



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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On agenda:	1/26/2024	Final action:			
Title:	Appeal of Final Map Subdivision, Planned Development Permit, Conditional Use Permit, and Design Review, Together with Exceptions to the Minimum Parking Requirements, Solar Access Provisions, and Minimum Right-of-Way for an Approximately 2.47-Acre Parcel Being Divided into 19 Parcels in Support of 62 New Multi-Family and Single-Family Units Approved by the Planning Commission on November 16, 2023				
Sponsors:	Planning and Building, Laura McClenagan				
Indexes:					
Code sections:					
Attachments:	1. Staff Report, 2. Staff Report (from 1-23-24 BOS Meeting), 3. Attachment 1 - Draft Board Resolution and Findings, 4. Attachment 1A - Recommended Conditions of Approval (1-17-24), 5. Attachment 1B - Public Works Department Recommended Conditions of Approval (revised 1-17-24), 6. Attachment 1C - Tentative Map, 7. Attachment 1D - Elevations, Floor Plans & Color samples, 8. Attachment 1E - Landscaping Plan, 9. Attachment 1F - Solar Shading Exhibit (revised 1-4-2024), 10. Attachment 2 - Materials submitted by Appellant justifying Appeal (updated 1-23-2024), 11. Attachment 3 - PC Resolution 23-102_Valadao_17560, 12. Attachment 3A - Staff Report & Supplemental, 13. Attachment 4A - Preliminary Grading Plan, 14. Attachment 4B - Prelim Drainage Report (revised Dec 2023), 15. Attachment 4C - LID Plan, 16. Attachment 4D - Initial Wetlands and Waters Delineation, 17. Attachment 4E - Trash & Recycling Enclosure Concept, 18. Attachment 4F - Map of Two Story structures SL, 19. Attachment 5 - Referral Agency Comments & Recommendations, 20. Attachment 5A - MUSD comments, 21. Attachment 5B - AFD Comments on Revised Tent Map, 22. Attachment 6 - Parking Exception Analysis Exhibit, 23. Attachment 7 - Exhibit showing changes to Tentative Map, 24. Attachment 8 - Public Comment in Support - combined, 25. Attachment 9 - Public Comments received in opposition to project, 26. Attachment 10 - Driveway Cross Section & Parking Detail, 27. Attachment 11 - Public Comment submitted to the Board as of 1_19, 28. Public Comments received by the Clerk of the Boards office 1-23-24 prior to publishing of the 1-26-24 agenda.pdf, 29. Resolution No. 24-14.pdf, 30. Approved Conditions of Approval - 01262024.pdf, 31. Public comment received during the meeting-1-26-2024.pdf				

Date	Ver.	Action By	Action	Result
1/26/2024	1	Board of Supervisors	approved as amended	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

Vote Requirement: Majority

SUBJECT:
Appeal of Final Map Subdivision, Planned Development Permit, Conditional Use Permit, and Design

Review, Together with Exceptions to the Minimum Parking Requirements, Solar Access Provisions, and Minimum Right-of-Way for an Approximately 2.47-Acre Parcel Being Divided into 19 Parcels in Support of 62 New Multi-Family and Single-Family Units Approved by the Planning Commission on November 16, 2023

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing and receive the staff report, receive testimony by the appellant and applicant, and testimony from other members of the public, consider any of the additionally submitted information; and
2. Close the public hearing; and
3. Adopt the resolution in Attachment 1 which does the following:
 - a. Finds that no additional environmental review is required per section 15183 of the state CEQA Guidelines; and
 - b. Finds that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified; and
 - c. Find the proposed project complies with the General Plan and Zoning Ordinance; and
 - d. Denies the appeal submitted by the Coalition for Responsible Housing; and
 - e. Approves the Final Map Subdivision, Planned Development Permit, Conditional Use Permit, and Design Review, together with Exceptions to the Minimum Parking Requirements, Solar Access Provisions, and Minimum Right-of-Way width requirements subject to the recommended conditions of approval; and
4. Direct the Clerk of the Board to give notice of the decision to the appellant, the Planning and Building Department, and any other interested party.

SOURCE OF FUNDING:

The appellant has paid the fee associated with filing this appeal.

DISCUSSION:

Executive Summary

This is an appeal of the Planning Commission's approval of a 19-lot subdivision and Planned Unit Development for 62 single family and multifamily units in the R-3 Zone. This is a continuation of the public hearing held before the Board of Supervisors on Jan. 23, 2024. **The prior report and attachments from the meeting of Jan. 23rd, 2024 are provided and include summary and analysis of the appeal and staff recommendation to deny the appeal and approved the project.**

In addition to what has been discussed in the prior staff report there are a couple of items that staff would like to highlight for the Board of Supervisors and the public:

1. Modified Elevations. Staff and the applicant discussed the Design of the Buildings following the Planning Commission action. The applicant submitted revisions which were going to be introduced at the Jan. 23, 2024, meeting. We have attached them for review. The changes are as follows:
 - a. Model B. The changes are seen in the left, right and rear elevation. The left and right

elevations now include windows and a change in materials in the center of the building. On the back elevation, the central gable end has been increased in height, and the gable ends on the corners of the building have been changed to hip ends.

