

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

Resolution Number 25-

**COASTAL DEVELOPMENT PERMIT
PROJECT NUMBER PLN-2025-19147
ASSESSOR PARCEL NUMBER 100-181-003**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE FERNDAL COASTAL DEVELOPMENT PERMIT.

WHEREAS, the City of Ferndale submitted an application and evidence in support of approving a Coastal Development Permit for drainage improvements; 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 Planning Division as the Responsible Agency agrees with the Lead agency's determination that the project qualifies for categorical exemptions found in CEQA Guidelines Sections 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations to Land); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Coastal Development Permit (Case Number PLN-2025-19147); and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on April 17, 2025, and reviewed, considered, and discussed the application for a Coastal Development Permit and reviewed and considered all evidence and testimony presented at the hearing; and

NOW, THEREFORE, be it resolved, determined, and ordered by the Zoning Administrator that:

FINDINGS FOR COASTAL DEVELOPMENT PERMIT

- 1. FINDING:** A Coastal Development Permit (CDP) for drainage improvements for the City of Ferndale, located just north of the City limits. The overall project is located both within

the City of Ferndale and just outside, within County jurisdiction, and includes the replacement of existing storm drain inlets and piping along Arlington Avenue, new piping and swales along 5th Street, enlargement of the drainage swale in the pasture north of Van Ness Avenue, and creation of a stormwater detention pond in the northern extent of the pasture. Work within the Coastal Zone (and subject to this CDP) includes areas north of Van Ness Avenue. The existing culvert crossing at Van Ness Avenue (which flows into the pasture) would remain in place, and a second, parallel culvert installed. Five to eight trees and energy dissipating rock would be added to the culvert outlets to reduce potential scouring and erosion. The existing drainage swale through the pasture and proposed stormwater detention basin would be graded and revegetated with native grasses. The swale within the pasture north of Van Ness Avenue would contain a minimum bottom width of three feet and side slopes of 3:1 and daylight to existing grade. The new swale would have an approximate 0.3 to 0.5% slope and maximum excavation depth of three feet. The swale would then transition to a 0.5-acre stormwater detention basin on the County-owned parcel. The detention basin would have 3:1 slide slopes and daylight to existing grade and contain a maximum excavation depth of two feet. Following Project implementation, the pasture would remain seasonally grazeable which is consistent with current management.

EVIDENCE: a) Project File: PLN-2025-19147

2. FINDING: CEQA: The requirements of the California Environmental Quality Act have been met. As the Responsible Agency, the County Zoning Administrator agrees with the Lead agency's determination that the project qualifies for categorical exemptions found in CEQA Guidelines Sections 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations to Land).

- EVIDENCE:**
- a) As the Lead agency, the City of Ferndale has filed a Notice of Exemption, dated April 04, 2023, with Categorical Exemptions from Sections 15302, 15303, and 15304.
 - b) The Class 2 exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
 - c) The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
 - d) The Class 4 exemption consists of minor public or private alterations in the conditions of land, water and/or vegetation which do not involve removal of healthy, mature scenic trees except for forestry or agricultural purposes.
 - e) A project can be disqualified from using a Categorical Exemption if any of the exceptions listed in 15300.2 apply, however, none of these exceptions apply to the proposed project. The County property on which the stormwater retention basin will be improved/constructed is historically farmed wetland. Though it is technically an agricultural wetland habitat, due to the modified nature of the area, it is not a critical or particularly sensitive habitat that would warrant an exception to the listed exemptions.

3. FINDING: The proposed development is in conformance with all applicable policies and standards in the Eel River Area Plan.

- EVIDENCE**
- a) §3.20 & §3.21 Urban Development/Limits - The proposed project falls outside of the urban development line.

Therefore, the associated policies and standards are not applicable.

- b) §3.22 Public Works – The proposed project is not considered a public works facility as it does not relate to the provision of sewage and/or water services. Therefore, the associated policies and standards are not applicable. Public Works did however review the project and provided conditional approval, provided in Attachment 5A.
- c) §3.25 Recreational/Visitor – The proposed project is located adjacent to the Humboldt County Fairgrounds, both within and outside of Ferndale City Limits. The coastal development permit pertains to the County parcel that lies outside of city limits and to the immediate north of the fairgrounds. The project aims to improve stormwater/drainage function in the area and will not have any negative impact on recreational or visitor uses.
- d) §3.26 Housing – The proposed project does not contain any elements related to housing, therefore the associated policies and standards are not applicable.
- e) §3.27 Industrial – The proposed project does not contain any elements related to industrial development, therefore the associated policies and standards are not applicable.
- f) §3.28 Hazards – 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 subject parcel is located in an area of relative stability and slopes on the parcel are below 15%. The site is within an area of potential liquefaction but is not located within an Alquist-Priolo Fault Hazard Zone. The parcel is partially situated within a FEMA 100-year Flood Zone as well as a 500-year flood zone. The subject parcel is located within a Local Responsibility Area for fire protection and is served by the Ferndale Fire Protection District, who provides structural fire protection as well as responding to medical emergencies. As the parcel is solely used for agriculture purposes, and the intent of the project

is to improve drainage in the area, there are not expected to be any associated hazards associated with the proposed project.

