



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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3015 H Street • Eureka CA 95501  
Phone: (707) 445-7541 • Fax: (707) 268-3792

Hearing Date: August 4, 2022

To: John H. Ford, Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Jill and Michael Brook Coastal Development Permit**  
Case Number: PLN-2022-17603  
Assessor's Parcel Number: 515-191-047  
Indianola area

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Please contact Cade McNamara, Planner, at 268-3777, or by email [cmcnamara@co.humboldt.ca.us](mailto:cmcnamara@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 4, 2022	Coastal Development Permit	Cade McNamara

**Project Description:** A Coastal Development Permit (CDP) for the new construction of a two-story, one-bedroom single-family residence (approx. 2,409 SF; 1,717 SF footprint), detached accessory building housing a therapy pool and gym (approx. 1,102 SF), a detached one-car garage (approx. 512 SF), a new driveway, pathways, landscaping, and related site improvements. The project would be served by an existing onsite well and proposed OWTS. A Special Permit is required for Design Review. Tree removal would occur within the 30-foot defensible space for the proposed residence. No grading or fill is proposed.

**Project Location:** The project is located in Humboldt County, in the Trinidad area, on the North side of Anderson Lane, approximately 0.13 miles West from the intersection of Midway Drive and Anderson Lane, on the property known as 101 Anderson Lane

**Present Plan Land Use Designation:** Rural Residential (RR) - 0-1 dwelling unit per acre Trinidad Area Plan 2017 General Plan; Density: Density range is 0 to 1 units per acre; Slope Stability: Moderate Instability (2).

**Present Zoning:** Rural Residential Agriculture (RA-2/G-M) / Design Review (D)

**Assessor Parcel Number:** 515-191-047

**Case Number:** PLN-2022-17603

**Applicant:**  
Jill and Michael Brook  
13285 Roundhill Dr.  
Truckee, CA 96161

**Owner:**  
Same as applicant

**Agent:**  
Kash Boodjeh  
PO Box 881  
Arcata Ca 95518

**Environmental Review:** Project is exempt from environmental review pursuant to Section 15303(a) (New Construction)

**Major Issues:** None.

**State Appeal Status:** Project is not appealable to the California Coastal Commission.

**Cho Coastal Development Permit**  
Record Number: PLN-2022-17603  
Assessor's Parcel Number: 515-191-047

**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 part of the consent agenda:

*Find that the Zoning Administrator has considered project as Categorically Exempt from environmental pursuant to Section 15303 of the CEQA Guidelines, make all of the required findings for approval of the Coastal Development Permit and adopt the Resolution approving the Brook Coastal Development Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** A Coastal Development Permit (CDP) for the new construction of a two-story, one-bedroom single-family residence (approx. 2,409 SF; 1,717 SF footprint), detached accessory building housing a therapy pool and gym (approx. 1,102 SF), a detached one-car garage (approx. 512 SF), a new driveway, pathways, landscaping, and related site improvements. The project would be served by an existing onsite well and proposed OWTS. A Special Permit is required for Design Review. Tree removal would occur within the 30-foot defensible space for the proposed residence. No grading or fill is proposed.

**Staff Recommendations:** Based upon submitted evidence, a review of Planning Division reference sources, and comments from all involved 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 permit if you are 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 22-**

**Record Number PLN-2021-17483**

**Assessor's Parcel Number: 402-022-010**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Cho Coastal Development Permit and Special Permit.**

**WHEREAS**, Jill and Michael Brook, submitted an application and evidence in support of approving the Coastal Development Permit; and

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

**WHEREAS**, the project is exempt from environmental review pursuant to Section 15303 (New Construction) of the CEQA guidelines; and

**WHEREAS**, Attachment 1 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed project (Case Number: PLN-2022-17603); and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly noticed public hearing on August 4, 2022, and reviewed, considered, and discussed the application for the Coastal Development Permit, reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                    **Project Description:** A Coastal Development Permit (CDP) for the new construction of a two-story, one-bedroom single-family residence (approx. 2,409 SF; 1,717 SF footprint), detached accessory building housing a therapy pool and gym (approx. 1,102 SF), a detached one-car garage (approx. 512 SF), a new driveway, pathways, landscaping, and related site improvements. The project would be served by an existing onsite well and proposed OWTS. A Special Permit is required for Design Review. Tree removal would occur within the 30-foot defensible space for the proposed residence. No grading or fill is proposed.

