



COUNTY OF HUMBOLDT

For the meeting of: 7/6/2023

File #: 23-991

To: Planning Commission
From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Nancy Young Special Permit
Assessor Parcel Number: 304-231-019
Record Number: PLN-2022-17962
Elk River area

A Special Permit to allow operation of a bed & breakfast-type establishment using an existing single-family residence and a detached cottage. A maximum of two bedrooms will be made available for nightly accommodation serving no more than four (4) guests at a time. Breakfast will not be served to guests.

RECOMMENDATION(S):

That the Planning Commission:

1. Request that staff present the project.
2. Open the public hearing and receive testimony from the public.
3. Close the public hearing and take the following actions.
4. Adopt the resolution (Resolution 23-__). (Attachment 1) which does the following:
 - a. Finds the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines; and
 - b. Makes all required findings for approval of the Special Permit; and
 - c. Approves the Nancy Young Special Permit as recommended by staff and subject to the recommended conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: The project is located in Humboldt County, in the Elk River area, at the end of Elk River Court, approximately 0.3 miles South from its intersection with Elk River Road, on the property known as 7538 Elk River Court.

Present Plan Land Use Designations: Residential Agriculture (RA) specifying a density range from one unit per 5 acres to 1 unit per 20 acres, Slope Stability: Relatively Stable (0).

Present Zoning: Agriculture General - Special Building Site specifying a 5-acre minimum parcel size

[AG-B-5(5)].

Environmental Review: The project has been determined to be categorically exempt pursuant to section 15301 of the CEQA Guidelines, which permits alteration and permitting of existing structures involving negligible expansion of the former use.

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Issues: Neighborhood Compatibility

Executive Summary: The project involves authorizing the use of an existing primary residence and detached cottage as transient habitation under a bed & breakfast management model, with the primary difference being that breakfast will not be served to guests. Water is provided by an existing well and sewer service is provided by an existing septic system. County Assessor Records show that the property has been developed with two residences since 1965. The cottage dates to approximately 1957 and was the first home constructed on the property. Assessor Records show that the primary residence was constructed as a 3-bedroom 1 bathroom house in 1965.

The zoning of the property is Agriculture General (AG) specifying a minimum parcel size of 5-acres. The parcel is currently developed with a primary residence and a garage/cottage building. The parcel is accessed by Elk River Court, in a neighborhood composed of approximately 15 parcels which also use this private road for access. Nearly all of these parcels are substandard to the minimum parcel size specified for the zone. The project parcel is approximately 1.4 acres in size. Although also substandard, it is the second largest in the neighborhood.

A total of two bedrooms are proposed to be made available for nightly accommodation serving a maximum of four (4) guests at a time. The Environmental Health Division views the proposal as placing comparable demand on the existing septic system and water supply provided no additional bedrooms are created. Expansion of up to three (3) bedrooms & six (6) guests were initially contemplated but later abandoned when it became clear that this would likely require upgrade or replacement of the existing septic system and proving sufficient capacity of the water supply. No new buildings are proposed. Condition of Approval #7 has been included restricting the number of bedrooms and guests and specifying that increases in either be subject to first securing approval of a modification to the permit. This will ensure that agency review and public notice is provided before any increase in intensity of the use may be authorized to occur.

Management of the Bed & Breakfast will be performed by the landowner or their designee, who will reside on the property. An unpermitted Bed & Breakfast establishment was operated from the property in recent years, without the benefit of county review. The property is owned by Nancy Young, who purchased the property in April 2021, and has lived on the parcel since that time. According to Mrs. Young, she began leasing the cottage as a short-term rental beginning in July of 2021. After receiving a complaint of a possible code violation, Mrs. Young was mailed a letter from Code Enforcement staff on August 11, 2022. On August 16th, she came in to discuss the violation with staff and reached an

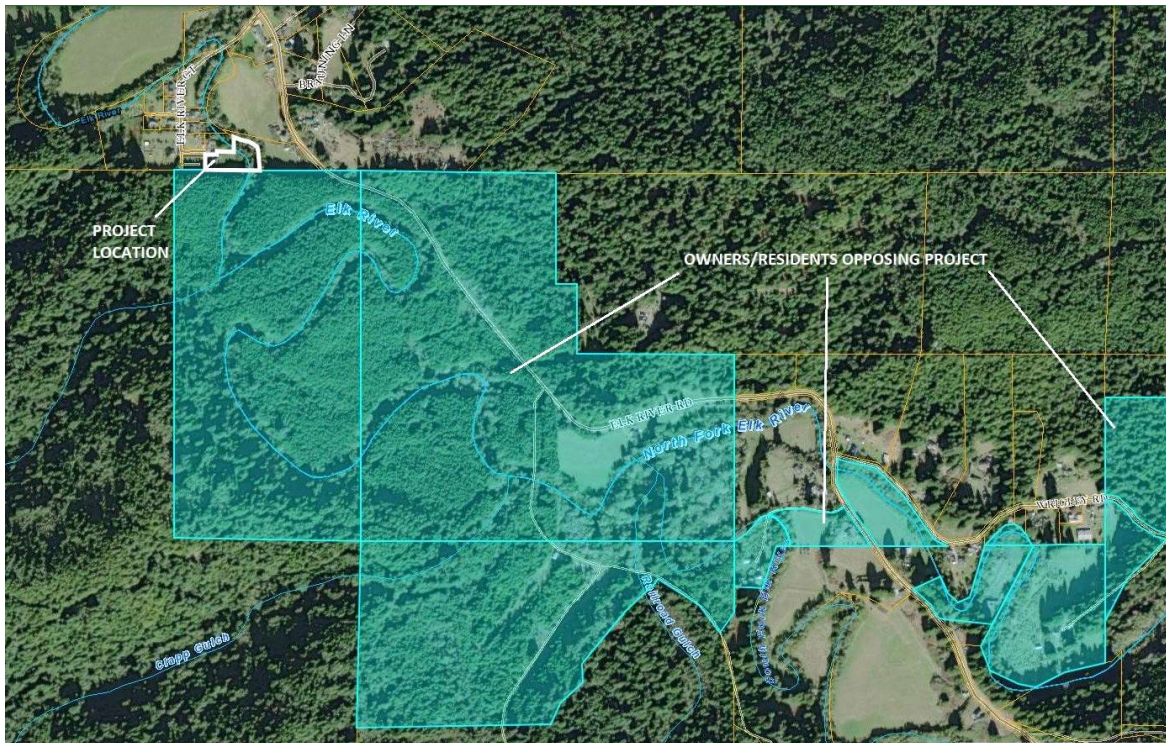
agreement allowing her to complete her remaining bookings (thru September 9th) with a commitment to cease renting bedrooms on a less than monthly basis until authorized to do so. In early October 2022, Mrs. Young met with planning staff and submitted an application for a Special Permit for a Bed & Breakfast operation, in hopes of receiving authorization to resume leasing of the bedrooms on a less than monthly basis.

The Bed & Breakfast provisions of the zoning code were established in 1989 and were last updated in 1998. B&B establishments are allowed with a Special permit in all zones which permit cottage industries -this includes all residential zones, FR, TPZ, AE, AG, and the Unclassified zone. A maximum of four (4) guest bedrooms may be permitted for use by a maximum of eight (8) guests and the owner or operator must reside on the premises. Staff believe that the project is the first Bed & Breakfast proposal to be considered in recent years, and the first of its sort ever proposed in the Elk River area.

Although pathways for permitting B&B's have existed for over 3 decades, few proposals have been received and approved to date. Interest has greatly increased in recent years, in part due to cumulative advancements in cellular and internet connectivity combined with the advent of online platforms connecting operators and potential guests (AirBnB, VRBO, etc.) and cities and counties throughout the state have seen a rapid proliferation of (often unauthorized) short-term housing rentals displacing longer-term residential occupancies and uses.

Draft amendments to the Zoning Code addressing Short-Term Rentals (STR's) were recently introduced for public review on June 16th and a public meeting is being held via zoom on June 28th. On June 6th the Board of Supervisors adopted an urgency ordinance establishing a temporary moratorium on the establishment and permitting of short-term rentals, to reduce liability and speculation during the legislative process, which will include forthcoming public review, consideration by the Planning Commission, and action by the Board of Supervisors. Both the moratorium and draft regulations deal exclusively with short-term rentals and distinguish between "Short-Term Rentals" and the separate provisions of the code governing "Bed & Breakfast" establishments. Therefore, the recently adopted moratorium does not preclude the Commission from taking action on the current Special Permit request.

The project has proven to be a source of controversy, and public comments received reveal the current community division surrounding the operation of vacation rentals and bed & breakfast operations in rural areas. The project was initially scheduled to be approved at the June 1st Zoning Administrator hearing. Following circulation of the public notice for the project, the Department was contacted by and received written comments in opposition to the project from seven (7) residents in the Elk River area, most of whom own property farther down Elk River Road, in an area slightly upstream of the confluence of the north and south fork of Elk River. Mrs. Kristi Wrigley also owns a series of adjoining parcels comprised of restocked timberland lying between the project parcel and the confluence of Elk Rivers two forks. All of the comments in opposition are included in Attachment 5.

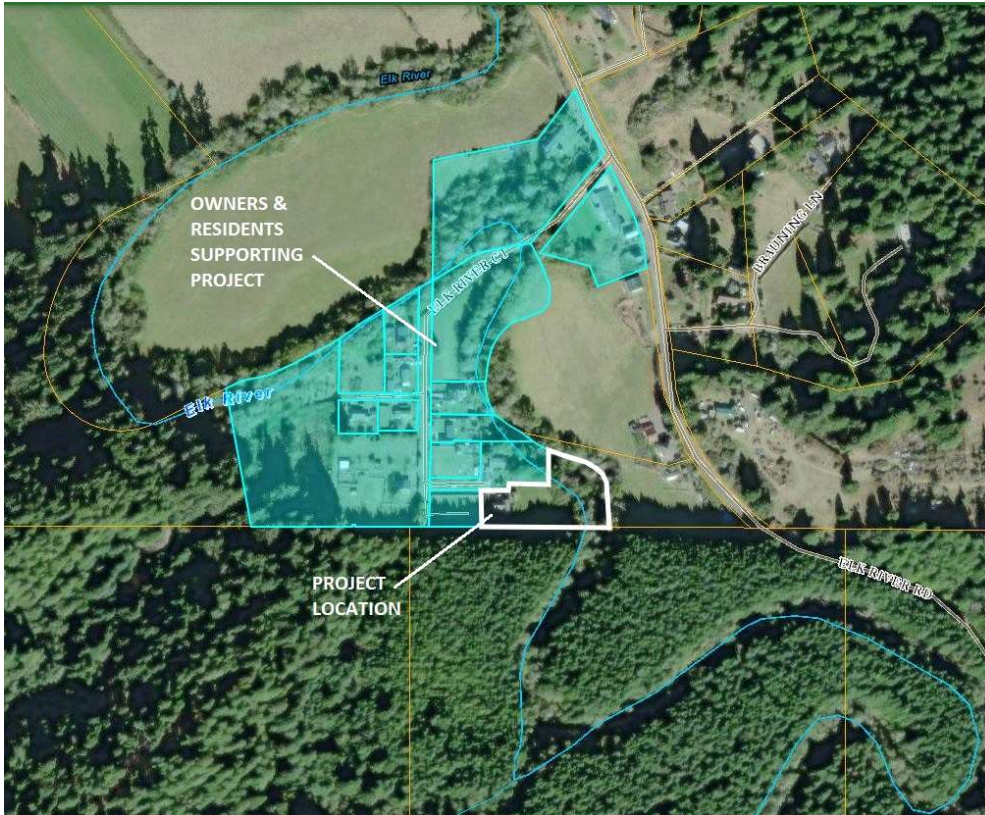


In their objections to the proposed project, opponents cite a range of concerns including: inconsistency with Goals and Policy of the General Plan Housing Element, issues surrounding public safety from fire risk and flooding and lack of reliable cell phone coverage, inadequacy of the septic system and water supply, outstanding maintenance needs of Elk River Road and potential worsening of conditions from added traffic/use, loss of long-term affordable housing stock, lack of nearby services and amenities for guests, trespass and traffic issues observed during past unpermitted operation, incompatibility with the character of the neighborhood and greater Elk River community, and potential for ongoing conflicts with and impacts to neighboring land uses.

