

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

Resolution Number: 25-006

Record Number: PLN-2024-19112

Assessor's Parcel Number: 515-241-015

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Mazzanti Special Permit for a Short-term Rental.

WHEREAS, Ashley Mazzanti and Timothy Mazzanti have submitted an application and evidence in support of approving a Special Permit for a Short-term Rental; 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 Lead Agency has determined that the project qualifies for categorical exemptions found in Sections 15301 (Existing Facilities) 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 Special Permit for a Short-term Rental); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on February 6, 2025, and reviewed, considered, and discussed the application for the Special Permit for a Short-term Rental, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

FINDINGS FOR COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

1. FINDING:

Projects Description: Project is seeking a Special Permit (SP) for a Short-Term Rental (STR) pursuant to Section §314-60.05.6.2 of Humboldt County Code for an exception to the Neighborhood Concentration standards. HCC requires that STRs shall not exceed twenty percent (20%) of the dwellings on the access road - neighborhood concentration of STR's on Alder Lane is currently at 50% and approval of this STR application will bring the concentration to 75%. The Special Permit will also address the requirements of Alder Lane, which is less than the width of a Category 3 road.

The parcel is currently developed with a single-family residence and attached garage. The site is served with on-site water and an on-site wastewater treatment system, and power is from PG&E. Parking is provided by the attached 4-car garage. The proposed STR operations plan does not include private gatherings or parties.

EVIDENCE:

a)

Project File: PLN-2024-19112

2. FINDING:

CEQA: The requirements of the California Environmental Quality Act have been met.

EVIDENCE:

a)

The proposed project is for a Special Permit to operate a Short-term Rental within an existing permitted residential structure and is exempt from further environmental review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

b)

The proposed project is consistent with the development density established by the existing zoning, community plan and general plan policies.

c)

There is no evidence that the proposed project will include any development actions that would have a significant effect on the environment.

3. FINDING:

The proposed project is in conformance with all applicable policies and standards in the General Plan.

- EVIDENCE:**
- a) The home in question was not included in the 2019 Housing Element and use of the property as a short-term rental would not remove housing nor have negative impacts to the Housing Element.
 - b) The project site is moderately stable, is not located in the Alquist Priolo fault hazard zone, is not located in a FEMA 100-year flood zone, is not located in a tsunami hazard zone nor susceptible to coastal inundation related to sea level rise (1 meter).

The project site is in an area of moderate fire hazard severity, and within the Cal Fire State Responsibility Area. There is no evidence to suggest that the use of the residence as a short-term rental will introduce any hazards to the occupants, nor present any conditions that will be detrimental to public health, safety or welfare, nor create conditions inconsistent with neighboring uses or negative to property values.
 - c) The project was referred to NWIC, the Trinidad Rancheria, and Yurok Tribe. NWIC shared an initial concern regarding a lack of historical studies on the project site, but the Yurok Tribe and Trinidad Rancheria did not respond to referral requests regarding the project. Inadvertent archaeological discovery protocols were requested to be in place for any ground-disturbing activities that may take place in the future and are conditioned in Attachment 1A.
 - d) There are no wetlands, special-status species, 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 from operation of a short-term rental.

4. FINDING: The project is consistent with the purposes of the existing zone in which it is located.

- EVIDENCE:**
- a) The property is zones Unclassified (U). Residential uses are principally allowed uses within the U zone district. Short-term rentals are allowed in Unclassified zone districts per the Short Term rental Ordinance (314-60).

5. FINDING:

The project conforms with all applicable development standards and requirements of these regulations.

EVIDENCE:

- a) The subject parcel has been determined to be one legal parcel with an existing single-family residence, a principally permitted use, and conforming with all applicable setbacks and density requirements, and with no active violations on the parcel.
- b) The proposed project will not exceed the Short-Term Rental Cap of 2% of the overall housing stock in the Greater Humboldt Bay Area nor the Trinidad-Westhaven Community Plan Area.
- c) Per the included Good Neighbor Guide, fire extinguishers, smoke detectors and carbon monoxide detectors will be maintained in working order, and solid waste, recycling, and compost will be appropriately disposed of routinely.
- d) A signed affidavit certifying the delivery of a Good Neighbor Guide to all neighbors on Alder Lane was included with the Special Permit Application.
- e) Current access to the project site is from Alder Lane, a 750-ft long paved, private road serving four (4) parcels. Alder Lane intersects with Trinidad Frontage Road, a county-maintained road. The width of Alder Lane is approximately 10.5 feet, which is below the standard for a Category 3 road set forth in the zoning ordinance. Due to the low volume of traffic on this access road, the lack of adverse impacts on the health, safety and welfare of the community, as well as neighbor consensus about the use of the road for short-term rentals, per zoning ordinance Section §314-60.05.6.2, exceptions from these standards can be granted through a Special Permit.
- f) The proposed short-term rental would increase the neighborhood concentration of STR's along Alder Lane to 75%, or 3 of 4 properties, exceeding the 20% limit outlined in the zoning ordinance. The short-term rental would be consistent with other properties in the immediate area and would not create adverse effects on the quality of the neighborhood nor the broader community. Per zoning

ordinance Section §314-60.05.6.2, exceptions from these standards can be granted through a Special Permit.

