



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: November 5, 2020
To: John H. Ford, Humboldt County Zoning Administrator
From: Steve Werner, Supervising Planner
Subject: **Adair-Dowdle Coastal Development Permit**
Case Number PLN-2020-16315
Assessor Parcel Number (APN) 308-241-043
131 Hillcrest Drive, Loleta area

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Please contact Alyssa Suarez, Planner, at 268-3703, or by email at asuarez@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

To: John H. Ford, Director of Planning and Building Department

From: Steve Werner, Supervising Planner

Effective Date November 5, 2020	Subject Coastal Development Permit	Contact Alyssa Suarez
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Project: The project is a Coastal Development Permit (CDP) to facilitate the construction of a three (3) bedroom, three and a half (3.5) bath, two (2) story single-family residence with an attached third story viewing tower, 200 square feet of covered decking, and an 864 square foot detached garage with a 360 square foot shop above. The height of the proposed residence will be a maximum 34 feet and 4 inches, and the footprint of the residence will be a maximum 3,321 square feet. Additional improvements include associated walkways and landscaping, a new gravel driveway and parking area for access between the home site and Hillcrest Drive, a water retention system for fire protection, rain catchment system, and a future swimming pool. Energy utilities will be provided by the installation of a 500 square foot photovoltaic system. Two (2) 100 square foot existing sheds will be removed from the property. Water supply will be provided by an existing, shared well and water supply system located on the neighboring property. Sewage will be provided with the construction of a new onsite wastewater treatment system (OWTS). The residence will be supportive of agriculture as the parcel will also support a prospective commercial orchard consisting of row crops and high-density fruit tree plantings. No tree removal is proposed, and moderate grading is required to facilitate development. The 2-acre parcel is currently developed with two sheds, and no further development is proposed.

Project Location: The project is located in the Loleta area, on the north side of Hillcrest Drive, approximately 700 feet east from the intersection of Hawks Hill Road and Hillcrest Drive, on the property known as 131 Hillcrest Drive.

Plan Designations: Agriculture Exclusive Grazing (AEG1) Density: Range is 160 acres per unit, Eel River Area Plan (ERAP), Slope Stability: Low Instability (1) and Moderate Instability (2).

Present Zoning: Agricultural Exclusive: 160 acres minimum, Archaeological Resource Area Outside of Shelter Cove (AE-160/A).

Assessor Parcel Number: 308-241-043

Case Number: PLN-2020-16315

Applicant
Gary Adair and Mark Dowdle
PO Box 666
Weaverville, CA 96093

Owner
Same as applicant

Agent
Cleek Co.
C/O Donald Cleek
554 N. Fortuna Blvd.
Fortuna, CA 95540

Environmental Review: Project is categorically exempt from environmental review per Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

Major Issues: None.

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

ADAIR-DOWDLE COASTAL DEVELOPMENT PERMIT

Case Number PLN-2020-16315

Assessor Parcel Number 308-241-043

Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find the project exempt from environmental review pursuant to Section 15303 of the State CEQA Guidelines, make all of the required findings for approval of the Coastal Development Permit, based on evidence in the staff report, and adopt the Resolution approving the Adair-Dowdle project subject to the recommended conditions.

Executive Summary: The project is a Coastal Development Permit (CDP) to facilitate the construction of a three (3) bedroom, three and a half (3.5) bath, two (2) story single-family residence with an attached third story viewing tower, covered decking and balconies, and an 864 square foot detached garage with a 360 square foot shop above. The height of the proposed residence will be a maximum 34 feet and 4 inches. The first floor of the residence will occupy 1,926 square feet of enclosed living space and 231 square feet of covered porches. The second floor of the residence will occupy 1,724 square feet of living space, and 297 square feet of covered balconies. The third-floor viewing tower will contain up to 406 square feet. Additional improvements include associated walkways and landscaping, a new gravel driveway and parking area for access between the home site and Hillcrest Drive, a water retention system for fire protection, rain catchment system, and a future swimming pool. Energy utilities will be provided by the installation of an approximately 500 square foot photovoltaic system. A graded bench will be created on the south side of the residential development. Two (2) 100 square foot existing sheds will be removed from the property. Water supply will be provided by an existing shared well and water supply system located on the neighboring property. Sewage will be provided with the construction of a new onsite wastewater treatment system (OWTS). The parcel will also support a prospective commercial orchard consisting of row crops and high-density fruit tree plantings. The parcel is developed with two 100-square foot storage sheds that will be demolished. No tree removal is proposed, and moderate grading is required to facilitate development.

The 2-acre, legal nonconforming parcel is designated Agriculture Exclusive Grazing (AEG) and is Zoned Agriculture Exclusive with a 160-acre minimum parcel size. The parcel was created by deed conveyance in 1953 prior to the County's zoning regulations and before the County began regulating minor land divisions. In 2005 the original 3-acre parcel exchanged 1 acre with the existing parcel to the south resulting in its present 2-acre size. The lands in the Table Bluff area have historically been used for livestock grazing and the 160-acre zoning is intended to maintain larger parcel sizes suitable for this purpose. In considering land use and zoning consistency, the 2005 Lot line adjustment recognized that only intensive agricultural uses could be supported on the substandard parcels. Residential uses are intended to be supportive of the agricultural use of the property. For this reason, while a residence as development is principally permitted in the AE zone, the Coastal Development Permit remains appealable to the Coastal Commission. The majority of the parcel is prime agricultural soils (Rohnerville 5) as mapped in the Soils of Western Humboldt County (1965). The NRCS Soils Survey for Humboldt County is not complete but the preliminary mapping shows the area to be non-prime. The applicant has proposed to cluster the buildings so as to minimize impacts to productive soils and to suitable area for a prospective commercial