Staff have worked with the applicant to address criticism and concerns surrounding issues that arose during prior unpermitted operation. One concern surrounded the perceived negative driving behavior of guests of the lodging -noting that some prior guests traveling at high rates of speed on Elk River Road created unsafe conditions for other users, and that excessive speed on Elk River Court was disruptive to neighboring residents, put local children in danger, and generated excessive dust. Additional feedback received surrounded concern over the perceived density of the proposal. The applicant is limiting their operation to a maximum of two bedrooms and four (4) guests, which is captured in Condition of Approval #7.

Given the novelty of the proposal, past unpermitted operation, and concerns received in response to the public notice, staff believe it is appropriate to include a Condition foreshadowing the possibility of revocation of the permit should neighborhood compatibility prove to be an issue. Condition of Approval #6 requires that the applicant establish and enforce standard protocols for guest conduct and allows the Planning Department to initiate a revocation proceeding at the Board of Supervisors if five or more complaints are received and verified following issuance of the permit. This will help ensure that guest conduct is carefully monitored and controlled. Some commenters have noted that permit

revocation is already provided for under the Zoning Regulations, without applying this condition. The primary benefit of the condition is that it serves as an explicit warning and threshold for future operators and planning staff.



The applicant circulated a petition of support for her proposal amongst neighboring property owners on Elk River Court and received signatures from nearly all of the owners and residents. The petition and letters of support are provided in Attachment 6.

One property owner on Elk River Court opposes the project, finding it a poor fit for the neighborhood. They note the property's location at the very end of a private road and that disruptions from guest traffic and pets proved to be a nuisance during prior unpermitted operation.

A variety of ongoing conditions have been included requiring that the owner/operator implement and enforce parking and noise restrictions, measures to promote safe driving, and requirements that owner/operator contact information be provided to neighboring landowners and occupants and periodically updated as needed. Staff believe that with the incorporation of these recommended conditions, the required findings for approval can be made.

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. A summary of referral agency responses is included in Attachment 4.

RECOMMENDATIONS:

Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Special Permit.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission would elect to add or delete Conditions of Approval.
2. The Planning Commission could deny approval if unable to make all the required findings. Planning staff is confident that the required findings can be made based on the evidence submitted and subject to the recommended Conditions of Approval. Consequently, staff does not recommend further consideration of this alternative.
3. The Planning Commission could continue the item to a future meeting and direct the applicant and/or staff to address specific issues or items.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Site Plan
 - C. Operations Plan
 - D. House Rules
2. Location Map
3. Applicant's Supporting Evidence
 - A. Letter to Planning Commissioners
 - B. Guest Registration Form
4. Referral Agency Comments and Recommendations
5. Public comments received opposing project
6. Petition and Public comments received in support of project

Applicant/Owner

Nancy Young
7538 Elk River Court
Eureka, CA 95503

Please contact Steven Lazar, Senior Planner, at (707)268-3741 or by email at slazar@co.humboldt.ca.us <<mailto:slazar@co.humboldt.ca.us>>, if you have any questions about the scheduled item.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 23-

Record Number: PLN-2022-17962

Assessor's Parcel Number: 304-231-019

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Nancy Young Special Permit request.

WHEREAS, Nancy Young submitted an application and evidence in support of approving a Special Permit to allow operation of a bed & breakfast-type establishment using a total of two (2) bedrooms within an existing single-family residence and detached cottage serving no more than four (4) guests at a time; and

WHEREAS, the County Planning Division, the lead agency, determined the project is Categorically exempt from CEQA review per Section 15301 of the CEQA guidelines which permits alteration and permitting of existing structures involving negligible expansion of the former use; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on June 1, 2023, and reviewed, considered, and discussed the application for the Special Permit 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 Special Permit is being requested to allow for a bed & breakfast establishment to be operated out of an existing single-family residence and a detached cottage. A total of two bedrooms will be made available for nightly accommodation serving no more than four (4) guests at a time. Breakfast will not be served to guests. Water is provided by an existing well and sewer service is provided by an existing septic system. Management of the Bed & Breakfast will be performed by the landowner or their designee, who will reside on the property. <u>Note: an unpermitted Bed & Breakfast establishment was operated from the property in recent years, without the benefit of county review.</u> The approximately 1.25-acre parcel is currently developed with the primary residence and a garage/cottage building. No new buildings are proposed.
	EVIDENCE:	a)	Project File: PLN-2022-17962
2.	FINDING:		CEQA. The requirements of the California Environmental Quality Act have been complied with.
	EVIDENCE:	a)	The project has been determined to be categorically exempt pursuant to section 15301 of the CEQA guidelines which permits alteration and permitting of existing structures involving negligible expansion of the former

			use. The property is already host to both residential structures and no increase in the density of use would result from the proposal.
			FINDINGS FOR SPECIAL PERMIT
3.	FINDING		The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program.
	EVIDENCE	a)	The proposed development is consistent with the purposes of the existing Residential Agriculture (RA) plan designation applied to the area in which the site is located. The Residential Agriculture designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. The proposed project is consistent with the County open Space Plan and Open `Space Action program because it involves use of existing structures on a parcel with a history of residential uses. The residences targeted for use are already used by the owner and long-term monthly tenant(s). The property abuts Elk River and is situated. Review of the site plan shows that the closest residence is located approximately 120 feet from the top of bank/riparian drip line of Elk River, consistent with Streamside Management Area and Wetland protections of the General Plan. No new structures or ground disturbance will result from the proposal.
4.	FINDING		The proposed development is consistent with the Guiding Principles of the Plan, including Guiding Principle #1 “Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves.”
	EVIDENCE	a)	The Bed & Breakfast provisions of the Zoning Regulations have existed for over thirty years, providing a permitting pathway for this land use. Though the regulations predate the advent of the internet and lodging platforms such as AirBnB, the concept remains the same. By requiring a discretionary permit, public notice is performed providing an outlet for feedback and address of localized issues.
5.	FINDING		The proposed development is consistent with the Guiding Principles of the Plan, including Guiding Principle #2 “Preserve and enhance the diverse character of Humboldt County and the quality of life it offers.”
	EVIDENCE	a)	A Bed & Breakfast operated for over a year from the property before a complaint was received and the unpermitted use brought to the attention of the Planning & Building Department. Reviews on the lodging website confirm many guests enjoyed their stay at the property during that period. Through the permitting process, the applicant and staff have worked to address concerns and feedback received from neighboring property owners and occupants, and the Operations Plan and House Rules have been adjusted

			to institute protocols and procedures tackling these common concerns.
6.	FINDING		The proposed development is consistent with the Guiding Principles of the Plan, including Guiding Principle #3 “Promote and facilitate the creation of affordable housing opportunities to meet current and future demands for all income levels.”
	EVIDENCE	a)	The Bed & Breakfast proposes utilizing the master bedroom in the owners primary residence as well as a small cottage on the property. Both homes predate the advent of local zoning regulations and are viewed as legal non-conforming. Until recently, the property was not eligible to be permitted for more than one residence due to the size of the parcel and density restrictions. The small cottage can now be considered a legal non-conforming accessory dwelling unit. Authorizing short-term rental of rooms in either dwelling does not permanently preclude them from also being used for long-term rental on a monthly basis, especially during periods of the year where tourist visitation is limited.
		b)	Spatial analysis of Department GIS information reveals that approximately 230 parcels in the Elk River watershed are zoned for agricultural or residential uses and host residential development of some sort. Conservatively assuming only one residence per parcel, authorizing the proposed project for short-term occupancy of two bedrooms would affect less than .04% of the total housing stock in this region.
7.	FINDING		The proposed development is consistent with the Guiding Principles of the Plan, including Guiding Principle #6 “Encourage, incentivize and support agriculture, timber ecosystem services and compatible uses on resource lands.”
	EVIDENCE	c)	Though agriculturally zoned, the parcel is approximately 1.4 acres in size and is located in a neighborhood composed of approximately 15 parcels which are substandard to the 5-acre minimum parcel size specified for the zone. Consequently, little potential for agriculture use exists amongst these properties. The proposed bed & breakfast occupies existing dwellings and does not result in the conversion or loss of agricultural land in service of other uses.
8.	FINDING		The proposed development is consistent with the purposes of the existing zone in which the site is located. Additionally, the proposed development conforms with all applicable standards and requirements of these regulations.
	EVIDENCE	a)	The Agriculture General zoning district is intended to be applied in areas in which agriculture is the desirable predominant use and rural residential uses

		<p>are secondary. Bed & Breakfast establishments are allowed with a Special permit in all zones which permit cottage industries –this includes all residential zones, FR, TPZ, AE, AG, and Unclassified. A maximum of four (4) guest bedrooms may be permitted for use by a maximum of eight (8) guests. The owner or operator must reside on the premises. Staff is not aware of any prior Bed & Breakfast proposals being received or approved in the Elk River area. Given the novelty of the proposal, past unpermitted operation, and concerns received in response to the public notice, staff believe it is appropriate to include a Condition foreshadowing the possibility of revocation of the permit should neighborhood compatibility become an issue. A variety of ongoing conditions have been included requiring that the owner/operator implement and enforce parking and noise restrictions, measures to promote safe driving, and requirements that owner/operator contact information be provided to neighboring landowners and occupants and periodically updated as needed.</p>
	b)	<p>The project meets or exceeds all applicable setbacks for the AG zone. Because the parcel is substandard to the minimum lot size, the setbacks are as follows:</p> <p>Minimum front setbacks are twenty (20) feet and rear setbacks are ten (10) feet, and the side setbacks are five (5) feet. Project as proposed meets all required yard setbacks. Maximum building height is 35 feet, which the proposed project currently meets. Both residences predate the advent of zoning and building regulations. No new development is proposed.</p>
	c)	<p>The parcel is served by an existing on-site waste treatment system and well. The proposal has been reviewed by the Environmental Health Division who recommend approval of the proposal. They note in their review that septic and water use levels are comparable amongst short-term and long-term rentals, and that use is ultimately tied to the number of available bedrooms. No new or additional bedrooms are proposed to be developed or used as part of the proposal and there are no known issues with the existing on-site waste treatment system or well.</p>
	d)	<p>The property owner has noted that during past operation: <i>“Eighty percent of my 30+ day renters in the cottage have had 2 cars, 60% in the master bedroom. It was fairly rare, for short-term renters place to have more than one car, no more than 10-15%.”</i></p> <p>Given this, it appears that traffic volumes are generally less under a short-term rental scenario. Therefore, traffic impacts should not exceed baseline levels and may in fact be less.</p>
9. FINDING		<p>The proposed 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.</p>
EVIDENCE	a)	<p>The site is not included in the County’s currently adopted Housing Inventory and the property currently exceeds the permissible density allowed under the</p>

			General Plan.
10.	FINDING		The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
	EVIDENCE	a)	A variety of ongoing conditions have been included requiring that the owner/operator implement and enforce parking and noise restrictions, measures to promote safe driving, and requirements that owner/operator contact information be provided to neighboring landowners and occupants and periodically updated as needed. Staff believe that with the incorporation of these recommended conditions, the required findings for approval can be made. A Condition has been included (COA #6) requiring that the applicant establish and enforce standard protocols for guest conduct. The Condition also allows the Planning Department to initiate a revocation proceeding at the Board of Supervisors if five or more complaints are received and verified following issuance of the permit. This will help ensure that guest conduct is carefully monitored and controlled.
		b)	Speak to comparable traffic volumes

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
- Conditionally approves the Special Permit for Nancy Young, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference,

Adopted after review and consideration of all the evidence on **July 6, 2023**.

