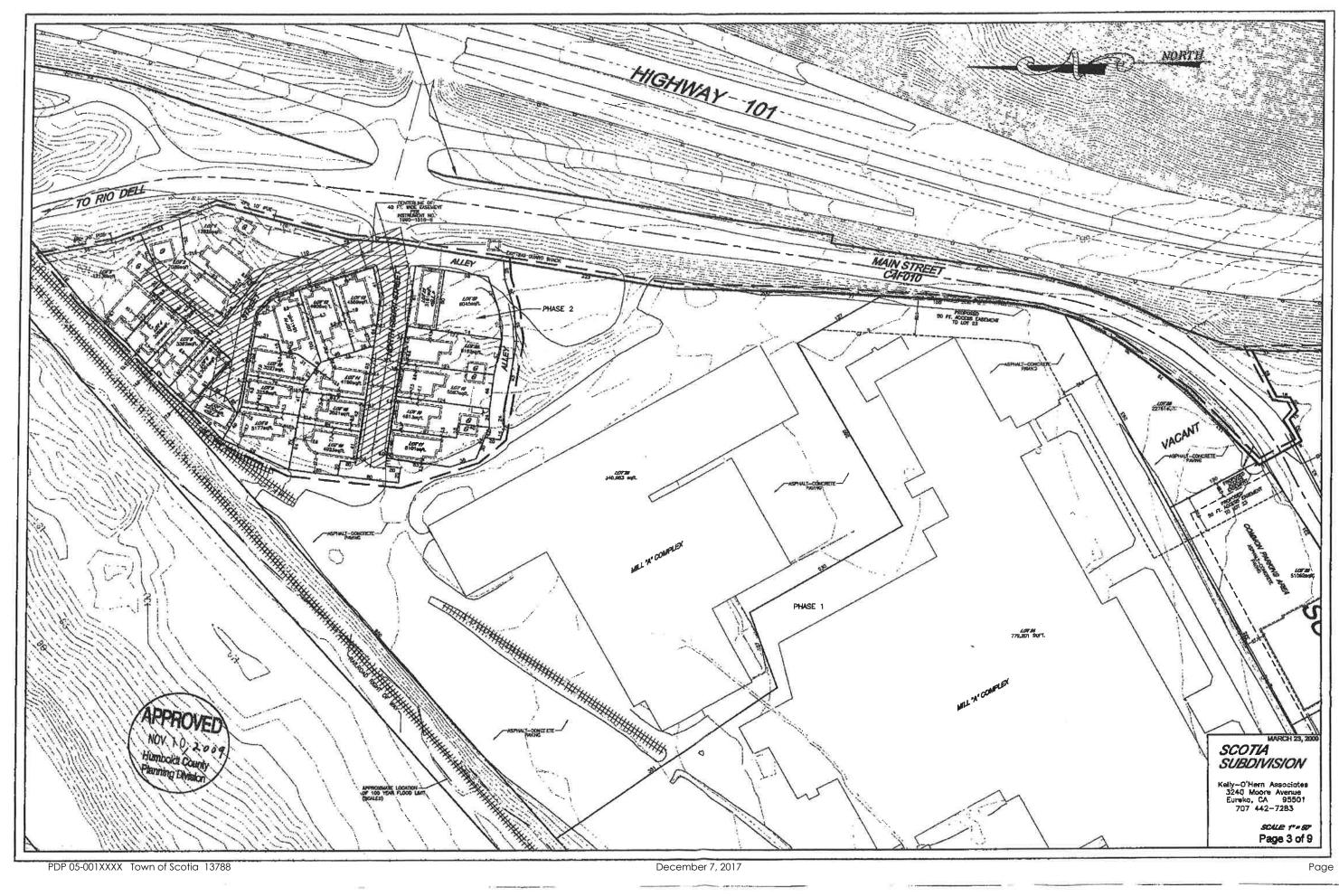
APN 205-351-16
SCOTIA SUBDIVISION
TOWN OF SCOTIA COMPANY, LLC

