

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 24-**

**Strombeck Zone Reclassification and Parcel Map Subdivision  
Record Number PLN-2023-18708  
Assessor Parcel Number 511-491-021**

**Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Strombeck Parcel Map Subdivision and recommending the Strombeck Zone Reclassification to the Board of Supervisors for approval.**

**WHEREAS**, the owners submitted an application and evidence in support of approving the Zone Reclassification and Parcel Map Subdivision; and

**WHEREAS**, the Board of Supervisors accepted an applicant-initiated Zone Reclassification Petition (PLN-2022-17943) for the subject parcel on May 2, 2023 to change the underlying zone classification from Agriculture General with Special Building Site combining zone specifying a 10-acre minimum size (AG-B-5(10)) to Agriculture General with Special Building Site combining zone specifying a 5-acre minimum size (AG-B-5(5)).

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

**WHEREAS**, the Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts from projects of this sort were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the Guidelines; and

**WHEREAS**, a public notice was sent via mail to all owners and occupants of property within 300 feet of the boundaries of the project; and

**WHEREAS**, on May 2, 2024, a public hearing was held before the Humboldt County Planning Commission during which the Planning Commission reviewed, considered, and discussed the application and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

**1. FINDING:** **Project Description:** A Zone Reclassification to rezone the subject parcel from Agriculture General with a minimum parcel size of 10 acres (AG-B-5(10)) to Agriculture General with a minimum parcel size of 5 acres (AG-B-5(5)). Also included is a Parcel Map Subdivision of the subject parcel to create two parcels of 9.98 acres (Parcel 1) and 5.0 acres (Parcel 2). The parcel is currently developed with a six-bedroom single-family residence, a detached garage and a shop building that will all remain on Parcel 1. The parcel has a General Plan designation of Residential Agriculture specifying a density of 5-20 acres per unit. The applicant plans to construct a three-bedroom residence and an accessory dwelling unit on Parcel 2 in the future. The parcels are served with on-site water (well). An on-site wastewater treatment system exists on Parcel 1, and on-site wastewater treatment systems would be developed on Parcel 2 as part of future development.

**EVIDENCE:** a) Project Files: PLN-2022-17943 and PLN-2023-18708

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**2. FINDING:** The requirements of the California Environmental Quality Act (CEQA) have been met. The Humboldt County Planning Commission has considered the project and finds the proposed zone reclassification and subdivision require no further environmental review per Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

**EVIDENCE:** a) Section 15183 of the CEQA Guidelines acknowledges CEQA's mandate that projects require no additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:

Project-specific environmental effects:

- are peculiar to the project or the parcel on which it is located.
- are significant and were not analyzed as such in a prior EIR.
- are off-site and/or cumulative and were not discussed in the prior EIR.
- were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR

was certified) are determined to have a more severe adverse impact than what was disclosed.

The residential density specified in the McKinleyville Community Plan was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017.

- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. Neighboring development on adjacent parcels is composed of the same density as the subject parcel. The proposal is consistent with the planned density and is currently developed with low-density residential uses. The development pattern and design included in the concept provided by the applicant has been found to be acceptable by the Land Use Division of Public Works and Planning Division.
- c) Potential Impacts such as those common to projects of this sort were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089).
- d) There are no potentially significant environmental effects which were not analyzed in the above referenced EIR's. The proposed zone reclassification and subdivision would enable future build-out to the currently planned density for the area, which was re-confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above referenced EIR's (SCH# 1998082024 & SCH# 2007012089). The proposed zone reclassification and subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the recently adopted General Plan.

- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified.
- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment, as proposed.
- h) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed subdivision will create a total of two parcels. One of which, that can accommodate future residential development consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than significant impact to aesthetics.
- i) The project was referred to the Northwest Information Center (NWIC), the Wiyot Tribe, Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria. NWIC responded recommending further study and that consultation with local tribes occur. Blue Lake Rancheria responded stating that they had no concerns about the project at this time. Nonetheless, the project is conditioned that standard inadvertent archaeological discovery protocols be in place for any ground disturbing activities.
- j) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is not located in an Airport Review Area. Arcata Eureka Airport is the closest airport and is located approximately 1.3 miles west of the project site.
- k) According to the Humboldt County Fire Hazard Severity map, the parcel is located within a high fire hazard severity area. The site is within the Arcata Fire Protection District. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.

- l) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Future residential development will receive water from an existing well on site and wastewater will be treated by permitted onsite wastewater treatment systems.
  