- b. Townhouse. The center of the rear elevation has received a new gable roof extension and a change in siding material.
- c. Halfplex. The rear and side elevations of these buildings have received a change in siding material, and additional windows from that previously proposed.

2. Parking Requirement. Comments made at the Jan. 23, 2024, meeting do not grasp either the parking requirement or the parking provided. Attachment 6 breaks down the parking requirement and the parking provided. As the project stands right now, the parking requirement for the 4 halfplex units facing onto Pickett meets the parking requirement with one space in the garage and one space in the driveway. Technically parking should be outside the front setback, but it is a more common trend on small lot developments to provide a parking space in the driveway. This reduces building costs and makes for sale housing more affordable. The parking for these units meets the requirement.

The parking for the 14 multi-unit buildings and the existing house and ADU would require a total of 88 parking spaces. 81 parking spaces are provided. This is less than a 10% reduction is required parking. If there were not a map associated with this project, 58 parking spaces would be required (1 per unit for the 56 units and 2 for the house and ADU). The appellant seems to be advocating for additional guest parking as encouraged in the Planned Development Guidelines. It must be considered these are guidelines, and guest parking is typically a concern not so much in multifamily, but in single family development where due to environmental constraints on street parking may not be available.

3. Parking for People with Disabilities. Comments were made at the Jan. 23, 2024, meeting that there was no parking for people with disabilities. This is not true, the site plan in Attachment 1C clearly shows parking for people with disabilities.
4. Parking Space Dimensions. The parking spaces are 18' X 9'. Public comment identified they are 16' deep. This is not true. In addition to the 18' depth which is a standard space, there is overhang above the landscape area or curb. It is common practice to enlarge landscape areas or sidewalks to allow a 16' dimension with a 2' overhang. This proposal has a full 18' dimension. The drive aisle providing access provides an unobstructed 24' which is standard for this type of development.
5. Allowed under the Law. It is worth noting that the applicant can construct all the buildings as proposed without the Planned Development Permit and without the Subdivision. If this were to happen there would be no consideration of shading, no comprehensive review of drainage, the buildings could be closer together and less parking would be required. The current proposal allows a more comprehensive analysis of the whole of the project.
6. County Ownership of Road. A comment was made that the county ordinance requires the

county take ownership responsibility of the road which was understood to be Gwin Road. There are easements on Gwin Road providing access to the subject property. There is no requirement for the county to take ownership and maintenance responsibility for the Road. The applicant has the right to use the easement for access.

FINANCIAL IMPACT:

The appellant has paid the adopted fee associated with appeals to the Board of Supervisors. This fee does not cover the full cost accumulated by the Planning and Building Department of processing this appeal to the Board of Supervisors.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework priority by its support of the Goals and Policies of increasing access to housing.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to deny the appeal and deny the application or could choose to approve a modified version of the requested entitlement. If one of these options is chosen it is recommended that the item be continued to allow preparation of appropriate documentation of the Board's action.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

Staff Report from Board meeting of Jan. 23, 2024

1. Draft Board Resolution and Findings
 - A. Recommended Conditions of Approval
 - B. Public Works Recommended Conditions of Approval (revised 1-17-2024)
 - C. Tentative Map
 - D. Elevations, Floor Plans, Colors
 - E. Landscaping Plan
 - F. Solar Shading Exhibit (revised 1-4-2024)
2. Materials submitted by Appellant justifying basis for appeal of PC Decision
3. Adopted Resolution of the Planning Commission, Resolution No. 23-102
 - A. Staff Report & Supplementals
4. Applicant's Evidence in Support of Required Findings
 - A. Preliminary Grading Plan
 - B. Preliminary Drainage Report (Revised Dec 2023)
 - C. Low Impact Development (Revised Dec 2023)
 - D. Initial Wetlands and Waters Delineation
 - E. Trash & Recycling Enclosure Concept
 - F. Mapping of neighborhood two-story structures

5. Referral Agency Comments
 - A. Comments from McKinleyville Union School District
 - B. Comments on Revised Tentative Map from Arcata Fire Protection District
6. Parking Exception Analysis Exhibit
7. Exhibit showing changes to Tentative Map
8. Public Comments received in support of project
9. Public Comments received in opposition to project
10. Driveway Cross Section & Parking Detail
11. Public Comment submitted to the Board as of 1_19

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: 01/09/2024, 01/23/2024

File No.: Board of Supervisors File No.: 24-40, 24-99