

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

Resolution Number: 26-

Record Number: PLN-2023-19200

Assessor's Parcel Number: 111-161-068 and 111-221-012

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Pisarki Coastal Development Permit, Special Permit and Notice of Merger.

WHEREAS, Anthony Pisarki submitted an application and evidence in support of approving a Coastal Development Permit, Special Permit, and notice of Merger; and

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

WHEREAS, the Planning Division as the Lead Agency has found that the project qualifies for exemptions found in Section 15303(a) and 15305 of the CEQA Guidelines; and

WHEREAS, Attachment 3 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit, Special Permit, and notice of Merger (Record Number PLN-2025-19200); and

WHEREAS, the Humboldt County Planning Commission a duly-noticed public hearing on March 5, 2026, and reviewed, considered, and discussed the application for the Coastal Development Permit, Special Permit, and notice of Merger 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:

- 1. FINDING:** **Project Description:** A Coastal Development Permit (CDP) for the construction of an approximately 1,440 square-foot residence with an attached 315 square foot garage with a covered carport. The height of the residence is approximately 25 feet. No trees are proposed to be removed and a minimal amount of grading (approximately 20 cubic yards) is required. A Notice of Merger is also proposed as part of the project to merge APNs 111-161-068 and 111-221-012, and a Special Permit is required for Design Review. The residence will be served with community water and sewer from the Resort Improvement District. Power will be provided by Pacific Gas and Electric (PG&E).

EVIDENCE: a) Project File: PLN-2025-19200

2. FINDING: **CEQA:** The project complies with the requirements of the California Environmental Quality Act (CEQA).

EVIDENCE: a) As Lead Agency, the County of Humboldt determined the project is exempt per section 15303 (a) (New Construction or Conversion of Small Structures), which applies to the construction of one single family residence. Furthermore, none of the exceptions to a Categorical Exemption pursuant to Section 15300.2 apply to the project.

3. FINDING: The proposed development is in conformance with the South Coast Area Plan.

EVIDENCE: a) The property is designated Residential Low Density (RL) in the South Coast Area Plan. Principal uses include detached single-family residences to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

b) **3.28 Hazards:** The new development conforms with the Hazards policies in the South Coast Area Plan. The section requires new development to meet two standards:

1. Minimize risks to life and property in areas of high geological, flood and fire hazard.

2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

- Both parcels' APNs 111-161-068 and 111-221-012 are in areas of to have areas of the high instability (3). The parcels are located within an Alquist-Priolo Fault Hazard Zone but is not in area subject to potential liquefaction. Architectural design and engineering will mitigate this issue as much as feasible.

- The parcels are not located within a flood prone area, as such the hazard for flooding is considered low.

- Both parcels reside within a high fire hazard severity zone. Both parcels are within the State Responsibility Area and the Resort Improvement Fire District 1.

- The parcels are not adjacent to any bluff or cliffs.

c) **3.29 Archaeological and Paleontological Resources:** The project was referred to the Bear River Band of Rohnerville Rancheria, the Intertribal Sinkyone Wilderness Council and the Northwest

Information Center. The Bear River Band responded indicating project does not appear to represent a significant impact(s) on cultural resources but did request the standard Inadvertent Discovery condition is included within the Conditions of Approval (Attachment #A4).

- d) **3.41 Environmentally Sensitive Habitats:** The applicant supplied satisfactory documentation assessing the potential impacts to Environmentally Sensitive Habitat Areas in the project area.

The Project parcels consist of grassland and Douglas-fir habitat within the parcel boundaries. Nonnative annual grasses dominate the area of the Project Parcels that will be occupied by the proposed residence. No standing water or signs of a watercourse channel were observed within 100 feet of the subject property.

Although the Project parcels occur within an existing subdivision, they have yet to be developed and thus host low-quality potential habitat for some special status plants. The property may best be characterized as Annual Grassland and Douglas fir Forest habitat. The parcels host potential Whitney's farewell-to-spring (*Clarida amoena* ssp. *whitneyi*), and goldfields (*Lasthenia californica* ssp. *Macrantha*, among other sensitive or endangered plants. No special status plants were observed within the Project parcels. A list of observed plant species is included in Attachment 4. The project as proposed will not impact special status plants as none occur within the Project Parcel.

The proposed project occurs in an existing subdivision that provides marginal potential habitat for wildlife, given the amount of anthropogenic activity that occurs in the vicinity. The parcels do not contain any key habitat for any special status vertebrate species. The area does provide potential habitat for special status bumble bees due to the dominance of herbaceous vegetation, although the quality of this potential habitat is significantly degraded due to the dominance of nonnative grasses and disturbance associated with vehicles driving on the graded road section that occurs on the parcel. The surrounding vegetated parcels also provide potential habitat for special status bumble bees. Additionally, the planting of native flowering plants as landscaping may enhance potential habitat relative to current conditions. Given these conditions, the project will not impact potentially present special status bumble bees.

The Project area also provides marginal potential nesting habitat for migratory birds that may not meet special status per species rankings. The project biologist recommended vegetation removal occurs during nesting season (March 1 - August 31) unless additional pre-construction surveys are completed, which has been

made a condition of approval (**Condition of Approval A10**).

