

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 23-073

**RECOMMENDING THE BOARD OF SUPERVISORS CERTIFY COMPLIANCE WITH
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MAKING THE
REQUIRED FINDINGS FOR APPROVING A MODIFICATION TO A CONDITIONAL
USE PERMIT**

Record Number PLN-16400-MOD1

Assessor's Parcel Number: 015-111-006, 015-111-012, and 015-111-013

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on September 15, 2022, and recommended that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for the Lucas & Myrtle Mini-Storage Center adopt an ordinance approving a minor zone boundary adjustment, approving the Lot Line Adjustment and Conditional Use Permit for a proposed mini-storage facility.

WHEREAS, the Humboldt County Board of Supervisors held a duly noticed public hearing on March 7, 2023, and adopted the Mitigated Negative Declaration prepared for the Lucas & Myrtle Mini-Storage Center, adopted an ordinance approving a minor zone boundary adjustment, and adopted a Resolution approving the Lot Line Adjustment and Conditional Use Permit for a proposed mini-storage facility; and

WHEREAS, **Atkins Drafting, on behalf of Jim Paye**, submitted an application and evidence in support of approving a modification to an approved Conditional Use Permit (CUP) to develop a mini-storage center;

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** The proposed Lucas & Myrtle Mini-Storage Center (project) modification would result in an alteration in the configuration of one of the approved mini-storage buildings, along with a reduction in the wetland buffer from a three-parameter wetland, from 100 feet to approximately 80 feet for a small portion of the buffer width.

EVIDENCE: a) Project File: PLN-16400-CUP and PLN-16400-MOD1

- 2. FINDING:** **CEQA.** The requirements of CEQA have been complied with. An IS/MND was prepared for the project and circulated for public review and adopted by the Humboldt County Board of Supervisors on March 7, 2023. An addendum to that document has been prepared for the proposed modification.

EVIDENCE: a) Addendum to the Mitigated Negative Declaration for the Lucas & Myrtle Mini-Storage Center, Attachment 4

3. FINDING The proposed project is consistent with the County General Plan, Open Space Plan and open Space Action Program

EVIDENCE a) The project is consistent with the General Plan policies supporting commercial and economic development and providing services to both local and regional populations.

b) The proposed modification is consistent with the Biological Resource protection policies of the General Plan. Policy BR-S10 provides for the allowance of wetland buffer reduction based on site specific information and consultation with the California Department of Fish and Wildlife (CDFW). On April 7, 2023 the Planning and Building Department and CDFW staff met on -site with the applicant and reviewed and concurred with the requested buffer reduction subject to a buffer replanting plan, which has been prepared and upon which approval of this project is conditioned. Per CDFW comments, conditions of approval for lighting restrictions and invasive species removal have been included which will ensure that the project does not adversely impact the wetland habitat areas adjacent to the project site.

c) The project is consistent with the Open Space and the Open Space Action Program because it facilitates commercial development in an area that is designated for commercial services and does not impact any areas designated for open space. The areas of the property that are designated Greenway and open Space will be preserved as open space.

4. FINDING The proposed modification to the approved mini-storage center facility is consistent with the C-1 zoning district and with the development standards of the Zoning Ordinance.

EVIDENCE a) Storage warehouses are permitted in C-1 zone districts with a conditional Use Permit.

b) The project site is located in a block which is partially in a residential zone on both the Myrtle Avenue frontage and the Lucas Street frontage and the proposed mini-storage facilities will comply with the minimum 20 foot front yard and exterior side yard setbacks of the residential zones. The proposed mini-storage facility will exceed the required 15-foot rear setback from the northern property line by providing a minimum of 20 feet.

c) The proposed project will not exceed the building height limit of 45 feet in height.

