

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

Resolution Number 23-

**PARCEL MAP SUBDIVISION APPROVAL
CASE NUMBERS PLN-2020-16407
ASSESSOR PARCEL NUMBER 515-071-006**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE RAMAGE TENTATIVE MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT

WHEREAS, the owner submitted an application and evidence in support of approving a proposed Minor Subdivision of one parcel into two parcels; and

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 of the project were analyzed and addressed during preparation of the Environmental Impact Report (EIR) for the 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Tentative Parcel Map Subdivision (Case Number PLN-2020-16407); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 21, 2023.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

PROJECT DESCRIPTION		
	FINDING:	A Minor Subdivision of an approximately 5.12-acre parcel into two parcels, each approximately 2.56 acres in size. The parcel is currently developed with an existing single-family residence which will be located on proposed parcel 2 following subdivision. A Coastal Development Permit is requested for the proposed subdivision as well as to preauthorize future development of proposed parcel 1, including construction of an approximately 2,200 square foot new single-family home 28 feet in height and development of an appurtenant driveway and on-site septic system. Authorization is also being sought under the Coastal Permit to allow an approximately 620 square foot addition to the existing residence. Tree removal and grading are expected to be minimal. A well serving existing residential development on the property is planned to also be used to serve future residential uses on proposed parcel 1 of the subdivision.
	EVIDENCE:	Project File: PLN-2020-16407
	FINDING:	CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the

			project and finds the proposed subdivision is exempt from further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.
	EVIDENCE:	a)	<p>Section 15183 of the CEQA Guidelines notes CEQA's mandate that projects be exempt from 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. 15183 notes that subsequent environmental review is only necessary where the Lead Agency determines any of the following applies:</p> <p>project-specific environmental effects:</p> <ul style="list-style-type: none"> • 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.
		b)	There are no environmental effects that are peculiar to the project or the parcel on which the project is located. The parcel being divided is already host to residential development and no further development potential will result from the proposal as the applicant is agreeing to convey rights to future residential development. Adjacent lands in the vicinity are similarly planned and zoned and are also developed and sized consistent with the applicable planned density and minimum lot size.
		c)	The subdivision is consistent with the residential density established under the Trinidad Area Plan (TAP). A Local Coastal Plan (LCP) covering this community planning area, the HBAP was last updated and certified by the Coastal Commission in 2014. The residential density specified in the TAP was utilized for analysis conducted during development of the Environmental Impact Report (EIR) 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 (SCH #2007012089) was certified during adoption of the plan in 2017.
		d)	There are no potentially significant environmental effects which were not analyzed in the above referenced EIR. The proposed 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 and Coastal 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 (SCH #2007012089). The proposed 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 minor subdivision will create two parcels where one currently exists. The parcel being divided currently hosts a single-----family residence and the new residence will be constructed within the curtilage of the existing residence and in an area that is unlikely to be visible from any public vantage point. The project will result in a less than significant impact to aesthetics.
		i)	Potential impacts to biological and cultural resources are largely avoided since all proposed new development would occur in an existing flat and disturbed area that has historically been used as the curtilage for the existing residence.
		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.
		k)	According to the Humboldt County Fire Hazard Severity map, the parcel is located in a moderate fire hazard severity area. The property is in County Service District Area 4 where structural fire protection is provided through a contract with Cal-Fire. Future residential 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. The proposed new residence will be served by the existing shallow well, which is recharged from adjacent surface infiltration. The well is also located over 1,600 feet from the nearest mapped watercourse and is therefore not likely to have any direct connection to the watercourse.
		m)	A Drainage Report is required to prepared by a Civil Engineer registered within the State of California, and will be submitted for review and approval prior to commencement of the project.
		n)	The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. Access to residential development on the proposed parcels being created is currently provided by South Westhaven Drive, which is a publicly maintained roadway meeting Road Category 4 standards.
SUBDIVISION FINDINGS (Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code)			
	FINDING		All lots shall be suitable for their intended uses.
	EVIDENCE:	a)	The project will result in a total of two parcels both of which have been found to be suitable for their intended uses. One is currently developed with a single-family residence and the proposed new parcel has obtained approval from the Division of Environmental Health for an onsite-wastewater treatment system and for the existing well to provide potable water.

	FINDING		Improvements shall be required for the safe and orderly movement of people and vehicles.
	EVIDENCE:	a)	Access to the parcel is primarily via a publicly maintained road that is developed to a Road Category 4 standard.
	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 Memo from the Land Use Division of Public Works (DPW) is required by the project Conditions of Approval. Section 3.0 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of DPW and requires that a hydraulic report and drainage plan for the subdivision be submitted to DPW for review and approval.
	FINDING		Sewer and water systems shall be constructed to appropriate standards.
	EVIDENCE:	a)	Residential development will be served by an on-site well and on-site wastewater treatment system, both of which have been approved by the Division of Environmental health as meeting the appropriate standards.
	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:		The size and configuration of the proposed parcels complies with width, depth, and minimum lot size requirements of the RA zone.
Govt. Code §66474.02 Structural Fire Protection			
	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 not located in a State Responsibility Area for Fire Protection and is located in an area of Moderate Fire Hazard Severity and is within the County Service Area #4, which is structural fire protection through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code., who provide structural fire protection. The project was referred to the district for review and received their support for the proposal.
Community Plan Findings – Trinidad Area Plan (TAP)			
	FINDING		The proposed development is consistent with the provisions of the Trinidad Area Plan (TAP).

	EVIDENCE	a)	The project site is designated Rural Residential in the Trinidad Area Plan which sets a planned density of one parcel per 2.5 acres in the Westhaven Drive area (3.21 Rural Development Subdivision requirements).
		b)	The proposed development is consistent with the provisions of the Trinidad Area Plan governing protection of Archaeological and Paleontological Resources because it will all occur within the curtilage of an existing single-family residence.
		c)	The proposed development is consistent with the provisions of the Trinidad Area Plan governing protection of Natural Resources because it will all occur within the curtilage of an existing single-family residence and there are no mapped sensitive habitats on the project site.
FINDINGS APPLICABLE TO ALL PERMITS			
	FINDING		The proposed development is in conformance with the County General Plan.
	EVIDENCE	a)	The proposed development is consistent with the Rural Residential land use designation.
	FINDING		The proposed development is consistent with the purposes of the existing Residential Agriculture (RA) zone in which the site is located.
	EVIDENCE	a)	The property zoning designation of RA includes single-family residential as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 2.5 acres established as well as the minimum width and depth requirements for the zone. The proposed new residence and addition to existing residence are consistent with the required setbacks and height limit of the RA zone.
	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 parcel sizes and resulting density is consistent with that planned for the area. All proposed new development will be set back off the road and will not impede any public views.
	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.
		a)	The parcel's General Plan land use designation (RR) and zoning (RA) allow residential development. The project will positively impact compliance with Housing Element law by dividing the property to its maximum density allowable under the land use designation and zoning restrictions.

DECISION

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

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Minor Subdivision (Record Number: PLN-2020-16407) and Coastal Development Permit based on the approved tentative map on file, subject to the conditions of approval.

Adopted after review and consideration of all the evidence on **September 21, 2023**

The motion was made by Commissioner _____ and seconded by Commissioner _____ .

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