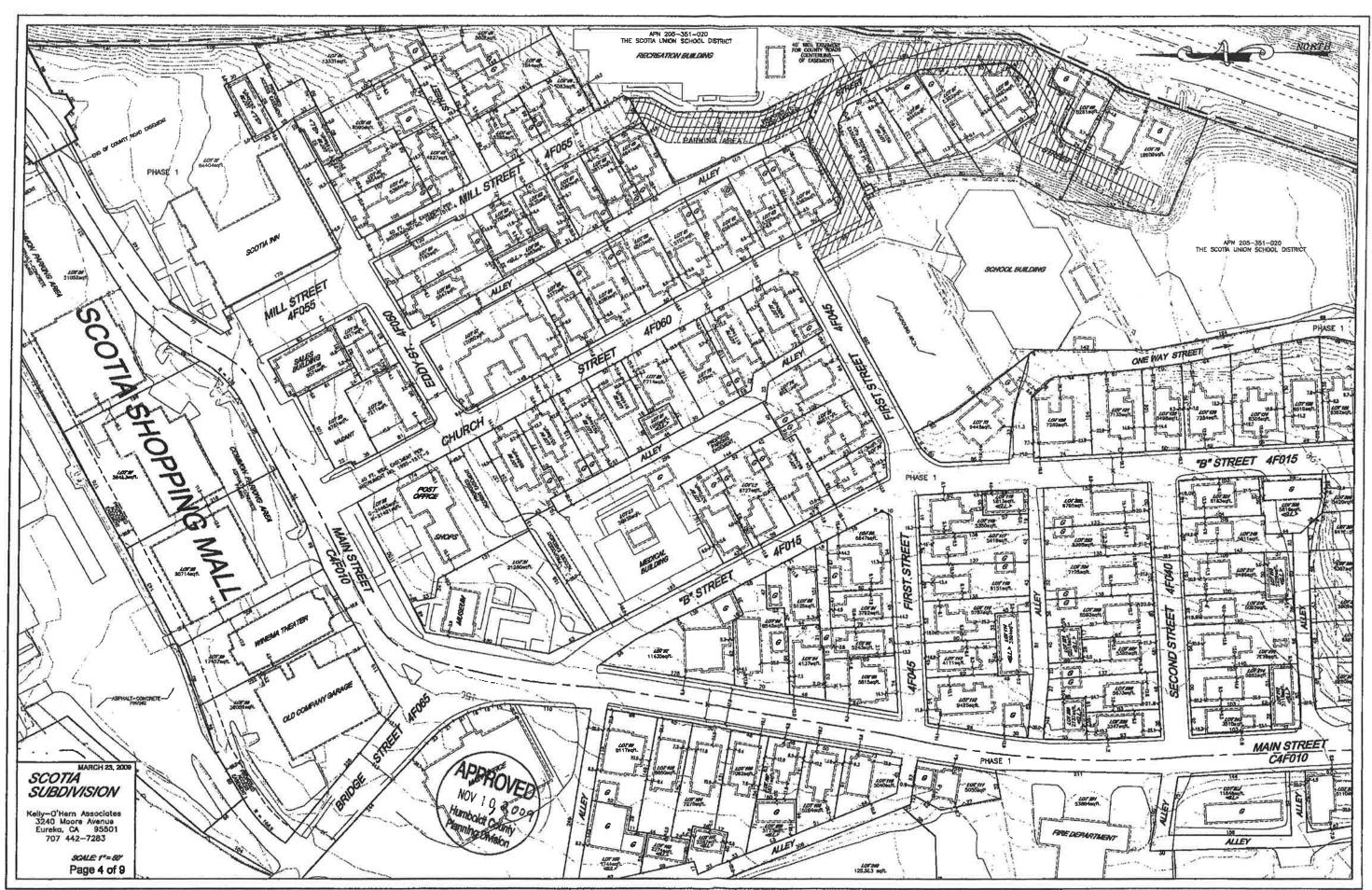
SECTIONS 7, 8, 17, 18 TIN, R1E, H.M. MARCH 23, 2009

