



COUNTY OF HUMBOLDT

For the meeting of: 3/7/2024

File #: 24-278

To: Planning Commission
From: Planning and Building Department
Agenda Section: Consent

SUBJECT:

Felmlee - Parcel Map Subdivision and Special Permit

Application Number: PLN-2023-18300
Assessor Parcel Number (APN) 303-121-034
Ridgewood area

A Parcel Map Subdivision of an approximately 7.93-acre parcel into three parcels of approximately 0.40 acres (Parcel 1), 0.80 acres (Parcel 2) and 6.74 acres (Parcel 3). A Special Permit is requested to allow Parcel 1 to be less than the 20,000 square foot minimum lot size. The property is currently vacant and will be served with community water provided by Humboldt Community Services District and on-site wastewater treatment systems. The project will include widening of the shoulder of Eggert Road along the front of the parcel, prior to issuance of the first building permit for residential development on any of the resulting parcels.

RECOMMENDATION(S):

That the Planning Commission:

Adopt the resolution (Attachment 1) which does the following:

- a. Finds that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and
- b. makes all of the required findings for approval of the Parcel Map Subdivision and Special Permit; and
- c. approves the Felmlee Minor Subdivision and Special Permit subject to the recommended conditions.

DISCUSSION:

Executive Summary: This project seeks approval of a minor subdivision of a 7.93-acre parcel into 3 parcels. A Special Permit is being requested to allow proposed Parcel 1 to be less than the minimum parcel size using the provisions of Section 314.99 of the Humboldt County Code allowing for lot size modification.

The site is in an area composed of low-density residential development. There are approximately 27 similar-sized parcels along Eggert Road. 81% (22) of these parcels are currently developed with residential structures. Parcel sizes range from 9,000 square feet to 8 acres, with an average parcel size of 0.66 acres. The property is zoned Residential One-Family and includes the Greenway and Open Space (GO) Combining Zone. The Eastern portions of the property are characterized by steeper slopes and the headwaters of seasonal watercourses connecting to the upper reaches of Ryan Creek, which drains into Freshwater and Eureka sloughs east of Myrtle town. These gulch areas are protected by the Greenway and Open Space provisions of the Eureka Community Plan and Zoning Regulations.

Site Suitability

Access: Access to the subdivision will be provided by Eggert Road. Additionally, Parcel 3 utilizes a flag lot design with a 40-foot area for a future driveway. Eggert Road is identified as a future circulation route in the Eureka Community Plan. The Draft Public Works Conditions of Approval require that the applicant dedicate a 10-foot wide easement for sidewalk purposes and 10-foot wide public utility easement adjacent to Eggert Road. Widening and additional paving of Eggert Road is also required as a Condition of Approval and must be completed prior to issuance of the first building permit for residential development of any of the resulting parcels.

Drainage: Western portions of the property drain to Eggert Road and eastern portions of the parcel drain to the neighboring gulch area. The Draft Public Works Conditions of Approval require that a complete hydraulic report and drainage plan for the subdivision be prepared by a Civil Engineer. In addition, because the property is located within the greater Eureka planning area covered by the Municipal Separate Storm Sewer System (MS4) program, Low Impact Development (LID) techniques will be utilized to convey and improve stormwater quality before reaching areas of discharger or detention.

Tribal Cultural Resources: 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 during project review by local Tribes. Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO’s) for the Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of the Rohnerville Rancheria. No objections to the proposal were received and the Blue Lake Rancheria THPO supported approval of the project subject to compliance with standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance. This notation will be included on the Development Plan for the subdivision.

Topography, Geologic Hazards, Biological Resources: Western portions of the site are generally flat. Approximately 6 acres of the eastern part of the property are composed of Greenway and Open Space gulch features, including a greenway bench area. A Biological Assessment was prepared for the project site and presented to the California Department of Fish & Wildlife (CDFW) for review. On September 20, 2023 a site visit was conducted with staff from the Planning Division and CDFW, during which the entirety of the property was traversed. The Department of Fish & Wildlife saw no plants or areas of concern within the upper non-gulch areas of the property.

CEQA

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 1995 Eureka Community Plan and the 2017 Humboldt County General Plan for which EIR's were certified. The residential density specified in the Eureka 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 15083 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.

Project Location: The property is located on the east side of Eggert Road in the Ridgewood area, approximately 350 feet south of the intersection of Eggert Road and Ridgewood Drive.

Present General Plan Land Use Designation: Residential Low Density (RL). Eureka Community Plan (ECP). Density: 1 to 7 dwelling units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential One-Family - 20,000 ft.² min parcel size / Greenway and Open Space Combining Zone (R-1-B-3/GO).

State Appeal: The project is located outside of the Coastal Zone.

Major concerns: None

OTHER AGENCY INVOLVEMENT:

The Planning Department has circulated requests for input relative to the tentative map and has received approval from the Division of Public Works, the Environmental Health Division, Pacific Gas & Electric Company, Humboldt Community Services District, the Northwest Information Center, and the Tribal Historic Preservation Officer of the Blue Lake Rancheria. All responding agencies have either recommended approval or conditional approval (Attachment 4)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Draft Resolution
 - A. Recommended Conditions of Approval
 - B. Public Works Department Recommended Conditions of Approval
 - C. Revised Tentative Map (1-17-24)
2. Location Map
3. Applicant's Evidence in Support of the Required Findings
4. Referral Agency Comments and Recommendations

Applicant/Owner

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Please contact Steven Lazar, Senior Planner, at slazar@co.humboldt.ca.us or (707)268-3741, if you have any questions about the scheduled item.