

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 25-

**PARCEL MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT
PROJECT NUMBER PLN-2025-19199
ASSESSOR PARCEL NUMBER 511-031-018**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE ALVES RESIDENTIAL SUBDIVISION PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT, AND EXCEPTION REQUEST

WHEREAS, the owner submitted an application and evidence in support of approving a Parcel Map Subdivision, Coastal Development Permit, and exception request to the required 50' right of way and submitted an application for an exception request to the requirement to relocate a power pole; 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, the lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts of the project were analyzed and addressed during preparation of Environmental Impact Reports (EIR) for the 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Parcel Map Subdivision, Coastal Development Permit, and exception request (Case Number PLN-2025-19199); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 04, 2025

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

PROJECT DESCRIPTION

- 1. FINDING:** A Parcel Map Subdivision (PMS) to divide an approximately 1.09-acre parcel into four parcels and a Remainder, ranging in size from 5,702 square feet (net) to 14,367 square feet (net). The parcel is currently developed with two single-family residences which will remain on proposed Parcels 1 and 2. Proposed Parcel 3 will be created as a flag lot. The project includes an exception to the required right of way width. The parcel is within the Coastal Zone, therefore, a Coastal Development Permit (CDP) is required. The parcel is served with community water and sewer provided by the McKinleyville Community Services District.

EVIDENCE: a) Project File: PLN-2025-19199

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has determined the project is not subject to further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

EVIDENCE: a) Section 15183 of the CEQA Guidelines acknowledges CEQA's mandate that projects not be subject to additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:

Project-specific environmental effects:

- are peculiar to the project or the parcel on which it is located
- are significant and were not analyzed as such in a prior EIR
- are off-site and/or cumulative and were not discussed in the prior EIR
- were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR was certified) are determined to have a more severe adverse impact than what was disclosed.

The residential density specified in the McKinleyville Area Plan (McKAP) 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.

- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. The parcel being divided was previously host to residential development, adjacent lands in the vicinity are similarly planned and zoned and are also developed and sized consistent with the applicable planned density and minimum lot size. The development pattern and design included in the concept provided by the applicant has been found to be acceptable by the Land Use Division of Public Works and Planning Division provided the subdivision adheres to conditions of approval.
- c) Potential Impacts such as those common to the project were analyzed and addressed during preparation of the Programmatic Environmental Impact Report (SCH #2007012089) certified during adoption of the 2017 General Plan.
- d) There are no potentially significant environmental effects which were not analyzed in the 2017 General Plan EIR. The proposed subdivision would enable future build-out to the currently planned density for the area, which was confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above referenced EIR (SCH #2007012089). The proposed subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the most recently adopted General Plan.
- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified.
- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment as conditioned.
- h) The project site is not located within a scenic vista area and will not

impact visual resources within the County. The proposed subdivision will create four separate parcels and a remainder to accommodate residential uses that are consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than significant impact on aesthetics.

- i) To date no cultural resources have been documented on the project site or its vicinity. The “Inadvertent Archaeological Discovery Protocol” condition has been placed on the project, as requested by Tribal agencies. Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO’s) for the Wiyot Tribe, Blue Laker Rancheria, and Bear River Band of the Rohnerville Rancheria. Per referral comments, recommended conditions include adherence to standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance.
- j) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The California Redwood Coast-Humboldt County Airport serves as the closest airport, located approximately .7 miles north of the project site. The project site is located in Airport Review Area 1 which represents areas where noise and/or safety concerns may require limitations on the type of land uses that may be developed in the future. The project area is located outside of existing mapped noise contours, suggesting a CNEL of less than 55, and appropriate for residential uses. There are no safety concerns associated with the airport, however overflight notification policies shall be recorded on the development plan as well as submitted on a Recorded Deed Notice, as conditioned in Attachment 1A.
- k) 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. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.
- l) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Water and

sewer services are provided to the existing residences via McKinleyville Community Services District, and new water and sewer utilities for all future residences will be provided by MCSD

A preliminary hydrology report was prepared by Whitchurch Engineering and was submitted with the application. The project will be required to detain stormwater such that no additional water will leave the site at a rate greater than the pre-development 2-year (Q2) storm flows. Lastly, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated July 03, 2025 (Attachment 1C).