**EVIDENCE:**                a) Project File: PLN-2022-17603

- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the project to be exempt from environmental review pursuant to Section 15303 of the CEQA guidelines.

**EVIDENCE:**                a) The project is Categorical Exempt from environmental review pursuant to 15303-New Construction, of the CEQA Guidelines, because the project is for the replacement of a well currently in use with the same use proposed. No tree removal, grading, or additional development is proposed.

**3. FINDING**

The project, as conditioned, is consistent with the development policies of the Trinidad Area Plan (TAP).

**EVIDENCE**

- a) The purpose of the Rural Residential (RR) land use designation is to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development. The project is consistent with the RR land use.
- b) The project complies with the County's Housing Element as it will add one new unit to the County's Housing Inventory with the of a new single-family residence.
- c) According to the California Natural Diversity Database (CNDDDB), there are reported rare species that may occur within the vicinity of the project area. The project was referred to the Coastal Commission and CDFW. CDFW indicated that they had no comment on the proposal after conducting a site visit with staff to determine that there were no special status species or wetlands. The Coastal Commission did not respond.
- d) The parcel is within a designated Coastal Scenic Area. The development, as proposed, is not expected to have any negative impacts on the visual quality of the area. No threats to visual resources are anticipated. The project is consistent with the physical scale and visual compatibility of the neighborhood.
- e) The project was referred to the Northwest Information Center (NWIC), and Yurok Tribe. NWIC recommended consult with local tribes. The Yurok tribe did not respond. Accordingly, the standard inadvertent archaeological discovery protocol has been added to the Conditions of Approval.

**4. FINDING**

The proposed development is consistent with the purposes of the existing Rural Residential Agriculture (RA-2) zone, and Design Review (D) combining zone in which the site is located.

**EVIDENCE**

- a) The project is principally permitted in the RA-2 zone with a Coastal Development Permit.
- b) The subject parcel has been determined to be one legal parcel (lot 3) as shown on Recorded Map in Book 25 of Maps page 76 and is compliant with the provisions of the Subdivision Map Act.
- c) The project complies with all development standards including SRA setbacks, height limits, off-street parking, and lot coverage.
- d) The project is consistent with the Design Review Standards as follows: The proposed work would not be incompatible with the existing neighborhood. The construction of a new SFR will not alter potential visual impacts associated with residential development.

**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 parcel is not in a flood zone, an area of potential liquefaction, but is in the Alquist Priolo fault hazard zone. An R-2 soils report was completed as a part of the Hohman Subdivision proving site suitability. There is no evidence the work would be detrimental to the public health, safety, or welfare.

**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 proposed construction of a SFR benefits the County housing supply. The project is consistent with the Housing Element.

## DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **August 4, 2022**.

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.

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John H. Ford, Zoning Administrator,  
Planning and Building Department







LEGEND

rebar with 1 1/2 inch aluminum cap stamped LS 4570  
monument of record as noted  
single Point (Nothing Set)  
existing  
mation per Book 62 of Surveys, Pages 71  
mation per Book 65 of Surveys Page 67-73

