

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

Resolution Number: 23-

Record Number: PLN-2022-17672

Assessor's Parcel Number: 204-121-004 & 204-251-010 & 206-351-004

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Carlotta Mill, LLC Conditional Use Permit request.

WHEREAS, Carlotta Mill LLC submitted an application and evidence in support of approving a Conditional Use Permit for installation of an approximately 1,906 square foot manufactured home as a caretaker's residence on a former mill site in Carlotta; and

WHEREAS, the County Planning Division, the lead agency, determined the project is Categorically exempt from CEQA review per Section 15302 and 15303 which permit replacement and reconstruction of structures and facilities in formerly developed areas as well as construction of new accessory structures; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on June 1, 2023, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1.	FINDING:		Project Description: A Conditional Use Permit is being requested to authorize installation of an approximately 1,906 square foot manufactured home as a caretaker's residence. The new home is proposed to be installed on a permanent foundation and a new on-site well and septic system are proposed to be constructed on the property to provide water and sewer service to the residence. These parcels were historically part of a former lumber mill operated by the Pacific Lumber Company (PALCO) and are subject to a land use covenant which restricts use of the former PALCO site to industrial purposes and restricts groundwater use in certain areas.
	EVIDENCE:	a)	Project File: PLN-2022-17672
2.	FINDING:		CEQA. The requirements of the California Environmental Quality Act have been complied with.
	EVIDENCE:	a)	The project has been determined to be categorically exempt pursuant to section 15302 and 15303 of the CEQA Guidelines, which permit replacement and reconstruction of structures and facilities in formerly developed areas as well as construction of new accessory structures. The site where the manufactured home is proposed to be located has historically been occupied by similar uses.

FINDINGS FOR CONDITIONAL USE PERMIT		
3.	FINDING	The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program.
	EVIDENCE	a) The proposed development is consistent with the purposes of the existing Mixed Use (MU) plan designation in which the site is located. The Mixed Use designation allows the development of commercial, office, and residential development, with a maximum density of 16 dwelling units per acre. A Caretaker's Residence is therefore consistent with the land use designation. The proposed project is consistent with the County open Space Plan and Open Space Action program because it involves development of an accessory structure on a parcel with a long history of industrial uses. The site of the proposed residence is already paved and has hosted similar residential uses of a more temporary/mobile nature in the past. The property abuts Yager Creek and is situated between Yager Creek and an unnamed tributary that joins Yager Creek shortly before its confluence with the Van Duzen River. Review of the site plan shows that the site of the proposed residence is located over 150 feet from the top of bank/riparian drip line of Yager Creek, consistent with Streamside Management Area and Wetland protections of the General Plan.
4.	FINDING	The proposed development is consistent with the purposes of the existing zone in which the site is located. Additionally, the proposed development conforms with all applicable standards and requirements of these regulations.
	EVIDENCE	a) The Heavy Industrial (MH) Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas. Dwellings are allowed with a Conditional Use Permit. The zoning code defines a Caretaker's Residence as living quarters which are incidental to and under the same ownership as a nonresidential principal use. Caretaker's Residences are classified as a form of Accessory Structure that is incidental and subordinate to the principal building or use of the lot. Where evaluating subordinacy, it is important to consider the size of the parcel, available land area, and ability of the site to host development infrastructure and occupancy by the principal use(s). The parcel was historically used as a mill site and is served by on-site water (well) and on-site wastewater treatment system. The property has been in a period of transition following the bankruptcy of the Pacific Lumber Company and acquisition by the Town of Scotia, LLC and has hosted new industrial uses since being sold in 2016. A review of contemporary satellite imagery shows that over 25 acres of the property remains host to current industrial uses.
		b) The project meets or exceeds all applicable setbacks for the MH zone designation as follows: Minimum front and rear yard setbacks are fifty (50) feet, and the side setback is 10% of the lot width and at least 25 feet. Project as proposed meets all

			required yard setbacks. Maximum building height is 75 feet, which the proposed project currently meets.
5.	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		Though now planned for Mixed Use (MU), the site is not included in the County's currently adopted Housing Inventory. Additionally, the property is host to a land use covenant restricting residential use of the property. Lastly, the project involves the development of a Caretaker's Residence which will result in an additional housing unit, albeit one reserved for occupancy by a Caretaker of the site.
6.	FINDING		The proposed development and 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 proposed caretaker's unit is being sited on a parcel with a history of earlier more intensive industrial uses. Installation of the proposed Caretaker's residence will enable monitoring of the property for security purposes. The closest neighboring land uses are over ¼-mile from the site of the proposed residence. The property will be served by an on-site well and septic system. The proposed water use from the new well for the residence will be far less than the historical amount of water used on the former mill site from the existing wells on the property, accordingly the new well will not be detrimental to the public welfare. All of the responding agencies to which the project was referred have recommended approval of the project.

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 Conditional Use Permit for Carlotta Mill, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference,

Adopted after review and consideration of all the evidence on **June 1, 2023**.

I, John H. 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 Ford, Director
Planning and Building Department