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

CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS GRANTED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE USE MAY BE INITIATED AND FOR THE LIFE OF THE PROJECT

A. General Conditions

1. The applicant shall apply for a business license with the Humboldt County Treasurer-Tax Collector.
2. The applicant shall work with the Humboldt County Planning & Building Department – Building Division to determine whether the proposed use of the existing residence and cottage as a bed & breakfast will be considered a “Change of Occupancy”. The applicant shall complete any required improvements prior to lease of the facility on a transient (less than monthly) basis.
3. The applicant shall submit a detailed parking plan demonstrating that adequate parking facilities exist to concurrently serve the existing residential use and guests of the Bed & Breakfast.
4. The applicant shall submit a plan of operations for the Bed & Breakfast rental use. The report shall be prepared to the satisfaction of the Director of Planning & Building, detailing:
 - A. Seasonal Operational Information
 - B. Minimum Length of stay information
 - C. Routine service Intervals for the rental facility
 - D. Rules for Guests
 - E. Methods and Measures for controlling potential for nuisance to neighboring residential development.
5. The owner or operator of the Bed & Breakfast must reside on the premises. The owner/operator must provide their name, address and telephone number to all occupied residences within a 300-foot radius of the rental unit. The notice shall be mailed to property owners prior to initial rental of rooms and periodically thereafter as contact information changes. The owner/operator or contact person must be available 24 hours a day to respond to tenant and neighborhood questions or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of this permit and other applicable provisions of the code.
6. To help ensure all guests of the Bed & Breakfast facility are respectful and considerate of neighboring landowners and occupants during their stay at the property, the owner/operator shall establish and enforce standard protocols for guest conduct which (at minimum) include:
 - driving on Elk River Road and Elk River Court at a safe speed and in a respectful manner
 - not generating noise such that it would unreasonably interfere with the quiet use and enjoyment of any other residence in the area. On weekdays, any noise occurring after 10:00 pm and before 7:00 am should be contained within the residence and shall be kept at levels so that it would not be able to be heard by or offend nearby neighbors.
 - only parking within designated on-site parking areas

All guests shall be notified of these standards of conduct prior to their visit. If the Planning & Building Department receives five (5) or more verified complaints about guests not observing these protocols, the Department reserves the right to initiate a revocation hearing before the Board of Supervisors pursuant to 312-14 of the Zoning Regulations.

7. The Bed & Breakfast operation is restricted to a **daily maximum of two (2) bedrooms and four (4) guests**. Any proposal to increase the number of bedrooms used or guests allowed shall require a modification of the permit.
8. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka.
9. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. For the life of the operation, the applicant shall maintain a Business license from the Humboldt County Tax Collector. The owner/operator shall collect and remit to the Humboldt County Tax Collector the transient occupancy tax.
2. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries. Exterior lighting shall be turned off no later than 10 PM on weekdays and midnight on weekends.
3. Occupants and visitors using the bed & breakfast shall not generate noise such that it would unreasonably interfere with the quiet use and enjoyment of any other residence or business in the area. On weekdays, any noise occurring after 10:00 pm and before 7:00 am should be contained within the residence and shall be kept at levels so that it would not be able to be heard by or offend nearby neighbors. What is reasonable in terms of noise generated shall be determined under existing legal standards applicable to evaluating alleged nuisances, including any County noise standards and ordinances.
4. The total number of occupants of the residences (including the owner/caretaker) shall not exceed six (6) persons.
5. The number of guests shall not exceed four (4) persons. During weekdays, visitors are not allowed between 11 p.m. and 7 a.m. and shall not stay overnight on the premises. There shall be no more than 8 combined occupants and visitors on the premises at any time.
6. The owner or manager shall maintain an occupant and vehicle register for each tenancy of the bed & breakfast rental. The register shall include the names and vehicle license plate numbers for all occupants as well as the dates of the rental period. The guest registry must be available for inspection by county officials upon request.
7. Vehicles used and traffic generated by the bed & breakfast shall not exceed normal residential levels or unreasonably interfere with the quiet use and enjoyment of any other residences or businesses in the area. What is reasonable in terms of traffic generated shall be determined under existing legal standards applicable to evaluating alleged nuisances.

8. Guests shall be required to sign a contract governing their use of the property during the rental period. Provisions of each contract shall include observing standard protocols for neighborhood compatibility (described in Condition #6) including traveling at a safe speed and in a respectful fashion, only parking in designated areas, and complying with noise restrictions. The contract shall assert the operators' right to cancel the remainder of the reservation if guests violate neighborhood compatibility protocols in violation of the contract. In the event of cancellation, all persons must leave the property within 30 minutes following notification. Vacation of the premises shall be verified by the owner/operator, or designated contact person.
9. The use shall be conducted, operated and maintained in accordance with the approved project description, site plan, and most recently approved plan of operations, as well as these conditions of project approval.
10. The applicant shall submit a request for Agency Review for substantial conformance on any proposed changes of the operation, design or use. The Department shall require a Modification of this permit unless the changes can be processed as a minor deviation; and if all the findings of §312-11.1 can be made.
11. The Bed & Breakfast involves occupancy of existing residences on a transient basis. No ground disturbance is proposed to occur in conjunction with this proposal. In the event that future ground disturbance is required, the applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.

C. Informational Notes:

1. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

7538 ELK RIVER CT - B&B PLOT PLAN

APN: 304231019000

Owner: Nancy Young

initial bedrooms rented

may be rented in future

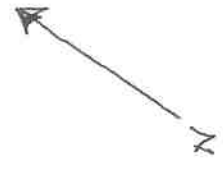


Elk River

Field

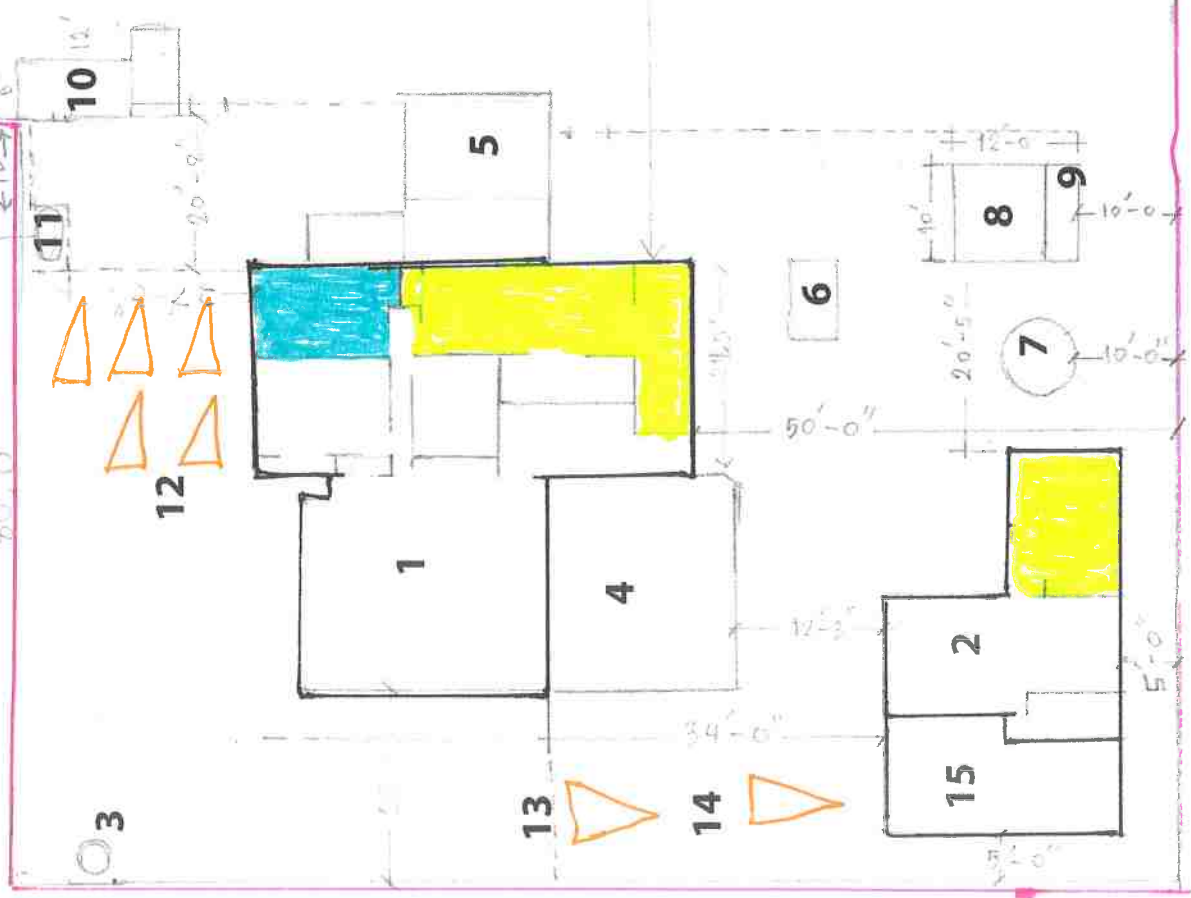
- 1 - Main House
- 2 - Cottage
- 3 - Hydrant
- 4 - South Deck
- 5 - East Deck
- 6 - 1800 Gal. Septic Tank
- 7 - 2500 Gal. water tank
- 8 - Storage Shed
- 9 - Water Filtration System
- 10 - Garden Shed
- 11 - 250 Gal. Propane Tank
- 12 - Front Parking
- 13 - Driveway Gate
- 14 - Cottage Parking
- 15 - Garage

120'