R NOTES

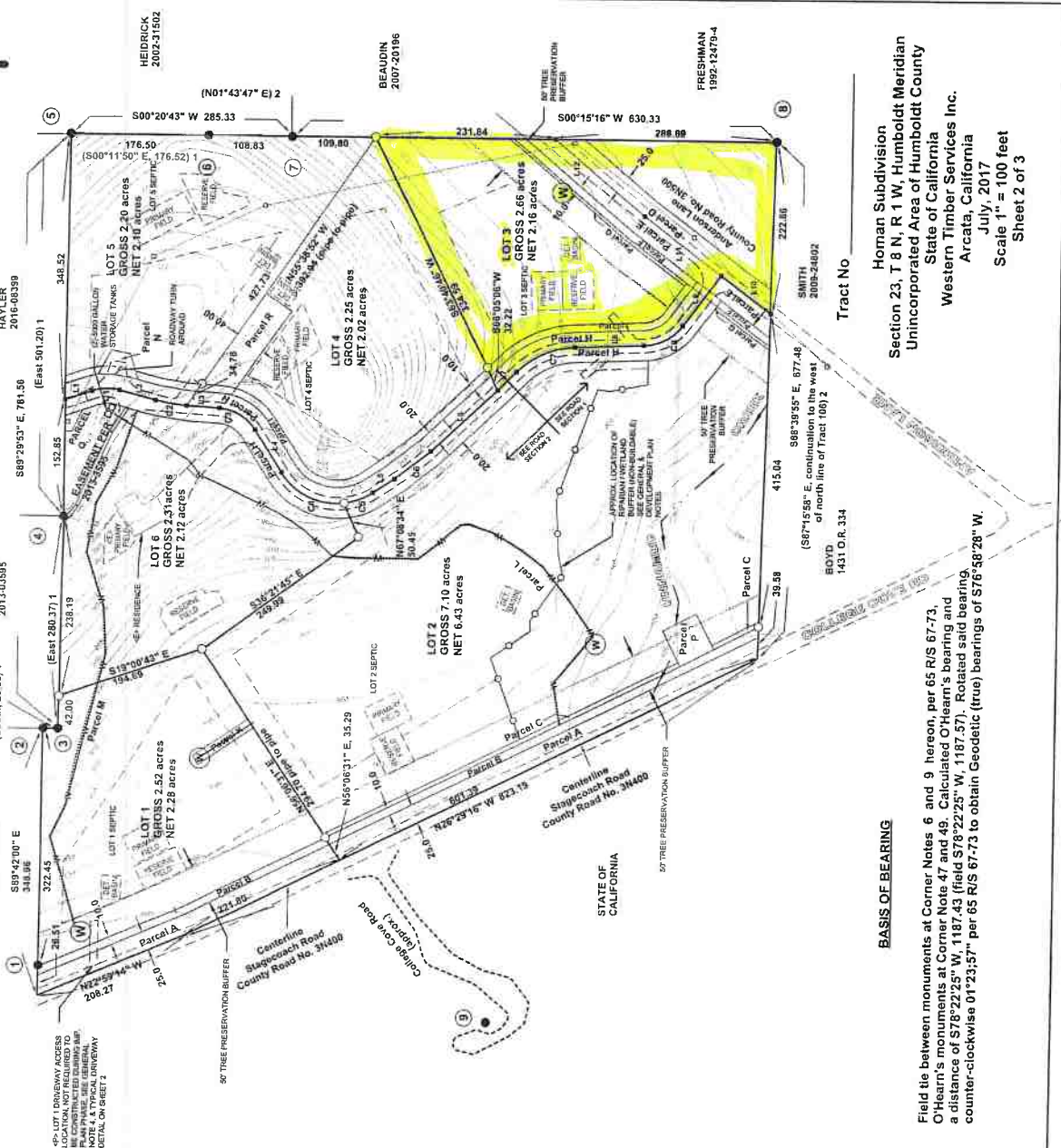
- accepted 1/2 inch rod with 3/4 inch aluminum cap stamped RE 1754 set per unrecorded Brown and Edwards in September, 1969 file with County Surveyors Office in File UN 1-333
- accepted 1/2 inch copperweld rod with LS 2936 (R. Saukko) 0.15 feet south of property corner, (note 6). Saukko's field notes are on file with the County Surveyor's Office in file UN 1-925.
- accepted 1/2 inch iron pipe with LS 4829 plastic plug per 62 R/S 71.
- accepted 1/2 inch iron pipe with LS 4829 plastic plug per 62 R/S 71 in pavement.
- accepted 1/2 inch iron pipe with LS 4829 plastic plug per 62 R/S 71.
- h iron pipe with wood plug and RE 1754 tag as per Corner Note (4) 62 R/S 71. Larson and on file at the Humboldt County Surveyor's Office
- accepted 1 1/2 inch iron pipe with LS 4829 washer in wood plug per 65 R/S 67-73, Corner Note 47.
- accepted 1/2 inch rod with 3/4 inch aluminum cap pipe, partially gone stamped on cap per 65 R/S 67-73, Corner notes(5)
- h iron pipe with plastic plug stamped "DPW HUM CO.", on the north side of the lot to the parking lot of College Cove Park, then in 65 R/S 67-73, Corner Note (4)
- 1 to the office of Humboldt County Surveyor and shown in 65 R/S 67-73, Corner Note (4)
- "S" E. 582.32 to the Northwest corner of Lot 1
- "S" E. 589.73 to the Southwest corner of Lot 2

