

LANG MINOR (FINAL) SUBDIVISION
Record Number: PLN-2021-17184
Assessor Parcel Number 204-131-016

Recommended 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:

Adopt the Resolution to 1) Find that the Initial Study and Mitigated Negative Declaration reflects the County's independent judgement and adopt the Mitigated Negative Declaration prepared for the Lang Minor Subdivision, project pursuant to Section 15074 of the State CEQA Guidelines, 2) adopt the Mitigation Monitoring and Reporting Program 3) make all of the required findings for approval of the Project based on evidence in the staff report and 4) approve the proposed Lang Minor Subdivision project subject to the recommended conditions.

Executive Summary:

Staff Analysis of the Evidence Supporting the Required Findings:

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code establishes the authority to approve or conditionally approve tentative maps when it can be found that the findings and conditions of the proposed project have been or will be met.

Recommendation:

Find that the Planning Commission has considered the Initial Study and Mitigated Negative Declaration as described by Section 15070 of the State CEQA Guidelines; make the required findings for approval of the Major (Final) Subdivision; and approve the Lang Minor (Final) Subdivision as recommended by staff and subject to the recommended conditions.

Staff Analysis:

The applicant is proposing a subdivision of a 13.2-acre parcel into 2 parcels of approximately 7.5 acres and 5.7 acres. The parcel being divided is currently developed with 2 residences and several accessory structures. All existing development will be located on Parcel 1 of the tentative map. Access to Parcel 2 will be provided via a 20-foot non-exclusive access easement that will utilize the existing driveway with an extension to service Parcel 2. Parcel 2 is located behind Parcel 1 and comprises the rear portion of the site which is vacant land. A CDFW inspection completed in April 2022 revealed the presence of wetlands on a portion of Parcel 2. As a mitigation measure of the Mitigated Negative Declaration that was prepared for the project, the applicant will be required to submit a development plan demonstrating all future construction will be located outside of all wetland features. The building site is located on high ground well-above the adjacent creek in Wolverton Gulch. The potential for flooding to affect the building site on the subject property is low. This entire parcel is outside of the flood zone.

The project is consistent with the relevant General Plan goals and policies of the Residential Agriculture land use designation. The proposed subdivision is consistent with the permitted density range requiring a minimum of one unit per five acres. The proposed parcels will be provided water service by the Hydesville CSD and will utilize OWTS for waste-water discharge. The project will construct a private road access that will provide emergency vehicle access to the site. Final plans

for these improvements would be subject to Public Works review and approval, pursuant to a condition of the Final Map. The project site is not located within an area identified to have geologic instability, is not located within a streamside management area, fault zone area, or floodplain. The proposed subdivision will increase housing stock within the County with a density that is appropriate for the existing access, utilities, county services, and surrounding parcels and development. The subdivision will create new parcels that will retain the rural residential and agricultural character of the surrounding Hydesville area. Overall, the project forwards the County's goal of providing additional housing stock within the planned density range of the area and utility capacity while minimizing impact to natural resources and environmentally sensitive habitat.

The project complies with relevant standards of the Agriculture General zone and Special Building Site Combining District. The minimum lot size is 5 acres and the proposed lot sizes are 7.5 acres (parcel 1) and 5.7 acres (parcel 2). The RA designation establishes a residential density of 5-160 acres per unit. The proposed tentative map would contain an existing single-family dwelling and secondary dwelling unit on Parcel 1 with future development to occur on Parcel 2. The proposal to establish these structures on parcels over 5 acres in size is supported by the General Plan. The proposed lot width of parcel 1 exceeds 600 feet and parcel 2 is 442.2 feet and the minimum required is 60 feet. The minimum setback standard for structures located within a State Responsibility Area (SRA) are 30 feet from all sides and the existing structures exceed this requirement. Future development of parcel 2 will be required to comply with the setback standard and the parcel is sized to allow this standard to be met with the development of a single-family residential dwelling and anticipated accessory structures. The existing dwellings on parcel 1 have a total lot coverage less than 35 percent consistent with the standard. Future development of parcel 2 will be required to comply with lot coverage standard. Future development will also be required to comply with the maximum height standard of 35 feet.

The proposed subdivision will create buildable lots that are sized to allow for onsite wastewater systems and that comply with State Responsibility Area (SRA) Calfire setback requirements. The construction related to the improvement of access and utilities including the future development of the lot with a single-family residence will not have a significant impact on the environment and all potential impacts that have been evaluated will be less than significant or have no impact.

The proposed project is located in a State Responsibility Area. Per Fire Safe Regulations, (County Code Section 31112-3) a Road Category 4 road is required for properties with more than one dwelling unit. Proposed Parcel 1 contains two existing dwelling units. To provide adequate access with the proposed subdivision, the applicant is proposing an exception to County standard 324-1(b) to reduce the minimum right-of-way width from 50 feet to 20 feet with a 40-foot-wide right-of-way for the initial 50 feet off Rohnerville Road. The applicant also proposes a 24-foot-wide paved access road for the initial 50 feet before tapering to 20 feet until the terminus with Parcel 2. The planned road width of 20-24 feet will require the widening of the existing 12-foot road. The proposed access is sized to accommodate the limited traffic anticipated to utilize the private road and is sufficient to allow emergency vehicles to access both parcels. This road is not planned to be extended to future development to the east and has been designed to meet the anticipated build-out for the site in which it served. Strict adherence of the County Standard of a 40-foot roadway is not required based on the proposed density and traffic of the proposed subdivision and a 20-foot paved road is the more suitable alternative to serve the project.

The project was evaluated for compliance with the California Environmental Quality Act (CEQA). An Initial Study/ Mitigated Negative Declaration (IS/MND) has been prepared for the project. Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff has found that the project will not result in a significant impact on the environment with mitigation as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision per

the Recommended Commission Action. Responding referral agencies have recommended approval of the project.

ALTERNATIVES: The Planning Commission could elect not to approve the Final Subdivision. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Note: If the Final Subdivision is denied, a ten-calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors.