



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT**

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

Hearing Date: January 23, 2020
To: John H. Ford, Humboldt County Zoning Administrator
From: Steve Werner, Supervising Planner
Subject: **Ray Wolfe Construction, Coastal Development Permit Modification**
Case Number PLN-2019-15983
Assessor Parcel Number (APN) 510-431-028
2572 Knox Cove Road, McKinleyville area

Table of Contents

Page

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Topo Map	9
Aerial Map	10
Plot Plan	11
Attachments	
Attachment 1: Recommended Conditions of Approval	12
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	16
Attachment 3: Applicant's Evidence in Support of the Required Findings	21
Attachment 4: Referral Agency Comments and Recommendations	22

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

Hearing Date	Subject	Contact
January 23, 2020	Coastal Development Permit Modification	Alyssa Suarez

Project: A Modification to a previously approved Coastal Development Permit (CDP-18-025) to reduce the size of a proposed single-family residence from 4,853 square feet to up to 3,900 square feet and a 970 square foot, three-car garage. Additionally, a reduction in size of the originally approved concrete driveway and 301 square feet of covered porch and balcony will be constructed. The modification is required because the changes to the proposed development (decrease) are greater than 10 percent of the originally approved CDP. The parcel is served community water and sewer by the McKinleyville Community Services District.

Project Location: The project is located in the McKinleyville area, on the west side of Knox Cove Road, approximately 1,544 feet south from the intersection of Kelly Avenue and Knox Cove Road, on the property known as 2572 Knox Cove Road.

Present Plan Designations: Residential Estates (RE), McKinleyville Area Plan (MCAP); Density: 0-2 dwellings per acre; Slope Stability: Relatively Stable (0).

Present Zoning: Residential Single Family-Minimum lot size 20,000 sq. ft., Alquist-Priolo Fault Hazard, Streams and Riparian Corridor Protection (RS-20/G,R).

Case Number: PLN-2019-15983

Assessor Parcel Numbers: 510-431-028

Applicant:

Ray Wolfe Construction
C/O Ryan Wolfe
5460 Ericson Way
Arcata, CA 95521

Owners:

Quin Wen Wang and
Li Ming Zhao
PO Box 2599
McKinleyville, CA 95519

Agent:

Atkins Drafting
C/O Sarah Atkins
2814 G Street
Eureka, CA 95501

Environmental Review: CEQA Exemption Section: 15303(a)- New Construction or Conversion of Small Structures.

Major Issues: None.

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

RAY WOLFE CONSTRUCTION
COASTAL DEVELOPMENT PERMIT MODIFICATION
Case Number PLN-2019-15983
Assessor Parcel Number 510-431-028

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 Modification based on evidence in the staff report, and adopt the Resolution approving the Ray Wolfe Construction project subject to the recommended conditions.

Executive Summary:

The applicant is seeking to modify a previously approved Coastal Development Permit (CDP-18-025) to reduce the size of a proposed single-family residence from 4,853 square feet to approximately 3,900 square feet and up to a 970 square foot, three-car garage. Additionally, a concrete driveway and 301 square feet of covered porch and balcony will be constructed. The modification is required because the changes to the proposed development are greater than 10 percent of the originally approved CDP, and will reduce the size of the overall development footprint (approximately 18% decrease). No proposed grading or fill in excess of 50 cubic yards is planned. Minimum vegetation removal is necessary for the project and no trees are to be removed.

The approximately 0.18 acre parcel is currently undeveloped. The slope of the project site is less than 10%. The proposed residence will receive water and sewer services from the McKinleyville Community Services District. The parcel is residentially zoned, and the proposed project is principally permitted within the Residential Single-Family (RS) Zone.

The Streams and Riparian Corridor Protection (R) Combining Zone is applicable to the subject parcel. The proposed residence will have greater than a 100-foot setback from the Mad River. The Alquist-Priolo Fault Hazard (G) Combining Zone is also applicable to the subject parcel, but the proposed residence is exempt from Fault Evaluation Report Requirements pursuant to Section 313-22.1.6.1 of the Humboldt County Zoning Regulations. The project is located within the State CDP Appeal jurisdiction and is subject to a public hearing.

The project is consistent with the Humboldt County General Plan, the McKinleyville Area Plan, and the Humboldt County Zoning Code (HCC) for the following reasons: 1) the project is for a single family residence which is consistent with the RS zone, 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 Categorically Exempt from environmental review pursuant to Section 15303(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) because it is for the construction of a single-family residence in a residentially zoned area.

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-2019-15983
Assessor Parcel Number: 510-431-028**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Ray Wolfe Construction Coastal Development Permit Modification

WHEREAS, Ryan Wolfe submitted an application and evidence in support of approving a Coastal Development Permit Modification for a single-family residence; 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(a), 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-2019-15983); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on January 23, 2020.