- m) Kyle Wear, Botanical Consultant conducted a Biological Resources Assessment for the project site in April and June of 2023 to provide information on biological resources needed to complete the environmental review of the project. The assessment identified no special status plants, wildlife, or wetlands in the project area, The project was referred to the California Department of Fish and Wildlife (CDFW). CDFW responded requesting the project be conditioned for avoidance of disturbance to nesting birds, which was also recommended in the Biological Resources Assessment. This has been made condition of project approval.

### **312-1.1.2 Legal Lot Requirement**

**3. FINDING:** The lot that was created in compliance with all applicable state and local subdivision regulations.

**EVIDENCE:** a) The subject parcel has been determined to be one legal parcel (Lot 2) as shown on Parcel Map recorded in Book 27 of Parcel Maps page 71.

### **ZONE RECLASSIFICATION**

**4. FINDING:** The amendment is in the public interest.

**EVIDENCE:** a) The proposed zone reclassification is in the public interest because it will allow for the subdivision of the subject parcel, creating an additional housing opportunity in a portion of the McKinleyville area already of residential character. Expanding housing opportunities at all income levels is a public benefit and is a Guiding Principle of the Humboldt County General Plan (Humboldt County General Plan 1.4.3).

**5. FINDING:** The amendment is consistent with the County General Plan.

**EVIDENCE:** a) The Agriculture General (AG) zone is compatible with the Residential Agriculture (RA) land use designation. The rezoning of the subject parcel from Agriculture General with a 10-acre

minimum parcel size (AG-B-5(10)) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) would bring the parcel into alignment with the General Plan designation of Residential Agriculture with a density of 5-20 acres per unit (RA5-20).

- 6. FINDING:** The zone reclassification 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 subject parcel was not included in the 2019 County Housing Inventory. The zone reclassification would allow for the subdivision of the subject parcel, increasing residential density and creating an additional housing opportunity.

**SUBDIVISION FINDINGS - Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code**

- 7. FINDING:** All lots shall be suitable for their intended uses.

**EVIDENCE:** a) The project will result in a total of two parcels of 9.98 and 5.0 acres in size. The newly created parcels will be served by onsite water and sewer. The lots are large enough to comply with all required setbacks for existing and proposed structures.

- 8. FINDING:** Improvements shall be required for the safe and orderly movement of people and vehicles.

**EVIDENCE:** a) Access to the property is via a private drive connected to Elizabeth Road, a non-county-maintained 20-foot-wide paved road within a 50-foot-wide right of way. The Department of Public Works (PW) has reviewed the proposed lot split and recommends several conditions of approval related to road and utility easement dedication, monumentation on the parcel map, standard improvements, etc. These are enumerated in a memo dated 1/10/2024 and are recommended as conditions of approval. PW has also approved an exemption request as specified by Code Section 324-1(b), to allow the applicant to pursue subdivision of the parcel providing a 20-foot-wide easement through Parcel 2 for the benefit of Parcel 1.

- 9. FINDING:** Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.

**EVIDENCE:** a) Satisfaction of the requirements found in the 1/10/2024 memo from the Land Use Division of Public Works (PW) is required by the project Conditions of Approval. Sections 3.2 and 3.3 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of PW and requires that a hydraulic report and drainage plan for the subdivision be submitted to PW for review and approval.

**10. FINDING:** Sewer and water systems shall be constructed to appropriate standards.

**EVIDENCE:** a) The parcels are served by a well on Parcel 1. The applicant has submitted a Dry Weather Water Production Drawdown Test performed by Leach Water Systems in August of 2023, which included volumetric testing results for the well proposed to serve both parcels. The dry weather production test produced a stabilized discharge rate of approximately 5.5 gallons per minute (gpm), or 7,920 gallons per day (gpd). Planned use of the well by three residences of 450 gpd per residence estimated from usage rates for Humboldt County's OWTS guidelines equates to approximately one gpm. The Department of Environmental Health reviewed this information and found that each parcel will have adequate water availability and recommended that the applicant record an easement for and grant a water right to Parcel 2 for use and maintenance of the existing well on Parcel 1, and that the location of the water source and all easements appear on the Development Plan.

An Onsite Sewage Disposal System Design Technical Memorandum was prepared by Andy Sundquist in September of 2023 to assess the site suitability for the future development of Parcel 2. The scope of work included: determining suitability of proposed onsite sewage disposal areas; excavation of test pits; describing subsurface soils; performing dry-weather percolation testing; and providing a proposed system design and layout.

An addendum to the Onsite Sewage Disposal System Design Technical Memorandum was prepared by Andy Sundquist in March of 2024. The scope of work included: determining suitability for a reserve disposal field to be developed in the event of a failure of the existing disposal field that supports the existing residence on Parcel 1; further excavation of test pits; performing wet-weather percolation testing on Parcel 1 and 2;

and providing a proposed system design and layout for the additional reserve field on Parcel 1.