orchard as the agricultural use of the property. The applicants provided a Custom Soil Resource Report prepared by NRCS and have identified soil types and reference to a planting guide titled *Fruits of the Humboldt Bay*, which identifies the chosen species to be grown in the orchard. The compatible species include the following tree types: Pineapple Guava, Apple and Pear, Fig and Persimmon. These plants have been identified for their low water requirements, drought tolerance, and disease resistant characteristics. The orchard will dominate a large percentage of the 2-acre parcel and will be devoted to clusters and strips of high-density plantings to maximize available, vacant space. A 5-year monitoring plan is being required as a condition of approval to ensure that the plan does result in a commercial operation.

The project is consistent with the Eel River Area Plan (ERAP) and the Humboldt County Zoning Code (HCC) for the following reasons: 1) the residence, accessory structures, and proposed orchard is principally permitted and compatible uses in the Agriculture Exclusive Zone and AEG land use designation, 2) the proposed development complies with all development standards of the zone, and 3) the proposed development will not have adverse impacts on the neighborhood or the environment. The Department believes that the proposed project may be found Categorical Exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it is for the construction of a new residence (15303(a)), detached garage and swimming pool (15303(e)) and utilities to serve the residence. None of the exceptions to the exemptions per Section 15300.2 of the CEQA Guidelines apply.

Based upon the on-site inspection conducted by the Building Inspection Division, a review of Planning Division reference sources, and comments from all responding referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Coastal Development Permit.

Alternatives: Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if the applicant is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Case Number PLN-2020-16315
Assessor Parcel Numbers 308-241-043**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Adair-Dowdle Coastal Development Permit.

WHEREAS, Gary Adair and Mark Dowdle submitted an application and evidence in support of approving a Coastal Development Permit for the construction a single-family residence, accessory structures and onsite wastewater treatment system; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is categorically exempt from environmental review pursuant to Section 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA); 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 Coastal Development Permit (Case Number PLN-2020-16315); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on November 5, 2020.

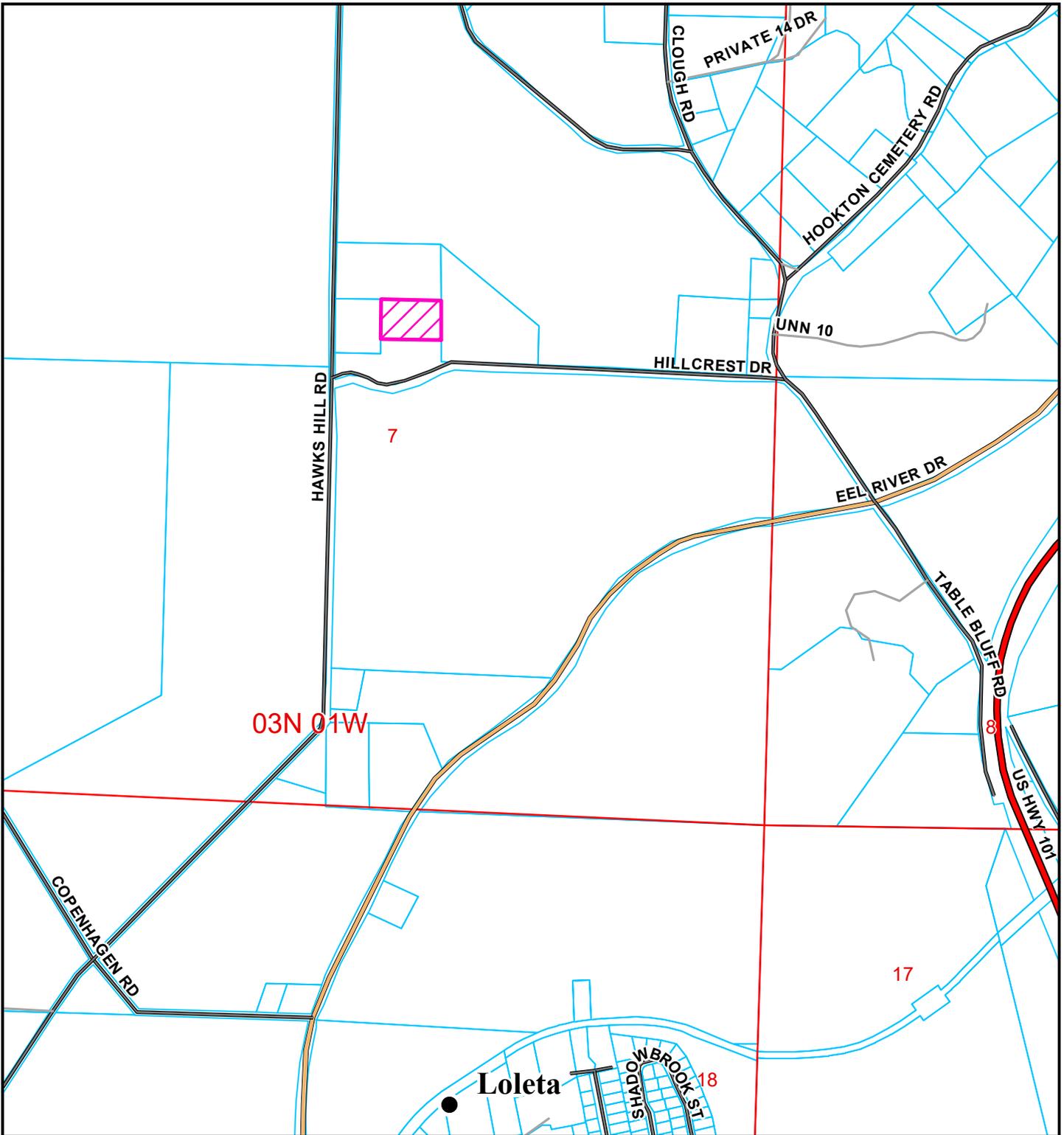
NOW, THEREFORE, be it resolved, determined, and ordered by the Zoning Administrator:

1. Finds that the application is categorically exempt from environmental review pursuant to Section 15303, of the CEQA Guidelines; and
2. Makes the findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2020-16315 based on the submitted evidence; and
3. Approves the Coastal Development Permit applied for as recommended and conditioned for Case Number PLN-2020-16315.

Adopted after review and consideration of all the evidence on November 5, 2020.

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,
Humboldt County Planning and Building Department



LOCATION MAP

**PROPOSED DOWDLE & ADAIR
COASTAL DEVELOPMENT PERMIT
LOLETA AREA**

**PLN-2020-16315
APN: 308-241-043**

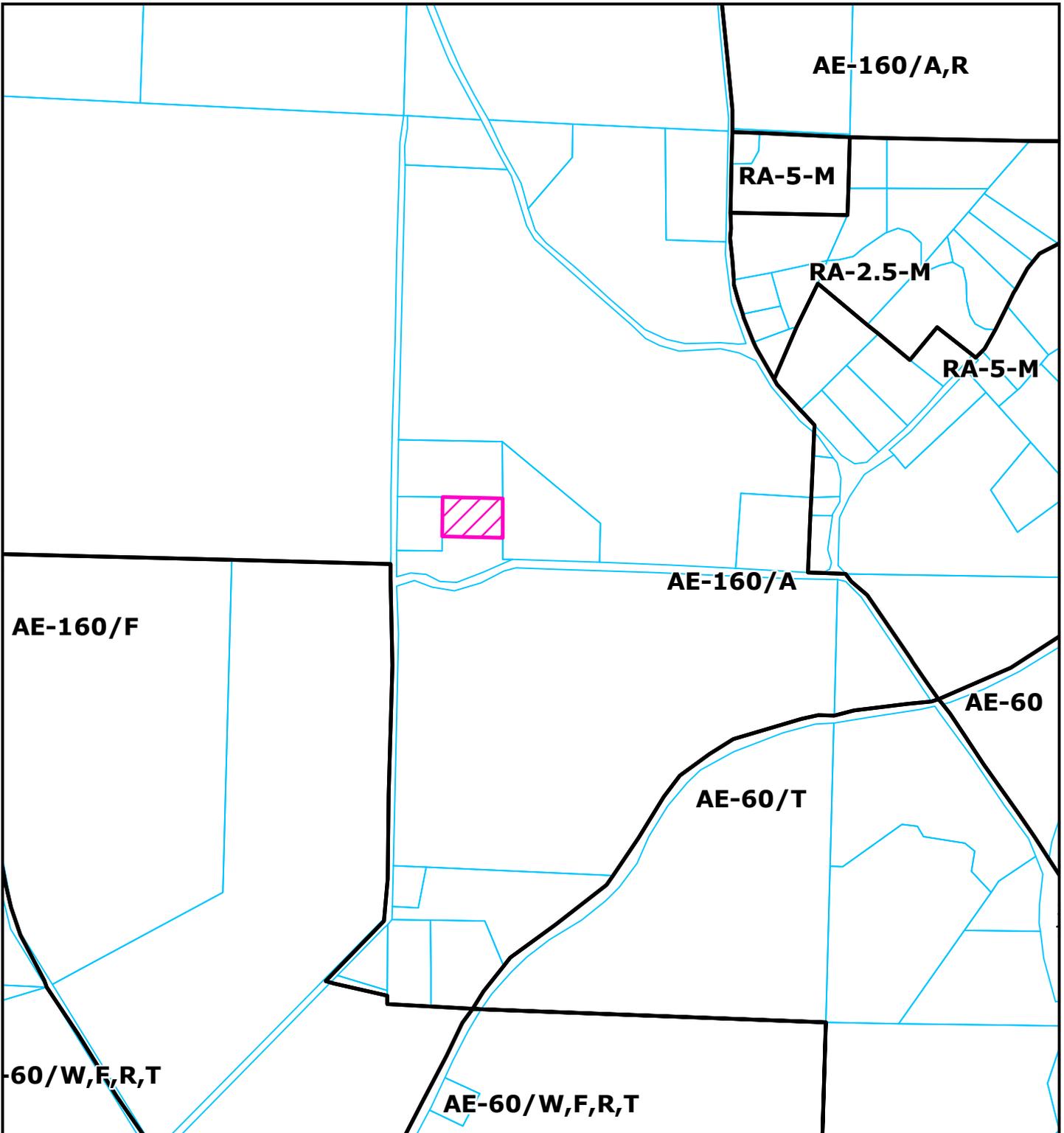
T3N R1W S7 HB&M (Fields Landing)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



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 Feet

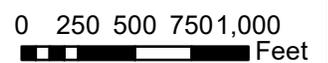


ZONING MAP

**PROPOSED DOWDLE & ADAIR
 COASTAL DEVELOPMENT PERMIT
 LOLETA AREA
 PLN-2020-16315
 APN: 308-241-043
 T3N R1W S7 HB&M (Fields Landing)**