LINE TABLE			
LINE	COURSE	LENGTH	DELTA
L1	S10°06'57" E 36.45'		
L2	S15°33'21" W 48.57'		
L3	S03°57'09" W 42.86'		
L4	S57°51'23" W 66.04'		
L5	S33°15'51" E 33.06'		
L6	S45°18'14" E 34.23'		
L7	S45°18'14" E 34.23'		
L8	S02°05'00" E 88.59'		
L9	S52°55'33" E 82.41'		
L10	S36°52'52" W 81.32'		
L11	S36°52'52" W 124.69'		
L12	S40°14'11" W 155.52'		

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	36.31	60.00	34°40'19"
C2	36.31	60.00	34°40'19"
C3	58.45	60.00	11°36'12"
C4	58.45	60.00	11°36'12"
C5	95.06	85.00	64°04'37"
C6	49.12	85.00	27°02'37"
C7	59.12	330.00	10°15'56"
C8	84.52	112.00	41°14'14"
C9	59.45	67.00	50°50'33"

SURVEY NOTES

Accepted monuments at corner notes (2), (3), and (5) hereon and O'Hearn's explanation of deeds as shown on 62 R/S 71 and monument at corner note (1) hereon to determine the north line of the Human Parcel.  
Accepted monuments at corner Note (3), (7), and (8) to determine the east line of Homan parcel per 65 R/S 67-73.  
Determine the south line of Homan parcel by extending westerly the bearing of the south line of Tract 110 and the north line of Tract 106 per 65 R/S 67-73.  
Net area excludes road easements.



BUILDING NOTES

THE FOLLOWING SETBACKS AND HEIGHT RESTRICTIONS ARE IN PLACE. SEE DEVELOPMENT PLAN NOTES FOR ADDITIONAL RESTRICTIONS.

SINGLE FAMILY RESIDENCES

LOTS 1-5 (6 ALREADY DEVELOPED)

MAXIMUM HEIGHT

SEE NOTE 10(b)

50'

30'

35%

50' TREE PRESERVATION BUFFER

REQUIRED FENCE AT SMA / WETLAND BUFFER

50' TREE PRESERVATION BUFFER

PROPOSED SEPTIC SYSTEM (APPROX. LOCATION)

PROPOSED DETENTION BASIN SYSTEM (APPROX. LOCATION, SEE GENERAL NOTE 5, & SHEET 2)

DEVELOPMENT PLAN LEGEND

WATER SUPPLY

CONTOURS SHOWN ARE 2' INTERVAL

BUILDABLE AREA LIMITS (SEE BUILDING GENERAL & DEVELOPMENT PLAN NOTES)

REQUIRED FENCE AT SMA / WETLAND BUFFER

50' TREE PRESERVATION BUFFER

PROPOSED SEPTIC SYSTEM (APPROX. LOCATION)

PROPOSED DETENTION BASIN SYSTEM (APPROX. LOCATION, SEE GENERAL NOTE 5, & SHEET 2)