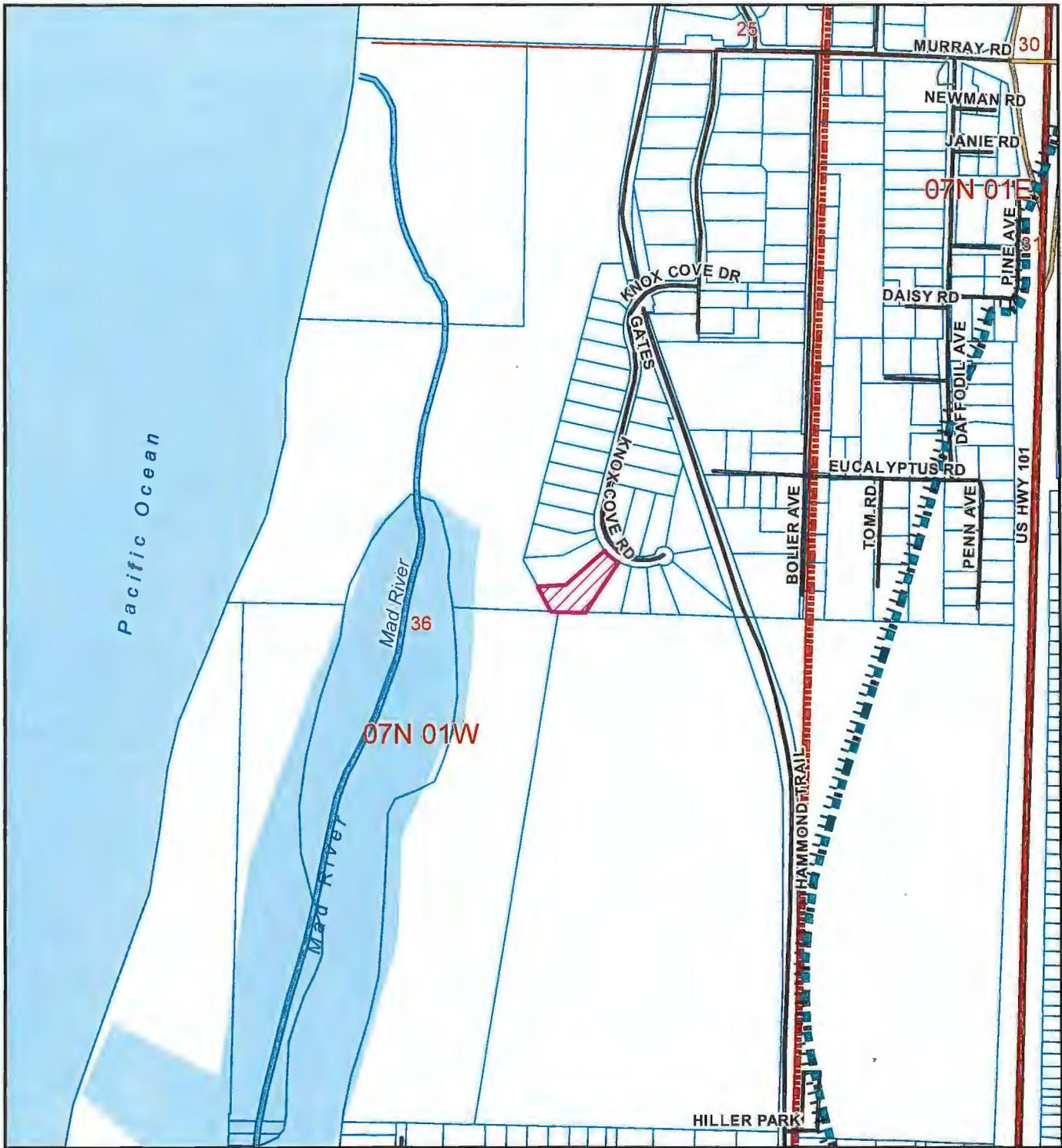
NOW, THEREFORE, be it resolved, determined, and ordered by the Zoning Administrator:

1. Finds that the application is categorically exempt from environmental review pursuant to Section 15303(a), of the CEQA Guidelines; and
2. Makes the findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-15983 based on the submitted evidence; and
3. Approves the Coastal Development Permit Modification applied for as recommended and conditioned for Case Number PLN-2019-15983

Adopted after review and consideration of all the evidence on January 23, 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
Planning and Building Department



