



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

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

Action Date: July 15, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Nolton, Coastal Development Permit**  
Application Number PLN-2021-17110  
Assessor's Parcel Number (APN) 511-042-043  
1026 Yamaha Place, McKinleyville

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Please contact Leiloni Shine, Contract Planner, at 707-671-6928 or by email at [Leiloni@landlogistics.com](mailto:Leiloni@landlogistics.com), if you have any questions about the scheduled public hearing date.

## AGENDA ITEM TRANSMITTAL

Hearing Date July 15, 2021	Subject Nolton Coastal Development Permit	Contact Leiloni Shine, Contract Planner
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**Project Description:** A Coastal Development Permit for the construction of a single family dwelling (approximately 1348 square feet in size and approximately 15 feet in height), which includes a garage (approximately 440 square feet in size) and a porch (approximately 48 square feet in size). No trees are proposed to be removed and approximately 30 yards of gravel fill are proposed. Water and sewer are provided by the McKinleyville Community Services District. The dwelling will be built on Lot 24 of the Two Trees Subdivision (FMS-03-09). NOTE: This project is in the Coastal Zone.

**Project Location:** The project site is located in Humboldt County, in the McKinleyville area, on the east side of Yamaha Place, approximately 500 feet west from the intersection of Yamaha Place and Halfway Avenue, on the property known as 1026 Yamaha Place.

**Present Plan Land Use Designation:** Residential/Low Density (RL). McKinleyville Area Plan, 2017 General Plan. Density: 1 to 7 dwelling units per acre, Slope Stability: Relatively Stable (0)

**Present Zoning:** Residential Single Family (RS-5) / Airport Safety Review (AP), Noise Impact (N)

**Assessor Parcel Numbers:** 511-042-043

**Record Number:** PLN-2021-17110

**Applicant**

Jody Nolton  
1026 Yamaha Place  
McKinleyville, CA 95519

**Owners**

Clearwater Real Estate Holdings LLC Co  
PO Box 1285  
Eureka, CA 95502

**Agent**

N/A

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

**Major Issues:** none.

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

**Nolton Coastal Development Permit**  
Record Number: PLN-2021-17110  
Assessor's Parcel Number: 511-042-043

**Recommended Planning Director 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 find the project exempt from environmental review pursuant to Section 15303(a) of the State CEQA Guidelines, make all the required findings for approval of the Coastal Development Permit and approving the Nolton project subject to the recommended conditions.*

**Executive Summary:** A Coastal Development Permit to authorize the construction of a single-family dwelling (approximately 1,348 square feet in size and approximately 15 feet in height), which includes a garage (approximately 440 square feet in size) and a porch (approximately 48 square feet in size). The construction is proposed on an approximately 0.16-acre parcel. The vacant lot is in a residential area where single family residences are the primary use within the Two Trees Subdivision. No trees are proposed to be removed and approximately 30 yards of gravel fill are proposed. Water and sewer are provided by the McKinleyville Community Services District. Access would be provided by a driveway connection to Yamaha Place. The dwelling will be built on Lot 24 of the Two Trees Subdivision (FMS-03-09). NOTE: This project is in the Coastal Zone.

**RECOMMENDATION:** Based on 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 the required findings for approval of the Coastal Development Permit.

**ALTERNATIVES:** Several alternatives may be considered: 1) The Planning Director 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 Planning Director could elect to add or delete conditions of approval; 3) The Planning Director could deny approval of the requested permits 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 21-  
Record Number PLN-2021-17110  
Assessor's Parcel Number: 511-042-043**

**Certifying compliance with the California Environmental Quality Act, making required findings and approving the Nolton Coastal Development Permit.**

**WHEREAS**, Jody Nolton submitted an application and evidence in support of approving a Coastal Development Permit for the construction of a 1,348 square foot single family residence, 440 square foot garage, and 48 square foot covered porch, on an approximately 0.16-acre parcel in the McKinleyville area (APN 511-042-043); and

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

**WHEREAS**, the Humboldt County Zoning Administrator reviewed, considered, and discussed the application for a Coastal Development Permit at a legally notices public hearing on July 15, 2021.

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

- 1. FINDING:** **Project Description:** The application is a Coastal Development Permit to authorize the construction of a 1,348 square foot single family residence, 440 square foot garage, and 48 square foot covered porch, on an approximately 0.16-acre parcel.

**EVIDENCE:** a) Project File: PLN-2021-17110
- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. Project is exempt from environmental review.

