



COUNTY OF HUMBOLDT

For the meeting of: 3/2/2023

File #: 23-275

To: Zoning Administrator

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Slagle Coastal Development Permit and Lot Line Adjustment

Assessor Parcel Numbers (APN) 511-011-017 & 511-011-019

Record No.: PLN-2021-17036 (filed 02/11/21)

McKinleyville area

A Coastal Development Permit to facilitate a Lot Line Adjustment between two parcels resulting in two parcels of approximately 5.73 acres and 24.51 acres respectively. The purpose of the LLA is to reconfigure Parcel B (APN 511-011-019) to prepare for sale, and to retain Parcel A (APN 511-011-017) under current ownership. The LLA will place an existing residence, detached garage, shop, and shed on Parcel A. Parcel B will retain two existing sheds and a large pond. Parcel A is served community water from the McKinleyville Community Service District, and private onsite wastewater treatment system. The parcels are accessed from Letz Avenue. No development is proposed as part of the project.

RECOMMENDATION(S):

That the Zoning Administrator:

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

- a. Find the project exempt from further environmental review pursuant to Section 15061(b)(3) and Section 15305(a) of the State CEQA Guidelines; and
- b. Make all of the required findings for approval of the Lot Line Adjustment and Coastal Development Permit; and
- c. Approve the Slagle Lot Line Adjustment and Coastal Development Permit subject to the recommended conditions.

DISCUSSION:

Location: This project is located in the McKinleyville area, on the west side of Letz Ave., approximately 1,850 feet south from the intersection of Letz Road and Dolack Road, on the property known as 3248 Letz Road and on the property known to be in Section 25 of Township 07 North, Range 01 West, Humboldt Base & Meridian.

Access: Both parcels are accessed via a private drive connecting to Letz Avenue in the McKinleyville area.

Present General Plan Land Use Designation: Commercial Recreation (CR), Density: N/A; Residential

Estates (RE), Density: (Cluster) Range is 0 to 2 units per acre; Residential Low Density (RL), Density: Range is 3 to 7 units per acre; Natural Resources (NR), Density: N/A; McKinleyville Area Plan (MCAP), 2017 General Plan, Slope Stability: Relatively Stable (0) and Moderate Instability (2).

Present Zoning: Commercial Recreation (CR), Airport Safety Review (AP), Flood Hazard Areas (F), Streams and Riparian Corridor Protection (R); Residential Single Family: 20,000 square feet (RS-20), Airport Safety Review (AP), Alquist-Priolo Fault Hazard (G), Archaeological Resource Area Outside Shelter Cove (A), Flood Hazard Areas (F), Noise Impact (N), Streams and Riparian Corridor Protection (R).

Environmental Review: The applicant has submitted an Archeological Investigation finding that there were no culturally or historically sensitive artifacts identified onsite during the investigation. Though there are no groundbreaking activities, the project is conditioned with the standard inadvertent discovery protocol. Additionally, a Botanical Survey was submitted finding that there were no sensitive state or federally listed species within the project location, therefore not mitigation is required.

State Appeal: The project is appealable to the California Coastal Commission.

Major concerns: This project includes the after-the-fact Coastal Development Permit for the 1994 creation of the parcel through a conveyance to or from a government entity.

Parcel History:

APN 511-011-017: In 1984, the State of California condemned lands from Truman Vroman for the Hammond Trail. This final order of condemnation vested the lands formerly owned by Vroman to the County of Humboldt ("County"). This included the lands described as APN 511-011-017. In 1994, said description of lands were conveyed by the County to Diane Marie Slagle as land not necessary for the trail, as a separate parcel consistent with Section 66426.5 of the Subdivision Map Act. This Section states, "Any conveyance of land to or from a governmental agency, public entity, public utility, or subsidiary of a public utility for conveyance to that public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels." According to a review of County records, this parcel was conveyed to Slagle, since the parcel was not needed for the purpose of the Hammond Trail, which is located over other portions of the adjacent Slagle property (APN 511-011-019). This action was adopted by the Board of Supervisors on October 18, 1994 (Agenda Item No. D17) and found to be in conformance to the General Plan by the Planning Commission. While this action by the Board of Supervisors was consistent with the General Plan and Subdivision Map Act, the action was subject to conformance with the California Coastal Act, which would have required a Coastal Development Permit at the time of approval. There is no evidence that a CDP was granted to recognize this conveyance. The project will recognize this 1994 conveyance under this CDP application. The subject parcel is one separate legal as described by Quitclaim Deed Document No. 1994-29651.

APN 511-011-019: This parcel was created as a result of a Lot Line Adjustment and issued a Notice of Lot Line Adjustment and Certificate of Subdivision Compliance (NOLLA&CSC) (Document No. 1994-32534). The subject parcel has been determined to be one legal parcel as described in Recorded Survey in Book 55 of Surveys page 121.

CEQA: The project is exempt from further environmental review pursuant to Section 15061(b)(3) and Section 15305(a) of the State CEQA Guidelines.

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 4)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Zoning Administrator could elect to add or delete Conditions of Approval.
2. The Zoning Administrator could deny approval of the requested permits if unable to make all of the required findings contrary to staff recommendations/findings.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Tentative Map
 - C. Public Works Referral
2. Referral Agency Comments and Recommendations

Owner

(SAME AS APPLICANT)

Applicant

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