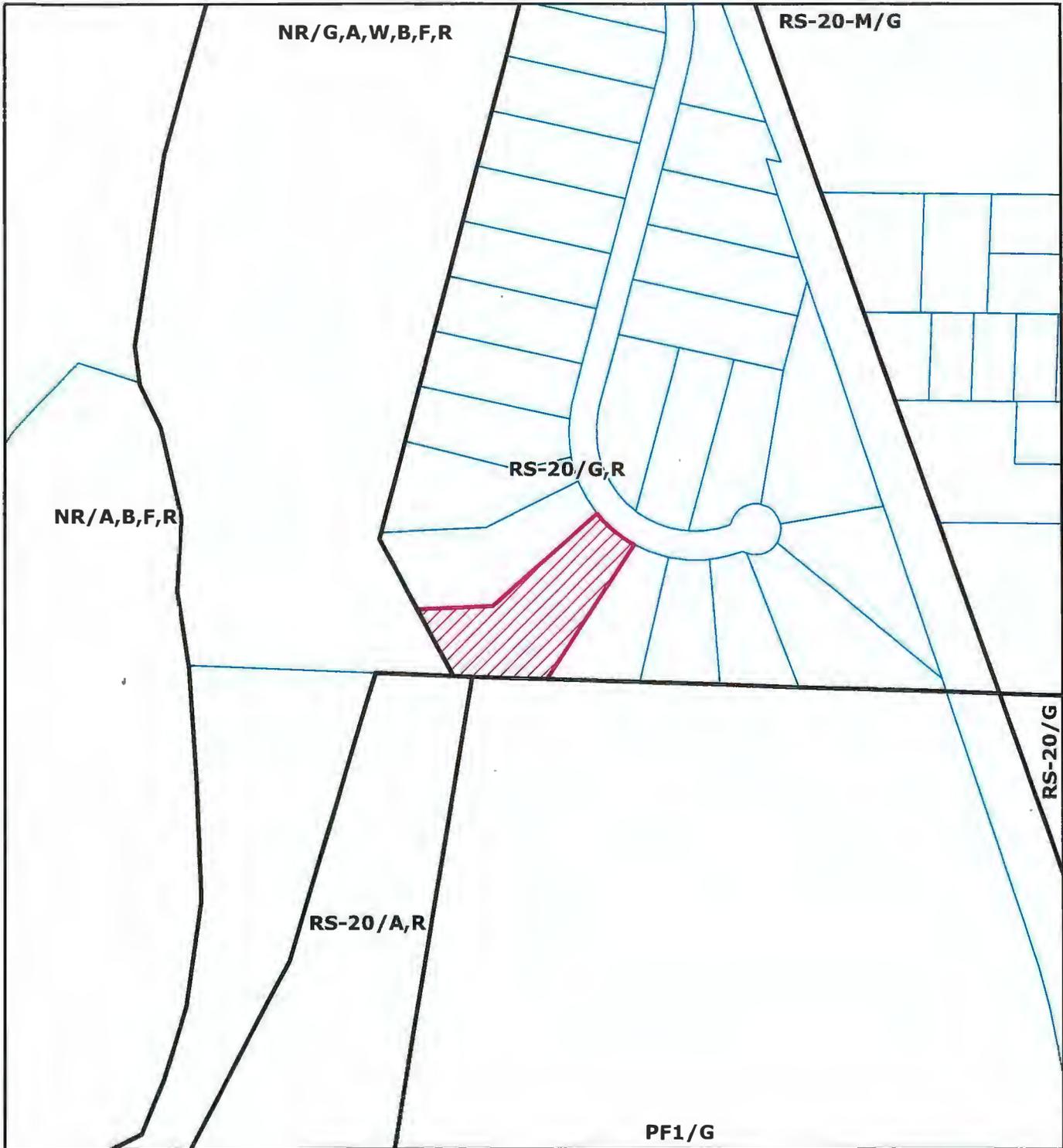
LOCATION MAP

**PROPOSED RAY WOLFE CONSTRUCTION
 COASTAL DEVELOPMENT PERMIT &
 MODIFICATION
 MCKINLEYVILLE AREA
 PLN-2019-15983
 APN: 510-431-028
 T07N R01W S36 HB&M (Arcata North)**



Project Area = 
Coastal Zone Boundary 

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.



ZONING MAP

**PROPOSED RAY WOLFE CONSTRUCTION
 COASTAL DEVELOPMENT PERMIT &
 MODIFICATION
 MCKINLEYVILLE AREA
 PLN-2019-15983
 APN: 510-431-028
 T07N R01W S36 HB&M (Arcata North)**