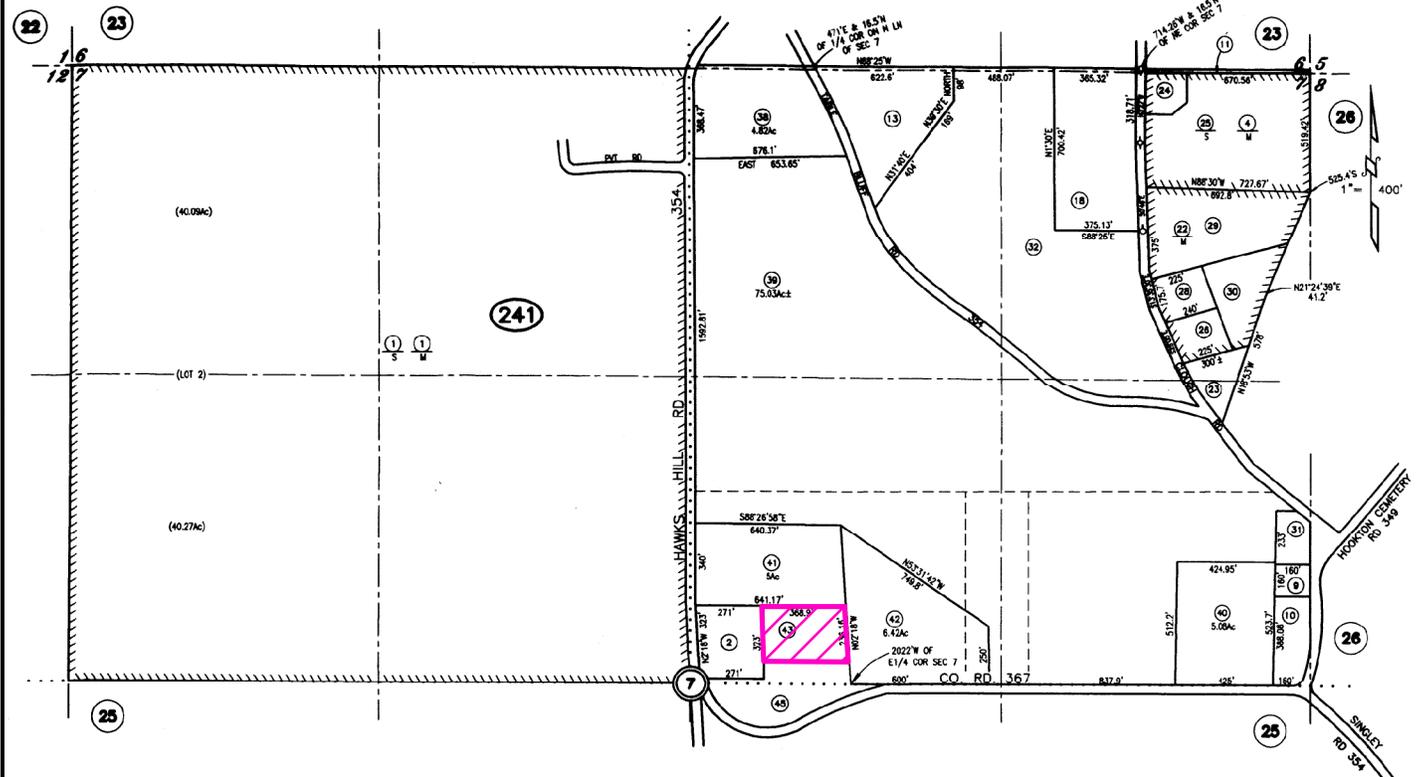
Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



PTN SECS 6, 7 & 8 T3N R1W H.B.& M.

308-24



ASSOR'S PARCEL MAP
 MAP WAS PREPARED FOR
 RECORDATION PURPOSES ONLY.
 LIABILITY IS ASSIGNED FOR
 ACCURACY OF THE DATA SHOWN.
 ASSOR'S PARCELS MAY NOT
 COMPLY WITH LOCAL LOT-SPLIT
 BUILDING SITE ORDINANCES.

RS, Bk 23 of surveys, Pg 17
 RS, Bk 56 of surveys, Pg 131

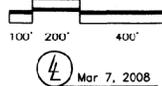
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MAR 26 2008

HUMBOLDT COUNTY
 PLANNING DIVISION

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk.308, Pg.24
 County of Humboldt, CA.



