



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 22-1336      **Version:** 1      **Name:**  
**Type:** Zoning Item      **Status:** Consent Agenda  
**File created:** 9/29/2022      **In control:** Zoning Administrator  
**On agenda:** 10/6/2022      **Final action:**  
**Title:** Graydon Coastal Development Permit and Variance  
Case Number: PLN-2022-17799  
Assessor's Parcel Number: 400-071-025  
Manila area

A Coastal Development Permit to remodel of an existing single-family residence, and a Variance to allow structural alterations to an existing nonconforming structure, including a second story above the existing first floor currently located within the front yard setback and the northern side yard setback. The variance will allow for the second story additions to be in-line with the existing residence.

**Sponsors:** Trip Giannini

**Indexes:**

**Code sections:**

**Attachments:** 1. 17799 Graydon Dawn Staff Report 10.06.pdf, 2. Attachment 1 - Draft Resolution, 3. Attachment 1A - Conditions of Approval, 4. Attachment 1B - Site Plan, 5. Attachment 2 - Location Map, 6. Attachment 3 - Applicant's Evidence in Support of Required Findings, 7. Attachment 3A - Natural Environment Report, 8. Attachment 3B - Neighborhood Setback Conformance Analysis, 9. Attachment 4 - Referral Agency Comments and Recommendations

Date	Ver.	Action By	Action	Result
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10/6/2022	1	Zoning Administrator		
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**To:** Zoning Administrator

**From:** Planning and Building Department

**Agenda Section:** Consent

**SUBJECT:**

**Graydon Coastal Development Permit and Variance**

Case Number: PLN-2022-17799

Assessor's Parcel Number: 400-071-025

Manila area

A Coastal Development Permit to remodel of an existing single-family residence, and a Variance to allow structural alterations to an existing nonconforming structure, including a second story above the existing first floor currently located within the front yard setback and the northern side yard setback. The variance will allow for the second story additions to be in-line with the existing residence.

**RECOMMENDATION(S):**

That the Planning Commission:

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; and
4. Adopt the resolution (Resolution 22-\_\_). (Attachment 1) which does the following:
  - a. Finds that that the project is Categorical Exempt from environmental review pursuant to Section 15301 and 15303 of the CEQA Guidelines; and
  - b. Finds that the proposed project complies with the Local Coastal Plan and Zoning Ordinance; and
  - c. Approves the Coastal Development Permit and Variance subject to the recommended conditions of approval (Exhibit A)

## DISCUSSION:

**Executive Summary:** A Coastal Development Permit for the remodel of an existing 1,034 square foot, single-story, single-family residence, with a 300 square foot attached garage. The proposed addition will include an approximately 522 square foot second story consisting of two bedrooms between 127 and 140 square feet, a 51 square foot bathroom, and a 55 square foot office. The proposal also includes the construction of a 192 square foot rear deck on an existing concrete slab and an 80 square foot front deck in a pre-disturbed location. There will be no expansion of the floor area or ground coverage beyond the current development that exists on this parcel. A Variance is required pursuant to Humboldt County Code §313-132.5.1 due to the structural alterations proposed for an existing nonconforming structure. The existing residence and proposed additions will be located within 5 feet of the interior side setback for properties zoned Residential Single Family. The proposed additions are to add a second floor and two decks to an existing single-family residence. The additions will allow for the second floor to be in-line with the existing footprint. The new height of the residence will be approximately 24 feet and 2 inches tall and served by Manila Community Services District for sewer and water.

The project is located in the Manila area, on Raineri Road, approximately 0.10 miles from the intersection of Pacific Avenue and Raineri Road, on the properties known as 1785 Raineri Road. The parcel is zoned Residential Single Family (RS). The parcel has Combining Zones for Manufactured Homes (M), Archaeological Resource Areas Outside Shelter Cove (A), and Beach and Dune Areas (B). The parcels have a land use designation of Residential Low Density (RL) under the Humboldt Bay Area Plan (HBAP).

The Humboldt Bay Area Plan identifies Wetland Buffer Areas within 250 feet from coastal wetlands. A Natural Environment Report identified coastal wetlands located 27.7 feet from the closest edge of the structure and 20.4 feet from the proposed deck. The deck is to be constructed over an existing concrete slab and will not extend further into the Wetland Buffer Area. Because there is no ground disturbance within the area of the existing footprint and the wetlands there is no possibility that the wetlands will be affected by the proposed project. An informational note has been included in the conditions of approval to require adherence to Section 3.30(B6) of the HBAP should future development be proposed within the Wetland Buffer Area.

A setback conformity analysis was conducted for the project to prove that the variance thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. The analysis identified that 48% of developed parcels in the vicinity have existing nonconformance with either front, rear, or side setback standards.. If a neighboring owner was to apply for a Coastal Development Permit to add a second story above the existing footprint on any of these nonconforming parcels, a variance would likely be necessary pursuant to Humboldt County Code §313-132.5.1. Construction of a second story on a single-family residence is a commonly enjoyed and expected property right.

**Project Description:** A Coastal Development Permit for the remodel of an existing 1,034 square foot, single-story, single-family residence, with a 300 square foot attached garage. The proposed addition will include an

approximately 522 square foot second story consisting of two bedrooms between 127 and 140 square feet, a 51 square foot bathroom, and a 55 square foot office. The proposal also includes the construction of a 192 square foot rear deck on an existing concrete slab and an 80 square foot front deck in a pre-disturbed location. A Variance is required pursuant to Humboldt County Code §313-132.5.1 due to the structural alterations proposed for an existing nonconforming structure. Proposed additions may be located within 5 feet of the interior side setback for properties zoned Residential Single Family. Minimal grading is required. The new height of the residence will be approximately 24 feet and 2 inches tall and served by Manila Community Services District for sewer and water.

**Project Location:** The project is located in the Manila area, on the West side of the road, approximately 0.1 miles from the intersection of Pacific Avenue and Raineri Road, on the property known as 1785 Raineri Road.

**Present General Plan Land Use Designation:** Rural Low Density (RL). Humboldt Bay Area Plan, 2017 General Plan. Density: 1 to 8 units per acre. Slope Stability: Relatively Stable (0).

**Present Zoning:** Residential Single Family (RS-5), Manufactured Homes (M), Archaeological Resource Area Outside Shelter Cove (A), Beach and Dune Area (B).

**Environmental Review:** The project is exempt from CEQA environmental review pursuant to Categorical Exemption Sections: 15301(e.1) - Existing Facilities; 15303(a) - New Construction or Conversion of Small Structures.

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

**Major concerns:** None.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either recommended approval or conditional approval. (Attachment 4)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

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 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.

ATTACHMENTS:

1. Draft Resolution
  - A. Conditions of Approval
  - B. Site Plan

2. Applicant's Evidence in Support of the Required Findings
  - A. Natural Environment Report
  - B. Neighborhood Setback Conformance Analysis
3. Referral Agency Comments and Recommendations