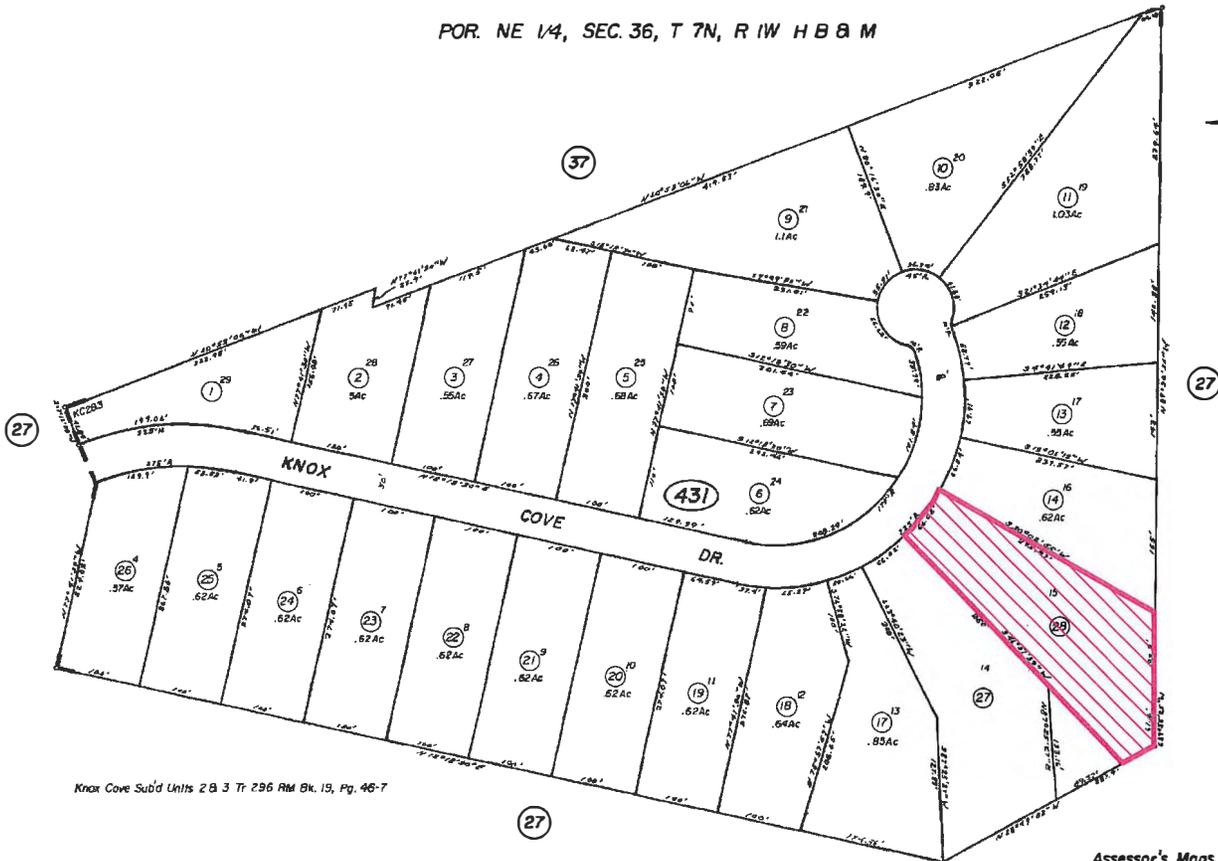
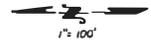
Project Area = 

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.