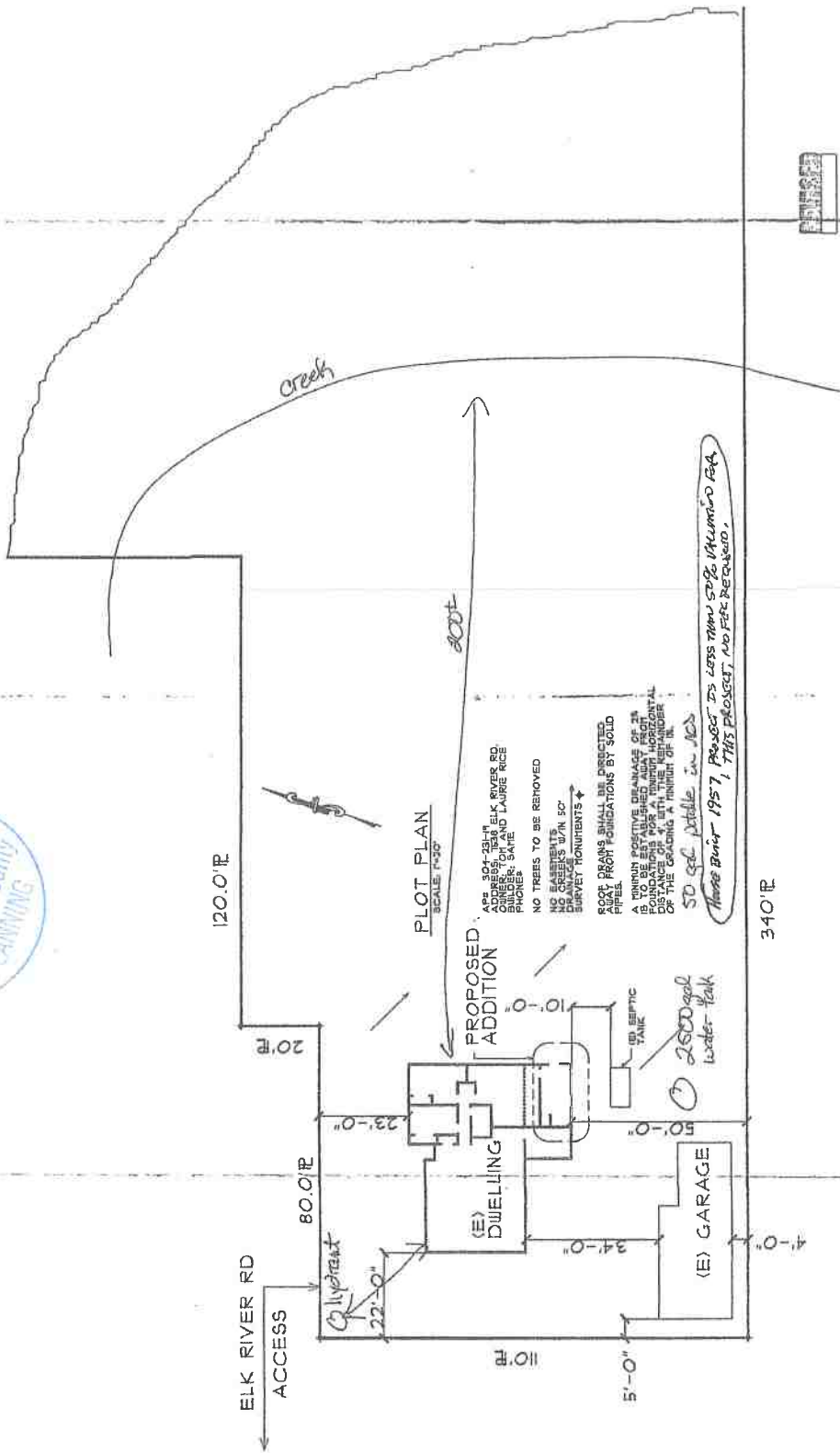


200'

-----> End of Elk River Court -----]



previous plot plan





*old sewer
in remnant*

120.0' R

RIVER RD

CESS

80.0' R

22'-0"

23'-0"

200' R

PLOT PLAN

SCALE: 1"=20'

AP# 304-231-19
ADDRESS: 1236 ELK RIVER RD.
OWNER: TOM AND LAURIE RICE
BUILDER: SAME
PHONE:

NO TREES TO BE REMOVED

NO BASEMENTS

NO CREEKS W/IN 50'

DRAINAGE SURVEY MONUMENTS

ROOF DRAINS SHALL BE DIRECTED AWAY FROM FOUNDATIONS BY SOLID PIPES.

A MINIMUM POSITIVE DRAINAGE OF 1% IS TO BE ESTABLISHED AWAY FROM FOUNDATIONS FOR A MINIMUM HORIZONTAL DISTANCE OF 4' WITH THE REMAINDER OF THE GRADING A MINIMUM OF 1%.

50 sqd pitfall in Jeds

House built 1957, Project is less than 50% improved P&A. THIS PROJECT, NO PER REQUIRED.

PROPOSED ADDITION

(E) DWELLING

(E) GARAGE

(E) SEPTIC TANK

2000 gal water tank

340' R

Elk River Bed and Breakfast

Revised Operations Plan 6/23/2023

We are seeking a special permit to offer B&B rooms for rent on the property at 7538 Elk River Court in Eureka. We request the permit for two rooms, one is the bedroom in the single-story cottage behind the main house. We were told by the previous owner that the cottage was the original home on the property and was built in 1957. He upgraded it and used it for visiting family and friends. The other bedroom we will rent is one of the two bedrooms on the east side of the house, currently the master bedroom and bath.

Turning off Elk River Road, the property is at the end of a short gravel road on which there are 9 homes. Guests receive a welcome letter one or two days before they arrive with directions and requesting their care in driving slowly, less than 10 MPH, on this road to minimize creating dust. Since the Planning Dept complaint early in the fall of 2022, Nancy or her property manager are also calling all guests the day before they arrive to make sure they are alerted to the critical need to drive slowly. The house east-facing bedrooms and cottage living room look out past gardens to a 200 feet field, bordered by redwood trees on both sides and ending at the Elk River and forested hills beyond. Homeowner Nancy, daughter in law Katt and older son Scott transformed the East and South yards of the house and that border the cottage patio into beautiful gardens. (Formerly they were the rough untended domain of chickens and their coop). Off the cottage patio, we put in a small pond with a water feature and a meditation bench in the middle of 4 large planter beds of flowers and vegetables. Four more planter beds with vegetables lie beyond in front of the fence to the field. On the north side, there are redwoods bordering the home of Carolyn Barnett to the river. On the south side, there is a redwood forest owned by Kristie Wrigley. Our new House & Cottage Rules make it explicit to guests that this redwood forest is privately owned and NO TRESPASSING.

When guests arrive, they must complete a Registration Form (attached) which includes their license plate number(s) and a place to sign that they have read and agree to our House Rules.

Availability: Availability is all year round with check in after 3pm. Minimum stay is 1 night. To respond to a neighbor's request regarding late arrivals, we are now asking all guests to check in no later than 9:00 pm and preferable before 8. Check out is 11 am.

Guest reviews of the property site friendliness, helpfulness in offering excursion ideas, and the peace, quiet & beauty of the grounds & rooms. This has earned us AirBnB "Master Host" recognition and ratings of 4.8 and 5.0 out of 5.0. A guest book is provided in each room.

Entry and Parking: Cottage guests pull all the way up the driveway to the west of the house beyond the gate and park in front of the garage. A second car can go on the north side of the gate. The cottage entrance is a few steps to the left. House room guests park in the wide parking area in front of house and follow the steppingstones in the front yard to a gate in the

fence where there is a sign and lights at night. More steppingstones and lights in the east yard lead to the stairs to the master suite. The property can accommodate 6 cars easily and 8 if needed. Our Cottage & House Rules indicate parking must be in designated spots.

Staff

Ours is a family business. While Nancy is the official owner and welcomer, current property management is shared by Shaun Walker, her son, and Katt Walker, her daughter-in-law. Katt also manages the cleaning for both units and handles minor service and carpentry matters. Shaun and Katt live close by in Eureka and are readily available to help. If needed, Nancy will hire an additional outside or live-in person to help with property upkeep and rental management. Many local brochures are placed in the rental units. Shaun was a photo editor and/or photographer for The Times-Standard for almost 25 years. He is available for guest consultation about the area's attractive possibilities for tourists and may someday give guided kayak, beach and redwood tours off-site.

Meals

In conversation with Humboldt Planner, Trevor Estlow, we came to understand that the code for B&Bs does not have wording indicating we must serve breakfast. To avoid costly kitchen renovation, we have decided not to serve hot breakfasts though if guests seem to expect and need breakfast, we will have a simple continental breakfast available. A refrigerator and coffee/tea supplies and a microwave are accessible in both the cottage and the master suite. Main house room guests can eat in their room, or on the decks. Cottage guests can eat in their room, the cottage living room or on their patio adjacent to the pond and gardens.

Measures to control potential nuisance to neighbors:

Traffic & speed limits: Before arrival, all guests receive a letter welcoming them and emphasizing the necessity to follow the less than 10 miles/hour and driving respectfully on Elk River Court, as well as the reasons for this. Nancy personally calls every new guest the day before they come to make sure they realize the importance of driving slowly. Our House & Cottage Rules also emphasize this, and guests sign on their registration that they have read and agree to the Rules. All neighbors will be made aware that I have guest license plate numbers and I will tell them again I want them to call me right away with any concerns. They also will be given Katt, Shaun and any live-in helper's phone number.

Noise: While we are not close to any neighbors, the House and Cottage Rules emphasize the importance of maintaining the quiet, tranquil atmosphere on the property and in the community. "No loud music, parties or talking".

We have added the request for quiet after 10 pm and before 7 am to our House & Cottage Rules. Guests must ask permission to have visitors and instruct all visitors about the House and Cottage Rules

A Business License will be obtained upon approval of our BnB.

Elk River House & Cottage Rules & Info

Welcome to Elk River Cottage and Master Bedroom Suite. We hope you have a peaceful, restorative & happy time nestled in so much beautiful nature. Please ask questions if you have them about the house rules.

- 1. Driving on Elk River Court: Please be attentive and remember to drive below 10 miles/hour on our gravel road. (Several neighbors have expressed concern about this, one with a daughter who is allergic to dust. Non-adherence would risk my losing my permit to have guests.)**
- 2. Noise: Please honor the peaceful, quiet atmosphere of our community. No loud music, talking or parties. Quiet time especially 10 pm to 7 am**
- 3. Having guests: Please ask permission to have any guests. If guests do come, be sure they know about driving slow and other House/Cottage Rules.**
- 4. Dogs: Take your dog(s) on a leash to the field at the end of the yard to exercise and go poo. Take a baggie with you to pick up the poo and put it in the silver trash can by the gate. Dogs must be on a leash in the garden areas. Help me keep the meditation and rose gardens pristine and beautiful.**
- 5. Septic System: Our septic system is adequate but fairly old. Please put toilet paper and or diapers, feminine pads, etc. in the waste basket by the toilet. Place bags of trash in grey trash can by the gate.**
- 6. Cottage Heat: In the cottage, use the pellet stove as much as possible to heat all rooms.**
 - On white box opposite bathroom door, switch to “Heat”
Use arrow to increase or decrease heat.**
 - On the right side of the stove, switch to “AUTO’. You will hear the stove start.**
 - Let Katt know when you are running low of pellets. They are in the silver trash can.**

- **Ask Katt to show you how to clean the stove so it keeps working efficiently. Ashes can be placed in the silver trash can and or if I'm out in the garden, hand them to me to sprinkle in the beds.**

If really cold, turn on the electric heater in the bedroom. Be sure you turn it off when it's no longer needed. Electricity costs in California are terribly high.

The Master bedroom is heated by the house furnace. Weather permitting, we keep the house at about 67 during the day and 64 at night.