**EVIDENCE:** a) CEQA Guidelines Section 15303 exempts New Construction or Conversion of Small Structures and provision (a) of that section specifically exempts construction of single family residences in a residential zone

b) The subject request is a single family residence is a Single Family Residential Zoning District.

**FINDINGS FOR THE COASTAL DEVELOPMENT PERMIT**

- 3. FINDING** The proposed development is in conformance with the Local Coastal Plan.

**EVIDENCE** a) The proposed development is consistent with the Residential Low Density (RL) land use designation. The RL designation provides for single family units on individual lots and can accommodate a mix of housing types including townhouses and common-wall clustered units. The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. This proposed project parcel is currently vacant. The proposed development will increase the amount of single-family housing in the area. Therefore, the

project is in conformance with the County General Plan.

**4. FINDING**

The proposed development is consistent with McKinleyville Area Plan (MCAP)

**EVIDENCE**

- a) The land use designation for the parcel within the MCAP conforms with the General Plan land use designation.
- b) MCAP Section 3.25 Housing states: Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element. The proposed development would support the residential use on the site.

**5. FINDING**

The proposed development is consistent with the purposes of the existing RS-5, and AP, N combining zones in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone.

**EVIDENCE**

- a) The parcel was created via the Two Trees Subdivision, file FMS-03-09 and is currently vacant. The proposed development on Lot 24, a 1,348 square foot residence approximately 15 feet in height, a 440 square foot garage and 48 square foot covered porch, is a principally permitted use in the RS-5 zone (HCC 313-6.1).
- b) The proposed development is consistent with the maximum density requirements, one dwelling unit per lawfully created lot, of the RS-5 zone (HCC 313-6.1). The proposed development is consistent with the minimum required development standards of the RS-5 zone, including height, lot coverage, property line setbacks, and residential parking availability. The proposed structure height is consistent with the standards of the AP combining zone. The design materials are consistent with the zone requirements, including the prohibition of manufactured homes in the Noise Impact (N) combining zone.

**6. FINDING**

The construction of a permitted single-family residence will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The property is currently vacant, the proposed development will be consistent with the surrounding existing development. New residential housing will be beneficial to the public health, safety and welfare and will not be materially injurious to properties or improvements in the vicinity.
- b) The proposed development is consistent with the surrounding development and is designed to allow residential use consistent with the neighborhood.

**7. 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 parcel's General Plan land use designation (RL) and zoning (RS-5/AP/N) allow residential use. The project will not negatively impact compliance with Housing Element law. The project will increase available housing in the McKinleyville area and will comply with the density range of the RL land use designation, 1-8 units per acre with a maximum floor area ratio of 0.40. The proposed development is consistent with the McKinleyville Area Local Coastal Plan (Section 3.25 Housing).