POR. NE 1/4, SEC. 36, T 7N, R 1W HB & M

510-43



Knox Cove Sub'd Units 2 & 3 Tr. 296 RM Blk. 15, Pg. 46-7

Assessor's Maps Blk. 510- Pg. 43
County of Humboldt, Calif. 2/88

ASSESSOR PARCEL MAP

PROPOSED RAY WOLFE CONSTRUCTION COASTAL DEVELOPMENT PERMIT & MODIFICATION

MCKINLEYVILLE AREA

PLN-2019-15983

APN: 510-431-028

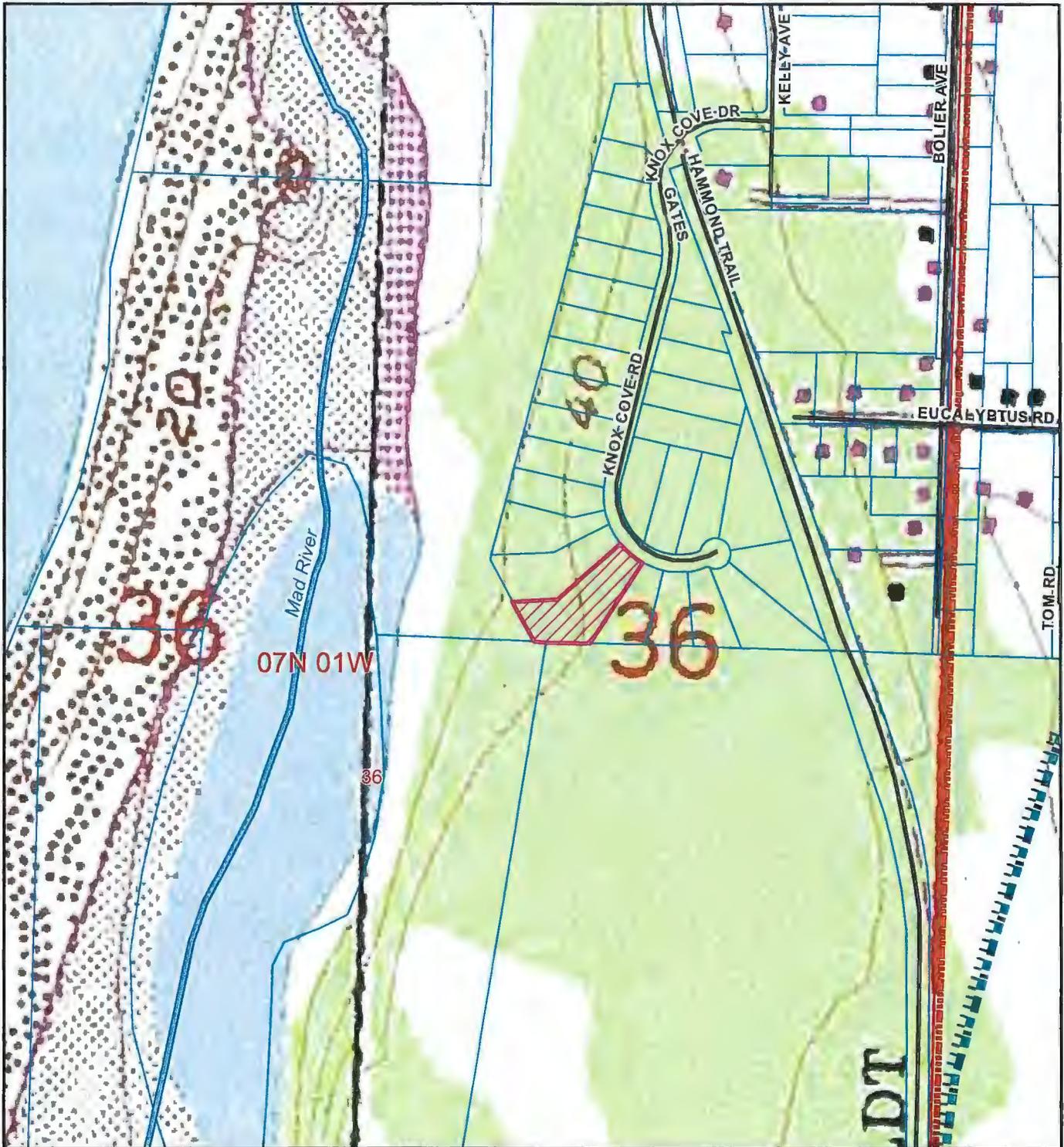
T07N R01W S36 HB&M (Arcata North)



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.

MAP NOT TO SCALE



TOPO MAP

**PROPOSED RAY WOLFE CONSTRUCTION
COASTAL DEVELOPMENT PERMIT &
MODIFICATION**

MCKINLEYVILLE AREA

PLN-2019-15983

APN: 510-431-028

T07N R01W S36 HB&M (Arcata North)

Project Area = 

Coastal Zone Boundary 

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 RAY WOLFE CONSTRUCTION
COASTAL DEVELOPMENT PERMIT &
MODIFICATION**

MCKINLEYVILLE AREA

PLN-2019-15983

APN: 510-431-028

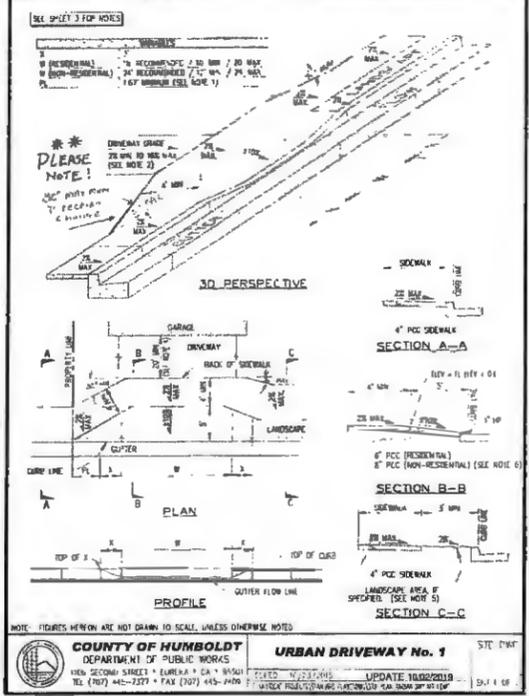
T07N R01W S36 HB&M (Arcata North)

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.



0 100 200 300
 Feet



POSTED ADDRESS

ADDRESS NUMBERS SHALL BE POSTED IN A POSITION THAT IS FLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS NUMBERS SHALL BE A MINIMUM OF 4-INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 1/2-INCH. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND.

