



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 23-1142      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 8/7/2023      **In control:** Planning Commission  
**On agenda:** 8/17/2023      **Final action:** 8/17/2023  
**Title:** Hooven - Parcel Map Subdivision  
Application Number PLN-2022-17660  
Assessor Parcel Number (APN) 511-191-003  
2190 Hooven Road, McKinleyville area

A Minor Subdivision of an approximately 10-acre parcel into two 5-acre parcels. The parcel is currently developed with a residence, garage/shop, and on-site wastewater treatment system that will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. There is an existing groundwater well on the developed parcel that both parcels will use for domestic purposes and an on-site wastewater treatment system will serve the vacant parcel. CALFIRE has approved an exception request for the road width and length of the dead-end road. An exception to the minimum required road easement width is also requested, to allow for the existing 20-foot wide road access easement to be utilized.

**Sponsors:** Planning and Building, Laura McClenagan

**Indexes:**

**Code sections:**

**Attachments:** 1. 17660 Staff Report 8.17.23, 2. Attachment 1 - Draft Resolution, 3. Attachment 1A - Conditions of Approval, 4. Attachment 1B - Public Works Condition of Approval, 5. Attachment 1C - Tentative Subdivision Map, 6. Attachment 2 - Location Maps, 7. Attachment 3A - Exemption Request, 8. Attachment 3B - Well Completion report, 9. Attachment 3C - Dry Weather Water Quantity Analysis, 10. Attachment 3D - Biological Assessment, 11. Attachment 4 - Referral Agency Comments, 12. Attachment 5 - Airport Variance Resolution

Date	Ver.	Action By	Action	Result
8/17/2023	1	Planning Commission	approved	Pass

**To:** Planning Commission

**From:** Planning and Building Department

**Agenda Section:** Consent

**SUBJECT:**

**Hooven - Parcel Map Subdivision**

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treatment system will serve the vacant parcel. CALFIRE has approved an exception request for the road width and length of the dead-end road. An exception to the minimum required road easement width is also requested, to allow for the existing 20-foot wide road access easement to be utilized.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 23-\_\_). (Attachment 1) which does the following:
  - a. Finds that the project is consistent with the development density established by an existing general plan for which an EIR was certified and no further environmental review is required per §15183 of the State CEQA Guidelines; and
  - b. makes all of the required findings for approval of the Parcel Map Subdivision
  - c. approves the Hooven Parcel Map Subdivision subject to the recommended conditions.

DISCUSSION:

**Executive Summary:** The applicant is seeking approval to subdivide an approximately 10-acre parcel into two 5-acre parcels. The parcel is currently developed with a residence, garage/shop, and on-site wastewater treatment system that will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. There is an existing groundwater well on the developed parcel that both parcels will use for domestic purposes and an on-site wastewater treatment system will serve the vacant parcel. CALFIRE has approved an exception request for the road width and length of the dead-end road.

**Access/Drainage:** The property takes access from Hooven Road, which is a private roadway that dead ends at the eastern boundary of the subject property, where it turns into a private driveway serving two additional parcels. The length of Hooven Road to its terminus at a dead-end is approximately 0.55 miles, or approximately 2,800 feet. The length of the roadway from its intersection with Dows Prairie Road, a publicly maintained roadway to the potential new building site is 2,640 feet. The maximum length of a dead-end road under the Fire Safe standards for parcels 5 to 20 acres is 2,640 feet; however, the road does serve some parcels that are planned and zoned for a 1-acre minimum parcel size, meaning the maximum length of the road under the Fire Safe regulations is technically 1,320 feet. In addition, the Fire Safe standards require roads to be a minimum of two 10-foot wide travel lanes plus shoulders and Hooven Road has only a 20 foot wide road easement with a 14 to 18 foot traveled surface.

Upon review and approval by CALFIRE exceptions to these standards may be granted. CALFIRE tentatively approved an exception to these standards on June 9, 2021, prior to submittal of the application and CALFIRE then recommended approval of the proposed subdivision, including the exception, when the project was officially referred to them in 2022. The project will still be required to develop turn-outs along the roadway at the CALFIRE required intervals.

County road standards require a 50-foot wide right of way to serve the proposed subdivision however

the Public Works Department supports an exception in this case to allow for the existing 20 foot wide right of way to be utilized to support the subdivision of the property.

A hydraulic study and drainage report has not been prepared however it will be required prior to filing the parcel map. Per the Department of Public Works, construction of drainage facilities on-site and/or off-site may be required.

**Hazards:** The nearest mapped earthquake fault is approximately 0.5 miles to the southwest (Alquist-Priolo Fault). The project site is in an area of low to moderate geologic instability and all existing and potential future development will likely be located in the area of low geologic instability.

The site is not in a Tsunami hazard zone of a flood hazard area. The site is located in a high fire hazard severity zone and will be required to maintain 30-foot minimum setbacks from all property lines to provide for defensible space pursuant to the State Fire Safe requirements. The site is also within the district boundaries of the Arcata Fire Protection District which provides fire response service.

