

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number 23-

Record Number PLN-2021-17036

Assessor's Parcel Number: 511-011-017 and 511-011-019

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Slagle Coastal Development Permit and Lot Line Adjustment.

WHEREAS, Bud and Diane Slagle, submitted an application and evidence in support of approving the Coastal Development Permit and Lot Line Adjustment; 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 project is exempt from environmental review pursuant to Section 15061(b)(3) and 15305(a) 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 proposed project (Case Number: PLN-2021-17036); and

WHEREAS, the Humboldt County Zoning Administrator held a duly noticed public hearing on March 2, 2023, and reviewed, considered, and discussed the application for the Coastal Development Permit and Lot Line Adjustment reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all of the following findings:

- 1. FINDING:** **Project Description:** The applicant is requesting 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.

EVIDENCE: a) Project File: PLN-2021-17036

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the project to be exempt from environmental review pursuant to Section 15061(b)(3) and 15305(a) of the CEQA guidelines.

EVIDENCE: a) The project is Categorically Exempt from CEQA under §15305(a) Minor Alterations in Land Use Limitations, which includes minor Lot Line Adjustments. The proposed Lot Line Adjustment is located in an area that is surround by residential development and predominantly agricultural lands. An analysis of slopes was conducted utilizing Humboldt County Web GIS to support the CEQA §15305 requirement. The average slopes on the subject parcel are less than 20%.

b) The activity is covered under §15061(b)(3), the common sense exemption. The County as the Lead Agency has performed an analysis of the proposed project and found that with no ground disturbing development proposed and agricultural viability of lands remaining intact, that the project has no possibility of having an effect on the environment.

3. FINDING The project, as conditioned, is consistent with the development policies of the McKinleyville Area Plan (MAP).

EVIDENCE a) The parcel is located within proximity to the Hammond Trail. The parcels are both private property and adjustment of lot lines will not impact coastal view sheds or public access to coastal recreational areas. With no impact to access of recreational coastal areas, the project as described is consistent with the MAP.

b) According to the California Natural Diversity Database (CNDDDB), there are several reported rare species that may occur within the vicinity of the project area. Given that no development is proposed, it is highly unlikely these species will be affected by the proposal and no Biological Investigation was requested. To prove developability of the unimproved resulting parcel to the east, a Botanical Survey was requested and found that no sensitive listed species were located on site. Norton Creek does run through the property, but no impacts are associated since there will be no ground disturbance. The project is consistent with the Resource Protection Policies identified in the MAP.

c) The parcel is not within a designated Coastal Scenic Area. With no development proposed other than the adjusting of lot lines, no threats to visual resources are anticipated. The project is consistent with the Visual Resources policies in the MAP.

- d) The project was referred to the Northwest Information Center, Wiyot Tribe, and Blue Lake Rancheria. The NWIC recommended to consult with local tribes. Blue Lake Rancheria requested an archeological survey, with Wiyot concurring on the request. Blue Lake Rancheria THPO Janet Eidness accompanied staff on a site visit to verify survey results. The survey did not discover any sensitive cultural or historical resources. Accordingly, the standard inadvertent archaeological discovery protocol has been added to the Conditions of Approval.

4. FINDING

The subject parcels are separate legal parcels consistent with the Subdivision Map Act.

EVIDENCE

- a) APN 511-011-017 is a separate legal parcel consistent with the Subdivision Map Act. The subject parcel is one separate legal as described by Quitclaim Deed Document No. 1994-29651 as it was created through a conveyance by a government entity (County of Humboldt).
- b) APN 511-011-019 is a separate legal parcel consistent with the Subdivision Map Act. The subject parcel has been determined to be one legal parcel as described in Recorded Survey in Book 55 of Surveys page 121.

5. FINDING

The proposed project is consistent with the purposes of the existing zones and designations in which the site is located and conforms with all applicable standards and requirements of these regulations.

EVIDENCE

- a) A Lot Line Adjustment is an allowed use type in all zoning districts.
- b) APN 511-011-017 is zoned Commercial Recreation (CR), Airport Safety Review (AP), Flood Hazard Areas (F), Streams and Riparian Corridor Protection (R); Airport Safety Review (AP). The parcel is designated Natural Resources (NR) in the McKinleyville Area Plan (MCAP). The parcel is currently vacant, does not have access from a County maintained road, and is characterized primarily of riparian vegetation. It is located directly along the mouth of the Mad River, where Norton Creek drains directly into the Mad River before meeting the Pacific Ocean. After the LLA reconfiguration, the parcel will be located fully within the Commercial Recreation Zone and a portion will be designated NR and Commercial Recreation (CR), Residential Estates (RE) and Residential Low Density (RL).
- c) APN 511-011-019 is zoned 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). The parcel is designated Natural Resources (NR). Residential Estates (RE), RL and CR in the McKinleyville Area Plan (MCAP). The parcel is currently vacant. After the LLA reconfiguration, the parcel zoning and land use will remain the same.

6. FINDING

The project and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The project will not involve ground disturbance. There is no evidence the work would be detrimental to the public health, safety, or welfare.

7. FINDING

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

EVIDENCE

- a) Parcel A is developed with an existing single-family residence and accessory structures. Parcel B will not result in having a residence/dwelling, though proximity to CSD hook ups and a Botanical Survey on file provide evidence that the resulting parcel could support a residence in the future (additional testing may be required). The Lot Line adjustment could facilitate the development of an additional unit if desired by the purchaser though not proposed at this time. The project is consistent with the Housing Element.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit and Lot Line Adjustment for Bud and Diane Slagle subject to the conditions of approval attached hereto as Exhibit A, Tentative Map attached hereto as Exhibit B, and Public Works Referral hereto as Exhibit C; and

Adopted after review and consideration of all the evidence on March 2, 2023.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator,
Planning and Building Department