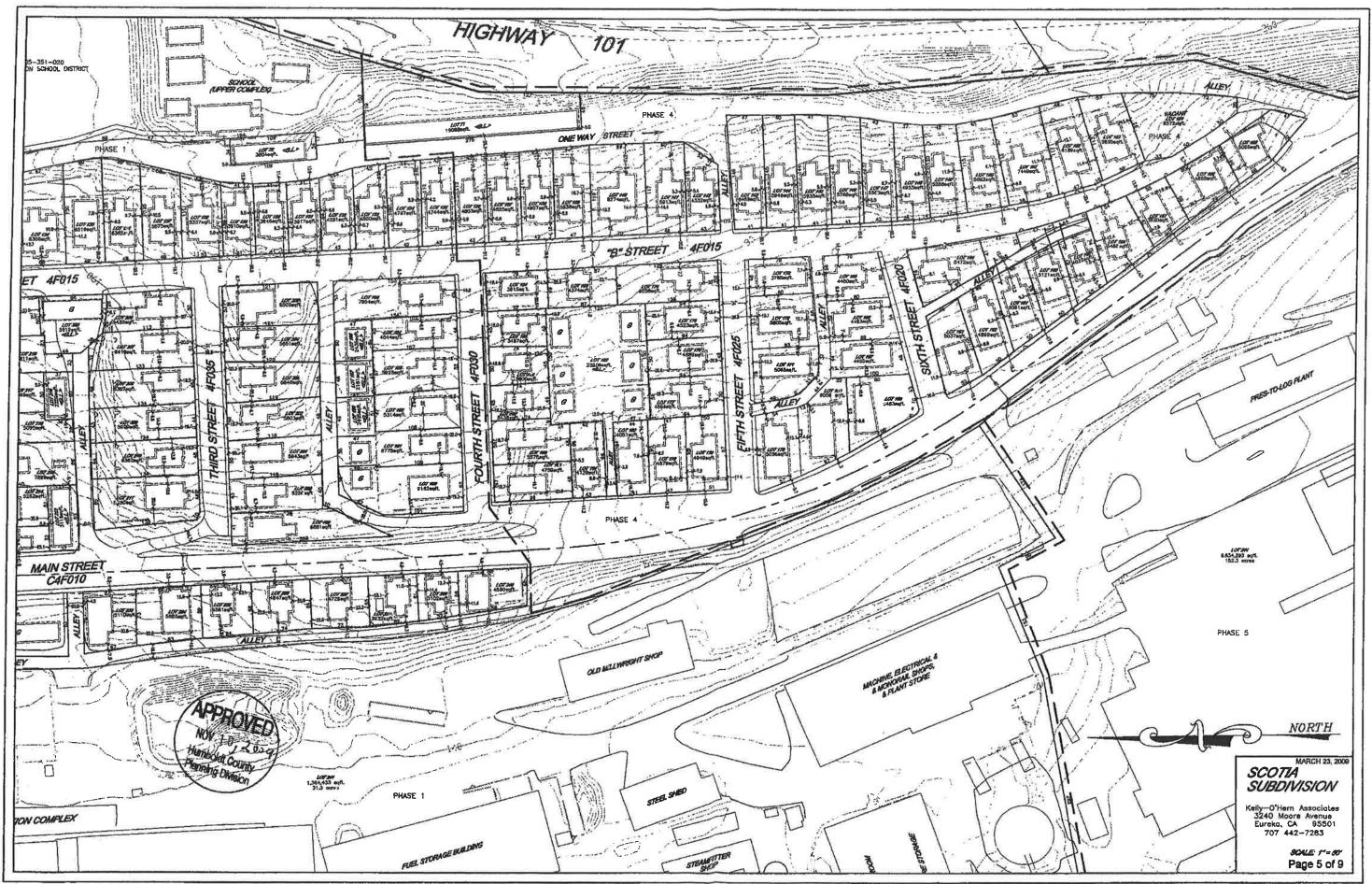
KELLY-O'HERN ASSOCIATES EUREKA, CALIFORNIA

