



COUNTY OF HUMBOLDT

For the meeting of: 4/3/2025

File #: 25-442

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Fischer Parcel Map Subdivision, Special Permit and Coastal Development Permit
Record No.: PLN-2024-19119
APN: 508-121-055
McKinleyville area

A Parcel Map Subdivision to divide an approximately 49,000 square foot parcel into two parcels of approximately 35,960 square feet (Parcel 1) and 13,300 square feet (Parcel 2). Pursuant to Section 313-99.1.1.2 of Humboldt County Code, a Special Permit (SP) is required to utilize Lot Size Modification to allow one parcel to be less than the required 20,000 square foot minimum parcel size. The parcel is currently developed with a single-family residence that will remain on proposed Parcel 1 and a detached Accessory Dwelling Unit that will remain on proposed Parcel 2. The parcel is currently served with community water and sewer provided by the McKinleyville Community Services District. The parcel is within the Coastal Zone, therefore a Coastal Development Permit (CDP) is required.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution, (Attachment 1) which does the following:
 - a. Finds the Planning Commission has determined that the project is exempt from further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of the State CEQA Guidelines, and as a Responsible Agency, agrees with the lead agency's findings; and
 - b. Makes all of the required findings for approval of the Fischer Parcel Map Subdivision, Special Permit and Coastal Development Permit; and
 - c. Approves the Fischer Parcel Map Subdivision, Special Permit and Coastal Development Permit as recommended by staff subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: The project site is located in the McKinleyville area, on the west side of Fischer Avenue, approximately 300 feet north of the intersection of School Road and Fischer Avenue, on the property known as 1662 and 1664 Fischer Avenue.

Present General Plan Land Use Designation: RE - Residential Estates - McKinleyville Area Plan; Density: 0-2 units per acre; Slope Stability: Relatively Stable (0)

Present Zoning: RS-20-M - Residential Single Family with a minimum lot size of 20,000 sq. ft. and a combining zone overlay of Manufactured Homes

Environmental Review: Project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 - Projects Consistent with a Community Plan or Zoning.

State Appeal: The project is appealable to the California Coastal Commission.

Major Issues: None.

Monitoring Required:

None.

Executive Summary

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General Plan and Zoning

The minimum lot size for this zone is 20,000 sq. ft. but one of the resultant lots of the subdivision will measure roughly 13,300 sq. ft., requiring a Special Permit for a lot size modification. Per §313-99.1.1.2., lots may be modified down to a minimum of 50% of the required lot size, suggesting that a Special Permit is applicable in this case. Given the locations of the existing residence and ADU on the parcel, a modification of the lot size is appropriate in order to establish two separate parcels, each containing a residential unit. All buildings on the existing property (Parcel 1) are compliant with setbacks and the proposed subdivision will establish another suitable property (Parcels 2) that complies with all required setbacks. The proposed subdivision will be consistent with the surrounding parcels, land use, and zoning, and there is no evidence to suggest that this PMS will have a detrimental effect on public health or safety, or on neighboring property values.

Access

Current access to the project site is from Fischer Road, a county-maintained road. Conditions from the Land Use Division of Public Works (PW) recommend that the applicant complete standard road and pedestrian improvements, including a CalTrans A2-6 curb and gutter, 4.5-foot landscape stripe, and five foot useable sidewalk. Additionally, PW has conditioned the project to install a Caltrans Type G0 drainage inlet and 18" diameter storm drainpipe near the proposed driveway entrance at the low spot to connect to the existing storm drain inlet on the east side of the County Road.

Hazards

The subject parcel is located in an area of relative stability, site is not located within an Alquist-Priolo Fault Hazard Zone, nor is it within an area of potential liquefaction. The project site is not located in a tsunami hazard zone and does not reside within an area susceptible to coastal inundation related to sea level rise (1 meter). The parcel is not located within a FEMA 100-year Flood Zone. The subject parcel is located within a Local Responsibility Area for fire protection and is served by the Arcata Fire Protection District, who provides structural fire protection as well as responding to medical emergencies.

Biological Resources: There are no wetlands or coastal natural resources on the project site as depicted on the County's natural resources GIS database, nor any natural features of concern or that might be at risk. The parcel is within the range of the snowy plover but given the developed nature of the parcel and distance from the beach, there is little concern. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project, but no response was received.

