



COUNTY OF HUMBOLDT

For the meeting of: 2/16/2023

File #: 23-213

To: Planning Commission
From: Planning and Building Department
Agenda Section: Public Hearing

SUBJECT:

William Cosby Special Permit
Record Number: PLN-2022-17912
Assessor Parcel Number: 510-192-017
McKinleyville area

An after-the-fact Special Permit for the construction of an approximately 3,200 square foot storage building on a 3,696 square foot concrete slab pursuant to Section 314-102.1.2 of the Humboldt County Code.

RECOMMENDATION(S):

That the Planning Commission:

Adopt the resolution (Attachment 1) which does the following:

- a. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
- b. Find the project exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
- c. Approves the Special Permit subject to the recommended conditions of approval (Attachment 1A)

DISCUSSION:

Project Location:

The project is located in the McKinleyville area, on the North side of West Bates Road, at the intersection of West Bates Road and Wisner Avenue, on the property known as 2434 Wisner Avenue.

Present General Plan Land Use Designation:

Residential Low Density (RL). Humboldt County General Plan; McKinleyville Community Plan (MCCP). Density: one to seven dwelling units per acre. Slope Stability: Relatively Stable.

Present Zoning:

Residential One-Family with a combining zone for Noise Impacts (R-1-N).

Environmental Review:

Project is exempt from environmental review pursuant to Section 15303- New Construction or Conversion of Small Structures.

State Appeal:

Project is not appealable to the California Coastal Commission.

Major concerns:

Neighborhood compatibility

Executive Summary: An after-the-fact Special Permit for the construction of an approximately 3,200 square foot storage building on a 3,696 square foot concrete slab pursuant to Section 314-102.1.2 of the Humboldt County Code (H.C.C.). The Special Permit is required as the storage buildings floor area exceeds the maximum gross floor area of an accessory building that can be principally permitted in the R-1 zoning district. H.C.C. Section 314-102 limits accessory structures in R-1 zones to 1,000 square feet on parcels smaller than 20,000 square feet in lot area, and to 1,500 square feet on parcels that exceed 20,000 square feet lot area. This section of the HCC allows these size limitations to be exceeded upon securing a Special Permit.

The purpose of the building is to store the applicant's recreational vehicles and backhoe that have historically been stored outdoors. The storage building is substantially larger than any accessory structures in the surrounding area and is substantially larger than accessory structures which are typically associated with single-family residential zones even those under which Special Permits have been granted. The applicant does own a construction business; however, the applicant states that the backhoe is not listed as a company asset and is not used for commercial purposes but is used for general property maintenance, maintenance of the applicant's driveway, and for moving things on his property.

While the size of the accessory building is substantially larger than accessory buildings in the vicinity, the parcel itself is substantially unusual for the area. Properties in the vicinity are generally between 8,000 square feet and 22,000 square feet in lot area and the subject parcel is 2.6 acres (113,256 square feet) in lot area. The parcel is developed with a single-family residence, shop building, and a shed. The parcel is served with community water and sewer provided by the McKinleyville Community Services District. The 2.6-acre parcel is bordered by several 0.2-acre parcels on the west, a 0.3-acre parcel on the north, a 1.6-acre parcel on the east, and parcels on the south ranging from 0.2 to 0.5 acres. The storage building is larger than all other buildings on neighboring parcels with the exception of an approximately 4,200 square foot residence located two parcels west of the subject parcel, and an approximately 4,000 square foot residence located two parcels east of the subject parcel. As the purpose of the building is to store the applicant's recreational vehicles and backhoe that have historically been stored outdoors, the storage building could be considered an improvement to aesthetics in the immediate area. In addition, the accessory structure is constructed in the middle area of the lot, leaving substantially greater than required setbacks from all property lines.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 3)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Site Plan
 - C. Construction Plans
2. Location Map
3. Referral Agency Comments and Recommendations

Applicant

William Cosby
2434 Wisner Ave.
McKinleyville, CA 95519

Owner

Same as applicant

Agent

Marginal Implications
Keith Castonguay
PO Box 2302
McKinleyville, CA 95519

Please contact Rodney Yandell, Senior Planner, at 707-445-7541 or by email at ryandell@co.humboldt.ca.us [<mailto:ryandell@co.humboldt.ca.us>](mailto:ryandell@co.humboldt.ca.us), if you have any questions about the scheduled item.