- g) §3.29 Archaeological and Paleontological Resources – Area tribes of interest were contacted during referral. The Bear River Band and Wiyot Tribe THPOs responded that the project was not likely to have significant impacts on cultural resources but to have inadvertent archaeological discovery protocols in place for any ground-disturbing activities that will take place in the future. These are conditioned in Attachment 1A.
- h) §3.31 Rural Development – The project does not contain any development of structures, pursuit of subdivisions or similar, therefore the associated policies and standards are not applicable.
- i) §3.31 Public Services – No public services are proposed with this project, therefore the associated policies and standards are not applicable.
- j) §3.32 Agriculture – The proposed project is located on property with an Agriculture Exclusive designation. The pasture is owned by the County and is seasonally grazed in the dry season. The project will consist of enlarging the drainage swale in the pasture and creation of a stormwater detention pond in the northern extent of the pasture. The outcomes of the project will benefit surrounding agriculture properties by reducing disruptions associated with large runoff events. The proposed project is compatible with agriculture uses, in turn improving long-term agricultural operations in the area. Following the project implementation, the pasture would remain seasonally grazeable which is consistent with current management.
- k) §3.41 Environmentally Sensitive Habitats – The area is designated as an agricultural wetland and is seasonally grazed. There are no other sensitive areas that would incur impacts resulting from the project. Precipitation within the proposed detention basin will infiltrate into the

relatively shallow groundwater aquifer that contributes to the wetland conditions within the vicinity (including the agricultural pastures to the north of the project site). The location of infiltration within this area is not anticipated to result in changes to the overall groundwater depth elevation or change wetland characteristics within this area. California Department of Fish and Wildlife (CDFW) conducted a site visit and determined that there were no concerns for creation of bullfrog habitat, nor other concerns regarding plant or avian impacts.

- l) §3.42 Visual Resources – The proposed project is within an area of designated protection however the project aims to continue current agricultural activities, with no intention of conversion to non-resource dependent activities. The proposed swale within the pasture would contain a minimum bottom width of three feet and side slopes of 3:1 and daylight to existing grade. The new swale would have an approximate 0.3 to 0.5% slope and maximum excavation depth of three feet. The swale would then transition to a 0.5-acre stormwater detention basin on the County-owned parcel. The detention basin would have 3:1 slide slopes and daylight to existing grade and contain a maximum excavation depth of two feet. Construction will alter the topography minimally as an effort to protect the surrounding pastures, and upon completion of the project, seasonal agricultural activities will remain on the property as currently managed. The project site is not within any coastal viewsheds or public lands.
- m) §3.50 Access – The proposed project will not interfere with right of access to the sea, as there are no coastal access points on the subject parcel.
- h) §5.30 Rural Plan Designations – The Agriculture Exclusive (AE) designation exists to protect agricultural lands for long-term productive agricultural use. The proposed installation of improved stormwater drainage components is intended to provide a positive impact on the surrounding pasture lands, causing fewer disruptions in agricultural operations, in turn protecting these resources. The drainage swale and detention basin would

be seeded with a CA native pasture grass seed mix and would remain agriculture wetlands after project completion.

4. FINDING:

The proposed development is consistent with the purposes of the existing AE zone and F/R combining zones in which the site is located.

EVIDENCE:

- a) The subject parcel has been determined to be one legal parcel.
- b) Agricultural Exclusive (AE) principally permitted uses include the following: Single-Family Residential, Accessory Dwelling Unit (on lots sixty (60) acres or larger in size, two (2) single detached dwellings, or one (1) single detached and one (1) accessory dwelling are permitted), General Agriculture, Timber Production, Cottage Industry and Minor Utilities to serve these uses. By reducing runoff and flooding, the proposed drainage and stormwater retention project would improve conditions related to agricultural operations and is thus consistent with the principally permitted uses of this parcel.
- c) "F" combining zone provides protections to minimize public and private losses due to flood and tsunami conditions in specific areas of the County. There are no proposed residential, industrial, or uses other than agriculture proposed as part of this project. The development associated with this project consists of drainage improvements that are consistent with the maintenance of agricultural operations and thus consistent with this combining zone overlay.
- d) "R" combining zone provides for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface waterflow, and alteration of natural streams, and by protecting riparian habitats. CDFW conducted a site visit with County staff and determined the project to be consistent with efforts to protect agricultural and wetland

resources. There will be no disruption to nearby streams or riparian corridors, nor to any coastal stream channels or other sensitive coastal or riparian resources. Installation of drainage improvements is consistent with the maintenance of agricultural operations and thus consistent with this combining zone overlay.

- e) Development standards – Setbacks, density and ground coverage are not applicable as there are no structures being proposed as part of this project.

5. FINDING:

§312-17.1.4 Public Health, Safety and Welfare

There is no indication that the proposed drainage improvements will be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE:

- a) The proposed project includes replacement and installation of new stormwater drainage infrastructure to improve conditions related to stormwater flows and flooding. No detrimental conditions to public health, safety or welfare have been identified nor is the proposed project expected to have a detrimental effect on neighboring property values. Rather, improvements to drainage conditions in this agricultural area will likely enhance agricultural operations by reducing the negative impacts associated with large runoff events and subsequent flooding.

6. FINDING:

§312-17.1.5 Housing Element Densities – The proposed project will have no impact on the Housing Element.

EVIDENCE:

- a) The parcel is designated as Agriculture Exclusive under the Eel River Area Plan and was not included in the County's Housing Element Inventory; the proposed project would not change or modify the possibility of meeting the goals established by the County's housing inventory and is consistent with the goals, policies, and standards of the Humboldt County Housing Element.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Ferndale Coastal Development Permit (Record Number: PLN-2025-19147), and subject to the recommended conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **April 17, 2025**.

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