



COUNTY OF HUMBOLDT

For the meeting of: 9/19/2024

File #: 24-1286

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Furtado Parcel Map Subdivision and Special Permits
Assessor Parcel Number: 509-201-047
Record Number: PLN-2024-18990
McKinleyville area

A Parcel Map Subdivision to divide an approximately 0.62-acre parcel into two parcels of approximately 0.40 acres (Parcel 1) and 0.22 acres (Parcel 2). No new site development or improvements are proposed. Pursuant to Section 314-99.1.2 H.C.C., a Special Permit is required for Lot Size Modification to allow Parcel 2 to be created below the 10,000 square foot minimum parcel size. An additional Special Permit is required to allow an existing accessory structure on proposed Parcel 2 prior to the construction of a primary residence pursuant to Section 314-43.1 H.C.C. The parcel is served with community water and sewer provided by the McKinleyville Community Services District.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 24-___), (Attachment 1) which does the following:
 - a. Finds the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and
 - b. Makes all the required findings for approval of the Parcel Map Subdivision and Special Permits; and
 - c. Approves the Parcel Map Subdivision and Special Permits subject to the recommended conditions of approval (Attachment 1A).

DISCUSSION:

Project Location:

The project site is in the McKinleyville area, at the eastern terminus of Blackhawk Lane, approximately 450 feet south-southeast of the intersection of Blackhawk Lane and Sutter Road, on the property known as 1645 Blackhawk Lane.

Present General Plan Land Use Designation:

Residential Low Density (RL1-7); Humboldt County General Plan and McKinleyville Community Plan. Density: 1-7 units per acre. Slope Stability: Relatively Stable (0).

Present Zoning:

Residential One-Family with a Special Building Site Combining Zone and combining zones for Manufactured Home and Streamside Management Areas and Wetlands (R-1-B-2-T-WR).

State Appeal:

Project is NOT appealable to the California Coastal Commission.

Major concerns:

None.

Executive Summary: The project consists of a subdivision of an approximately 0.62-acre parcel into two parcels. The created parcels will be 0.40 acres (0.377 net lot acres) and 0.22 acres (0.197 net lot acres) in size. An existing single-family residence will remain on proposed Parcel 1, and an existing storage shed will remain on proposed Parcel 2. A Special Permit is required pursuant to Section 314-43.1.1 to allow the existing accessory structure to remain on proposed Parcel 2 prior to the development of a main building. An additional Special Permit is required pursuant to Section 314-99.1.2 of H.C.C. to utilize Lot Size Modification to allow a lot less than the minimum 10,000 square feet in size required within the R-1-B-2 zone. The parcel is served with community water and sewer provided by the McKinleyville Community Services District. The two lots were previously created by an approved Parcel Map Subdivision (Case No.: PMS-12-96) by Edward Schillinger per Book 30 of Parcel Maps, Pages 7- 8 (1997). This project essentially reverses a portion of a later approved lot line adjustment between the subject property and what is now APN's 509-201-045 & 509-201-046, administratively approved on May 2, 2000, and illustrated on a Record of Survey by Edward Schillinger per Book 60 of Surveys, Page 26 (2000).

General Plan and Zoning: The proposed minor subdivision is consistent with the RL1-7 (Residential Low Density, 1-7 units per acre) land use designation as the existing parcel is 0.62 acres in size. With the requested Lot Size Modification, the minor subdivision into two lots is consistent with the R-1 (Residential One-Family with a Special Building Site Combining Zone) Zone District that allows for residential uses as Principally Permitted on lots with a building site area greater than 10,000 square feet in size (Sections 314-6.2 and 341-17.1 HCC.). The minor subdivision does not conflict with the

General Plan, the McKinleyville Community Plan, or County zoning regulations.