SITE PLAN NOTES

- PROJECT SITE LESS THAN 10% SLOPE
- NO KNOWN WATER COURSES, PONDS, OR WETLAND AREAS WITHIN PROJECT SITE
- PUBLIC WATER AND SEWER
- NO TREES TO BE REMOVED
- NO PROPOSED GRADING OR FILL IN EXCESS OF 30-CU. YDS. (FOUNDATION PREPARATION EXCEPT)
- NO PROPANE OR KEROSENE STORAGE TANKS

PROJECT LOCATION

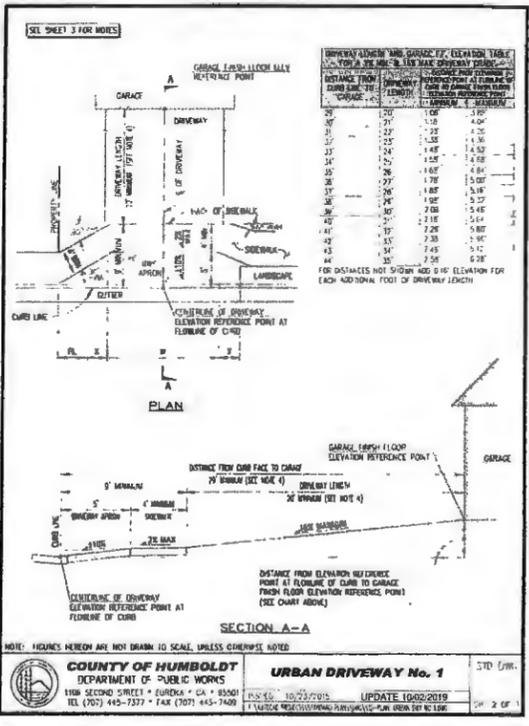
From Eureka, CA head North on (US-101)
15.4 mi.
Take exit T21 toward Murray Rd
0.2 mi.
Turn left onto Murray Rd
0.3 mi.
Turn left onto Kelly Ave
0.2 mi.
Turn right onto Knox Cove Dr
0.2 mi.
Arrive at Knox Cove Dr

BUILDING DATA

TYPE OF CONSTRUCTION -	Y B
OCCUPANCY -	R-5
STORIES -	THO
SPRINKLED -	YES

BUILDING CODE COMPLIANCE

BUILDING SHALL COMPLY WITH 2016 CALIFORNIA BUILDING CODE (CBC), 2016 CALIFORNIA RESIDENTIAL CODE (CRC), 2016 CALIFORNIA PLUMBING CODE (CPC), 2016 CALIFORNIA MECHANICAL CODE (CMC), 2016 CALIFORNIA ELECTRICAL CODE (CEC), 2016 CALIFORNIA ENERGY EFFICIENCY STANDARDS CODE 2016 CALIFORNIA FIRE CODE (CFC), 2016 GREEN BUILDING STANDARDS CODES, AND ALL APPLICABLE CODES.



ATTACHMENT 1

Recommended Conditions of Approval

Approval of a Coastal Development Permit is conditioned upon the following terms and requirements, which must be fulfilled before a Building Permit may be issued.

The conditions of approval from January 17, 2019 shall remain in full force and effect and are not affected by this modification.

1. All development shall be in accordance with approved plot plan, project description, and elevations, as modified. Changes to the approved design may be approved if in conformance with Section 312-11, Minor Deviations.
2. The applicant shall incorporate Best Management Practices (BMPs) for erosion and sediment control as set forth in the County's Grading Ordinance (HCC Section 331-12.H.6.(c)), including the following measures:
 - a. Use dust control techniques when excavating to minimize dust problems on adjacent parcels;
 - b. Re-vegetate all disturbed areas prior to winter rain; and
 - c. Take all precautions necessary to avoid the encroachment of dirt or debris on adjacent properties.
 - d. The plot plan submitted for the Building Permit shall indicate that all ground bared during construction shall be landscaped and/or seeded and mulched prior to October 1st.
3. The applicant is responsible for adhering to the Conditions recommended by the Department of Public Works referral response. Adherence must be to the standard of the Department of Public Works. These conditions include:
 - a. The frontage of the property shall be developed to urban standards; which includes a 5 foot wide Portland cement concrete sidewalk and an urban driveway apron. The Department recommends using Urban Driveway #1 to meet ADA compliance. The length of frontage is approximately 66 linear feet.
 - b. Low Impact Development (LID): While the subject property is located within the municipal separate storm sewer system (MS4) boundary area, the subdivision itself does not require LID standard to be applied due to the date of the application. However, at the time that building permits are pulled, each lot within the subdivision is now required to comply with the MS4 permit.
4. By acceptance of this permit the applicant agrees, on behalf of themselves and all successors and assigns, that no bluff or shoreline protective device shall ever be constructed to protect approved development in the event authorized development is threatened with damage or destruction from waves, erosion, landslides, bluff retreats or other natural hazards in the future. By acceptance of this permit, pursuant to Public Resources Code Section 30235, the applicants hereby waive, on behalf of themselves and all successors and assigns and right to construct any such device.