SURVEYOR

RON D. HUNT  
WESTERN TIMBER SERVICES  
5341 ERICKSON WAY  
ARCATA, CA 95521

PROJECT ENGINEER

JAKOB SCHILLINGER  
SCHILLINGER ENGINEERING  
P.O. BOX 1183  
ARCATA, CA 95518

DEVELOPMENT PLAN APPROVAL

REVIEWED BY: N/A

DEPARTMENT OF PUBLIC WORKS

DATE: \_\_\_\_\_

REVIEWED BY: N/A

PROJECT ENGINEER

DATE: \_\_\_\_\_

GENERAL NOTES

- (1) SEE THE SUBDIVISION MAP ON FILE WITH THE COUNTY RECORDER FOR EASEMENTS THAT EXISTED AT THE TIME THE MAP WAS FILED. ANY EASEMENTS THAT EXISTED PRIOR TO THE ESTABLISHMENT OF THE MAP WERE FILED. REFER TO A CURRENT EASEMENT RECORD FOR ALL EASEMENTS. REFER TO THE FILED SUBDIVISION MAP FOR EXACT LOT DIMENSIONS
- (2) SEE R-1 ENGINEERING GEOLOGIC / FOUNDATION AND SOILS REPORT PREPARED BY LACO ASSOCIATES DATED DECEMBER 19, 2008 FOR RECOMMENDATIONS, INSPECTIONS, AND SPECIAL REQUIREMENTS FOR DEVELOPMENT OF THIS SUBDIVISION
- (3) IMPROVEMENT PLANS FOR THE UNNAMED ACCESS ROAD IS ON FILE WITH THE DEPARTMENT OF PUBLIC WORKS.
- (4) A COUNTY ENCROACHMENT PERMIT WILL BE REQUIRED TO CONSTRUCT THE LOT 1 DRIVEWAY ACCESS OFF OF STAGECOACH ROAD.
- (5) DETENTION BASINS ARE REQUIRED ON LOTS TO BE DEVELOPED, SEE SHEET 2 FOR MORE INFORMATION.