- g) No Private Gatherings or Parties are allowed per the Good Neighbor Guide, and noise levels are conditioned in Attachment 1A.
- h) The proposal will maintain two rooms for rent with a maximum overnight occupancy of 5 people; the site plan depicts two parking spaces within an existing garage, maintaining compliance with the STR ordinance.
- i) Applicant will only be operating this one Short-term rental in the County (and on this parcel).

6. FINDING:

The Special Permit for a Short-term Rental will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE:

- a) The parcel is currently developed with an existing single-family residence and appurtenant structures. The proposed Short-term Rental will remain consistent with the use and character of the surrounding parcels.
- b) All reviewing referral agencies have approved or conditionally approved the proposed development, with conditions listed in Attachment 1A.

7. FINDING:

The proposed project will not reduce the residential density of this parcel or the surrounding area.

EVIDENCE:

- a) The project is proposing a Short-term Rental use for an existing residence which will have no effect on the County Housing Inventory.
- b) No residential development is proposed to facilitate this project, and the project is consistent with the County's Housing Element.

Decision

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

- Adopt the findings set forth in this resolution; and
- Approve the Mazzanti Special Permit for a Short-term Rental, subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **February 6, 2025**.

The motion was made by COMMISSIONER THOMAS MULDER and seconded by COMMISSIONER NOAH LEVY and the following vote:

AYES: Commissioners: Thomas Mulder, Noah Levy, Jerome Qiriaz, Iver Skavdal

NOES: Commissioners: Peggy O'Neill

ABSTAIN: Commissioners:

ABSENT: Commissioners: Lorna McFarlane

DECISION: Motion carried 4/1

I, John 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

CONDITIONS OF APPROVAL

Approval of the Special Permit is conditioned upon the following terms and requirements which must be fulfilled as specified below:

1. The intersection of Alder Lane and Trinidad Frontage Road entrance shall be maintained to meet the county visibility ordinance, per County of Humboldt Public Works comments attached to project file.
2. All parking shall occur in the attached garage or on the property driveway(s), as described on the site plan. No on-street parking is permitted due to the road with constraints on Alder Lane.
3. All Short-Term Rental Permits (including nonconforming approvals) shall lapse two years after the effective date of the permit unless all the following requirements are met:
 - a. The permit holder shall submit a statement of continued operation as provided by the Planning and Building Department, indicating a desire to continue operation; provided, that there is evidence of hosting stays; and
 - b. There are no outstanding violations associated with the permit; and
 - c. The permit holder shall submit evidence showing that no outstanding taxes are associated with the subject parcel; and
 - d. A fee which allows for review of the materials and investigation of any complaints and violations as established in the County Fee Schedule.
4. Short-Term Rental Permits shall not be transferred between property owners.
5. An individual or business shall not own more than three parcels with Short-term Rental permits.
6. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the short-term rental.
7. Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.
8. Overnight occupancy of the unit shall not exceed five persons, per the Good Neighbor Guide.

9. Following one or more noise complaint(s) for a short-term rental, the permit holder shall install noise sensor and provide recorded data to the Planning and Building Department upon request.
10. No private gatherings or parties are allowed in the Short-term Rental per the project description.

Informational Notes:

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The periods within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.



Hello,

My husband, Timothy, and our 4 children Jameson (13), Josiah (11), Jove (9) and Jane (6) purchased a house on Alder Ln in Trinidad in October 2024. Our long term goal is to retire and live full time in Trinidad within the next 5 years.

We enjoy taking trips as a family several times a year. We plan to visit our home in Trinidad as often as we can without the children missing too much of school. They have a Fall Break in October which is when we moved in. We purchased furniture and finishing for the house from as many local retailers as we could. We plan to spend almost two weeks over the Winter holidays, Spring Break in March, and also an extended amount of time in the summer with hopefully a month or longer.

We purchased this house with the short term goal as our vacation home and the long term goal to be our permanent residence. We know we can not be in Trinidad as often as we'd like, so we thought it would be nice to stimulate the local economy to offer our house as a short term rental for people visiting the area. We did not purchase the house with the sole intention of using it as a short term rental.

We have met the neighbors on Alder Ln and have been in contact with them regularly. We value the environment and people of Trinidad. We can't wait for the day when we are able to wake up everyday within the beautiful redwood trees and enjoy a short journey to the beautiful beaches.

Thank you for your time & consideration,

Ashley Mazzanti

Applicants & owners
Timothy: Ashley
Mazzanti

14411 Cedar Glade Dr
San Antonio, TX 78230

39 Alder Ln
Trinidad, CA 99570

210-862-5234

210-860-5865

Parcel Number =
515-241-015-000

Legend

-  - propane tank
-  - storage shed
-  - water collection: storage