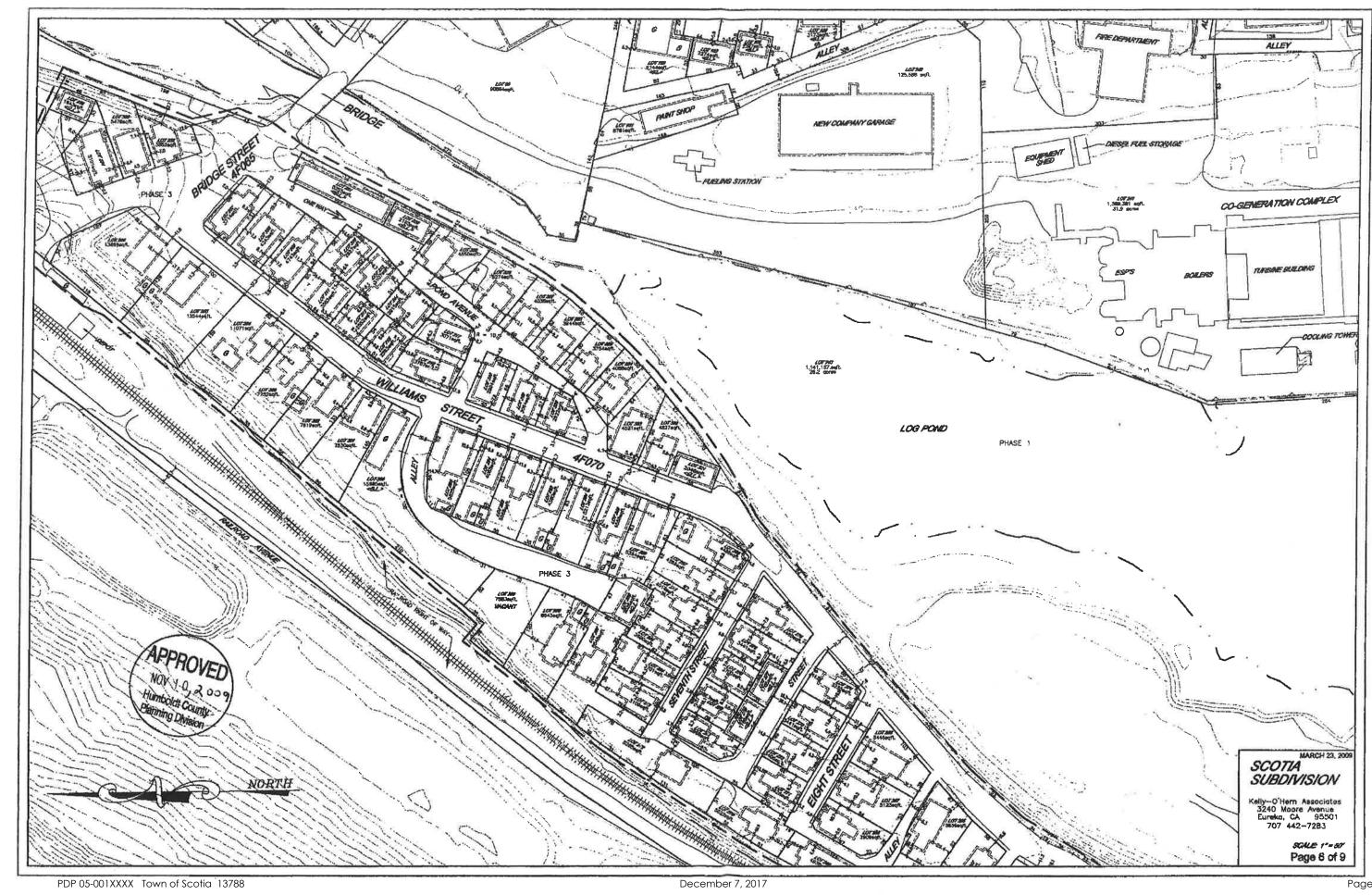
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