**DECISION**

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

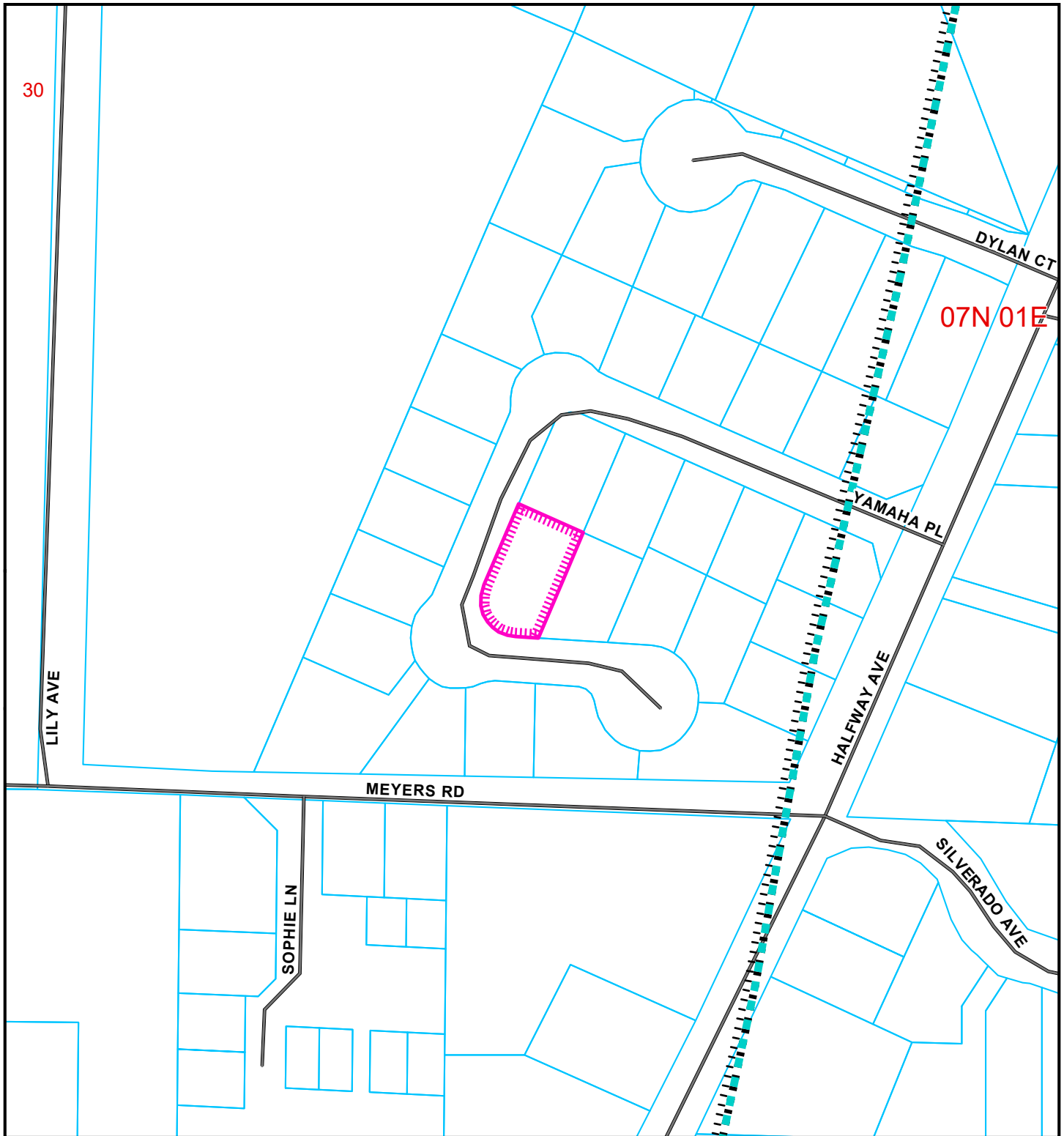
- Adopt the findings set forth in this resolution; and
- Approves the Nolton Coastal Development Permit, subject to the conditions of approval attached hereto as Attachment 1

Adopted after review and consideration of all the evidence on July 15, 2021

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 Planning Director at a meeting held on the date noted above.

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John Ford, Zoning Administrator,  
Planning and Building Department



# LOCATION MAP

PROPOSED JUDY NOLTON  
COASTAL DEVELOPMENT PERMIT  
MCKINLEYVILLE AREA

PLN-2021-17110

APN: 511-042-043

T07N R01E S30 HB&M (Arcata North)

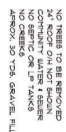
Project Area = 

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.



0 100  
Feet



**PLOT PLAN**  
SCALE: 1/4" = 1'-0"

102.88 P.L.

37-6' =

LOT 24  
.16 ACRE

63.05' P.L.

ALL INFORMATION FROM CALCULATIONS HAVE BEEN TRANSFERRED TO THE PLANS

## REVISIONS

NOTES:

GRADES & DRAINAGE BY OTHER

ALL WORK SHALL BE IN CONFORMANCE WITH THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE.

CALIFORNIA 2013 BUILDING CODE  
CALIFORNIA 2013 RESIDENTIAL CODE  
CALIFORNIA 2013 ELECTRICAL CODE  
CALIFORNIA 2013 MECHANICAL CODE  
CALIFORNIA 2013 PLUMBING CODE  
CALIFORNIA FIRE CODE  
CALIFORNIA GREEN BUILDING CODE  
CALIFORNIA GREEN BUILDING STANDARDS  
LOCAL ORDINANCES  
THE CALIFORNIA BUILDING STANDARDS CODE IS BASED ON THE 2013-IBC.