- a. By acceptance of this permit, the applicant further agrees, on behalf of themselves and all successors and assigns that the landowner shall remove the development authorized by this permit if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a Coastal Development Permit.
 - b. In the event the edge of the bluff recedes to within 10 feet of the authorized development but no government agency has ordered that the structures not be occupied, a geotechnical investigation shall be prepared by a licensed geologist or civil engineer with coastal experience retained by the landowner(s), that addresses whether any portions of the structures are threatened by waves, erosion, storm conditions, bluff failure, or other natural hazards. The report shall identify all those immediate or potential future measures that could stabilize the structures without shore or bluff protection, including, but not limited to, removal or relocation of the structures.
5. By acceptance of this permit, the applicant acknowledges and agrees (a) that the site may be subject to hazards from earthquakes, erosion, landslides, bluff failure, and other geologic hazards; (b) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (c) to unconditionally waive any claim of damage or liability against the County, its officers, agents, and employees for injury or damage from such hazards; and (d) to indemnify and hold harmless the County, its officers, agents, and employees with respect to the County's with respect to the County's approval of the project against any and all liability claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
6. Prior to issuance of Building Permits, the applicant shall submit to the Director for review and approval documentation demonstrating that the applicants have executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Director: (a) indicating that, pursuant to this permit, the County has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (b) imposing the Conditions of Approval of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.
7. This permit is only for the development described in this Coastal Development Permit (PLN-2019-15983) (a Modification to CDP-18-025). Pursuant to Title 14 California Code of Regulations (CCR) Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code (PRC) Section 30610(a) shall not apply to the development governed by PLN-2019-15983. Accordingly, any future improvements, repair, or maintenance to this structure authorized by this permit shall require a modification from the County or shall require an additional CDP from the County.

Ongoing Requirements/Development Restrictions which Must be Satisfied for the Life of the Project:

1. The project shall be conducted in accordance with the project description, the approved project site plan, and these conditions of approval.
2. All new and existing outdoor lighting shall be directed within the property boundaries.
3. New utilities shall be installed underground, when feasible.
4. Alteration to natural landforms shall be minimized.

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 ultimately 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. NEW DEVELOPMENT TO REQUIRE PERMIT. Any new development as defined by Section 313-139 of the Humboldt County Code (H.C.C.), shall require a Coastal Development Permit in accordance with the adherence to the parcels zoning regulations defined by 313-6.1 of Humboldt County Zoning Regulations.
5. At the time of the building permit issuance, the applicant shall pay McKinleyville drainage fees pursuant to Humboldt County code Section 328.1-13.

6. The subject lot was created as Lot 15 of the Knox Cove Subdivision (Case No. FMS-03-83). To provide evidence in support of making the finding in Section 3.27c of the McKinleyville Area Plan that the subdivision parcels are "suitable for conventional residential purposes without unreasonable risk to geologic and/or pedologic hazards", a Geologic Report was prepared which analyzed geologic hazards to which the property was subject, including the risks associated with coastal bluff retreat. Specific bluff setback recommendations were made in this report for future building development on the lots. A condition of approval for the subdivision was the execution of a Hold Harmless Agreement (Recorder's Document # 16233, Volume 1883, Page 211, Humboldt County Records) holding the County harmless in the event of damages or injuries resulting out of the creation, development and use of the lots fronting on the site's bluff area, including Lot 15. The purpose of this Informational Note is to advise of the existence of the Geologic Report and the Hold Harmless Agreement prepared for Case No. FMS-03-83 and subsequently applied to CDP-18-025. Furthermore, while the bluff retreat rate and extent is an estimate based on the evaluation of the site by the registered geologist, the risk of bluff erosion/retreat in any single year may be greatest when the mouth of the river is opposite the property and the bluff is exposed to direct wave action. The Mad River has been dynamic over the last 20 years, with the river mouth moving north and south of the subject property during this period. The applicant is encouraged to seek the advice of a registered geologist to explain these processes and the associated risks in greater detail.

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 McKinleyville Area Plan (MCAP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use §5.20 (MCAP)	Residential Estates (RE): Detached single-family residences are the principal use of this designation. Density: 0-2 units per acre.	The project is to facilitate construction of a single-family residence. The modification will result in a smaller footprint than originally approved (approximately 18% decrease in size). The project is in conformance with the RE designation.
Housing §3.25 (MCAP)	Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.	Due to the parcel's residential designation, this proposed development of a single-family residence will not have an adverse effect on the County's Housing Inventory and will add one unit to the County's housing stock.
Hazards §3.28 (MCAP)	New development shall minimize risks to life and property in areas of high geologic, flood and fire hazard.	The project site is located in an area of relative stability. All proposed development on-site is on level ground. A Geologic Evaluation focusing on the stability of the coastal bluff was prepared by Northern Geotechnical Incorporated in 1983 for the original subdivision and determined that a low to moderate rate of bluff retreat should be anticipated during the lifespan of the development for the parcel. Deep-seated slope failure that would affect the bluff slope, bluff top, and the area west of the bluff base is considered a very low level geologic hazard. Despite this, it is conceivable that bluff retreat could occur at a high rate if the Mad River changes its course such that river bank erosion removes the base of the bluff slope or if the river erodes through the sand spit, exposing the bluff to wave attack. A condition was added that no bluff shore retreat device should ever be installed if this were to happen, a requirement of Section 3.28 of the MCAP referring to California Coastal Act section 30253. There are seismic hazards that effect the parcel, but the potential for surface fault rupture on the development site parcel is considered to be low for the life of the project. Project approval is conditioned upon satisfaction of BID requirements and compliance with the recommendations of the Report. The original project was also conditioned to include enforceable conditions recommended by the Coastal Commission. This includes a