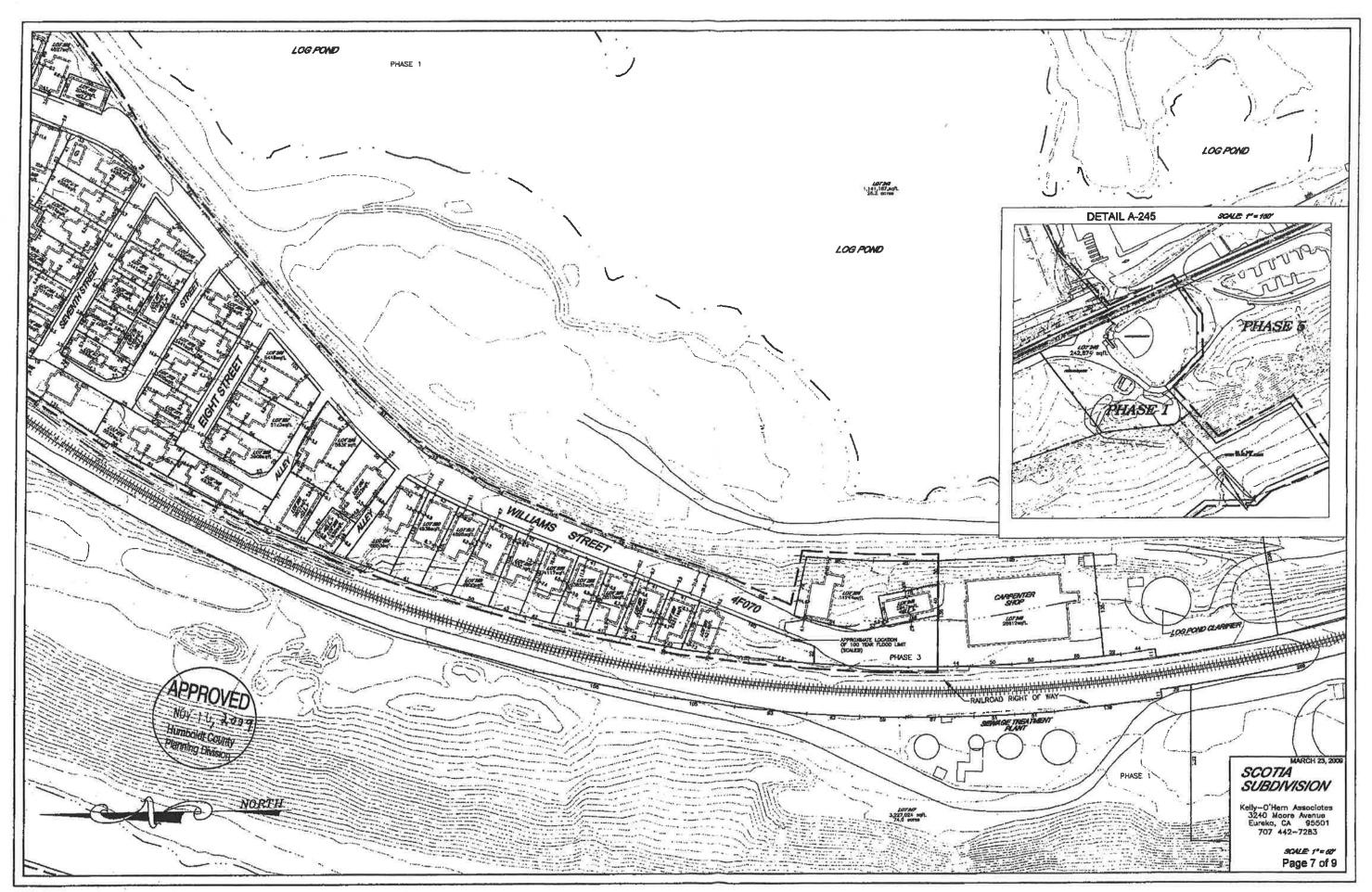


