

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

Resolution Number: 23-

Record Number: PLN-2023-18704

Assessor's Parcel Number: 510-371-036 & 510-371-064

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

WHEREAS, Robert and Mary Bill submitted an application for a Coastal Development Permit, and Notice of Merger; and

WHEREAS, the project is categorically exempt from CEQA pursuant to Section 15305 of the state CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on November 16, 2023, and reviewed, considered, and discussed the application for the Coastal Development Permit 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:** **Project Description:** A Notice of Merger to combine two parcels, one of which was created as a potential right-of-way and is proposed to be vacated. Associated with the merger and CDP is vegetation maintenance and installation of a fence. A Coastal Development Permit is required for the merger due to the location of the properties in the Coastal Zone.

EVIDENCE: a) Project File: PLN-2023-18704

- 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 15305 of the CEQA Guidelines.

FINDINGS FOR ALL PERMITS

- 3. FINDING** The proposed development is in conformance with the McKinleyville Area Plan and the Humboldt County General Plan, and the Open Space Plan and Open Space Action Program.

- EVIDENCE**
- a) The property is designated Residential Estates (RE) in the McKinleyville Area Plan. The RE designation is intended to allow the development of single-family residential uses. The merger of two properties is consistent with the intended uses of the RE designation.
 - b) The project is consistent with the biological and archaeological resources protection policies of the McKinleyville Area Plan no substantial additional development is proposed. The merger does not enable any additional development and the property will continue to be utilized for single-family accessory uses such as vegetation maintenance and construction of a fence.

- 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 and accessory uses such as vegetation maintenance and fencing.
 - b) The parcels were created in compliance with all applicable state and local subdivision regulations. The parcels were created through a County approved subdivision.

- 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.

- 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 undeveloped parcel to be merged with the existing developed parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element. It was created for use as a right-of-way which has been determined to not be necessary.

FINDINGS FOR NOTICE OF MERGER

FINDING Legal, contiguous parcels.

EVIDENCE The parcels are contiguous and were created through a County approved subdivision.

FINDING The merger will not create any health or safety problems.

EVIDENCE The merger will combine a parcel which was created for right-of-way purposes with an adjacent parcel developed with a single-family residential use. The merger will not facilitate any additional development that would contribute to health and safety problems.

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 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 **November 16, 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.

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