

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

Resolution Number: 24-

Record Number PLN-2023-18203-MOD1

Assessor's Parcel Number: 511-371-036

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Bigfoot Construction Coastal Development Permit and Special Permit Modification.

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on July 20, 2023, and approved a Coastal Development Permit and Special Permit, for a two-story addition of approximately 764 square feet and remodel of an existing single-family residence including an upgrade to the existing septic system; and

WHEREAS, Bigfoot Construction submitted an application and evidence in support of approving a modification to an approved Coastal Development Permit and Special Permit, for a two-story addition and remodel of an existing single-family residence; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on April 4, 2024, and reviewed, considered, and discussed the application for the Coastal Development Permit and Special Permit Modification, 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:** A Modification to a Coastal Development Permit (CDP) for a two-story addition of approximately 764 square feet and remodel of an existing single-family residence, consisting of changes to the roof pitch, and electrical upgrades. Also proposed was the demolition of an existing chimney and an upgrade to the existing septic system to accommodate a four-bath system, and the installation of a swim spa within the existing garage. The parcel is developed with a 1,461 square foot single family residence, a shop structure, an uncovered patio, and an on-site wastewater treatment system. The property is served with community water provided by the Patrick Creek Community Services District. A Special Permit is required for Design Review. The modification involves the

demolition of the existing walls and the roof due to rot damage, and further alteration to roof pitch resulting in an increase in building height to 32 feet, which is 11 feet greater than the 21-foot building height originally approved.

EVIDENCE: a) Project Files: PLN-2023-18203 and PLN-2023-18203-MOD1

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Zoning Administrator has considered the project and finds the proposed project is exempt from environmental review pursuant to Sections 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction) of the State CEQA Guidelines.

EVIDENCE: a) The Class 1 exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

The Class 2 exemption applies to the 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.

b) 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.

COASTAL DEVELOPMENT PERMIT AND SPECIAL PERMIT MODIFICATION

3. FINDING: The proposed development is in is in conformance with all applicable policies and standards in the McKinleyville Area Plan (MCAP).

EVIDENCE: a) The purpose of the RX land use designation is to allow development of rural community neighborhoods not depending on urban levels of service, prohibiting the creation of any new parcels. The principal use is residential single-family with neighborhood commercial services. The modified

project consists of a two-story addition of approximately 764 square feet and a remodel of an existing single-family residence including an upgrade to the existing septic system. The property is served with community water provided by the Patrick Creek Community Services District.

- b) The parcel is within a Coastal Scenic Area. See Design Review Authority Findings discussion below.

4. FINDING: The proposed development is consistent with the purposes of the existing RA zone in which the site is located.

EVIDENCE: a) The following uses are principally permitted within the RA zone: Single Family Residential, Second Residential Unit, General Agriculture, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses. The modified project consists of a two-story addition of approximately 764 square feet and remodel of an existing single-family residence including an upgrade to the existing septic system on a currently developed lot.

- b) The proposed modification would not alter the findings made in the original approval in regard to development standards within the RA zoning district.

5. FINDING: §313-19.1 D – Design Review

The purpose of these regulations is to provide design review for conformance of new development with the policies and standards of the General Plan, and to provide for a design review process where neighborhoods within the same zone district desire to preserve or enhance the area's historical, cultural, or scenic values.

EVIDENCE: a) The modification to the addition and remodel of the residence remains consistent and compatible with the General Plan. Evidence of adherence to the Design Review findings is discussed below. The Neighborhood Design Survey, submitted by the applicant, provided information about the homes within the vicinity of the proposed project.

- b) The subject parcel is not within a designated Coastal Scenic View area but is within a Coastal Scenic Area. Setbacks from roads and property lines are appropriate for protection of the scenic and visual qualities of the site given the surrounding development, vegetation, and building height. The two-story addition, as modified, will increase the height of the residence

to approximately 32 feet tall. The residence is not located between the closest public road and the coast. The west side of the parcel between the residence and the coast is covered with dense vegetation and the residence is on a bluff approximately 175 feet in elevation above Clam Beach Drive from which existing residences on the bluff are already visible.

The Neighborhood Design Survey submitted by the applicant profiled five homes within the general vicinity of the project. Of the homes surveyed, three had rustic architecture and two had contemporary architecture. Four of the homes surveyed utilized composite roofing and one utilized shake roofing. Three of the homes surveyed utilized wood for the exterior building siding and two utilized T-111 siding. Three of the houses surveyed exceed one story in height. The proposed addition and remodel of the residence as modified will be aesthetically cohesive with the design of surrounding homes. The visual impact of proposed development on neighboring parcels will be insignificant.

- c) The building site is level, and grading will not be necessary to facilitate construction. The project as modified will not result in alterations to existing natural landforms.
- d) Staff has determined that the visual impact of the proposed project on neighboring parcels will be insignificant. The proposed height modification is compatible with the RA zone, and within the range of the neighboring houses.
- e) The project as modified meets all setback requirements for the RA zone. There are not likely to be impacts to scenic or visual qualities of the area.

6. 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 proposed two-story addition and remodel modification will be compatible in appearance with the neighborhood and complies with all development standards of the zone district which are intended to protect public health, safety and welfare. Based on staff analysis and the findings made in this report, there is no evidence that the project modification will be

materially injurious to properties or improvements in the vicinity.

7. **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 existing parcel is currently developed with a permitted single-family residence. The project will not add to nor subtract from the Housing Inventory. The addition and improvements to the existing residence will have no effect on the Humboldt County Housing Element.

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
- Approves the Bigfoot Construction Coastal Development Permit and Special Permit Modification subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **April 4, 2024**.

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