ASSESSOR PARCEL MAP

**PROPOSED DOWDLE & ADAIR
 COASTAL DEVELOPMENT PERMIT
 LOLETA AREA**

**PLN-2020-16315
 APN: 308-241-043**

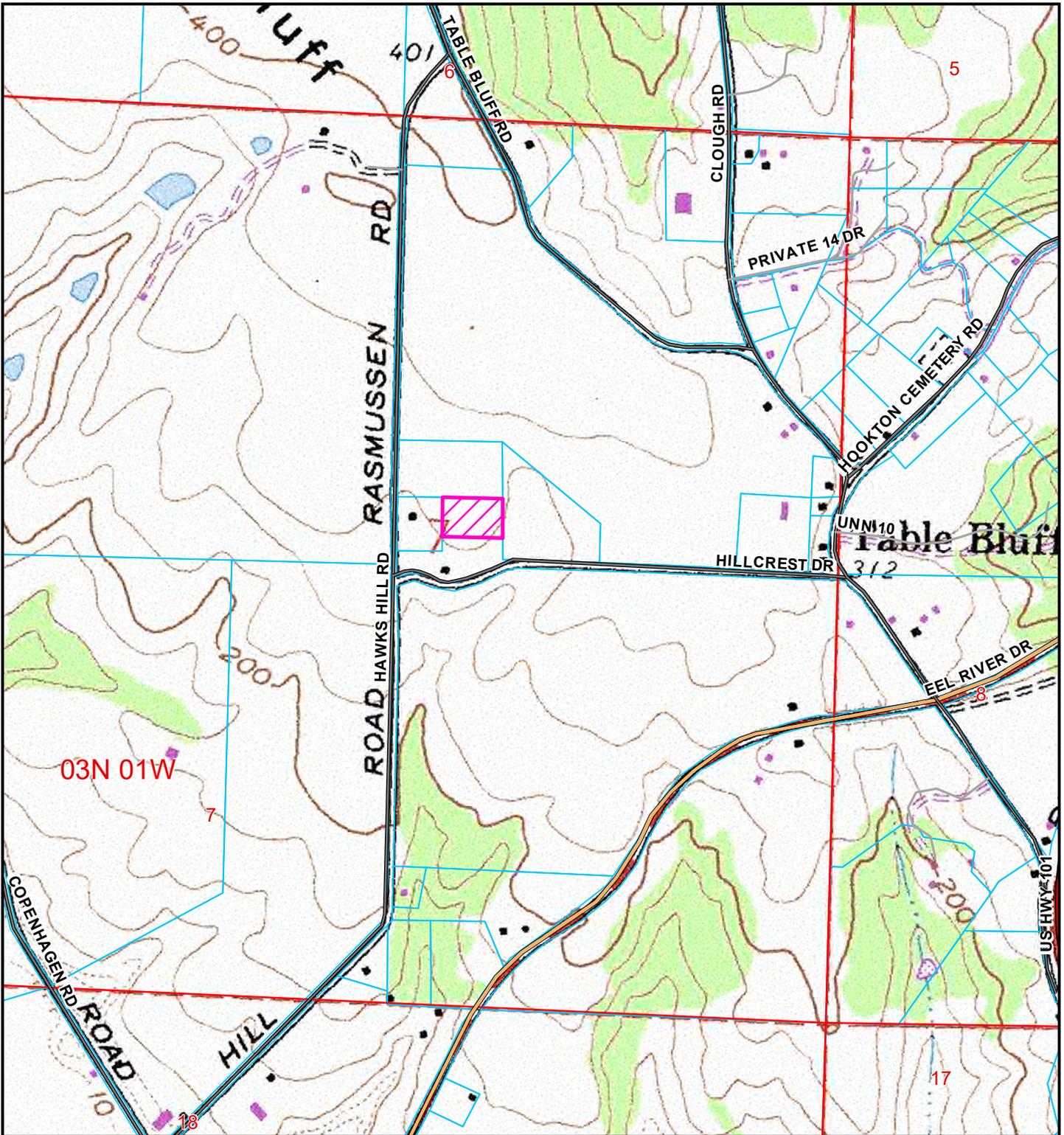
T3N R1W S7 HB&M (Fields Landing)

Project Area =

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 for accuracy.