The property is located within the Federal Aviation Regulation 77 (FAR 77) Horizontal Surface Zone of the Redwood Coast -Humboldt County Airport (ACV) and within an area where the existing ground surface penetrates the maximum allowable height above sea-level established by County Code Section 333-4 (Airport Approach Zone Building height regulations -Height Limits). However, this is in an area of McKinleyville where nearly all existing parcels and residential development do not comply with Section 333-4. After a recommendation of approval from the Planning Commission on June 1, 2017 the Board of Supervisors approved a blanket variance on September 5, 2017 to allow structures in this area to be constructed to the maximum building height of 35 feet from grade (Attachment 5). Any future development on proposed parcel 1 will be 35 feet in height or less as required by the AG zone district regulations.

**Biological and Cultural Resources:** There are no mapped wetlands, watercourses on or adjacent to the project parcel. While the California Natural Diversity Database (CNDDDB) shows this parcel as being within an area that may contain northern clustered sedge, a rare plant species, there is no indication that this species exists on the site. The nearest Northern Spotted Owl activity center is located approximately 1.2 miles to the southeast.

A brief biological assessment was prepared by Cynthia LeDoux-Bloom, PhD, which states that the property lacks any wetland plant species or other factors that would indicate wetland habitat and that there were no nesting birds or amphibians located on the site. The assessment concludes that the proposed division would have no impact on biological resources. Referral comments from the California Department of Fish and Wildlife (CDFW) identify that the brief biological assessment does not adequately evaluate the potential of the property to contain wetlands or rare or endangered plants and animals and recommends a more thorough assessment be prepared. Subsequent to these referral comments County and CDFW staff conducted a site visit which determined that the proposed location of future development would not likely impact any sensitive or significant biological resources. A potential one-parameter wetland is located at or within approximately 10 feet of the rear (northern) property line on proposed Parcel 1, however the proposed building envelop is outside of the 50-foot

setback from this feature. As a condition of approval the applicant would be required to record a Notice of Development Plan and to specify on the Development Plan that all development is limited to the building envelope area unless additional biological and botanical studies are completed.

The project was referred to all three Wiyot area tribes who responded that they did not have any significant concerns regarding cultural resources.

The groundwater well is located on the south-east portion of the subject property, on proposed Parcel 2 and is drilled to a depth of 307 feet below the well head. The well is screened between 292 feet and 302 feet below the well head in a mix of gravel and sand, below 4 different clay layers that likely act as barriers to transmissivity between the geologic layers. The nearest mapped surface water features are Duke Creek to the east and Norton Creek to the south. Both are over 1,000 feet from the well. The screened portion of the well is approximately 90-100 feet below the elevation of Norton creek at its closest distance slightly over 1,000 feet away and approximately 190-200 feet below the elevation of Duke Creek at its closest point, which is approximately 1,100 feet away. While the gravel and sand layer within the screened player of the well may indicate an alluvial aquifer the horizontal and vertical distance between the well screen and the watercourses make it highly unlikely that there is any direct connection between the well and the creeks. The lack of any direct connection indicates that the impact from the well on any public trust resources associated with these watercourses is negligible. The department of environmental health has reviewed the well production testing and found that it is capable of supplying the necessary water needs for the additional residence that could be expected as a result of the proposed subdivision.

**Agency Input:** The Planning Department has circulated requests for input relative to the request for approval of the tentative map and has received approval from the Division of Public Works, the Environmental Health Division, California Department of Fish and Wildlife, as well as the Bear River Band of Rohnerville Rancheria, the Blue Lake Rancheria and the Wiyot Tribe.

**Project Location:** The project is located in the McKinleyville area, on the South side of Hooven Road, approximately 0.5 miles East from the intersection of Dows Prairie Road and Hooven Road, on the property known as 2190 Hooven Road.

**Present General Plan Land Use Designation:** Residential Agriculture 5-20 with an Airport Land Use Compatibility Plan Overlay (RA5-20, AP). A very small sliver of the Northwest corner of the property is planned Residential Estates 2.5-5 with an Airport Land Use Compatibility Plan Overlay (RE2.5-5, AP).

**Present Zoning:** Agriculture General with a Combining zone specifying a minimum parcel size of 5 acres and a Combining zone for Airport Safety [AG-B5(5), AP]. A very small sliver of the Northwest corner of the property is Agricultural General with a Combining Zone specifying a minimum parcel size of 1 acre and a Combining zone for Airport Safety and a Combining zone for Wetlands [AG-B-7 (1), AP, WR].

**Environmental Review:** The subdivision is consistent with the 5-acre per residence density established by the 2017 Humboldt County General Plan for which an EIR was certified and

accordingly no further environmental review is required pursuant to Section 15183 of the CEQA Guidelines. There are no environmental effects that are peculiar to the project or the parcel on which the project is located.

**State Appeal:** Project is not located in the Coastal Zone and is not 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 Planning Commission could elect not to approve the proposed minor subdivision. 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. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Draft Resolution
  - A. Conditions of Approval
  - B. Public Works Department Conditions of Approval
  - C. Tentative Subdivision Map
2. Location Maps
3. Applicant's Evidence in Support of the Required Findings
  - A. Exception Request
  - B. Well Completion Report
  - C. Dry Weather Water Quantity Analysis
  - D. Biological Assessment Letter
4. Referral Agency Comments and Recommendations
5. Resolution 17-73 Approving a Blanket Variance to Airspace Building Height

**Applicant:**

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Specific questions regarding this project can be directed to Cliff Johnson, Planning Manager at 707-445-7541 or via email at [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us) <<mailto:cjohnson@co.humboldt.ca.us>>.