- 7. Elk River: We are gifted to live right on the main stem of the Elk River. Feel free to walk through the field to the edge of the high bank on our side of the river. Please don't go or let your dogs go down to the water so fragile stream-side ecology remains protected. Before reckless logging caused tremendous damage to the river, Elk River was a much healthier habitat for supporting the large salmon and steelhead populations that used it. We are happy that there is an ongoing watershed restoration project happening to help restore much of the river, including our part.**
- 8. Redwoods: The redwood forest on the south side of our property, behind the cottage and garage, is beautiful to look at but is privately owned, no trespassing. Enjoy the views from the patio, bedroom and kitchen windows if you are in the cottage. If you are sitting outside the master bedroom, enjoy the magnificent vista bordered on each side with redwoods. Trespassing could result in having my permit to have guests revoked.**
- 9. Phone and Internet: We are on the edge of cell phone reception area. Verizon normally works. Enable WIFI calling on your smart phone(s). Our fast Starlink Internet enables high quality and reliable calls. The internet password is on the stove in the cottage and on the desk in MBS.**
- 10. Registration: Please complete, sign and return the registration form to the host the day of arrival.**

- 11. Car and parking: Parking for the cottage is in the driveway in front of the garage; and in front of the house for master bedroom renters. Please stick to these parking areas.**
- 12. Drinking Water: We had a new well water purification system installed in 2022 and have extra drinking water filters under the kitchen sinks in the house and cottage. Master bedroom renters are supplied bottled drinking water.**
- 13. We are 10 minutes from Broadway (101 in town) and the beginning of multiple restaurants and shopping areas in Eureka. Old Town is 15 minutes away. The closest of many beautiful beaches is fifteen minutes away. Take advantage of all the brochures we have given you about restaurants, beaches, the zoo & Sequoia Park, hiking and biking possibilities and so much more. This is an amazing community and nature's bounty is magnificent.**

Phone numbers if needed:

Nancy Young (owner) 707-267-4752

Katt Walker (my daughter in law & co-property manager) 707 273-3464

Shaun Walker (my son & co-property manager) 707-616-4494

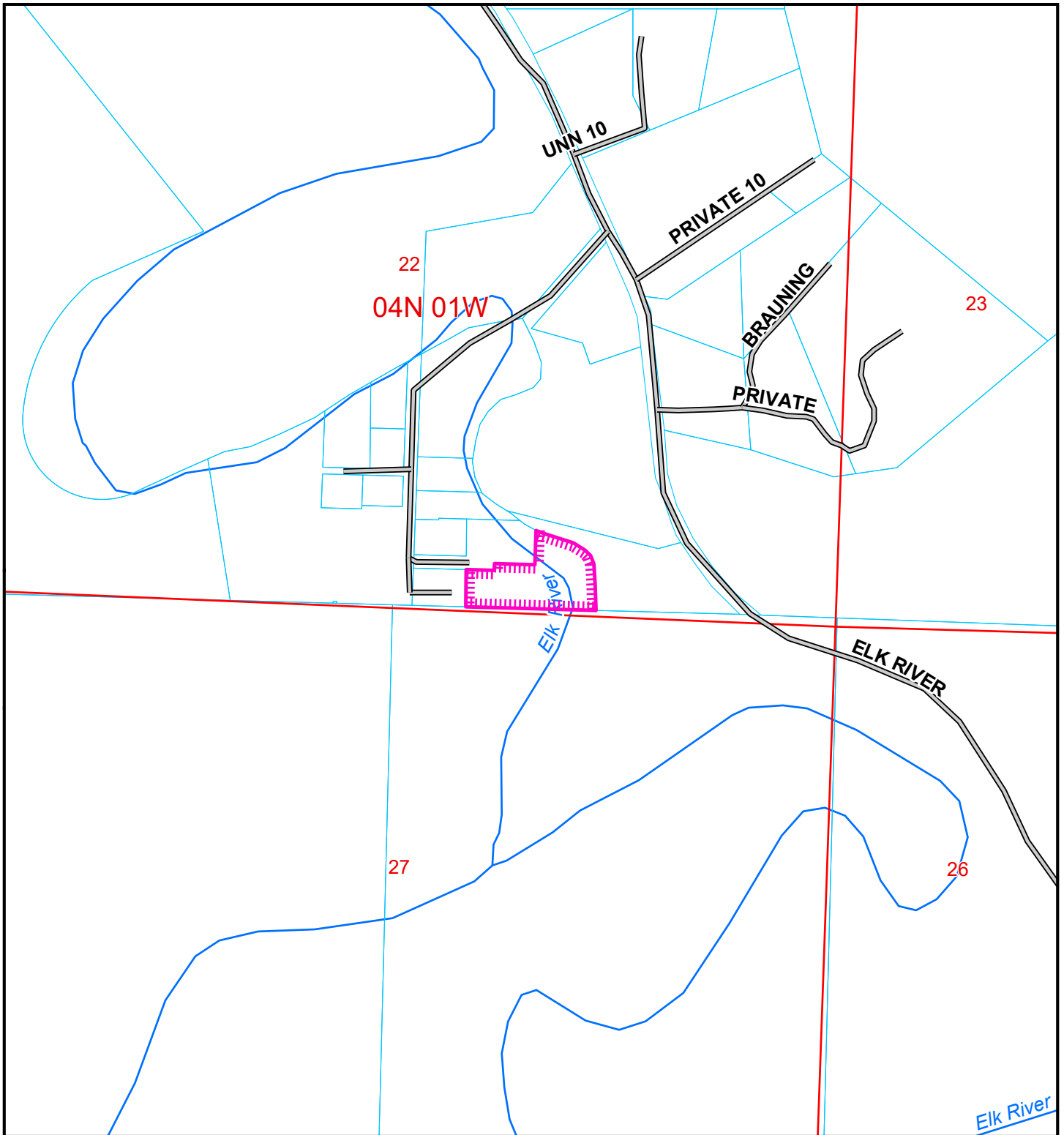
(Shaun also was photographer or Photo Manager for the Eureka Times Tribune for 24+ years so is a great resource regarding the community)

For emergency: 911

Eureka Fire Department: 707-441-4000

Humboldt County Sheriff's Office: 707-445-7251

(In the 2+ years I have lived here, there never has been a need for me to call the police. It feels very private and safe.)



LOCATION MAP

**PROPOSED ELK RIVER B&B
SPECIAL PERMIT
ELK RIVER AREA
PLN-2022-17962
APN: 304-231-019**

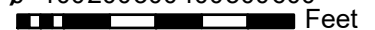
Coastal Zone Boundary 

Project Area = 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

T04N R01W S22 HB&M (FIELDS LANDING) 100200300400500600



Feet

Applicant's Evidence in Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including access roads, parking, structures.
(**Attachment 1B** –Site Plan)
4. Copy of the Grant Deed describing current ownership of parcel. (On file)
5. Assessor Records for Property (On file)
6. Operations Plan (**Attachment 1C**)
7. House Rules (**Attachment 1D**)
8. Letter to Planning Commissioners (**Attachment 3A**)
9. Guest Registration Form (**Attachment 3B**)

To: Humboldt County Planning Commissioners
From: Nancy Young
Re: My application for a special permit to run a Bed & Breakfast Business at 7538 Elk River Court, Eureka, CA 95503
June 2022023

Personal Background:

I am Nancy Young, the owner of 7538 Elk River Court, Eureka 95503. I am seeking to get a special permit to run a Bed and Breakfast using 2 rooms on my property. After some background information, I will address some of the concerns that have been raised about my application being approved.

In late March of 2021, before the second Covid surge in India, I moved to Eureka because this is where my son, Shaun Walker, lives. For the previous 4 1/2 years, as a volunteer. I was responding to the Dalai Lama's initiative to empower Tibetan women and girls. Highly inspired by this pivotable commitment, I catapulted myself to Dharamsala, India, interviewed more than 40 Tibetan women and girls, designed and then led empowerment groups for 3 1/2 years for Tibetan girls in a middle school and then at Sarah College for Tibetan Higher Studies. An amazing, challenging and growth-full experience.

I bought the property on Elk River Court in April 2021. My other son, Scott Walker, his wife, Katt, and my grandson, Alex, came from Thailand to live with me 2 weeks later. We had not thought of renting any part of our property for several months. We were getting settled, moving what was stored in my 30-foot storage unit, and enjoying getting to know the beauty and wonders of Humboldt County. Coming from Asia, we also were shocked and unprepared for prices of everything in the US, including the very high utilities for the home I had bought. And then of course inflation made it worse.

In June we transformed the yard by the patio of the cottage behind the house from being a chicken run - dirt and occasional clumps of field grass - into a beautiful meditation garden with pond. Having become more aware of the costs of upkeep on this property, **in July of 2021, we began renting the cottage via AirBnB. Scott and Katt managed the bookings and Katt did the cleaning. In June of 2022, again for financial reasons, we started renting the master bedroom in the house as well as well as the cottage.**

I am 83 years old and on a relatively low fixed income (\$4350/month) given my \$2256 mortgage and utility costs greater than \$1000 in cooler months. (Electricity was \$600 in April.) \$4350/month doesn't go very far.

The county received 10% of all rental fees charged to our AirBnB customers. I didn't receive any notice about needing a permit and I didn't even think about it as 2 decades ago I short-term-rented part of the house I then owned in West Marin. Only the 10% occupancy fee was required. In January 2023, with a truck that gets 8 miles/gallon, my son, Scott, and his family moved into an apartment closer to my grandson's school in Arcata. **I currently live in the Elk River house alone though my family from Thailand continue to help with property upkeep and rental management, and cleaning. Katt and Shaun are now doing the property management.**

History regarding this application and the original complaint:

Much to my surprise, **in late August 2022, I received a letter from the Humboldt Planning Department saying they had received an anonymous complaint and I could no longer do short term rentals. The name of the person complaining and why they were complaining were not shared. (Is this the due process which is a bedrock for democracies?)** I guessed the complaints were ones I had heard regarding two different guests who did not follow the driving speed posted limit. Several of my neighbors have good reasons to want to avoid the dust that blows toward their houses when fast drivers pass.

The day following the arrival of the letter I was standing at the Planning Department counter in tears, pleading that there must be something that could be done. **The security of being able to keep my house was being threatened.** The kind woman on the other side of the counter excused herself to talk with her boss. **Her Planning Dept boss suggested that I apply for a special permit to have a Bed and Breakfast business** which is not illegal in Humboldt County as short-term rentals are.

I received a letter the following week with instructions and **my business was closed down on Sept 9**, after the near-term-renter reservations were honored. All other reservations had to be cancelled. The application process had been communicated and **I was told I could rent to people as long as it was for 30 days or more. My focus was on getting the BnB permit.** Having completed all application requirements, I waited for an appointment with a planner. **Shaun and I met with planner, Trevor Estlow, on October 3, 2022, paid the \$2165 application fee and began the process** for getting the permit. When asked about timing, **Trevor said he had more than 40 applications ahead of mine and permits usually take about 4-6 months.** My heart sank again.

From July of 2021 to Sept 9, 2022, I hosted 444 short-term vacationers in my cottage and 43 in the master bedroom. The provided sample of guest reviews will allow you to assess the quality of people who came to our property and what was typically shared in our guest books. We had 186 reviews all of which expressed guests were very happy and grateful for being here.

From Sept through December of 2021, my AirBnB receipts for the short-term guest bookings for the cottage rentals were \$14, 256. When I was closed down, **my income from long-term rentals for the same 4-month period in 2022 was \$4,612, only one third of previous year's earnings.**

I had been able to pay all my bills on time when I was renting short-term with AirBnB. **My long-term rental income from Oct 2022 through June 2023 has been 38% of previous short term rental income for the same time period,** and along with my fixed income has been **insufficient to pay my living expenses.**

I've gone in debt every month since Sept of 2022 and **now am in my 9th month of the process with the Planning Dept. The planners I have worked with have been really great,** but the department is drastically understaffed for the workload planners carry which results in what feels to this citizen like an **unreasonable, and for me costly, processing time. I just got a bill for an additional \$2,438.04 for work done by Steve Lazar through June 6, in large part a result of work he needs to do to respond to people opposing my application who don't even live in the Elk River Court community.** I have been told I can anticipate at least \$1600 to cover the July 6 meeting.

Concerns raised in the 7 letters sent before the June meeting time to protest my application being approved:

Last month, well before the letters opposing my application had been received, I called Kristie about my application for the special permit to ask what she would like me to do to honor her request for guests not going into her property. She informed me she would be fighting to have my application turned down as a matter of principle. Planner, Steve Lazar will address issues of zoning, ordinances, local laws, etc. I will respond to the issues I can.

Concern that if my application is approved, it will open a flood gate of applications in the Elk River area.

There already is a flood of unpermitted AirBnB offerings in Humboldt County, including in the Elk River area. With the time and financial cost of my trying to get a permit, I expect many will choose **not** to undergo this process.

Concern about traffic impact and renters driving above the 10 mile/hr or less speed limit:

Prior to the complaint filed with the Planning Dept, I had had 2 Elk River Court community neighbors complain about 2 renters driving over 10 miles/hour. After the first complaint, my property manager began sending a “welcome letter” that emphasized the 10 miles/hour or less limit and reasons for it. Several months later, another neighbor complained about a renter who had driven over 10 miles/hr. I began calling every prospective guest the day before they were scheduled to come to personally emphasize the importance of the driving speed limit. This has made a difference. I also went the second time to everyone living on Elk River Court to get their input, ask if there was anything else needed and ask them to please call me right away with any concerns in the future. I was met with considerable appreciation for my efforts and care.

There is one additional **unexpected point regarding traffic impact. Eighty percent of my 30+ day renters in the cottage have had 2 cars, 60% in the master bedroom.** It was fairly rare, for short term renters place to have more than one car, no more than 10-15%. For the Elk River Court community and others living on or off of Elk River Rd, it’s clear my **having long term renters has had greater traffic impact** and probably will have in the future.

I have been genuinely caring and responsive to my neighbors’ concerns about dust and driving speed and have been engaged in our small community. I helped co-owner of the road, Steve Painter who mostly resides in Southern California, by being his liaison with the Fire Chief about the bridge. My family and I supported the bridge upgrade done by the community, and I have helped Katy Gurin make contact with neighbors regarding the Caltrout survey. I have good relations with all neighbors. **When I went around and talked to my neighbors before what I thought would be the May 2023 completion of the B&B decision, neighbors in all 7 other occupied houses in the community signed a note in support of my getting the BnB permit. The Franceschis who live on Elk River Road where ER Court enters also signed in support. (See map included) Steve Painter has the 8th ER Court residence though is here infrequently because of his job in Temecula. I reached him by phone, and he said, “I don’t have any problem with what you are doing.” The Elk River Court community IS the community most potentially impacted by my having a BnB and I will continue to take care to make sure my renters comply with the rules that protect the community and make sure my neighbors remain comfortable and supportive. The one neighbor who was least enthusiastic about my renting**

particularly didn't like new renters coming late on their first night. **I am now communicating check in must be before 9 pm to accommodate this neighbor's concern.**

Renters trespassing on Kristie Wrigley's redwood forest:

The redwood forest on the south side of my property is owned by Kristi Wrigley. When we first arrived, she let us know we were welcome to walk in her forest. **I so appreciated Kristie's welcoming us, her friendliness and generosity.** As owner, I take responsibility for what happened next. Scott and Katt assumed given what good people were staying with us that they too could go in the woods. **I screwed up because after my initial input, I wasn't paying attention to what was said on the AirBnB website. Also, Shaun had communicated at one point that Kristie didn't want renters going into her property. I thought I had communicated that to Scott and Katt, but I hadn't. I felt really bad when Kristie contacted us understandably angry about several guests trespassing. We immediately made sure there was nothing on our listing mentioning the redwoods and began sharing with guests that the redwood forest south of our property was private and no trespassing. This weekend I will put up a sign stating that.** I regret my family and I didn't get all aligned on making sure Kristie's wishes were known by all and honored from the start. Also, In June I started **giving all guests "House Rules". They reinforce the very slow driving required and they make explicit the "Private – NO TRESPASSING" south of our property.**

Issues of public safety and access: "Add to already distressed crime threats" "unaware short-term guests, increase fire threats."

For two years we have been renting, 14 months to short term guests, 9 months long term. I called the sheriff once because Scott and Alex were run off Elk River Rd Road by a speeding logging truck when they turned onto it from Elk River Court. Otherwise, **we have not needed the police nor other emergency services. No crimes, no emergencies.**

What needs to be understood is WHO ARE GUEST ARE simply doesn't fit the assumptions made by those opposing my application. 440/444 have been mature, thoughtful caring people delighted with what they experienced in our cottage or master bedroom and mindful about taking care inside and out. (Four were 2 sets of young immature women, driving fast and one driving into the fence and not paying for the damage.) This property simply does not attract bad actors or criminals. The people who have been drawn to stay at our property have been of very high quality and grateful for the peace and

quiet and beauty of the gardens and surrounding nature. Please check out the sample reviews in this packet.

Ambulances can cross the bridge. Verizon works in both rental areas and renters with different cell carriers can use wifi-calling very successfully given our strong Starlink internet.

Fire Safety: Yes, my neighbor did have a fire in his house and the fire department did the best they could. With my help, Steve Painter will be pursuing a solution to resource the ER Court community with adequate access for water to fight fires in our community.

This spring I helped Steve to obtain from the fire department **a copy of the re-certification document that verifies the bridge is confirmed to be able to hold the Humboldt County's one small fire engine.** Since it is sometimes loaned to other communities experiencing a wildfire, is not permanently manned, and is housed across from Redwood Acres (15 min away), Steve is planning to propose when he comes back this summer that he/we all dig a trench for a water line from the Elk River Rd side of the bridge to within the needed proximity to all of the houses. (This will be coordinated with proper authorities.) **This community initiative would allow the fire station's water truck to provide water for firefighters in case of a blaze.** (I have a close friend who was the HR Manager for Santa Rosa for years. She is of the opinion that it should be the Fire Chief's job to figure out how to resource his department so he can effectively serve all those who pay taxes to support Fire Department services.)

Increased demand for & burden on county services: It seems illogical, given the quality of people who have come as AirBnB renters and our track record, that there would be any greater demand for county services, particularly since I am now and will be renting long term when not able to rent short term.

My having a BnB would be a detriment to the greater Elk River Community and "fragile ecosystem":

I don't understand, given the quality of guests we attract and their thoughtfulness, how they can be seen as negatively impacting anyone else up stream or downstream on Elk River, or the river itself, especially given I will have long term renters in the two rooms if I am not doing a B&B. **In our House Rules, we welcome our guests to walk across our field to the high bank above the river on our side to see the river but not to climb down to the river (same for their dogs).** I've let Katy Gurin know that I am eager to do whatever I am advised for supporting the river's restoration. She arranged for the

engineer to come talk with me later this month and Elizabeth Pope whom I met at the Watershed presentation at the Grange interviewed me at my home on June 20. I look forward to my awareness growing so I can make sure I understand how to protect the river, the ecosystem and hasten its restoration as best I can. My family and I model care for the environment, and the people who have picked this place to stay, have also seemed to be environmentally sensitive and thoughtful.

Impact on the greater Humboldt County community:

My short-term rental guests have positively impacted the greater Humboldt community in three different ways. First, the tourist revenues received by businesses in Eureka, Arcata, Trinity and other close by communities are substantial. We provide many brochures that inspire guests to experience the wide varieties of beauty, nature, food and experiences our greater community offers. As Shaun was Photographer or Photo Editor of the Times Standard for 26 years, he has been a superb resource about the community for guests. **The second benefit is the occupancy tax I have paid to the county. Third is the impact of who we are with our guests and the beauty, tranquility and peace we provide that have led most guests to want to come back to the area** and to our special places as their home bases. I keep a guest book in both rooms in which most guests have chosen to write entries. There are 186 reviews in total. Most guests speak of how grateful they are for the peace, quiet and beauty they experience staying here and the friendliness and helpfulness of my property managers and myself. A couple of couples have referred to what we have created as a sanctuary in which they could relax and recover from their highly stressful lives. Our guests' energy of appreciation and increased sense of well-being gets extended out and multiplied when they venture into the greater community. I'm including a sampling of their entries in this packet. **The positive feedback on the AirBnb website has resulted in our being designated a "Super Host" with ratings on our two offerings of 5.0 and 4.8, both out of 5.0 as the highest.**

Other suggested potential health concerns related to living in the Elk River Valley and The ER Court community – Septic, Flood, Water

Septic: A staff member from the Environmental Health Section of the Planning Dept visited the property and said the system we have is adequate for 3 bedrooms. Any higher occupancy would require a new system. The previous owner was a family of three who upgraded the cottage and had friends and relatives stay when visiting. He said they never had a problem with the septic system, nor have we. He had it pumped right before I moved in. Our House

Rules request guests put toilet paper, diapers, etc. In the plastic bag in the covered container provided given a “relatively old septic system”.

Water: I had the well water tested and the storage tank and filtration system evaluated. There were problems which resulted in a **new UV filtration System being Installed and an ozone component installed in the water tank** after it was thoroughly cleaned. I also installed under the sink **additional drinking water purification in the cottage kitchen and the house kitchen. Guests in the master bedroom are supplied bottled drinking water.** I forwarded the details of our new system to Elizabeth Pope from the Water Quality Board.

Flood: I’m told the land where my house sits is the highest in Elk River Court community. The previous owner had a survey done and the **ground on which the house sits is not in the flood zone.** The field to the east of the gardens and house property is 8 or 9 feet lower than the ground floor of the house. The last time the field flooded this spring, it was still 2 ½-3 feet below garden grounds and 3 more to the house. The renters in my cottage at the time. weren’t alarmed but were excited to see the transformation from field to a 200-foot wide, fast-moving river that mother nature created for a portion of the 1 ½ days before the river receded back to its original banks.

Thank you for taking the time to read this and for your consideration of what I have shared and my application for a special permit.

Respectfully,
Nancy Young

Elk River Cottage and Gorgeous Master Bedroom Registration Form

Names of Guests _____

Dates of Reservation _____

(Check 1): Cottage _____ **Master Bedroom Suite** _____

Phone(s) _____

Email(a) _____

Home Address _____

Number of cars _____

Car License Plate Number(s) _____

Any health or other issues we should know about? _____

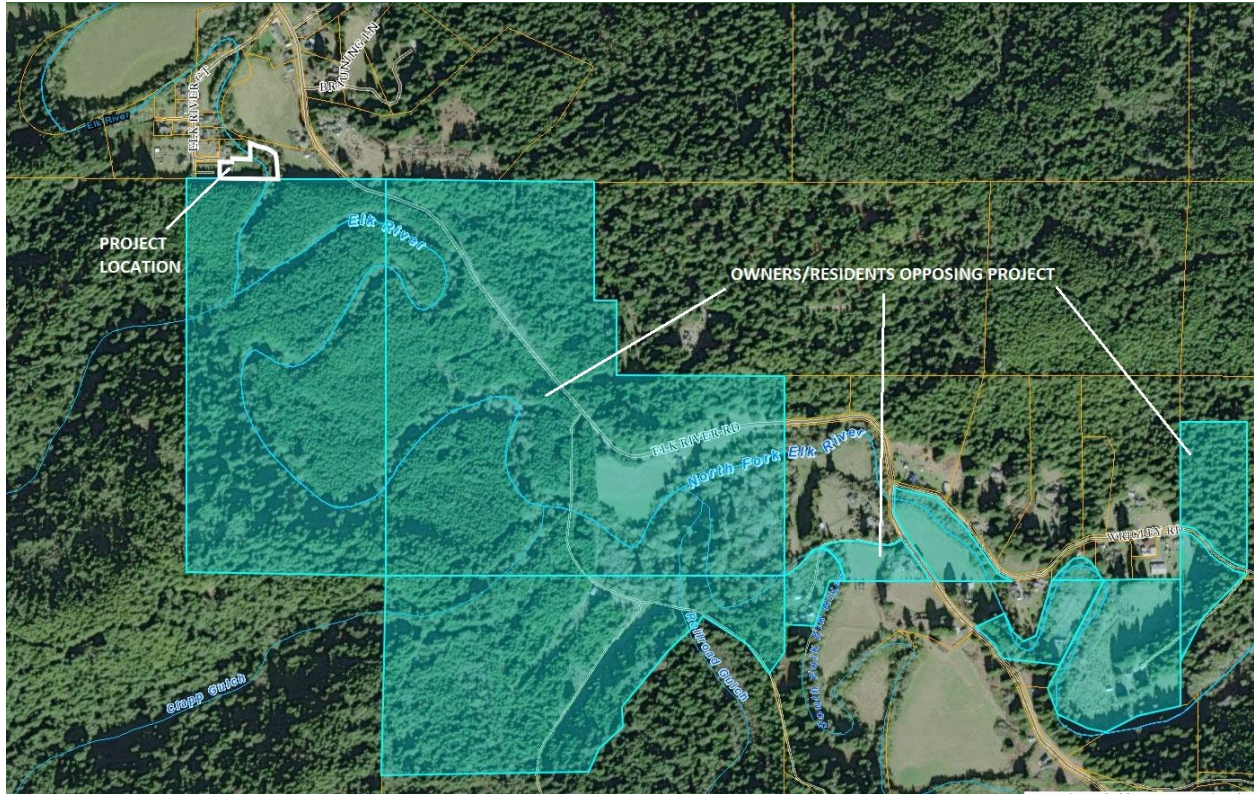
Please sign indicating you have completed this form and read and agree to the Cottage and House Rules. Give completed form to host.

Signature _____ **Date** _____

Referral Agency Comments and Recommendations

Referral Agency	Response	Recommendation	Attached	On File
County Public Works, the Land Use Division	X	Approval		X
County Division of Environmental Health	X	Approval		X
North Coast Regional Water Quality Control Board				
Building Inspections				
Humboldt Bay Fire Protection District				
California Department of Fish & Wildlife				
Bear River Band of the Rohnerville Rancheria				
Wiyot Tribe				
Northwest Information Center				
California Dept. of Forestry & Fire Protection		No Comment		
Code Enforcement	X	Approval		X

Attachment 5 – Public Comments received Opposing Project



From: Michael Jackson <mej95503@yahoo.com>

Sent: Monday, June 26, 2023 2:21 PM

To: Planning Clerk <planningclerk@co.humboldt.ca.us>

Cc: slazar@humboldt.ca.us

Subject: Nancy Young: Elk River Area, Record Number PLN-2022-17962 (filed 10/03/2022): (APN) 304-321-091 Date of hearing. 07/06/2023

I moved out here almost 25 years ago to live my life in the peace and quiet this "Private" country road possesses. I was not in favor of the unpermitted Air B&B operating at 7538 Elk River Ct. Many problems with traffic including but not limited to speeding became a major issue. Seemly, we able to resolve some of these issues in a neighborly manner, but I never felt comfortable with the whole idea of the Air B&B at the end of our "Private" country road. I did not bring this complaint against Nancy, but now that things are out in the open with it, I would like to say that I am totally against of the idea of a Bed and Breakfast or Air B&B operating at the far end of the "Private" country road located at 7538 Elk River Ct Eureka Ca. The host advertises online, "Enjoy the natural beauty, wildlife, and peaceful quiet of Elk River Cottage". As though all of this is Her's to share with the world. This why I moved out here almost 25 years ago, to Enjoy the natural beauty, wildlife, and peaceful quiet of "ELK RIVER COURT!". If she would have circulated a letter of her intention prior to buying this property, then she could have saved everyone from this headache. A Bed and Breakfast at the far end of this "Private" road is not an appropriate fit. I would also like to add that I do not appreciate her brow beating my wife into signing her petition for approval and her attempts at pressuring me into signing away my approval for this proposal. Or being blamed for this action and whether or not you will be able to continue living there. TO MUCH DRAMA! This letter was generated and written only in response to an unsolicited letter I received from the Humboldt County Planning Commission.

From: Michael Jackson <mej95503@yahoo.com>

Sent: Tuesday, June 27, 2023 9:50 AM

To: Planning Clerk <planningclerk@co.humboldt.ca.us>

Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>

Subject: Re: Nancy Young: Elk River Area, Record Number PLN-2022-17962 (filed 10/03/2022): (APN) 304-321-091 Date of hearing. 07/06/2023

I would also like to add that there has been a significant increase in the amount of people (guests) walking and allowing their dogs to do their business along this "Private" country road, including in front of my property. Yes, it is true that the majority of them clean up solids, it is still an undesirable sight to see. My family walks along this area as well and there has been more the one occasion that I have had to use my shovel. Thank you for your time and allowing comments to be considered.

From: debbymoore7@gmail.com
To: [Planning Clerk](#)
Cc: debbymoore7@gmail.com
Subject: RE: Nancy Young Special Permit, PLN-2022-17962; June 1 Hearing
Date: Tuesday, May 30, 2023 5:00:42 PM

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Dear Director Ford,

I strongly oppose the issuance of a Special Permit to allow the Young Bed & Breakfast to operate. The following are my reasons for opposing the permit issuance:

- 1) The proposed bed and breakfast operation is located at 7538 Elk River Court, the end of a private road. Permitting a Bed and Breakfast in this location places an unfair burden on all the other property owners on Elk River Court for costly road maintenance due to the greatly increased auto traffic on the road. Who will pay for the additional road maintenance?
- 2) A home recently burned to the ground on Elk River Court because the fire truck was unable to cross the Elk River bridge, which could not safely hold the weight of the fire truck. 7538 Elk River Court is the home farthest from Elk River Road and farthest from the bridge, thus an accident waiting to happen. I implore you to take seriously the potential endangerment to the lives of these additional transient residents of the Elk River Court B&B. Please protect visitors to our county, as well as its permanent residents, according to our own safety and building codes.
- 3) Young Bed and Breakfast has been operating as a B&B without any authorization. Had they applied for a B&B license, surely their septic approval would have been more stringent and closely looked at. They are listed as 9 out of 10 on the FEMA flood zone website as having Extreme Flood Risk, close to neighbors and the river. Their property is 1.25 acres instead of the 5-acre county minimum requirement, which may have been workable for a private home. Is it prudent to allow a B&B in an Extreme flood zone to operate under the same septic rules as a home? Here in the county along Elk River, property owners know how to use less water to keep their septic systems working properly even under heavy rain conditions. Transient residents have no understanding about what it takes in terms of water conservation to keep a septic system working, and I don't think it can be understood from reading a notice left in their B&B room.

I am upset that the tone of the agenda for this Special Permit sounds like this is a done deal when many legitimate questions about serious issues regarding the operation of this B&B remain.

Thank you for the opportunity to express my concerns regarding the Nancy Young Special Permit Hearing.

Comment of Jesse Noell regarding Special Use Permit for APN 304-231-019-000 to establish and operate a Commercial Motel “B & B” in Elk River Court

- 1) Special Permit proposes to permit effectively demolishing one low income rental unit in order to create a high income tourist related business. The General Plan policy promotes facilitation of affordable housing opportunities for all income levels.



- 2) The Special Permit Policy that enables low income rental units to be converted to high income related businesses is a policy of the County that has potential to result in environmental injustice. The General Plan speaks to this issue: “Environmental justice is defined as the fair treatment of people of all races, cultures, and **incomes** with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and **policies**. The concept of environmental justice is incorporated into the general policies put forth in this chapter and is reflected in various policies throughout the Plan.

The issue is a civil rights matter, grounded in the Equal Protection Clause of the U. S. Constitution. The Fourteenth Amendment expressly provides that the states may not “deny to any person within [their] jurisdiction the equal protection of the laws.” Both U. S. and California law includes directives to consider this issue in local decision making. Recent California law recommends general plan provisions that specifically foster equitable distribution of new public services and facilities, avoidance of pollution in proximity to schools and residential areas, and promotion of expanding opportunities for transit-oriented development.

Part 1, Chapter 3. Governance Policy 3-5

Humboldt County General Plan Adopted October 23, 2017

Problems of environmental justice can manifest themselves through procedural inequities in the planning process as well as through geographic inequities that concentrate undesirable land uses in certain neighborhoods. Policies throughout all elements of the General Plan are designed to be supportive of environmental justice.”

- 3) Special Use Permit project proposal lacks evidence *how well the amount, timing, and distribution of low cost housing growth* in the Headwaters Neighborhood (mapped above as the red dot closest to the word Headwaters) **correlates** with either Humboldt County's or the Headwaters Neighborhood community's (HNC) **need for low income housing**; especially low income rental housing supportive of the agricultural character within the adjacent area. AirBnB listings identify 3 to 8 illegal units active over the past 5 years; 4 units comprising 8% of the HNC are no longer available for low cost rental and appear to be active STR (short term rentals) presently. According to Zoning related estimates, the Headwaters Neighborhood comprises 50 units or persons. Thus, the growth of illegal commercial short term rental units has dramatically altered the character of the HNC and decreased low income housing. The GIS coverage shows approximately 58 additional units could request Special Use Permits at any time, once this SUP

opens the flood gates.

- 4) The Special Use Permit is disorderly in that it does not “Promote and facilitate the creation of affordable housing opportunities to meet current and future demands **for all income levels**” as required by Principle 3 of the General Plan, nor does it ensure **citizen needs** nor preserve and enhance the **character and quality of life** as required by Principle 1 “Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves,” and Principle 2) Preserve and enhance the diverse character of Humboldt County and the quality of life it offers. Instead it favors exploitation of stable community character and profit motives above citizen needs, democratic society, stable neighborhood values, privacy, and quality of life. According to the General Plan, “Quality of life is one of Humboldt County’s most important assets for economic development. “Quality of life” can relate to almost every aspect of our lives, from public safety to natural beauty.” Instead, the Special Use Permit ensures deep seated conflicts, health and safety threats, diminished quality of life, discrimination against those needing low income housing, and enables piecemeal growth inducing changes.
- 5) The Special Use Permit project proposal lacks evidence that the amount, timing, and distribution of growth correlates with the Headwaters Neighborhood community's need for anticipated road capacity and performance standards necessary to accommodate traffic and local or state fire fighting equipment and emergency services. Structure fire, vehicle fire and hay field fire incidents appear to have increased in the Headwaters Neighborhood in recent years, but actual increase is not disclosed or mitigated by the Special Permit. This issue was not addressed by the County in the Headwaters Deal EIS or EIR, or the 1984, 2014, or 2017 updates. Maybe it is addressed in the 5 or 6 year update due in 2022/2023. When a fire breaks out, many people can be trapped on this cul de sac road.
- 6) Headwaters Forest is closed at night, and tourism services are located 6 miles away; thus a B&B motel at HNC *is likely to unnecessarily increase carbon emissions* which will accelerate the sea level rise that threatens much of the Humboldt Bay area. This area lacks public transportation, there are no bicycle lanes, and industrial logging trucks commonly utilize portions of both lanes of this narrow, winding, mostly shoulder-less, substandard and poorly maintained County Road.

Sincerely, Jesse Noell

4.1.1 Purpose

The Land Use Element provides for the distribution, location and extent of uses of land for housing, business, industry, natural resources, open space, recreation, and other uses. The Element guides patterns of development for the County, providing a long-range context for decisions made regarding zoning, subdivision, and public works.