Archaeological and Cultural Resources: The project was referred to the Northwest Information Center (NWIC), the Wiyot Tribe, Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria. NWIC responded recommending further study and that consultation with local tribes occur. The Wiyot Tribe responded stating that they had no concerns about the project at this time and the Bear River Band responded stating that they are satisfied that the activities of the project do not appear to represent a source of significant impact(s) on cultural resources and requested that standard inadvertent archaeological discovery protocols be in place for any ground disturbing activities. This has been made a condition of project approval.

Exception Requests by Applicant

Pursuant to Section 325-9 of the subdivision regulations, the applicant submitted two exception requests (Attachment 1D) regarding the Public Works memo dated 2/13/25, which specified conditions of approval for the subdivision. The first exception request pertains to the landscaping stripe that would be adjacent to the sidewalk/curb/gutter construct, along the frontage of Fischer Ave. After reviewing the request, Public Works DOES agree with the applicant, and should the Planning Commission agree, has provided language in the PW memo revising the conditions to require sidewalk/curb/gutter without a landscaping stripe.

Second, the applicant has requested that the drainage inlet across Fischer Avenue be removed as a condition of approval. The condition to require the installation of a drainage inlet is due to the drainage deficiency called out in the McKinleyville Drainage Study (Chapter VI Section C, Item 5a.) which specifically calls out ponding at this location. An alternative was presented by the applicant that would instead drain the ponding onto his property, into an underground gravel. PW reviewed the request and DOES NOT support the applicant's request. Per the PW response to the exception request: "No drainage report prepared by a Civil Engineer registered by the State of California has been submitted for this project. The Department has not received any survey showing the topography or drainage watershed area from an appropriate licensed professional. The applicant's alternative would require the applicant to provide a public drainage easement on the property, sign a right to discharge agreement with the County to accept the stormwater road drainage, and construct and privately maintain an approved appropriately sized drainage system on the property. It is not in the best interest of the applicant or the neighbor(s) to accept stormwater runoff from the public road." The full Public Works response is included as Attachment 1E.

Should the Commission choose to approve the exception request, staff recommends any motion to approve include rationale as to why the required findings for granting the exception can be made. These findings include: 1. There are special circumstances or conditions affecting the property; 2. The exception is necessary for the preservation and enjoyment of a substantial property right; and 3. Granting of the exception will not be detrimental to the public or injurious to other property in the area where the project is situated

Environmental Review

The project is consistent with the development density established by an existing general plan for which an EIR was certified, and a determination that no further environmental review is required is being made pursuant to section 15183 of the State CEQA Guidelines. The Department has determined that further environmental review is not required as the project is consistent with a development density established under the 2002 McKinleyville Community Plan and the 2017 Humboldt County General Plan for which EIR's were certified. The residential density specified in the McKinleyville Community Plan was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017. Section 15183 of the CEQA Guidelines discourages lead agencies from performing additional environmental review where an earlier EIR was prepared, unless there are environmental effects peculiar to the project or the parcel on which it is located, or in situations where the earlier EIR(s) did not include analysis of significant effects or where previously identified significant effects could become more severe. Neither of these circumstances apply to the proposal. Further discussion of the basis for this determination can be found in Section 2 of the Draft Resolution.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 1A)

RECOMMENDATIONS:

Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff concludes that the applicant has submitted evidence in support of making all of the required findings for approval of the Parcel Map Subdivision, Special Permit and Coastal Development Permit. Staff recommends that the Planning Commission find the project exempt from further environmental review pursuant to Section 15183 of the State CEQA Guidelines, as the project is consistent with local planning and zoning documents.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Tentative Map
 - C. Public Works Conditions
 - D. Applicant's Exception Request to PW Conditions
 - E. PW Exception Memo
 - F. Fischer Drainage Letter - Engineer
 - G. Fisher Drainage Letter to PC - Applicant
2. Location Map
3. Applicant's Evidence in Support of the Required Findings
4. Referral Agency Comments and Recommendations
5. Public Comment

Applicant

David Meserve
910 Grant Avenue
Arcata, CA 95521

File #: 25-442

Owner

David Meserve
910 Grant Avenue
Arcata, CA 95521

APN 508-121-055

David Meserve
1664 Fischer Avenue
McKinleyville, CA 95519

Agent

None

Please contact Chris Lohofener, Associate Planner, at clohofener@co.humboldt.ca.us or (707)267-9390 if you have questions about this item.