Access: Access to the property is via a private road (Blackhawk Lane) connected to Sutter Road. The created parcels will be accessed at the eastern terminus of Blackhawk Lane. Conditions from the Land Use Division of Public Works (PW) recommends that the owner construct an Urban Driveway #1 at the end of the non-County maintained road and the west property line to connect the existing pedestrian network. Alternatively, the owner may construct one of the following: 1. Construct a concrete accessible crossing adjacent to the subject property line, from the existing sidewalk on the northside to the existing sidewalk on the southside with a mountable curb (rolled curb) on the westside, or 2. Construct two ADA compliant opposing curb ramps adjacent to the subject property line, or 3. Construct a curb ramp with bulb out (southside of Blackhawk Lane) and replace existing non-compliant curb ramp (northside of Blackhawk Lane) to create an accessible crossing approximately one hundred feet (100') west of the subject property line.

In addition to the condition and alternatives discussed above, PW recommends several other conditions related to easement dedication, traffic control devices and signs, monumentation on the parcel map, completion of a hydraulic report and drainage plan, and standard improvements, etc. The conditions are enumerated in a memo dated 8/7/2024 attached to this staff report (Attachment 1B) and are recommended as conditions of approval.

Biological Resources: The California Natural Diversity Database does not indicate that any species of concern have been identified on the subject parcel, the parcel is part of a previous residential subdivision, and is developed with one residential-type building, accessory structure, and is fully landscaped. There is mapped habitat for coast cutthroat trout associated with Mill Creek to the south of the parcel; however, the parcel is approximately 135 feet outside of the mapped Streamside Management Area and no impacts are expected. The County GIS shows the approximate south half of the parcel as containing mapped "Mill Creek Wetlands" and shows the parcel 215 feet outside wetland to the south mapped by the National Wetland Inventory. The Initial Study prepared for the previous subdivision of the property in 1997 found that the subdivision would have no impact on wetland habitat. During this analysis Staff conducted a field inspection, and a review of relevant references in the Department and determined that Mill Creek was located more than 300 feet from the property boundaries and, therefore, will not require specific setbacks to be delineated. The project was referred to the California Department of Fish and Wildlife who did not respond with any specific concerns.

Archaeological and Cultural Resources: During analysis of the previous subdivision, in a project review conducted by the Northwest Information Center, the project site was indicated as having the possibility of containing unrecorded archaeological resources and a study was recommended. The project was then referred to the Natural Resources Division of the Department of Public Works (NRPW). NRPW recommended against a Phase 1 archaeological study because the Division's data bank contained no recorded sites within the project site. NRPW further noted that an aerial

photograph from 1941 showed that the site was previously forested, but then logged and developed, and that if any resources ever existed, they would most likely have been destroyed by the logging and subsequent development. Based on the recommendation from NRPW, no archaeological study was required. Nevertheless, the standard inadvertent archaeological discovery protocols have been made a condition of project approval.

Environmental Review: The project is consistent with the development density established by an existing general plan for which an EIR was certified, and a determination that no further environmental review is required is being made pursuant to section 15183 of the State CEQA Guidelines. The Department has determined that further environmental review is not required as the project is consistent with a development density established under the 2002 McKinleyville Community Plan and the 2017 Humboldt County General Plan for which EIR's were certified. The residential density specified in the McKinleyville Community Plan was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017. Section 15183 of the CEQA Guidelines discourages lead agencies from performing additional environmental review where an earlier EIR was prepared, unless there are environmental effects peculiar to the project or the parcel on which it is located, or in situations where the earlier EIR(s) did not include analysis of significant effects or where previously identified significant effects could become more severe. Neither of these circumstances apply to the proposal. Further discussion of the basis for this determination can be found in Section 2 of the Draft Resolution.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with approval or conditional approval. (Attachment 3)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff is confident that the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Public Works Subdivision Requirements
 - C. Tentative Parcel Map
2. Applicant's Evidence in Support of the Required Findings

A. Lot Size Exception Request

3. Referral Agency Comments and Recommendations

Applicant

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Please contact Rodney Yandell, Senior Planner, at 707-268-3732 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled item.