- m) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access and there is no evidence that the proposed subdivision will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns and will not result in vehicle miles traveled beyond that anticipated.
- n) The project is consistent with the development density of 3-7 units per acre of the Residential Low Density (RL) land use designation established during adoption of the McKAP and upheld in 2017 following adoption of the General Plan update (GPU). The establishment and future development of one additional parcel is consistent with mitigations for induced population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR) to reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA) using alternative subdivision standards and the facilitation of opportunities for second residential units. The growth impacts of this project are not anticipated to create peculiar, specific, or more severe impacts effects which the GPU EIR failed to analyze as significant effects or failed to evaluate.

- o) The California Natural Diversity Database indicates that the parcel is within mapped occurrences of northern clustered sedge and Lyngbye's sedge. The accuracies of these occurrences are mapped as a one-mile radius and a three fifths mile radius, respectively. Per CNDDDB metadata larger radii do not indicate larger occupied areas, but rather greater uncertainty of the exact location. Notes in the CNDDDB indicate the northern clustered sedge is located in a sedge swamp, and Lyngbye's sedge is located along an estuary shore, neither description appears to match areas on the subject property. The project site is in an area of relatively dense residential developments, and the site itself has been regularly mowed and landscaped. 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. California Department of Fish and Wildlife (CDFW) noted that the area would not be considered a Sensitive Natural Community and is unlikely to provide habitat for special status plants, with a primary recommendation that removal of trees or shrubs occur outside of nesting season (generally March 15 – August 15). Additionally, a condition prohibiting the use of invasive species in landscaping would prevent further degradation and discourage the spread and propagation of the most problematic species and is included in Attachment 1A.

LEGAL LOT REQUIREMENT – SECTION 312-1.1.2

- 3. FINDING:** The lot was created in compliance with all applicable state and local subdivision regulations.
- EVIDENCE:** a) The subject parcel has been determined to be one legal parcel created prior to 1964.

SUBDIVISION FINDINGS - Title III Division 2 of the Humboldt County Code

- 4. FINDING:** All lots are suitable for their intended uses.
- EVIDENCE:** a) The project will result in a total of five (5) parcels. All proposed parcels will be in conformance with the land use designation (Residential Low Density, RL) and zoning standards (Residential Single Family, RS-5).
- 5. FINDING:** Improvements shall be required for the safe and orderly movement

of people and vehicles.

EVIDENCE: a) Four (4) of the proposed parcels (1,2,3 and 5) will utilize frontage on Myers Road, and Parcel 4 will utilize frontage on Halfway Avenue - both roads are County maintained and subject to PW conditions of approval. The referral response provided by the Land Use Division of Public Works includes frontage and access improvement recommendations. Further, the project has been conditioned to adhere to all recommendations found in the Public Works referral response dated July 3, 2025, found in Attachment 1A.

6. FINDING: Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.

EVIDENCE: a) Satisfaction of the requirements found in the July 3, 2025 memo from the Land Use Division of Public Works (PW) is required by the project Conditions of Approval. PW has reviewed the hydrology report submitted by the applicant and has approved the drainage plans associated with the proposed subdivision. The project will be required to detain stormwater such that no additional water will leave the site at a rate greater than the pre-development 2-year (Q2) storm flows. Further, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

7. FINDING: Sewer and water systems are constructed to appropriate standards.

EVIDENCE: a) The existing residential units already receive water and sewer service provided by the McKinleyville Community Services District and MCSD has recommended approval of the proposed subdivision.

8. FINDING: The size and shape of lots are proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.

EVIDENCE: a) The size and configuration of the proposed parcels complies with width requirements of the RS-5 zone. All proposed parcels will be larger than the required 5,000 sq. ft. standard. Parcels meet minimum parcel width and are within maximum parcel depth as prescribed in the zone.

b) Four of the resultant parcels will utilize frontage from County maintained roads, each with adequate space for driveways and curb/gutter/sidewalk facilities. Parcel 3 will be established as a flag

lot, and as development is proposed in the future, appropriate vehicle turnaround space (as well as other setback standards) will be confirmed by PW.

FINDINGS FOR EXCEPTIONS – Title III Division 2 Chapter 5 of the Humboldt County Code

9. FINDING: Conditions exist that allow an exception to the required 50' right of way width.

EVIDENCE:

- a) Myers Road has a width of 22 feet with a right of way width of 38 feet directly north of the project parcel. The existing subdivision to the west of the parcel has a road width of approximately 32 feet and a right of way width of 40 feet. The project proposes to widen the road to match the existing road conditions to the west.
- b) Based upon limited development potential and previously approved exception requests on Meyers Road for a reduced right of way width, the Public Works Department supports a reduced right of way exception.
- c) Based on the submitted exception request and the Public Works response there is evidence to demonstrate there are special circumstances affecting the property (reduced right of way width adjacent to the development), the exception is necessary for the preservation and enjoyment of substantial property rights (denying the exception request would deprive the property owner of the ability to subdivide the property to the maximum potential described by the General Plan and Zoning Regulations), and the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity (the exception granted will allow development to match existing features in the vicinity).