DEVELOPMENT PLAN NOTES

- (1) ALL FLAMMABLE VEGETATION AND FUELS CAUSED BY SITE DEVELOPMENT AND CONSTRUCTION, ROAD AND DRIVEWAY CONSTRUCTION, AND FUEL MODIFICATION SHALL BE DISPOSED OF BY CHIPPING, BURYING, BURNING OR REMOVAL TO A LANDFILL SITE APPROVED BY THE COUNTY.
- (2) TO ENSURE CONTINUED COMPLIANCE, PROPERTY OWNERS ARE RESPONSIBLE FOR ANNUAL MAINTENANCE OF THE PARCELS AND THE REMAINING TREES AND VEGETATION. ABOVE COMPLIANCE WITH THESE PROVISIONS IS SUBJECT TO INSPECTION BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION.
- (3) THE HUMBOLDT COUNTY FIRE SAFE ORDINANCE (SECTION 3111-1 ET SEQ) ESTABLISHES REQUIREMENTS FOR MINIMIZING WILDFIRE DANGER IN "STATE RESPONSIBILITY" DESIGNATED AREAS. EXCESSIVE FUELS AND FUELS MODIFICATION MAY BE PURSUED UPON DEMONSTRATION OF PROVIDING THE "SAME PROTECTION" TO THE SETBACK THROUGH A COMBINATION OF CONSTRUCTION MATERIAL CHOICES, NON-FLAMMABLE VEGETATIVE BUFFERS, AND OTHER DESIGN FEATURES. CONTACT THE PLANNING AND BUILDING DEPARTMENT FOR FURTHER INFORMATION.
- (4) THE PROJECT SITE IS NOT LOCATED WITHIN AN AREA WHERE KNOWN CULTURAL RESOURCES HAVE BEEN LOCATED. HOWEVER, THE COUNTY HAS DESIGNATED THAT UNDISCOVERED CULTURAL RESOURCES MAY BE ENCOUNTERED DURING CONSTRUCTION ACTIVITIES. THE FOLLOWING MITIGATION MEASURES ARE REQUIRED UNDER STATE AND FEDERAL LAW:
  - (4a) IF CULTURAL RESOURCES ARE ENCOUNTERED, ALL WORK MUST CEASE AND A QUALIFIED CULTURAL RESOURCES SPECIALIST CONTACTED TO ANALYZE THE SIGNIFICANCE OF THE FINDINGS AND DETERMINE FURTHER MITIGATION (E.G., PROJECT RELOCATION, EXCAVATION PLAN, PROTECTIVE COVER).
  - (4b) PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE §7060.5, IF HUMAN REMAINS ARE ENCOUNTERED, ALL WORK MUST CEASE AND THE COUNTY CORONER CONTACTED.
  - (4c) DEVELOPMENT WITHIN THE RIPARIAN CORRIDOR SHALL BE LIMITED TO THE USES AS LISTED IN SECTION 3 OF THE CALIFORNIA RIPARIAN HABITAT PLAN (TAP). PLEASE CONTACT THE PLANNING DIVISION AT 445-7541 PRIOR TO COMMENCING ANY NEW DEVELOPMENT IN THE MAPPED STREAMSIDE MANAGEMENT AREA.
- (5) ALL DEVELOPMENT SHALL CONFORM TO THE RECOMMENDATIONS OF THE FAULT EVALUATION REPORT PREPARED FOR THE PROJECT BY LACO ASSOCIATES DATED DECEMBER 19, 2008. THE SITE SPECIFIC SOILS AND/OR GEOLOGIC REPORTS MAY BE REQUIRED AS PART OF THE DEVELOPMENT. THE EVALUATION REPORT FOR A BUILDING IS PROPOSED TO BE LOCATED OUTSIDE OF THE AREA IDENTIFIED IN THE GEOTECHNICAL REPORT FOR THE PROJECT.
- (6) ROAD ACCESS AND TURNAROUND AREA SHALL BE CONSISTENT WITH THE COUNTY'S FIRE SAFE ORDINANCE REGULATIONS.
- (7) THE MAPPED 50 FOOT BUFFER ALONG STAGECOACH ROAD AND ANDERSON LANE IS INTENDED TO MINIMIZE THE REMOVAL OF LARGE TREES AND PROVIDE A VISUAL BUFFER. ONLY TREES THAT ARE DEEMED A HAZARD BY A QUALIFIED FORESTRY PROFESSIONAL OR ARBORIST CAN BE REMOVED WITHIN THIS BUFFER.
- (8) NO SECOND UNIT SHALL BE AUTHORIZED OR CONSTRUCTED ON LOT NO. 6 UNLESS AN ADDITIONAL WASTEWATER TREATMENT SYSTEM IS INSTALLED TO ACCOMMODATE THE ADDITIONAL WASTEWATER ON SITE AND THE FAULT EVALUATION REPORT IS AMENDED TO INCLUDE THE PROPOSED BUILDING SITE.
- (9) TO ENSURE THAT FUTURE DEVELOPMENT IS SUBORDINATE TO THE SURROUNDING AREA AND CONSISTENT WITH THE TRINIDAD AREA PLAN (TAP), THE FOLLOWING MEASURES SHALL BE MAINTAINED ALONG THE COASTAL DEVELOPMENT PERMIT AND DESIGN REVIEW PROCESS FOR LOTS 4 AND 5:
  - (10a) NO TREES SHALL BE REMOVED WITHIN 100 FEET OF THE SOUTHERLY PROPERTY LINE OF LOT 4, WITHIN 50 FEET OF THE WESTERN PROPERTY LINE OF LOT 4, WITHIN THE CIRCULAR AREA WITH A 75-FOOT RADIUS CENTERED AT THE CONFLUENCE OF LOT 6, LOT 2, AND THE ACCESS ROAD, OR WITHIN 50 FEET OF THE EASTERN PROPERTY LINE OF LOT 5 UNLESS THE REMOVAL OF TREES IS NECESSARY TO MAINTAIN THE REMAINING TREES AND VEGETATION PROVIDES SIGNIFICANT SCREENING FROM RUAL PROPERTIES. ONLY TREES THAT ARE DEEMED A HAZARD BY A QUALIFIED FORESTRY PROFESSIONAL OR ARBORIST CAN BE REMOVED. THE TENTATIVE MAP TO BE REMOVED FOR ACCESS IMPROVEMENTS AND PUBLIC UTILITY PURPOSES ARE NOT SUBJECT TO THESE REQUIREMENTS.
  - (10b) THE HIGHEST POINT OF A STRUCTURE SHALL NOT EXCEED 30 FEET VERTICALLY MEASURED FROM THE HIGHEST POINT OF THE FOUNDATION, NOR 35 FEET FROM THE LOWEST POINT OF THE FOUNDATION. STRUCTURES SHALL NOT BE LOCATED IN AREAS THAT WILL NOT BE SUBORDINATE TO THE SURROUNDING AREA. FURTHER HEIGHT REDUCTIONS MAY BE NECESSARY.
  - (10c) STRUCTURES SHALL BE PAINTED WITH DARK EARTH TONES.
  - (10d) A VISUAL RESOURCES IMPACT ANALYSIS SHALL BE REQUIRED IN ORDER TO ASSURE THAT THE STRUCTURE WILL BE SUBORDINATE TO THE SURROUNDING AREA. THIS ANALYSIS REQUIRES THAT STORY POLES BE ERECTED TO CREATE AN ACCURATE SCALE FOR THE PROPOSED PROJECT. IN ADDITION, ANY VISIBLE GLAZING IDENTIFIED IN THE ANALYSIS SHALL USE ANTI-GLARE TREATMENT.
  - (11) THE 2000 GALLON EMERGENCY WATER SUPPLY TANK REQUIREMENT SHALL BE DEFERRED UNTIL ISSUANCE OF BUILDING PERMIT FOR ALL UNDEVELOPED PARCELS.