The project was referred to the County Department of Environmental Health (DEH) and they were provided with copies of the Onsite Sewage Disposal System Design Technical Memorandum and addendum for review. DEH has reviewed the reports and conducted a site visit to assess the suitability of the proposal and has recommended approval of the project.

**11. FINDING:** The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.

**EVIDENCE:** a) The size and configuration of the proposed parcels complies with width and depth requirements of the AG zone.

***Govt. Code §66474.02 Structural Fire Protection***

**12. FINDING:** Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

**EVIDENCE:** a) The property is located within the SRA for Fire Protection and is within a high fire hazard severity area. The property lies within the boundaries of the Arcata Fire Protection District, who provide structural fire protection and responds to medical emergencies. The project was referred to the fire district for review and the fire district recommended approval of the project. The project, as proposed, meets the requirements of both State and local Fire Safe Regulations.

**13. FINDING:** The proposed subdivision is in conformance with the County General Plan.

**EVIDENCE:** a) The proposed subdivision is consistent with the Residential Agriculture 5-20 acre per unit (RA5-20) land use designation. The project will allow for the creation of two parcels for existing and proposed single-family residential and accessory dwelling unit (ADU) development within the 14.98-acre parcel. The RA5-20 designation specifies a density of one unit for every 5-20 acres. ADUs may be principally permitted in any zone that allows single-family or multifamily dwelling residential use and includes a proposed or existing dwelling, if the General Provisions in Sections 314-69.05.3 H.C.C. are met, and the ADU meets the Development Regulations and Standards of Section 314-69.05.4 H.C.C.

*Parkland Section 4420 (MCCP)*

b) *Parkland Dedication Fee Calculations*

	130.00	McKinleyville Community Plan requires 130 square feet of parkland dedication per person for new subdivisions
X	2.578	Persons per average McKinleyville household (Source: 2020 U.S. Census)
	335.14	Parkland dedication per average household in square feet
/	43,560	Square feet per acre
	0.00769	Parkland dedication per average household in acres
X	3	Number of new units being created by the subdivision,
X	100% (1.0)	Percentage of these parcels within the McKinleyville Community Planning Area
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	0.023	Acres of parkland for subdivision
X	\$160,000	Value of one acre of land in the vicinity of the subdivision project
	\$3,692.98	Parkland Dedication In-lieu Fee for the Strombeck Minor Subdivision

**14. FINDING:** The proposed project is consistent with the purposes of and meets all of the applicable development standards of the Agriculture General zone with a minimum parcel size of 5 acres (AG-B-5(5)).

**EVIDENCE:** a) The proposed zoning designation of AG-B-5(5) allows for residential uses as Principally Permitted on lots greater than five acres in size. The proposed parcels will meet that requirement.

**15. FINDING:** The proposed subdivision will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:** a) The proposed subdivision will divide a 14.98-acre parcel into two parcels and build out with a total of two units and an ADU. The proposed parcel sizes are permitted with the zoning and the resulting density is consistent with that planned for the area.

b) The parcel being divided is currently host to an existing single-family residence with a detached garage and a shop building that will remain on Parcel 1. A single-family residence and ADU are proposed on Parcel 2. Water will be supplied by an existing well on site and wastewater will be treated by permitted onsite wastewater treatment systems. The parcel is planned and zoned for single-family residential development and is surrounded by parcels with the same density. Single-family residential development is principally permitted under the parcel's current zoning. None of the referral agencies oppose the project and there is no information to suggest that approval of the project would potentially be detrimental to the public health, safety, and welfare or materially injurious to properties or improvements in the vicinity.

**16. FINDING:** The proposed subdivision with possible future 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 (RA) and zoning (AG) allow single-family residential development. The project will positively impact compliance with Housing Element law. The project will increase the available separately owned housing in the McKinleyville Community Plan area and will comply with the density range of the RA5-20 land use designation, which includes a maximum density of one unit per 5-20 acres. The parcel was not included in the 2019 Housing Element inventory so there is no risk of the density falling short of the target required.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Planning Commission does hereby.

- Adopt the findings set forth in this resolution; and
- Recommend the Strombeck Zone Reclassification to the Board of Supervisors for approval; and
- Approve the Strombeck Parcel Map Subdivision subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on May 2, 2024.

The motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ and the following ROLL CALL vote:

AYES:           Commissioners:

NOES:           Commissioners:

ABSTAIN:       Commissioners:

ABSENT:        Commissioners:

DECISION:

I, John H. Ford, Secretary to the Planning Commission 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 Commission at a meeting held on the date noted above.

\_\_\_\_\_  
John H. Ford, Director  
Planning and Building Department