



COUNTY OF HUMBOLDT

For the meeting of: 9/19/2024

File #: 24-1282

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Paye - Lot Line Adjustment and Conditional Use Permit Extension

Assessor Parcel Numbers (APN) 015-111-006, 015-111-012, 015-111-013

Record No.: PLN-2024-19060

Eureka area

A two-year extension to a previously approved Lot Line Adjustment and Conditional Use Permit (PLN-2024-16400) to allow for redevelopment of three commercially zoned parcels with a proposed Mini Storage Center. The previous approval included a General Plan Amendment and Zone Boundary Adjustment whereby the Apartment Professional (R-4) zone was reduced and the Neighborhood Commercial (C-1) zone increased by approximately 30,000 square feet, as well as applying a Qualified (Q) zone to the properties allowing for multiple dwellings; this rezoning action has been completed. The previously approved Lot Line Adjustment would result in two parcels of approximately 2.1 acres (Parcel A) and 5,500 ft.² (Parcel B). Proposed Parcel A was approved to be redeveloped with approximately 37,000 square feet of mini-storage units with the Conditional Use Permit. The approved project included a wetland setback reduction for one of the storage buildings and a Wetland Buffer Replanting Plan. Redevelopment of the site as proposed requires removal of up to 25 mature redwood trees as well as minor grading and fill, including engineered fill of a small area (< 2,000 square feet) beyond the break in slope.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 24-___), (Attachment 1) which does the following:
 - a. Finds an Initial Study & Mitigated Negative Declaration (IS/MND) for the project was adopted on September 15, 2022, and further environmental review is unnecessary as no changes to the project are proposed; and
 - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Lot Line Adjustment and Conditional Use Permit Extension subject to the

original conditions of approval.

DISCUSSION:

Project Location:

This project is located in the Myrtletown area of the Eureka area, on the west side of Myrtle Avenue, at the intersection of Myrtle Avenue and Lucas Street, on the properties known as 1750, 1840, & 1850 Myrtle Avenue.

Present General Plan Land Use Designation:

Commercial General (CG), Density: N/A; Residential Medium Density (RM), Density: Range is 7 to 30 units per acre; Eureka Community Plan (ECP), 2017 General Plan, Slope Stability: Low Instability (1)

Present Zoning:

Neighborhood Commercial (C-1), Qualified (Q), Greenway/Open Space (GO); Neighborhood Commercial (C-1), Qualified (Q)

Environmental Review/CEQA:

An Initial Study & Mitigated Negative Declaration (IS/MND) for the project was adopted on September 15, 2022. Further environmental review is unnecessary as no changes to the project are proposed.

State Appeal:

The project is not appealable to the California Coastal Commission.

Major Concerns:

None

Executive Summary:

A two-year extension to a previously approved Lot Line Adjustment and Conditional Use Permit (PLN-2024-16400) to allow for redevelopment of three commercially zoned parcels with a proposed Mini Storage Center. The previous approval included a General Plan Amendment and Zone Boundary Adjustment whereby the Apartment Professional (R-4) zone was reduced and the Neighborhood Commercial (C-1) zone increased by approximately 30,000 square feet, as well as applying a Qualified (Q) zone to the properties allowing for multiple dwellings; this rezoning action has been completed.

The parcels are held in common ownership and presently host a mixture of commercial and residential structures and uses. The proposed lot line adjustment is designed to consolidate land for redevelopment, separating it from developed land that would be retained, and would result in two parcels of approximately 2.1 acres (Parcel A) and 5,500 ft.² (Parcel B). An existing legal non-conforming single-family residence and detached garage located on APN 015-111-006 will occupy the majority of Proposed Parcel B. An existing shop building is proposed to be removed to comply with required rear yard setbacks. Proposed Parcel A was approved to be redeveloped with approximately