10. FINDING: Conditions do not exist that allow an exception to the requirement to relocate the utility pole fronting parcel 5.

EVIDENCE:

- a) Halfway Avenue is a collector road, and the Public Works Department cannot support the exception request as full buildout of Halfway Avenue requires a uniform curb to curb width without bulb-outs. This will allow bike lanes in the future, and the utility pole remaining in the roadway would limit the ability of the County to achieve the ultimate buildout, as well as place the burden of relocating the utility pole on the taxpayers.

COMMUNITY PLAN FINDINGS – MCKINLEYVILLE AREA PLAN

11. FINDING: The proposed development is consistent with the McKinleyville Area Plan

EVIDENCE: a) §3.21 Urban Limit - The proposed project will create four (4) new parcels within the urban limit and will allow for development at a density of 3-7 units per acre and will not have significant effects on coastal resources. McKinleyville Community Services District provides community water and sewer, and Halfway Avenue and Myers Road are County maintained and sufficient to support the existing and potential dwellings. PW provided comments regarding orderly development, including sidewalks, curbs and gutters, and are conditioned in Attachment 1A.

b) §3.24 Recreational and Visitor Serving Uses – Parkland Dedication: Within areas planned for residential development, new subdivisions containing less than fifty (50) parcels shall provide an in-lieu fee at a level determined by the County to be sufficient to provide an appropriate contribution to public parks or recreation and at a level that is economically feasible for small projects. The fee is calculated below, and payment is conditioned in Attachment 1A.

$$\begin{aligned} &130 \quad \text{Sq. ft. of dedication per person for new subdivision} \\ \times &2.578 \quad \text{Avg. persons in McKinleyville household (2020 Census)} \\ = &335.14 \quad \text{Sq. ft. of parkland dedication per average household} \\ / &43,560 \quad \text{Sq. ft. per acre} \\ = &.0077 \quad \text{Acres of parkland dedication per average household} \\ \times &8 \quad \text{Number of new units created by the subdivision} \\ \times &100\% (1) \quad \text{Percentage of parcels in McKinleyville Area Plan} \\ = &.062 \quad \text{Acres of parkland for subdivision} \\ \times &\$160,000 \quad \text{Value of 1 acre of land in vicinity of subdivision} \\ = &\$9,848.00 \quad \text{In-lieu fee for the Alves minor subdivision} \end{aligned}$$

c) §3.25 Housing - The proposed project is a Parcel Map Subdivision and will create four (4) additional parcels with existing and potential housing developed in conformity with the goals, policies, standards, and programs of the County Housing Element.

d) §3.28 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.

- e) §3.29 Archaeological and Paleontological Resources - The project was referred to NWIC, the Wiyot Tribe, Bear River Band of the Rohnerville Rancheria and the Blue Lake Rancheria. There were no concerns with the project details raised by Tribal Historic Preservation Officers, however inadvertent archaeological discovery protocols are conditioned to be in place for any ground-disturbing activities that may take place.
- f) §3.40 Resource Protection - 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 California Natural Diversity Database indicates that the parcel is within mapped occurrences of northern clustered sedge and Lyngbye's sedge. The accuracies of these occurrences are mapped as a one-mile radius and a three fifths mile radius, respectively. Per CNDDDB metadata larger radii do not indicate larger occupied areas, but rather greater uncertainty of the exact location. Notes in the CNDDDB indicate the northern clustered sedge is located in a sedge swamp, and Lyngbye's sedge is located along an estuary shore, neither description appears to match areas on the subject property. The project site is in an area of relatively dense residential developments, and the site itself has been regularly mowed and landscaped. 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. California Department of Fish and Wildlife (CDFW) noted that the area would not be considered a Sensitive Natural Community and is unlikely to provide habitat for special status plants, with a primary recommendation that removal of

trees or shrubs occur outside of nesting season (generally March 15 – August 15). Additionally, a condition prohibiting the use of invasive species in landscaping would prevent further degradation and discourage the spread and propagation of the most problematic species and is included in Attachment 1A.