GLD FOLDLINE

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DEALIN BY: BAR

[illegible]

14-097 0

**BRIAN KELLY**  
ARCHITECTURAL  
DRAFTING & DESIGN

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P.O. Box 635  
Blue Lake, California 95525  
(707) 834-3849  
barco@suddenlink.net

**JOB TITLE:**

**LOT 24**

**Keven Knox**  
1000 Yamaha Place  
McKinleyville, CA 95519  
707-815-9701

## PROJECT:

APN: 511-042-043  
1026 Yamaha Place  
McKinleyville, CA 9551



**NEALE B. PENFOLD**  
**Professional**  
**Civil Engineering**  
2107 First Street  
Eureka, California 95501  
(707) 442-4587

PNJ-2021-17110



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

**APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE COASTAL DEVELOPMENT PERMIT CAN BE FINALIZED.**

#### **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 material 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 Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this fee to the project.
5. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

#### **Project Specific Conditions:**

6. Along the frontage of the subject property, the applicant shall construct the deferred sidewalk and driveway apron improvements as shown on the approved subdivision improvement plans for the Two Trees subdivision. The applicant shall have the Department of Public Works inspect the improvements to insure conformance to approved improvement plans. The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 313-109.1.3.2.5 and 411-51(b)(3)].
7. Site visibility must be maintained at the driveway approach in Conformance with County Code. (Section 341-1 et seq.).
8. All building elevations and lot grades shall be established on-site **prior** to the start of lot excavation to ensure compliance with encroachment permit requirements.

### Informational Notes:

1. The project is located within the McKinleyville Community Drainage Plan area and is subject to pay drainage fees at time of building issuance. [reference: County Code Section 328.1-13].
2. The subject project lies within airport compatibility zone C\* for the Arcata-Eureka Airport as identified in the Airport Land Use Compatibility Plan (ALUCP).
3. Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area, development of the property is required to comply with the MS4 permit requirements; unless determined to be exempt. [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual v2.0 (06/30/2016), Part A, Table 1].
4. 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 and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. 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 Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

## **ATTACHMENT 2**

### **APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS**

Attachment 2 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:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location of the proposed fencing. (On file)
3. Compliance Agreement between County of Humboldt and Jody Nolton. (On file)

### ATTACHMENT 3

#### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division		No Response	
Division Environmental Health	✓	Approval	On File
Public Works, Land Use Division	✓	Condition of Approval	Attached
California Department of Fish & Wildlife		No Response	
McKinleyville Community Service District	✓	Approval	On File
FPD Arcata	✓	Approval	On File
North Coast Regional Water Quality Control Board		No Response	
California Coastal Commission		No Response	
Bear River Band		No Response	
Blue Lake Rancheria	✓	Condition of Approval	On File
Wiyot Tribe		No Response	
NWIC	✓	Condition of Approval	On File



DEPARTMENT OF PUBLIC WORKS  
**C O U N T Y   O F   H U M B O L D T**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ON-LINE  
WEB: CO.HUMBOLDT.CA.US

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

CLARK COMPLEX  
HARRIS & H ST., EUREKA  
FAX 445-7388  
LAND USE 445-7205

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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Trisha Shortridge, Planner, Planning & Building Department

FROM: Kenneth Freed, Assistant Engineer 

DATE: 04/19/2021

RE: **NOLTON, APN 511-042-043, APPS# PLN-2021-17110**

This project is located in the approved Knox Subdivision. The applicant has deferred construction of all pedestrian improvements (sidewalks) and residential driveway aprons to the time of issuance of a building permit. A Development Plan has been approved and is on file at the Planning Department. This deferment is noted on the Development Plan.

This project does not directly affect any facilities maintained by this Department.

Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval **before** construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

The following conditions are recommended:

(1) Along the frontage of the subject property, the applicant shall construct the deferred sidewalk and driveway apron improvements as shown on the approved subdivision improvement plans for the Knox subdivision. The applicant shall have the Department of Public Works inspect the improvements to insure conformance to approved improvement plans.

The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 313-109.1.3.2.5 and 411-51 (b)(3)]

(2) Site visibility must be maintained at the driveway approach in conformance with County Code. (Section 341-1 et seq.)

(3) All building elevations and lot grades shall be established on-site **prior** to the start of lot excavation to ensure compliance with encroachment permit requirements.

**Informational Notes (not a requirement):**

1. The project is located within the McKinleyville Community Drainage Plan area and is subject to pay drainage fees at time of building issuance. [reference: County Code Section 328.1-13].
2. The subject project lies within airport compatibility zone C\* for the Arcata-Eureka Airport as identified in the Airport Land Use Compatibility Plan (ALUCP).
3. Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area, development of the property is required to comply with the MS4 permit requirements; unless determined to be exempt. [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual v2.0 (06/30/2016), Part A, Table 1]

// END //