MAP NOT TO SCALE

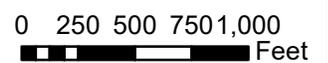


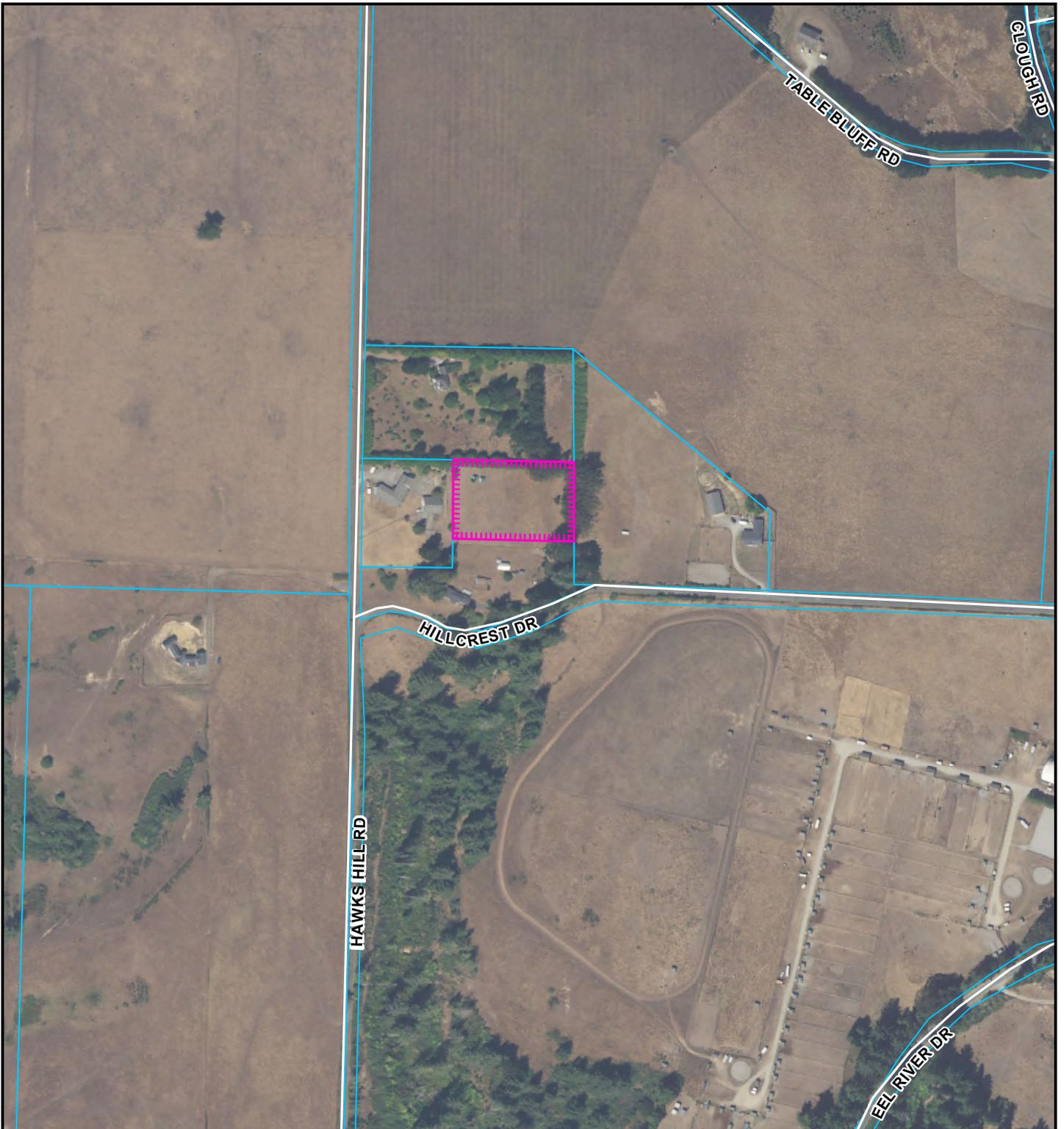
TOPO MAP

**PROPOSED DOWDLE & ADAIR
 COASTAL DEVELOPMENT PERMIT
 LOLETA AREA
 PLN-2020-16315
 APN: 308-241-043
 T3N R1W S7 HB&M (Fields Landing)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





AERIAL MAP

**PROPOSED DOWDLE & ADAIR
COASTAL DEVELOPMENT PERMIT**

LOLETA AREA

PLN-2020-16315

APN: 308-241-043

T3N R1W S7 HB&M (Fields Landing)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL

Approval of the Coastal Development Permit is conditioned upon the following terms and requirements which must be fulfilled before a building permit may be issued or use initiated.

1. The project shall be developed, operated and maintained as described in the Project Description, site plan, and as conditioned herein. Changes in the project other than Minor Deviations from the Plot Plan as provided in Humboldt County Code Sec. 312-11.1 shall require a modification of this permit.
2. The applicant is responsible for meeting the project requirements detailed in the Public Works Memo dated April 14, 2020.
3. The applicant shall submit an Annual Report detailing the progress of the commercial orchard operation for 5 years of the effective date of the CDP and shall be extended for one year until a commercial operation has been demonstrated.
4. The applicant shall submit written documentation from the Division of Environmental Health confirming the design of the proposed OWTS has been prepared to their satisfaction.
5. All proposed development, including water tanks, shall conform to the 30-foot fire safe setbacks.
6. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
7. A Notice of Restriction shall be recorded on forms provided by the Planning Division which require that the residence be occupied by the property owner/farm operator for the purpose of maintaining the use as subordinate and supportive of the agriculture uses on the parcel. The Agreement shall be submitted for review to the Planning Division, along with applicable recording and processing fees.

Informational Notes:

1. If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with Native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers (THPOs) for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include, but are not limited to, obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include, but are not limited to, 19th century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

Should known or suspected Native American skeletal remains or burials be inadvertently discovered, the provisions of Section 7050.5 of the California Health & Safety Code and Section 5097.98 of the Public Resources Code shall apply (see at <http://www.nahc.ca.gov/profguide.html>).

The applicant is responsible for ensuring compliance with this condition.

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. The Coastal Development Permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
4. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the Applicant after the Zoning Administrator decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 2
STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making all of the following required findings.

The Zoning Ordinance, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Coastal Development Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. 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 property or improvements in the vicinity.
5. 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 unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a) is categorically or statutorily exempt; or
 - b) will not have a significant effect on the environment and a negative declaration has been prepared; or
 - c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

1. General Plan Consistency: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County General Plan and Eel River Area Plan (ERAP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence which Supports Making the General Plan Conformance Finding
Land Use §5.20 (ERAP)	<p>The Agriculture Exclusive/Grazing Lands (AEG) Purpose: to protect coastal grazing lands for long-term productive grazing use. Permitted Use: production of food, fiber, or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, and principal permitted uses under TC.</p>	<p>The proposed project is a CDP to authorize construction of a new 4,584 square foot single-family residence (total square footage combined includes enclosed porches and covered decks), detached 864 square foot garage with above 360 square foot shop, new OWTS, water retention system, and a swimming pool. The residence will be off-grid, and energy will be provided through photovoltaic solar arrays with the option of ground-mounted or roof mounted on the proposed shop.</p> <p>The project will also include a proposed high-density commercial orchard, known as Dos Gnomos Ranch. The proposed project is principally permitted as a farm dwelling to serve the proposed agriculture operation, and will be occupied by the owners, who will also be the operators of the orchard. The proposed orchard is described in the Planting Guide and includes plans to establish a high-density fruit orchard. As requested by County staff, the applicant attempted to meet with a farm adviser and identify the area and type of trees that could encompass the orchard given the soils, climate, and characteristics of the lot. The applicants provided a Custom Soil Resource Report prepared by NRCS and have identified soil types and reference to a planting guide titled <i>Fruits of the Humboldt Bay</i>, which identifies the chosen species to be grown in the orchard. The compatible species include the following tree types: Pineapple Guava, Apple and Pear, Fig and Persimmon. These plants have been identified for their low water requirements, drought tolerance, and disease resistant characteristics. The orchard will dominate a large percentage of the 2-acre parcel and will be devoted to clusters and strips of high-density plantings to maximize available, vacant space. As conditioned, the project is in conformance with the AEG land use designation, as the residence will be incidental to the prospective orchard.</p>