- g) §3.42 Visual Resource Protection - The proposed project is not within a Coastal Zone Scenic View Area, nor within a Coastal Zone Scenic Area, as depicted on the County's GIS database. The project conforms to all setbacks and building height requirements.
- h) §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.
- i) §5.20 Urban Plan Designations - The proposed project conforms with the Residential Low Density designation which allows for the development of detached single-family residences with a gross density of 3-7 units per acre.

FINDINGS APPLICABLE TO ALL PERMITS

12. FINDING: The proposed development is in conformance with the County General Plan.

- EVIDENCE:**
- a) The property is planned for residential development at a density of 3-7 units per acre and is consistent with the Residential Low Density land use designation.
 - b) The proposed subdivision would result in the creation of four (4) new parcels and a remainder which contain sufficient area outside the setbacks for residential development and outside of any potential sensitive wetland or riparian zones. The two existing residences will become the primary residences on Parcel 1 and Parcel 2, and the remaining three parcels are in conformance with the General Plan. See discussion below regarding Airport Safety Review.

13. FINDING: The proposed development is consistent with the purposes of the existing zone (RS-5/AP,N) and combining zone overlays in which the site is located and conforms with all applicable standards and requirements of the zoning regulations.

- EVIDENCE:**
- a) Residential Single-Family is a principally permitted use within the RS-5 zone; The proposed project meets the density requirements of one unit per lawfully created lot; All buildings on the existing property are

compliant with setbacks and the proposed subdivision will establish suitable properties and residential units that comply with all required setbacks; The proposed project would not increase ground coverage exceeding the maximum coverage allowed on the lot.

- b) “AP” combining zone establishes regulations to maintain compatibility between proposed land uses and development and Humboldt County airports. The California Redwood Coast-Humboldt County Airport serves as the closest airport, located approximately .7 miles northwest of the project site. Per Section 313-16, the location of the property is not located in a review zone that would prohibit the proposed subdivision or subsequent development of residences. The project site is located within Airport Influence Area 1 and Safety Zone 3, and as determined by the Humboldt County Airport Land Use Compatibility Plan, there are no safety concerns associated with the airport, however overflight notification policies shall be recorded on the development plan as well as submitted on a Recorded Deed Notice, as conditioned in Attachment 1A.
- c) “N” combining zone – Due to the property’s proximity to the airport, new construction of single family and multifamily structures and structures designed for transient habitation shall conform to the applicable requirements of the Humboldt County Building Code, limiting noise levels to 45 dB CNEL-Ldn in all habitable rooms.

14. FINDING:

The proposed parcel map subdivision of an approximately 1.09-acre parcel into four parcels and a remainder will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE:

- a) The property is planned and zoned for residential use.
- b) The parcel is currently developed with two single-family residences. One of the units will be located on resultant Parcel 1 and the other unit on resultant Parcel 2, with the remaining 3 parcels vacant. The proposed subdivision will be consistent with the surrounding parcels (primarily Residential Low Density, RL, with RS-5 zoning).
- c) The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated July 3, 2025. Other reviewing referral agencies have approved, conditionally approved or not responded to the proposed development, with conditions listed in Attachment 1A. There is no evidence that the project will be detrimental to public health, safety or welfare.

- d) The project is conditioned to record a Conditional Certificate of Compliance for the remainder parcel that identifies all of the improvements that must be completed before the remainder parcel can be legally developed.
- e) Relocating the power pole is necessary to ensure that the full buildout of Halfway Avenue meets county standards.

15. FINDING:

The proposed project does not reduce the residential density for the parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE:

- a) The property being divided was not targeted for residential development in the current Housing Inventory and therefore has no targeted density for development.
- b) The project is proposing a subdivision which will establish four (4) new residential parcels. The resultant subdivision will create a net benefit to the local housing stock.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Parcel Map Subdivision, Coastal Development Permit, and right of way width exception request (Record Number: PLN-2025-19199) for a reduced right-of way width, subject to the conditions of approval and denies the exception request to the requirement to relocate the power pole on Halfway Avenue.

Adopted after review and consideration of all the evidence on **September 04, 2025**.

The motion was made by Commissioner _____ and seconded by Commissioner _____ and the following vote.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. Ford, Secretary to the Planning Commission 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 Commission at a meeting held on the date noted above.

John H. Ford, Director
Planning and Building Department