DEVELOPMENT PLAN

OF

HOMAN MAJOR SUBDIVISION

In the Unincorporated Area of the County of Humboldt  
Within the North Half of Sec. 23, T8N, R1W, H.M.



SCHILLINGER  
ENGINEERING

10/26/2017

SCALE: 1" = 100'

SHEET 1 OF 2

515-191-037 APPS# 9501

## **ATTACHMENT 1 CONDITIONS OF APPROVAL**

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

1. The applicant shall obtain all required building permits from the Building Division for the construction of the new single-family home and detached accessory structures associated with the project.
2. The applicant shall obtain an approved well permit through the Division of Environmental Health.
3. The applicant shall obtain an approved septic permit through the Division of Environmental Health.
4. The applicant must obtain an electrical permit from the Humboldt County Building Division to start electrical service to the parcel and well pump.
5. Following the issuance of emergency development permit(s), the applicant shall obtain all required development permit(s) in accordance with §312-17 and other provisions of the Humboldt County Code.

### **Informational Notes**

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant is responsible for ensuring compliance with this condition.

## Attachment 2

### STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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

1. The proposed development is in conformance with the County General Plan, Humboldt Bay Area Plan, Open Space Plan and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms to all applicable standards and requirements of these regulations;
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; and
5. 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) has no substantial evidence that the project will 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 and Local Coastal Plan Consistency.** The following table identifies the evidence which supports finding that the proposed accessory structure is in conformance with all applicable policies and standards in the Trinidad Area Plan (TAP), Humboldt County General Plan, Open Space Plan and Open Space Action Program.

