



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 23-606 **Version:** 1 **Name:**
Type: Informational Report **Status:** Consent Agenda
File created: 4/25/2023 **In control:** Planning Commission
On agenda: 5/4/2023 **Final action:**
Title: Hornstein Final Map Subdivision Extension
 Assessor Parcel Number (APN): 500-091-047
 Application Number: PLN-2022-17879
 Prior Application Number: PLN-11586-FMS (FMS 16-006)
 Arcata area

A two-year extension to a Final Map Subdivision (FMS) previously approved by the Planning Commission by PC Resolution 19-11 (effective February 5, 2019). No change to the original project is proposed. Conditions of approval from the original project remain in effect. The original approval permits the division of an approximately 75-acre parcel (APN 500-091-047) into three parcels of approximately 12 acres (Parcel 1), 10.5 acres (Parcel 2), and 51 acres (Parcel 3). A Lot Line Adjustment included in the previously approved scope of work has been completed (NOLLA & COSC 2019-12709), adding approximately 0.08 acres to proposed Parcel 1 from a neighboring parcel (APN 500-091-052, currently vacant). The subject property of the FMS (APN 500-091-047) is developed with a single-family residence served by an existing shared water system and utilizes an on-site wastewater treatment system. Once the property division has been completed, the existing residence will be located on proposed Parcel 3.. The proposed parcels will be served by the existing shared water system. Each newly created parcel will utilize an on-site wastewater treatment system previously reviewed and approved by DEH. This is the first applicant-initiated extension in addition to an automatic 18-month extension provided by AB1561 and if approved, the Tentative Map approval will expire on August 5, 2024.

Sponsors: Planning and Building, Laura McClenagan

Indexes:

Code sections:

Attachments: 1. 17879 Hornstein Staff Report 5.4.23, 2. Attachment 1 - Draft Resolution 5.4.23, 3. Attachment 1A - Original Conditions of Approval, 4. Attachment 1B - Public Works COA, 5. Attachment 1C - Tentative Map and Site Plan

Date	Ver.	Action By	Action	Result
5/4/2023	1	Planning Commission	approved	Pass
5/4/2023	1	Planning Commission	approved	Pass

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Hornstein Final Map Subdivision Extension
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RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 23-__) (Attachment 1) which does the following:
 - a. Finds that the Planning Commission considered and adopted a Mitigated Negative Declaration on January 25, 2019 (SCH# 2018122048) for the Hornstein Subdivision and as no new changes to the project are proposed, no further environmental review is required; and
 - b. Finds that the proposed project complies with the General Plan (Jacoby Creek Community Planning Area) and Zoning Ordinance; and
 - c. Approves the Final Map Subdivision Extension subject to the:
 - Original Conditions of Approval (Attachment 1A); and
 - Public Works Department Conditions of Approval (Attachment 1B); and
 - Tentative Map/Site Plan (Attachment 1C).

DISCUSSION:

Project Location: The project is located in Humboldt County, in the Arcata area, on the North side of Idylbear Lane, at the intersection of Splinter Lane and Idylbear Lane, on the property known as 2560 Idylbear Lane.

Access: All parcels will utilize Idylbear Lane/Splinter Lane southerly to Golf Course Road/Buttermilk Lane as the primary ingress and egress route. The northerly access, Simmons Lane northerly to Fickle Hill Road will be utilized by proposed Parcels 1 - 3 as a secondary access.

Present General Plan Land Use Designation: RS (5-20) Residential Suburban, Density 5-20 acres per dwelling unit; Jacoby Creek Community Plan (JCCP); Slope Stability both 2 and 3 (Moderate Instability, High Instability).

Present Zoning: Unclassified (U)

Environmental Review: On January 24, 2019, during original approval of the project, the Humboldt County Planning Commission considered and adopted a Mitigated Negative Declaration (SCH# 2018122048). Further environmental review is not required as no changes to the previously approved project are proposed.

State Appeal: The project is not located within the Coastal Zone. Project is not appealable to the California Coastal Commission.

Major Concerns: None

Analysis of Evidence Supporting the Required Findings: Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly.

The conditions of the property have not changed since the original application/approval, nor have the applicable regulations. This is the first applicant-initiated extension in addition to an automatic 18-month extension provided by AB1561 and if approved, the Tentative Map approval will expire on August 5, 2024.

The Planning Department has circulated requests for input relative to the extension petition and no comments against the petition have been received. Public Works and the Arcata Fire Protection District responded to the referral, both recommending approval or conditional approval of the extension. Comments from the Arcata Fire Protection District note gate access is required for fire response after activities commence. No other responses were received. It is Staff's opinion that the findings and conditions of the original project, effective February 5, 2019, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Unclassified for which conformance findings were made, has not changed.
2. The General Plan Land Use designation, Residential Agriculture density 5-20 acres per dwelling unit, for which a consistency finding was made, has not changed.
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. This Final Map Subdivision with a Mitigated Negative Declaration was previously approved and certified by the Planning Commission on January 24, 2019, under PLN-11586-FMS, SCH# 2018122048 as required by Section 15074 (b) of the CEQA Guidelines. There have been no changes in the design of the map or any conditions of approval for this project. The County has received no evidence indicating that additional review under CEQA is necessary.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

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

Note: If the extension is denied, a fifteen-calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors. There is no appeal period for approved map extensions.

ATTACHMENTS:

1. Draft Resolution
 - A. Original Conditions of Approval
 - B. Public Works Department Conditions of Approval
 - C. Tentative Map/Site Plan
2. Location Map
3. Applicant’s Evidence in Support of the Required Findings
 - A. PC Resolution 19-11 Approving the Final Map Subdivision and Lot Line Adjustment
 - B. NOD for Mitigated Negative Declaration SCH# 2018122048

Owner	Applicant	Agent
John Hornstein 2560 Idylbear Lane Arcata CA 95521	John Hornstein 2560 Idylbear Lane Arcata CA 95521	None

Please contact Kimberley Clark, Planner, at (707) 268-3748, or by email at kclark@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.