5. 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 proposed mini-storage center project will take access off of Lucas Street, which is a lower volume road than Myrtle Avenue.
 - b) Approximately nine off-street parking spaces would be provided near the office and entrance from Lucas Street. Operationally, many visitors to the facility would conceivably temporarily park in front of their respective rental units before departing the premises and traffic generated by the center is anticipated to be less than the average traffic to and from commercial uses allowed in the neighborhood commercial zone district. The usual traffic for established mini storage facilities is significantly less than for retail, grocery, and restaurant businesses.
 - c) The project was referred to multiple referral agencies including the Department of public Works, Humboldt Bay Fire Protection District and the California Department of Environmental Health and all agencies either had no comment or recommended approval.
 - d) The proposal to reduce the buffer width from 100 feet to 80 feet is consistent with the Humboldt County Streamside Management Area and Wetlands Ordinance, Section 314-61.1.7.6.6 which provides for the allowance to reduce the wetland buffer based on site specific information and consultation with the California Department of Fish and Wildlife (CDFW). On April 7, 2023 the Planning and Building Department and CDFW staff met on -site with the applicant and reviewed and concurred with the requested buffer reduction subject to a buffer replanting plan, which has been prepared and upon which approval of this project is conditioned. Per CDFW comments, conditions of approval for lighting restrictions and invasive species removal have been included which will ensure that the project does not adversely impact the wetland habitat areas adjacent to the project site.

6. 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) The project site was not included in the residential housing inventory utilized for determining compliance with housing element law. The project results in the retention of the existing single-family residence on its own parcel, and the addition of another housing unit through the development of a caretakers residence above the minim storage facility.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby recommend that the Board of Supervisors:

- Adopt the findings set forth in this resolution; and
- Approve the Conditional Use Permit Modification subject to the recommended conditions.

Adopted after review and consideration of all the evidence on **August 3, 2023**.

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Lonyx Landry and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Thomas Mulder, Noah Levy, Lonyx Landry, Peggy O'Neill, Sarah West

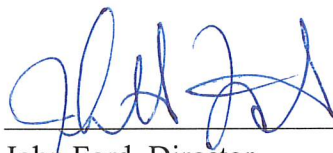
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Brian Mitchell

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 6/0

I, John Ford, Secretary to the Planning Commission 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 Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED FOR THE LIFE OF THE PROJECT