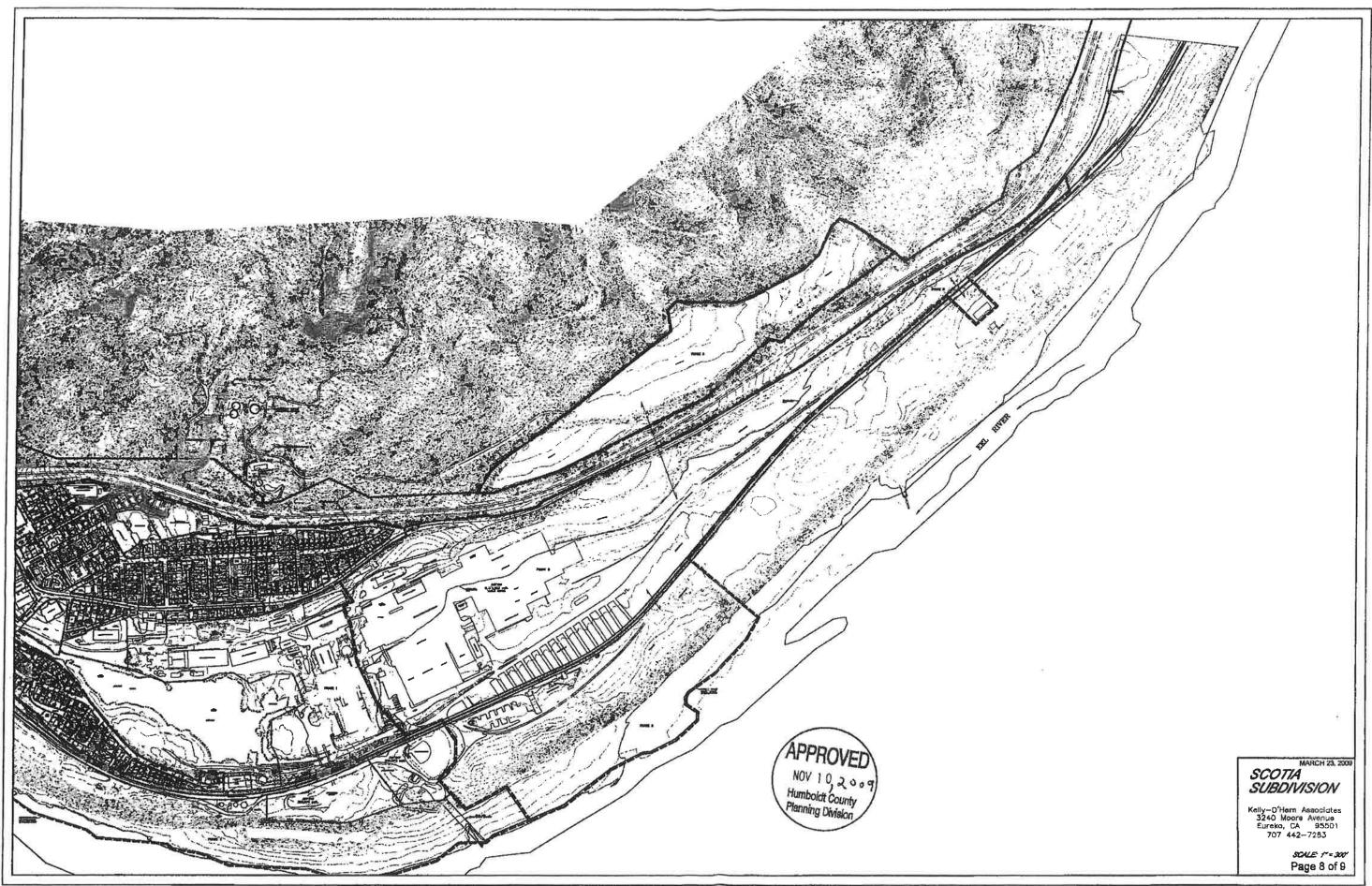


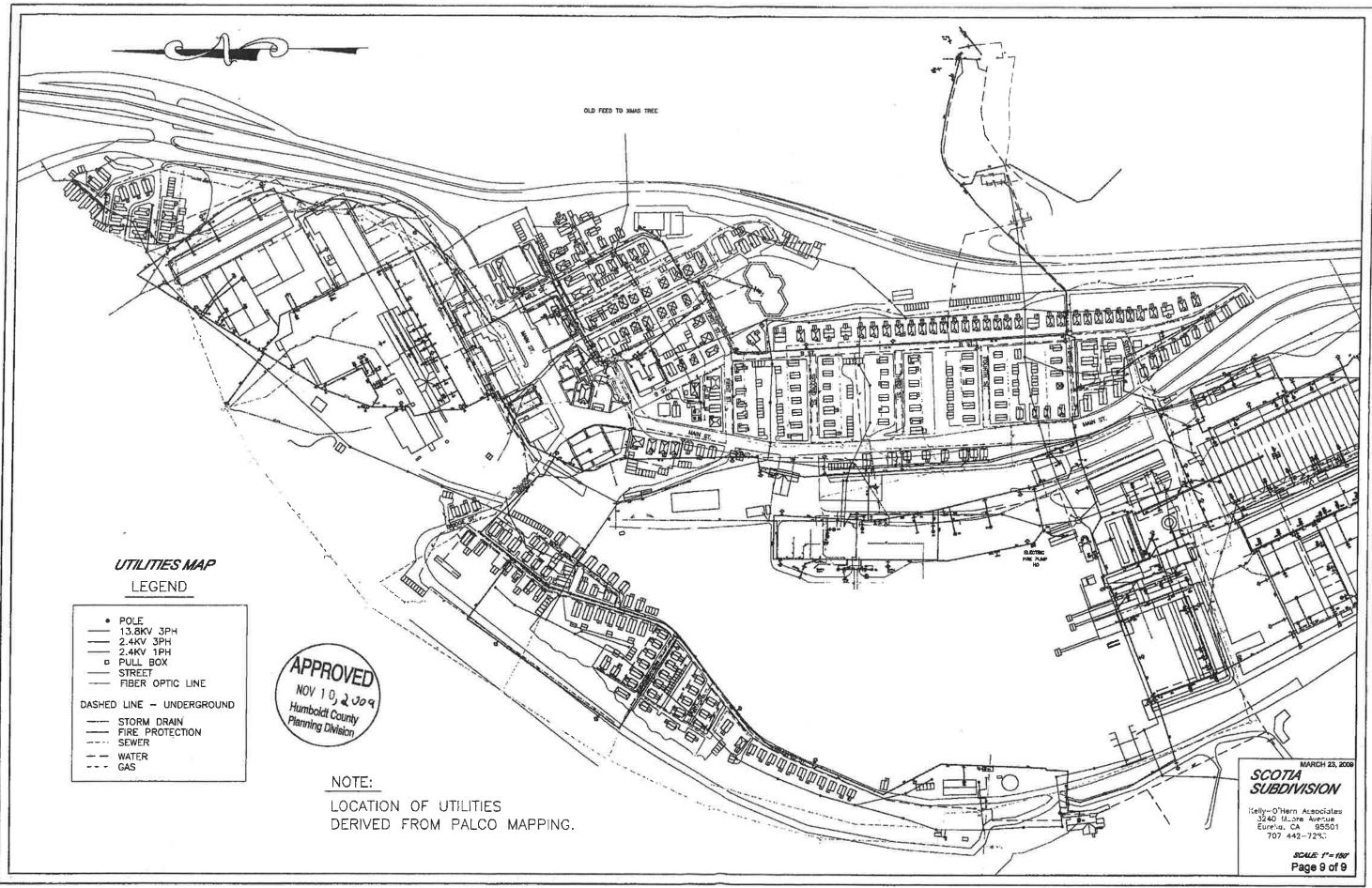












### **ATTACHMENT 1**

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. The conditions of approval effective November 10, 2009 in Attachment 2, shall remain in full force and effect and are not affected by this extension.

Note: The original staff report and supporting documentation is on file with the planning division and available for public inspection.

### ATTACHMENT 2

### Original Conditions of Approval for PDP

### ATTACHMENT 1C RECOMMENDED CONDITIONS OF APPROVAL FOR PDP

APPROVAL OF THE PLANNED DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SECURED BEFORE A BUILDING PERMIT MAY BE ISSUED:

### Conditions of Approval

- 1. Prior to issuance of Building Permits for any detached single family dwelling, the applicant shall record the Final Map for the subdivision. The Building Permit site plan for any single- or multiple-family structure shall conform to the approved tentative map.
- 2. The project shall be constructed, operated, regulated and maintained consistent with the Project Description, approved Site Plan and Conditions of Approval. Other than minor deviations to the plot plan as permitted by Section 312-11.1, all changes shall require modification of this Planned Development Permit.
- The project shall adhere to the requirements of the approved Development Plan for Case Nos.: GPA-05-01/FMS-05-01/PDP-05-01 (see Attachment 1B).
- 4. On site signs, if any, shall conform to Humboldt County Code (H.C.C. 314-87.2 (Signs and Name Plates), except a single monument sign not exceeding 15 square feet identifying the planned development may be developed. To ensure adequate sight visibility, the applicant is advised to confer with the Department of Public Works Land Use Division prior to the placement of any free-standing signs near intersections and at all other road access points.
- 5. All new and existing outdoor lighting, including sign illumination, shall be compatible with the existing setting and directed within the property boundaries, and shall produce no glare on adjacent properties or rights-of-way.

PDP 05-001XXXX Town of Scotia 13788 December 7, 2017

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