

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

**Resolution Number 23-  
Record Number PLN-2022-17800**

**Assessor's Parcel Numbers:  
309-071-020**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves Hansen Fernbridge Properties, LLC Coastal Development Permit.**

**WHEREAS, Hansen Fernbridge Properties, LLC** submitted an application and evidence in support of approving a Coastal Development Permit to install a groundwater well to support the existing, permitted residence;

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

- 1. FINDING:**           **Project Description:** A Coastal Development Permit for the installation of a new domestic well to serve an existing single-family residence. The existing 2,300 square foot residence is located on the northwest side of the parcel. The residence was historically served by a spring that no longer produces adequate water supply. The new well will be located on the northeast side of the parcel with sufficient setbacks from an onsite wastewater treatment system serving the residence.

**EVIDENCE:** a) Project File: PLN-2022-17800

- 2. FINDING:**           **CEQA.** The project complies with the requirements of the California Environmental Quality Act.

**EVIDENCE:** a) The project is exempt from environmental review per §15301 of the state CEQA guidelines.

**FINDINGS FOR COASTAL DEVELOPMENT PERMIT**

- 3. FINDING**           The proposed development is in conformance with the Eel River Area Plan (ERAP).

**EVIDENCE** a) The project is to facilitate the development of a new domestic well as a minor utility to serve an existing single-family residence, which is

consistent with land use policies for the Commercial Recreation (CR) ERAP designation.

- b) The project is consistent with the Housing Element. The project does not add or subtract from the Housing Inventory, but instead is for a well to serve an existing single-family residence.
- c)
  - The subject parcel is located in an area of relatively stable to moderate geologic instability. The parcel is sloped gently at approximately 15% through most of the parcel.
  - The parcel is not located in a flood hazard zone.
  - The parcel is located within a Local Responsibility Area for fire protection and within a moderate fire hazard severity zone. The parcel is served by the Loleta Fire Protection District, which provides structural fire protection and responds to medical emergencies.
  -
- d)
  - Based on County resource maps, there do not appear to be any designated sensitive or critical resource habitats on the project site. Due to the small scope of the project, it is unlikely that any adverse impacts to biological resources will occur.
  - Eel River Area Plan § 3.41(F)(4)(c)(2) covers development and uses allowed within the riparian corridor, and includes wells in rural areas. The section elaborates and allows development within the riparian corridor when there are no environmentally damaging feasible alternatives. The wellhead is located very near a mapped stream that flows into the Eel River. However, just off parcel to the north the stream has been channelized and tunneled under State HWY 101, and further channelized off parcel to the south under Eel River Drive. Further, the site is constricted from drilling a well within 100 feet of the sites pre-existing permitted leach field for the Onsite Wastewater treatment System (OWTS), and the parcel is only 0.45-acres. The channelization of the stream limits riparian habitat and location of the leach field prevents alternative locations for the well. The location of the wellhead is the least damaging feasible alternative due to the site limitations described above.
  - Eel River Area Plan § 3.41(4)(e) describes need for California Department of Fish and Wildlife(CDFW) to review development proposals within Eel River area riparian corridors within the Coastal Zone. Project was referred to CDFW 06/16/2023 and received no comment.
- e) The project was referred to the Northwest Information Center (NWIC), Bear River Band and Wiyot Tribe. The NWIC expressed a concern for potential undiscovered archaeological sites and

recommended referral to the other tribes. The Bear River Band has determined that the activities of the project do not appear to represent a source of significant impacts on cultural resources and request the project follows Standard Inadvertent Discovery Protocols. An informational note has been included in the Conditions of Approval identifying the applicant's responsibility if archaeological or historical resources are encountered during project development.

- f) The property will be served by an on-site well, and the existing single-family residence is in close proximity to the proposed well location. The project lies outside the Urban Limit Line, and is supporting and existing, permitted residence. As such, the proposed development aligns with the Urban Limit section of the ERAP.

#### **4. FINDING**

The proposed development is consistent with the purposes of the existing Commercial recreational (CR) zone in which the site is located.

- EVIDENCE**
- a) The CR Zone is intended to be applied to areas of the County in which Visitor Serving Facilities, Transient Habitation, Commercial Recreation, Coastal Dependent Recreation, Resource Related Recreation, and Coastal Access Facilities are the desirable predominant uses. The project is to facilitate the continued use of an existing, permitted residence with inadequate water supply from a spring diversion. The well will serve the existing residence and allow continued residential use.
  - b) The project is to facilitate the continued use of an existing, permitted residence with inadequate water supply from a spring diversion. The well will serve the existing residence and allow continued residential use.

#### **5. FINDING**

The project is consistent with the ordinance requirements pertaining to legal lot creation, minimum yard setbacks, maximum building height, ground coverage, and lot sizing.

§312-1.1.2 - Legal Lot Requirement

§313-5.1 – Minimum Yard Setbacks. Front: None; Side: None; Rear: 15'

§313-5.1 - Maximum Building Height. 35'

§313-5.1 – Max. Ground Coverage 35%

§313-5.1 – Max. Lot Width, Depth. Three times lot width.

- EVIDENCE**
- a) The parcel has been determined to be a legally formed parcel per Director's Deed recorded in the County of Humboldt, in the Office of

the Recorder of said County, Instrument No. 20157, Book 614, Official records, Page 488.

- b) No structure is proposed for permitting a groundwater well for domestic use. Height of structure and max. ground coverage limitations do not apply.
- c) The groundwater well for domestic use will be located approximately 19 feet from the rear yard parcel line, exceeding the 15' minimum setback.
- d) Legally created parcel exceeds the limitations for maximum lot width and depth. Width: Avg. 190'; Depth: Avg. 91'.

**6. FINDING**

The proposed project will 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) The parcel is currently designated Commercial Recreation (CR) under the Eel River Area Plan. The proposed project is for the construction of a new well. The new well is a minor utility, which is appurtenant to the existing single-family residence. The project will neither add nor subtract from the Housing Inventory.

**7. FINDING**

The proposed project is consistent with the 2014 Sustainable Groundwater Management Act.

**EVIDENCE**

- a) An analysis was conducted by Public Works, serving as administrator of the Groundwater Sustainability Plan (GSP) created for the Eel River Valley Groundwater Basin, establishing the groundwater well's adherence to the GSP adopted by the Board of Supervisors 01/25/2022. Providing domestic water is a beneficial use considered by the GSP, and will unlikely result in any measurable or demonstrable impacts to fisheries, public access, open space, or waterborne commerce.

## DECISION

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

Conditionally approves the **Coastal Development Permit** for **Hansen Fernbridge Properties, LLC** subject to the conditions of approval attached hereto as EXHIBIT A.

Adopted after review and consideration of all the evidence on August 038, 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 Commission at a meeting held on the date noted above.

---

John H. Ford, Director  
Planning and Building Department