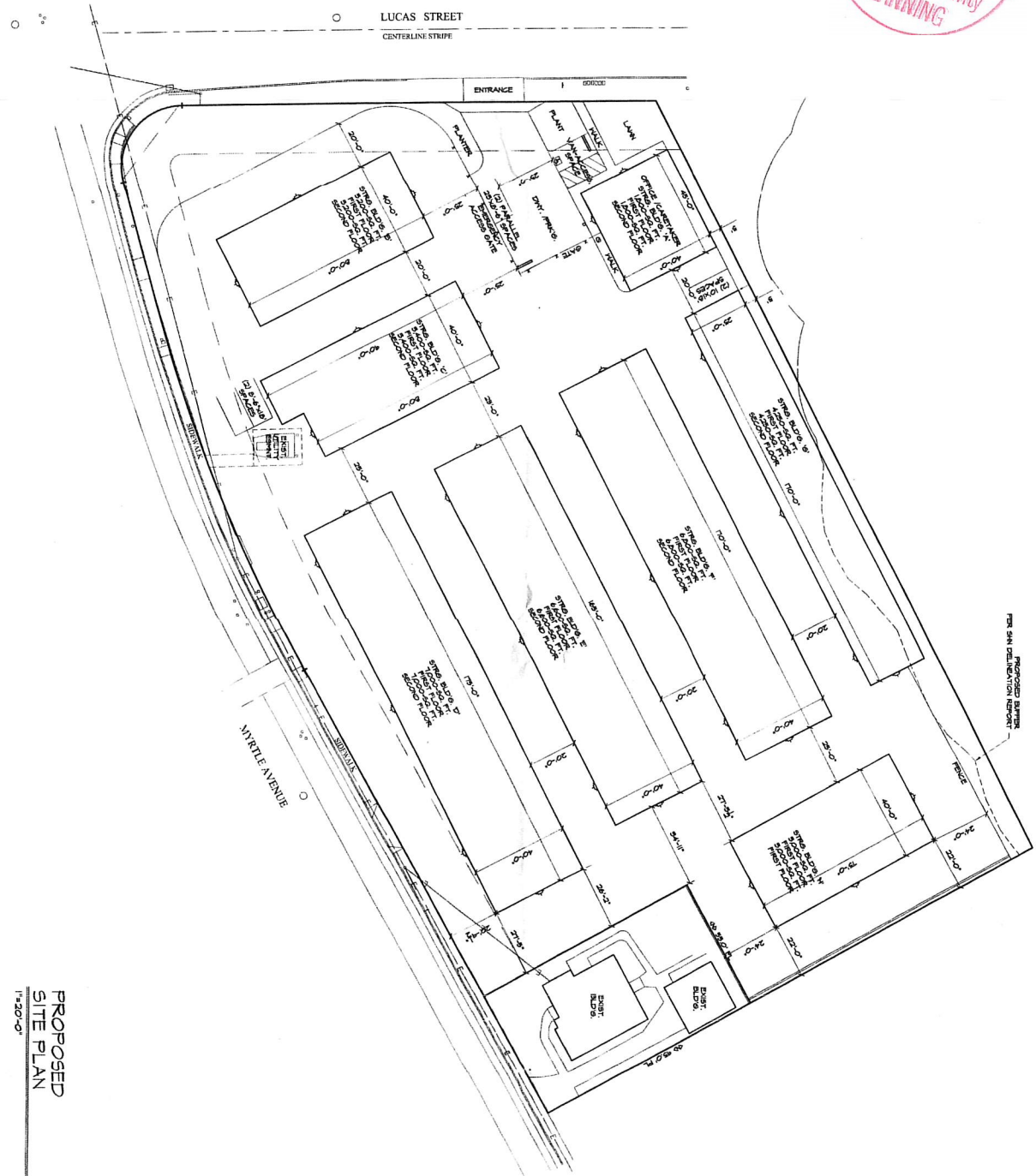
A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the 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 and Building Department, 3015 H Street, Eureka.
3. The applicant is responsible for completing and implementing all mitigation measures outlined within the Mitigation Monitoring & Reporting Program (MMRP) which shall be completed as required within the MMRP and shall the applicant/developer/responsible party shall provide all reporting as required in the MMRP.
4. The applicant shall abide by the recommendations in the Humboldt Community Services District (HCSD) referral letter dated November 4, 2020 which states:
 - I. GENERAL:
 - a. Water and sewer service for proposed project is available upon payment of applicable fees.
 - b. Any existing water and sewer services that will not be utilized for this project shall be abandoned per HCSD Standards at applicant's expense.
 - c. Any needed relocation of existing water and sewer facilities shall be at applicant's expense.
 - d. Water and sewer services shall not be located in a driveway.
 - e. Applicant shall provide a plumbing fixture unit count of the existing onsite structures to HCSD.
 - II. SEWER:
 - a. Prior to any structures being removed or relocated, they are required to be disconnected from the public sewer system. This disconnection is required to be inspected by this office.
 - b. Any new sewer connection is required to be installed per HCSD code and be inspected by this office.

- c. A sewer lateral clean-out is required to be installed per HCSD code and be inspected by this office.

III. WATER:

- a. A privately owned, maintained, and accessible water shutoff valve is required directly behind the water meter service (behind sidewalk) per HCSD Standards on the existing water services that will remain.
 - b. Any required fire sprinkler plans are to be submitted to the HCSD.
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- 5. The applicant shall implement all recommendations of the Paye Wetland Buffer Replanting Plan prepared by SHN, dated May 8, 2023. Annual monitoring reports shall be submitted to the Planning Department for a minimum of three years, until the project biologist determines a minimum of 85% survival of planted materials resulting in a minimum of 483 surviving plants after a period of at least three years.
 - 6. All lighting along the western building elevations shall be shielded and directed downward so as not to spill light beyond the boundaries of the property.
 - 7. For the life of the project the applicant/property owner shall conduct yearly monitoring for invasive species, with particular attention given to the areas on the west side of the property. A report on annual invasive species monitoring and removal shall be made available to the Planning and Building department upon request. Per the Wetland Buffer Replanting Plan the most likely invasive species to occur on the site are English Ivy (*Hedera helix*) and Himalayan blackberry (*Rubus armeniacus*).



PROPOSED
SITE PLAN
1"=20'-0"