		<p>Deed Restriction, which must be recorded against the parcel prior to issuance of a Building Permit.</p> <p>The project site is located in an area of minimal flooding. BID did not identify any site concerns relating to site suitability for residential development for the original project, and recommended approval for the modification.</p> <p>The property is located in an area of low fire hazard rating. Fire jurisdiction is served by the Arcata Fire Protection District. As conditioned, the project will not increase risks to hazards.</p>
<p>Biological Resource Protection §3.40 (MCAP)</p>	<p>Protect environmentally sensitive habitat areas against significant disruption of habitat values. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas.</p>	<p>A Biological Report was prepared by Acer Biological for the original subdivision. The report concluded that there are no natural communities, no target species, no listed plant species, no creeks, springs or wetlands within or adjacent to the project site. The modification was referred to the Coastal Commission for additional responses. No threats to biological resources were identified.</p>
<p>Archaeological and Historical Resources §3.29 (MCAP)</p>	<p>Mitigation measures shall be provided to prevent and/or offset any adverse impacts to archaeological and/or paleontological resources.</p>	<p>The Bear River Band of Rohnerville Rancheria and the Wiyot Tribe were both referred as part of processing the original project application and did not cite any concerns. The Northwest Information Center was also referred and recommended an informational note, which has been added to the Conditions of Approval regarding legal requirements should ground-breaking activities reveal the presence of archaeological resources or human remains.</p>
<p>Visual Resource §3.42 (MCAP)</p>	<p>Protect and conserve scenic and visual qualities of coastal areas.</p>	<p>The subject parcel is not located within a designated coastal scenic view/area. Views to the ocean are obstructed by natural vegetation.</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 with 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
§313-6.1: Residential Single Family	Principally permitted uses include; single family residence.	The project is to facilitate the development of a single family residence.
Min. Lot Size:	20,000 square feet	0.16 acres
Min. Lot Width:	75 feet	±57 feet
Max. Lot Depth:	Three times lot width	±145 feet
Max. Coverage:	35%	Approximately 12%
Minimum Yard Setbacks:	Front: 20 feet Rear: 10 feet Interior Sides: 5 feet	Front: ±158 feet Rear: ±50 feet Sides: ±20 and ±52 feet
Max. Bldg. Height:	35 feet	Approximately 33 feet
§313-109.1 Parking	Four (4) off-street parking spaces are required for the proposed residence.	A driveway and three-car garage are proposed.

Combining Zones		
§313-22.1 G : Alquist-Priolo Fault Hazard	The Alquist-Priolo Fault Hazard Zone Regulations are intended to implement the Alquist-Priolo Special Studies Zones Act in order to address potential hazards resulting from surface faulting or fault creep.	The proposed residence is exempt from Fault Evaluation Report Requirements pursuant to Section 313-22.1.6.1 of the Humboldt County Zoning Regulations.
§313-33.1 R : Streams and Riparian Corridors Protection	The Streams and Riparian Corridors Protection Zone Regulations are intended to provide for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface water flow, and alteration of natural streams, and by protecting riparian habitats.	The proposed residence will have greater than a 100' setback from the Mad River. No impacts to streams are anticipated.

4. Public Health, Safety and Welfare; and 6. Environmental Impact. The following table identifies the evidence which supports finding that the proposed location of the use 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 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	The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.	The proposed single family residence will produce no detrimental effects to public health, safety and welfare. The modification will result in a smaller footprint than originally proposed. The proposed development is not expected to be detrimental to property values in the vicinity nor pose any type of public health hazard.
§15303 of CEQA	Categorically exempt from State environmental review.	The project is categorically exempt from environmental review pursuant to Section 15303(a) (New construction/Conversion of Small Structures) of the guidelines for the implementation for CEQA.

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 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 parcel is currently planned Residential Estates (RE) under the McKinleyville Area Plan. The proposed project is for the development of a single family residence on a currently undeveloped lot. The proposed project will add one unit to the County's housing stock and complies with this policy.

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]
- Current Deed [in file]
- Previously approved project CDP-18-025 [on file with the Planning Division]

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 Department	✓	Approval
County Counsel	✓	Approval
County Department of Environmental Health	✓	Approval
Blue Lake Rancheria	✓	Conditional Approval
California Coastal Commission	✓	Conditional Approval
County Public Works & Land Use	✓	Conditional Approval
NWIC	✓	Conditional Approval
Bear River Band Rancheria	✓	Conditional Approval
Wiyot Tribe		No response

*Responses from original project (CDP-18-025). Note: The current project was referred to The Building Inspection Division, California Coastal Commission, and County Public Works Department. Public Works and Building Inspection Division conditionally approved the project. The Coastal Commission did not respond.