The California Department of Fish and Wildlife was sent a referral for the proposed project. A response was received on March 27, 2025 (Attachment 5C). While the comments from CDFW include that the plant survey was not done at the appropriate time for a floristic botanical survey, and these comments were shared by the California Coastal Commission, CDFW noted that the likelihood of sensitive habitats occurring on the parcel was very low given the property characteristics. Suggested conditions by CDFW are incorporated into the Conditions of Approval.

- e) **3.42 Visual Resource Protection:** The proposed project is consistent with the Visual Resource Protection section of the South Coast Area Plan. The proposed project is not within a Coastal Scenic Area or Coastal Scenic View Area, so this protection does not apply.
- f) **3.50 Access:** There is no accessway on the parcel and the development of the proposed project will not impede public access to any coastal resources.
- g) **4.23 Proposed Land Uses:** Whereas the Land Use Plan for the Shelter Cove Sea Park subdivision and other urban areas was largely left the way it was proposed in 1965, and whereas the proposed development conforms with the designated land use, the proposed project is consistent with this section of the South Coast Area Plan.

4. FINDING:

Proposed development conforms with the allowable uses in the RS-5 zone, as the residential single-family house is a principally permitted use (HCC §313-6.1). The project involves constructing one 1,440 square foot house with a 315 square-foot garage with covered carport.

EVIDENCE:

- a) The project meets minimum parcel size, lot width, yard setbacks, and maximum lot depth requirements as part of the S1 Development Standard for Shelter Cove.

b) **DESIGN REVIEW**

In the absence of any Board of Supervisors' approved representatives, the Director is the reviewing authority. The project complies with all of the following standards and regulations contained in the Design Review Combining Zone.

Design Review Standards: Buildings, sites, structures, signs, landscaping, and similar development are consistent with the policies of the General Plan and the Zoning Code, and the Review Authority finds the following items are addressed in the submitted development plans:

1. The project is consistent and compatible with applicable

elements of the General Plan

2. The project protects natural landforms by minimizing alterations caused by cutting, filling, grading or clearing, except to comply with fire hazard reduction laws.
3. Exterior lighting will be compatible with the surrounding setting and will not be directed beyond the boundaries of the parcel.
4. Screening or softening the visual impact of new development through the use of vegetative plantings (**Condition of Approval A5**). It is appropriate for species common to the area to be used. Known fire resistive plants should be considered where appropriate.
5. Where feasible, new utilities should be underground. When above-ground facilities are the only feasible alternative, they will be sited as unobtrusively as possible.

Restrictions Applicable Within Designated Coastal View Areas: The project is not within a Coastal View Area of Shelter Cove.

Required Findings for Designated Coastal Scenic and Coastal View Areas: The project is not within a Coastal Scenic or Coastal View Area of Shelter Cove.

Additional Standards Applicable to Shelter Cove Portions of South Coast Area Plan - Building Structural Design Standards:

1. Residence has a minimum width of twenty (20) feet at the narrowest point, as measured from exterior wall to exterior wall.
2. The foundation is designed to meet the Uniform Building Code requirements of seismic zone IV as it is a continuous perimeter foundation.
3. The project meets the minimum roof overhang of twelve (12) inches. The overhang is an integral part of the structure.
4. There are no exterior walls and roofing materials of unfinished metal or galvanized metal. Flammable roofing material such as wood shakes or shingles are not proposed.

The proposed residence is consistent with these requirements.

5. FINDING: The proposed development conforms with all applicable standards and requirements of these regulations;

EVIDENCE: a) Geologic Hazards Regulations (313-121) – High Instability: The applicant submitted an engineered grading plan (Attachment 3) and signed engineered building plans. The plans include detailed

designs and figures from a licensed engineer and a project geologist, who provided recommendations for the proposed development.

- b) Off-Street Parking (109.1.4) Parking Spaces Required: For the proposed residential structure, two parking spaces are required because the dwelling contains more than one bedroom. To conform with the applicable standards, the site will have two on-site parking stalls. Furthermore, the parking provided meets the general requirements in section 109.1.3 of the Humboldt County Code.

6. FINDING: The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

- EVIDENCE:**
- a) The construction of a single-family residence will not be detrimental to public health safety or welfare.
 - b) All reviewing referral agencies that responded to the County have approved or conditionally approved the proposed project. The application is complete. Parcels to be developed are found to comply with the Subdivision Map Act. The proposal neither causes non-conformance nor increases the severity of preexisting nonconformities with zoning and building ordinances.

7. FINDING: **Residential Density:** 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 (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:

1. The reduction is consistent with the adopted general plan, including the housing element, and
2. The remaining sites identified in the housing element are adequate to accommodate the County's share of the regional housing need pursuant to Section 65584 of the Government Code, and
3. The property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions has been maximized.

EVIDENCE: a) The parcel is zoned for residential use and was not included in the 2019 Adopted Housing Element Inventory. The residential density is consistent with the General Plan and the project contributes to the County's share of the regional housing need.

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
- Approve the Coastal Development Permit, Special Permit, and Notice of Merger (PLN-2025-19200) for Anthony Pisarki subject to the Conditions of Approval attached hereto as Attachment 1A; and
- Adopted after review and consideration of all the evidence on **March 5, 2026**.

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