37,000 square feet of mini-storage units. Storage warehouses in the Neighborhood Commercial zone may be permitted with a Conditional Use Permit. An approximately 1,500 square foot office building with potential caretaker's residence or apartments above was proposed to be established near the southwest corner of Proposed Parcel A. The parking area and driveway for both ingress and egress were also proposed to be sited within this area. Redevelopment of Parcel A will require the removal or relocation of several existing structures, including a legal nonconforming residence and accessory storage buildings on APN 015-111-012 and an existing office building on APN 015-111-013. Due to their proximity to a neighboring gulch lying west of the property, portions of the subject parcels include the Greenway and Open Space (GO) Combining Zone. The nearest mapped watercourse is over 500 feet west of the project, but a wetland delineation prepared December 2021 established the edge of a seasonal wetland roughly 50 feet west of the western property boundary. To accommodate Storage Building 'G', a project modification was approved August 3, 2023, to include a reduction of the recommended wetland setback from 100 feet to 80 feet at that location. A Wetland Buffer Replanting Plan was included in that modification as part of its conditions. Redevelopment of the site as proposed requires removal of up to 25 mature redwood trees as well as minor grading and fill, including engineered fill of a small area (< 2,000 square feet) beyond the break in slope. **No changes to the original project are proposed.**

The permits were previously approved by the Board of Supervisors on March 7, 2023, then modified by the Planning Commission August 3, 2023, and became effective on August 18, 2023, following the end of the local appeal period. The applicant is requesting that the permit be extended for two years. This is the first extension requested by the applicant and, if approved, it will extend the term of the Lot Line Adjustment and Conditional Use Permit until August 18, 2026.

Referral Responses:

The extension was re-referred to six of the previous referral agencies. Public Works approved of the extension. PG&E requested a right-of-way easement for an existing overhead electric distribution line. This request is in order to conform with PG&E's Electric Rule No. 16 (Service Extensions), specifically the Subdivision of Premises provision. PG&E states that they may discontinue service, upon written notice to the applicant, if an adequate right-of-way is not granted. Humboldt Community Services District (HCSD) provided response describing conditions for any subsequent construction or demolition projects associated with the project. HCSD provided these conditions with a request to ensure the applicant is aware that they would apply. The conditions and the associated referrals are attached to the staff report as Attachment 4 to comply with this request. Conditions cannot be modified or added as part of an Extension, so if the Planning Commission determines that these conditions recommended by PG&E or HCSD would be required for approval, then denial of the extension would be necessary, and the applicant would need to re-apply for the Lot Line Adjustment and Conditional Use Permit. Planning staff does not recommend this course of action because it is likely that the conditions from HCSD would be implemented at time of issuance of the building permits and the request from PG&E is within their jurisdiction to implement without County interference.

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 5)

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 312-11.3 and 312-17. 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. Resolution
 - A. Previously Approved Resolutions
 1. PC Resolution # 22-102 - Recommending the BOS certify Compliance with CEQA
 2. PC Resolution # 22-103 - Approving the General Plan Amendment, Associated Zone Reclassification, Lot Line Adjustment and Conditional Use Permit with Conditions of Approval
 3. BOS Resolution # 23-31 - Adopting Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program
 4. BOS Resolution # 23-32 - Adopting findings for approving the General Plan Amendment
 5. BOS Resolution # 23-33 - Adopting findings for approving the Zone Reclassification
 6. BOS Resolution # 23-34 - Approving the Conditional Use Permit and Lot Line Adjustment with Conditions of Approval
 7. PC Resolution # 23-073 - Recommending the BOS Certify Compliance with CEQA and Findings for approval of the Modification to the Conditional Use Permit with Conditions of Approval
 - B. Conditions of Approval
 - C. Site Plan
 - D. Previously Approved Ordinance 2710
2. Location Maps
3. Applicant's Evidence in Support of the Required Findings
4. Referral Agency Comments and Recommendations

Applicant:

James Payne
1671 Myrtle Ave

File #: 24-1282

Eureka, CA 95501

Owner:

James D & Judith E Paye
1840 Myrtle Ave
Eureka, CA 95501

Agent:

N/A

Please contact Augustus Grochau, Associate Planner, at agrochau@co.humboldt.ca.us or 707-268-3749 if you have questions about this item.