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>TAP: Rural Residential, Indianola</p>	<p>Allows residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.</p> <p>The average parcel size is 2.66 acres, which is reflective of the existing development pattern in this area. The area is planned for an average density of one unit per 2 acres.</p>	<p>The proposed project to drill a new well for residential use is consistent with Rural Residential Designation in the TAP.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>Access to this site is provided from Anderson Lane (a non-County-maintained Road).</p> <p>The project is consistent with Circulation policies identified in the General Plan.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p>	<p>The project is for the construction of a new single-family home and detached accessory structure. The project will increase the residential density by one unit.</p> <p>The project will have no effect on the Humboldt County Housing Element.</p>



Noise Chapter 13	Goals and policies contained in this Chapter require new development to conform with noise compatibility standards.	The project site is located in a low-density residential area (one unit per lawfully created lot). The applicant is required to conform with noise standards in the residential area when performing construction.
Safety Element Chapter 14	Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury.	<p>The project is located in an area that is relatively stable. The project site is not located in a designated floodway or area of inundation.</p> <p>The project is located in an area moderate fire hazard severity and is within the Local Responsibility Area of Humboldt #4 Fire Protection District's jurisdiction.</p> <p>The project is not expected to increase risks to hazards.</p>
3.30 TAP- Natural Resource Protection  Cultural Resources 10.6	<p>Environmentally sensitive habitats shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.</p> <p>Goals and policies contained in this Chapter relate to the enhancement and protection of significant cultural resources, providing heritage, historic, scientific educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>The parcel does have environmentally sensitive habitat as defined in the TAP on site. The parcel is apart of the Hohman Subdivision. A development plan is on file and the project complies with the development plan requirements and other agency requirements as outlines in supporting evidence.</p> <p>The parcel and surrounding parcels are developed with residences.</p> <p>The project was referred to the Northwest Information Center, and Yurok Tribe for comment. The Northwest Information Center recommended contacting the local tribes. The Yurok Tribe did not respond, and Inadvertent Discovery Protocol is in place. This is included as a condition of approval.</p>

**2. Zoning Compliance and 3. Development Standards:** 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 Zoning Regulations.

<b>Zoning Section</b>	<b>Summary of Applicable Requirement</b>	<b>Evidence That Supports the Zoning Finding</b>
§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 legal parcel (lot 3) as shown on Recorded Map in Book 25 of Maps page 76.
§313-6.4 Residential Rural Agriculture (RA-2)  §313-33.1 Design Review (D)	The rural residential agriculture (RA) zone is intended for the residential use of rural lands.  Density: one (1) dwelling unit per lawfully created lot or two (2) dwelling units with a Special Permit.	The project is consistent with the intended uses of the RA zone as the construction of a new single-family home and detached accessory structure are principally permitted. Neighborhood design survey provides information reflecting that the proposal does not impact Design Review elements.
Min. Lot Size	2 acres	2.66 acres
Min. Lot Width	175 feet	250 feet
Max Lot Depth	Four (4) time the lot width	~450 feet
Yard Setbacks	Front: 20 feet Rear: 10 feet Interior Side: 5 feet Exterior Side: 20 feet  (SRA Setbacks Required, 30 feet)	All structures are existing and conform to the setback requirements in 313-6.4 for Rural Residential zoning within the Coastal Zone. The proposed setbacks are also consistent with the requirements set forth the State Responsibility Area, and Department of Environmental Health, who recommend approval in their planning referral response.
Max. Lot Coverage	35%	~5%
Max. Bldg. Height	35 feet	All existing structures are less than 35 feet in height.

**3. Public Health, Safety, and Welfare and 4. Environmental Impact:** The following table identifies the evidence which supports finding that the proposed project will not be detrimental to the public health, safety and welfare, 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.	The proposed project will not be detrimental to public health, safety, or welfare. There is no evidence that the proposed new single-family home will be materially injurious to properties or improvements in the vicinity.
CEQA Guidelines	Categorically exempt from State environmental review.	The project was found to be exempt from environmental review pursuant to Sections 15303 of the CEQA Guidelines.

**4. 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 shall 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, 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 project will add a single family home (one unit) to the County's housing inventory and is in conformance with the standards identified in the Housing Element.

### REFERRAL AGENCY COMMENTS

Referral Agency	Response	Recommendation	On File
Public Works	✓	Approved	✓
Building Division			
Environmental Health	✓	Approved	✓
NWIC	✓	Consult w/ tribes	✓
CalFire	✓	Conditional Approval	
Yurok Tribe		No response	
CDFW	✓	Site Visit, No comment	✓