<p>Agriculture - Rural Lands §3.34 (ERAP)</p>	<p>Agriculture - Rural Lands §3.34 (ERAP)</p> <p>***30242 All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless</p> <p>(1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.</p>	<p>This section of the Coastal Act strictly limits the conversion of prime and non-prime agricultural lands not located on the periphery of urban areas. The maintenance of the County's agricultural economy is supported by local coastal policies that help protect and promote continued agricultural productivity. Conversion of agricultural land to non-agricultural use, except where continued agricultural use is shown to be infeasible, is not supported. One form of conversion is the development non-agricultural supplemental uses, such as a residence not essential for agriculture. The 2-acre parcel is non-conforming to the minimum parcel size. However, the site has been shown to have productive soils. The applicant proposes that the residential use of the site will be supportive of agriculture and may be considered an agricultural use because the site will be planted with an orchard capable of providing a farm income and keep the property in commercial agricultural use. The orchard as a substitute use to grazing will maintain the site in agricultural production consistent with the policy. To ensure that the housing remains supportive of agriculture, a Notice of Restriction requiring occupancy by the owner/operator has been made a condition of permit approval.</p>
<p>Housing §3.26 (ERAP)</p>	<p>Housing shall be developed in conformity with the goals and policies of the Humboldt County Housing Element.</p>	<p>The project will add one unit to the County housing inventory. The project is consistent with the County's Housing Element.</p>
<p>Hazards §3.28 (ERAP)</p>	<p>New development shall minimize risks to life and property in areas of high geologic, flood and fire hazard.</p>	<p>The project is located in an area of low instability with an average slope of 2%.</p> <p>The parcel is not located within a flood zone, or areas of inundation.</p> <p>The parcel is in an area of moderate fire hazard severity and is located within the State Response Area. The parcel is serviced by the Loleta Fire Protection District who responds to structural fires and medical emergencies. Fire safe setbacks are adhered to. Based on these findings, the proposed development does not increase risks to hazards.</p>

<p>Biological Resources §3.40 (ERAP)</p>	<p>Protect designated sensitive and critical resource habitats.</p>	<p>According to the California Natural Diversity Database, the parcel is located within habitat occupied by the Siskiyou checkerbloom. However, no referral agencies cited any potential issue regarding biological resources. Additionally, the proposed orchard will be operated using holistic practices that exclude application of synthetic chemicals in order to protect the environment. Additionally, under the ERAP Resource Protection Maps, the subject parcel is outside of any mapped biological resource areas. Due to these findings and proposed applications, no threats to sensitive and critical habitats are expected.</p>
<p>Archaeological and Paleontological Resources §3.29 (ERAP)</p>	<p>Mitigation measures shall be provided to prevent and/or offset any adverse impacts to archaeological and/or paleontological resources.</p>	<p>The project was referred to the Northwest Information Center, Wiyot Tribe, and Bear River Band of the Rohnerville Rancheria. According to the Tribal Historic Preservation Officer at Bear River, no cultural resources are associated with the parcel. The standard inadvertent archaeological discovery protocol has been added as an informational note to the Condition of Approval.</p>
<p>Visual Resources §3.42 (ERAP)</p>	<p>Protect and conserve scenic and visual qualities of coastal areas. In Coastal View Areas, no development shall block coastal views to the detriment of the public. Policies include:</p> <p>A. Physical Scale and Visual Compatibility</p> <p>B. Protection of Natural Landforms</p> <p>C. Protection of Historical Buildings</p>	<p>Visibility of the site on the north, east and west side of the lot is obstructed by major vegetation and residential development. To the west, the site is adjacent to residential development that share similar building curtilage as proposed. However, the proposed structures, with the tallest structure at 34 feet and 4 inches in height, will be visible from Hawks Hill Rd. Once established, fruit trees will provide a natural vegetation screen, though development will still be seen by surrounding neighbors. The proposed project is compatible with existing development directly adjacent to the parcel. In total the proposed farm dwelling and additional structures will occupy approximately 5 percent of the land area, while fruit trees and the proposed driveway will occupy remaining open space. As conditioned, the project is compatible with the physical scale of the existing neighborhood.</p> <p>The project has been designed and sited to minimize alteration of natural landforms, including siting the residence to the north of the parcel to avoid gradual slopes. Trees will be planted in areas where residential development is not located and will include high-density row crops.</p> <p>The subject parcel is currently developed with two 100-square food sheds that will be removed from the property. They do not qualify for historical preservation; thus the project will not impact historical buildings.</p>

	<p>D. Public Lands Resource Buffer</p>	<p>The subject parcel is located over approximately 1-mile from designated public lands, including the Humboldt Bay National Wildlife Refuge. The project will not impact public land resources, nor are resource buffers necessary for the project.</p>
	<p>E. Natural Features</p>	<p>Lands designated Agriculture Exclusive Grazing 160 acre minimum (AEG-160) in the Table Bluff area are those identified as scenic protection areas. The subject parcel falls under this category. The project has been sited to avoid impacts to natural features, including placing the development on the north side of the parcel to avoid gradual slopes on the east and south sides of the parcel. Additionally, the majority of the parcel is designated prime agricultural land, therefore siting the residence on non-prime soils is unattainable. The new development will be adjacent to existing residentially developed parcels on all sides of the lot.</p>
<p>Access §3.50 (ERAP)</p>	<p>Protect public rights and provide access to shoreline and the coast except where to do so would be inconsistent with public safety or protection of fragile coastal resources, adequate public access exists nearby, or agriculture would be adversely affected.</p>	<p>The parcel is not included in the coastal access inventory found in Section 4.80 of the ERAP. Nor is the subject property in the vicinity of an existing or potential coastal access point. Therefore, the proposed project will not adversely impact public coastal access.</p>

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms to all applicable standards and requirements of these regulations. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Coastal Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Zoning Finding
§ 312-1.1.2 Legal Lot Requirement	Development permits shall only be issued for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel has been determined to be one separate, legal parcel as described in Notice of Lot Line Adjustment and Certificate of Subdivision Compliance 2007-415 and 2007-416 (LLA-05-09).
§ 313-7.1 Agricultural Exclusive (AE)	Principally permitted uses in the AE Zone include Single-Family Residences, General Agriculture, Timber Production, Cottage Industries, and Minor Utilities to serve these uses.	The proposed residence is principally permitted in the AE Zone, and will be occupied by the farm operators/owners. The proposed orchard is considered general agriculture and will establish a high-density commercial orchard on an AE parcel. Plans to establish the Dos Gnomos Ranch is identified in the Dos Gnomos Information Guide provided by the applicants and includes a Planting Guide that identifies the species and area/location of row crops and individual plants to be established in the orchard. The orchard will be operated using holistic cultivation practices and no synthetic chemicals will be used. In order to ensure the agriculture use is established, the applicants are required to provide an Annual Report detailing the progress of the orchard until a commercial operation has been demonstrated. This has been added as a condition of approval. The proposed project is principally permitted as conditioned and is in conformance with the AE Zone.
Min. Lot Size	60 acres	2 acres (legal nonconforming)
Min. Lot Width	75 feet	389.9 feet
Max. Density	Either one dwelling unit per lot or two dwelling units per lot if a Special Permit is secured for a second residential unit.	One single-family residence is proposed.
Max. Lot Depth	None Specified	236.16 feet
Max. Coverage	None Specified	±5%
Min. Yard Setbacks	30-foot SRA setbacks apply	All 30-foot setbacks are met.

Max. Bldg. Height	None Specified	The proposed residence will be a maximum of 34 feet and 4 inches tall, while the detached garage will be approximately 23 feet tall.
Combining Zones		
§ 313-16.1 Archaeological Resource Area Outside of Shelter Cove (A)	The purpose of these regulations is to provide for reasonable mitigation measures where development would have an adverse impact upon archaeological and paleontological resources.	The project was referred to the Northwest Information Center, Wiyot Tribe, and Bear River Band of the Rohnerville Rancheria. According to the Tribal Historic Preservation Officer at Bear River, no cultural resources are associated with the parcel. The standard inadvertent archaeological discovery protocol has been added as an informational note to the Condition of Approval.

4. Public Health, Safety and Welfare, and 6. Environmental Impact: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4	Proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.	All responding referral agencies have approved or conditionally approved the proposed development. No detrimental effects to public health, safety and welfare have been identified. The proposed development is not expected to be detrimental to property values in the vicinity nor pose any kind of public health hazard.
CEQA Guidelines	Categorically exempt from State environmental review.	The project is categorically exempt from environmental review per Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it is for the construction of a new residence (15303(a)), detached garage and swimming pool (15303(e)) and utilities to serve the residence. None of the exceptions to the exemptions per Section 15300.2 of the CEQA Guidelines apply.

5. Residential Density Target: The following table identifies the evidence which supports finding that 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	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, except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The proposed project will add one unit to the housing inventory in the County. The project is in conformance with the Housing Element.

ATTACHMENT 3
APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

- Application Form (in file)
- Plot Plan (attached)
- Floor Plans and Elevations for residence and garage/shop (attached)
- Current Deed (in file)
- Dos Gnomos Planting Guide (attached)

Existing Coniferous Hedgerows

Existing Coniferous Hedgerows



Fig

Persimmon

Feijoa

Apple and Pear

Planting Guide/Layout
 Tree Symbols Represent Planting Areas

ATTACHMENT 4

Referral Agency Comments: The project was referred to the following agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation
County Building Inspection Division	✓	Approval
Department of Environmental Health	✓	Approval
County Public Works Department	✓	Approval
County Counsel		
California Coastal Commission	✓	Site residence to minimize impacts to prime soils
Cal Fire	✓	Approval
CA Department of Fish and Wildlife		
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval
Northwest Information Center	✓	Consult with Local Tribes
Wiyot Tribe		

McClenagan, Laura

From: Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>
Sent: Tuesday, May 12, 2020 8:12 PM
To: Suarez, Alyssa
Subject: comments on PLN-2020-16315 (Adair)

Hi Alyssa

I am catching up on referrals and am looking at the County's on-line Accela. I can't remember if I've commented on this one. It's agricultural land (AE) and the proposed residential development does not appear to be consistent with the LCP policies that limit residential dwellings on farmland to only farm dwellings that are incidental to the principal farming use and which are inhabited by the farm owner or operator. In such cases dwellings should be sited and designed to minimize impacts to prime agricultural soils and to maximize productivity of the agricultural lands.

If you have any questions let me know.

Melissa B. Kraemer

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