These land use policies guide growth and the development and use of land through 2040. The policies of this Plan represent a legislated balance between the individual rights of property owners and the health, safety, and welfare needs of the community.

4.1.2 Relationship to Other Elements

Statutory authority for a general plan in California is expressed in Title 7, Division 1 of the Government Code. Section 65302(a) of the code establishes the requirements for the Land Use Element. This Land Use Element guides decision makers, planners, and the general public in fulfilling the ultimate pattern and character of development within the unincorporated areas of the County. It is also consistent with, and balances the goals and objectives of, the other elements of the General Plan. The Land Use Element is most directly related to the Conservation and Open Space, Housing, and Circulation elements. For example, the amount, distribution, and timing of growth expressed within the Land Use Element must correlate with the anticipated road capacity and performance standards established in the Circulation Element. Similarly, the location and density of uses prescribed in this element are integrally linked to policies for the protection of resources included in the Conservation and Open Space Elements. This element also provides opportunities for adequate land use in order to support economic growth and regional housing needs.

4.1.3 Background

The general goals, objectives, and policies apply throughout the County and are the basis for the more specific area policies, programs, and land use map designations. The land use maps and text must be used together in order to fully understand the policies applicable to any particular situation. The land use maps have been prepared using the [/View/61996/Chapter-4-Land-Use-Element-PDF" in a new tab](#) as well as those of previously adopted plans.



Part 4—Health and Safety. Part 4 includes policies and programs to protect people, property, and the environment from risks associated with seismic, geologic, noise, flood, air quality, and wildfire hazards. This part of the Plan contains the state required Noise and Safety elements, as well as the Air Quality Element.

Space elements are large elements with multiple sections and, in the case of Conservation and Open Space, consolidated elements. The complexity of these chapters warranted additional explanation and they are the only elements containing this section.

Purpose: Presents the purpose of the chapter.

Relationship to Other Elements: Explains the chapter's relationship to other elements of the Plan.

Background: Discusses key findings from the technical background studies and other research supporting the proposed policy direction. Depending on the complexity of the particular topic, this section may be broken into subsections.

Goals and Policies: Presents goals and policies to set direction and guide decisions associated with the topic.

Standards: Identifies the standards that will be used to apply policies to a given situation.

Implementation Measures: Identifies measures that will be taken to implement the Plan.

2.5 Key Terms

As suggested above, the core of this Plan focuses on goals, policies, standards, and implementation measures. Because of the frequency of use and relative importance in the Plan, these terms are explained briefly below.

Goal: “A goal is a general expression of community values and, therefore, may be abstract in nature” (2003 General Plan Guidelines, Governor’s Office of Planning and Research). Goals should be expressed as ends, not action; they set the direction towards an ideal future. Goals are not necessarily quantifiable or time dependent.

Policy: A policy is a specific statement that must be followed when making decisions. It indicates an unambiguous commitment of the County to a particular course of action designed to achieve a specific goal.

The policies contained in the Plan are expressed in terms of “shall” or “should”. There is an important distinction between these two terms. As used in the Plan, “shall” indicates an unequivocal commitment, while “should” is advisory, in that it, like “may” is not mandatory, but “should” indicates a policy preference of the County.

Standard: A standard is a specific, often quantified rule or measure that helps define how a policy will be enacted. Standards define the abstract terms of goals and policies with concrete specifications.

Implementation Measure: An implementation measure is an action, procedure, program, plan, or technique used to carry out General Plan policy.

2.6 Maps

The General Plan includes official and background maps. Official maps show the geographic application of the Plan policies, while background maps (referenced as figures in the main text) provide support information. The official maps consist of the following map sets:

Land Use. These maps show planned land uses using General Plan land use designations. These maps do not always reflect existing land use, but rather the planned use. They indicate the kind and intensity of planned land uses, such as rural residential, 5 to 20 acres per dwelling unit.

interests and 28% of the County is in public ownership. This section of the plan provides direction for public participation in the planning process.

It is an essential function of a democratic society that public policy reflects the needs of the citizenry as expressed by the citizens themselves. Citizens will participate when they feel their participation will have an effect. But the large size of the County can make it difficult for citizen involvement. Plus, there are conflicting land uses and interests within the County which points to the need for creative solutions and a forum for resolution. The following goals and policies seek to provide the opportunities needed to overcome these challenges.

2.9 Goals and Policies

- Living in a Networked World – Telecommunications (December 2007)
- Water Resources Technical Report (November 2007)
- Community Infrastructure and Services Technical Report (July 2008)
- Related Studies:
 - Humboldt County Community Wildfire Protection Plan (May 2013)
 - Harbor Revitalization Plan and Rail Study
 - Airport Master Plan
 - Prosperity! Update
 - District Sphere Reports (LAFCO)

impacts will be mitigated. A range of alternatives to the Plan are also discussed in the EIR.

Management Plan, adopted March 87, 1994 (Resolution 94-22)

The resolution adopting this Plan would clearly indicate that the Humboldt County Framework Plan and all of the other Plans and Elements listed above are superseded. Adoption of this Plan would also incorporate all Community Plan policies, except those contained in the Avenue of the Giants, Eureka, and McKinleyville Community Plans, into a single document, Appendix C, Community Area Plans Extract. As a result, the following Community Plans are amended and consolidated into this Plan, and this Plan is considered to be the Community Plan for those communities until such time that the Community Plans are updated:

- Jacoby Creek Community Plan (1982)
- Freshwater Community Plan (1985)
- Fortuna Community Plan (1985)
- Willow Creek Community Plan (1986)
- Hydesville-Carlotta Community Plan (1986)
- Garberville-Benbow-Redway-Alderpoint Community Plan (1987)
- Orick Community Plan (1985)

The following types of modifications to Community Plans were made in the process of consolidating these Community Plans into the General Plan:

- Each Community Plan policy was given a new unique policy number consistent with this Plan, and policies were grouped according to Community Planning Area and further grouped by topic area consistent with the organization of the proposed Plan (e.g., Circulation, Biological Resources, Hazards, etc.)
- Policies with obsolete references to the 1984 Framework Plan, such as references to land use designations, have been revised to reflect the appropriate land use designations and incorporated into Appendix C in the manner described above.

Element Organization and Combined Element Organization: Provides additional guidance about chapter organization. The Land Use and Conservation and Open Space elements are large elements with multiple sections and, in the case of Conservation and Open Space, consolidated elements. The complexity of these chapters warranted additional explanation and they are the only elements containing this section.

Purpose: Presents the purpose of the chapter.

Relationship to Other Elements: Explains the chapter's relationship to other elements of the Plan.

Background: Discusses key findings from the technical background studies and other research supporting the proposed policy direction. Depending on the complexity of the particular topic, this section may be broken into subsections.

From: [kaileigh Vincent-Welling](#)
To: [Planning Clerk](#)
Subject: RE: Young Bed & Breakfast Special Permit, PLN-2022-17962; June 1 Hearing
Date: Tuesday, May 30, 2023 6:34:37 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Director Ford,

I would like to express my concerns and strong opposition to the Special Permit issued for the Young Bed & Breakfast to operate on Elk River Court. I am a resident of the Elk River community, and residents who live along this severely impaired river have been having to live with the consequences of historic unsustainable logging now for decades without prioritization of restoration actually being carried out. It is difficult to put the fear and risks this river continuously poses to residents in the eyes of tourists, who have the privilege of experiencing this rural area with the same masks folks are able to wear while walking on Headwaters Trail on a sunny day. The *unnatural* and *preventable* flooding that happens each winter and spring, the degradation of water quality, the catastrophic losses residents have to live with year after year cannot be seen by tourists, who add stress to the fragile river, traffic to the deficient rural roads, and online reviews that boast falsities about what it is like out here in rural Humboldt. This is all without understanding the unfixed and unprioritized issues us residents have to live with each year.

With that brief background being said, please find my main points below as to why I strongly oppose of this Special Permit:

1) Public safety and access- 7538 Elk River Court is located at the end of a dead-end road across a bridge that cannot hold the weight of a fire truck, meaning medical personnel could not safely reach this short-term rental should it be needed. With more people coming in and out of this area, it should seem likely that the risks of an accident happening would increase. How is this being considered, and will the County upgrade the bridge to allow for better access if a business is going to be operating on this cold-de-sac?

Further on the issue of access- this B&B was advertising the neighboring woods as a feature of their guest's stay, encouraging trespassing private property. Why was the Young's provided the reward of a Special Permit when they've been operating this business illegally and immorally in the regard to knowingly encouraging this trespassing? Why should these activities be rewarded?

2) The roads out here along Elk River already need maintenance, and adding traffic will only add to this problem. For instance, just this winter/ spring, the roads flooded to the point of trapping residents in their homes multiple times. It seems as if road maintenance and upgrades should be deeply considered and prioritized for folks that actually live in this community full-time before granting people the right to open B&Bs, which adds more traffic, leading to only worsen road conditions. It doesn't feel like the safety of residents is being prioritized here.

3) With Cal Poly Humboldt increasing enrollment, the housing crisis in Humboldt appears to be the worse than ever before, so why is the County spending additional effort to allow for more short-term rentals, especially those operating *illegally*, when residents- students, traveling medical personnel, professors, etc. need housing? This seems non-supportive of this

dire housing need within the Humboldt community. Is local tourism more important than essential services (such as medical) and supporting our growing Humboldt community?

In conclusion, it is distressing to feel as though this fragile and impaired river ecosystem, which once held so much life and precious fish passage and good quality water supply to residents, and our community is not being considered enough by the County in making this decision. That the impact to the Elk River community, who need and rely on one another year after year as the roads flood and trap us in, as the water creeps closer to our homes as the bottom of the river rises with sediment due to logging, isn't being considered enough by the County. Yes, maybe it's only one B&B approval right now, but this could open the gates for more- some of which have been already operating illegally. We need a tight-knit community out here, especially as conditions worsen in the river as logging continues on, posing severe safety concerns for us.

Please consider the implications of granting this Special Permit and the possible ripple effects it may have on our community; it means much more than it might seem to those not having to hold the full weight of the decision.

Thank you,
Kaileigh

Humboldt County Planning Dept.

Comments on Nancy Young BnB PLN-2022-17962 at 7538 Elk River Court June 1 Hearing

Dear Mr Ford,

The so called BnB at 7538 Elk River Court is a very bad fit for the larger Elk River area especially the our upper Elk River community. The whole Elk River Court subdivision is an anomaly for the larger agricultural designated area surrounding it. It is a substandard parcel that came into existence before the 5 acre minimum lot size was established so was grandfathered in to acceptance. To now take this substandard lot whose owner illegally operated BnB and give them a permit to operate is contrary to the County Plan as well as good judgement. First in line always gets preferential advantages over others in the area who want to do the same thing. At this point not everyone can have a BnB. Or can they?

I am sure the owner is nice(I have spoken with her over the phone) and I realize she went around and got her close neighbors to sign a support letter based on her needs for financial support. I understand that(I have had to give up a minimum of \$40,000 a year because the State and the County have allowed Elk River to fill with sediment leading to increased flooding height and frequency destroying my historical property use.) But that does not mean she should get a permit to operate a hither to illegal business.

I own the property directly behind 7538 Elk River Court and she has already shown disrespect for my agricultural property, a plantation forest. At first she had pictures on her site on the AirBnB webpage which she removed but only after I asked her to. She also has allowed her guests to walk in my forest which is most distressing. Yes, the County can stipulate residents and guests stay off my property but who monitors and regulates that? I have to, adding to my burden. With short term/overnight stay there is no opportunity to face people directly and establish a personal connection. Personal connection is extremely important in a rural community...it is the very basis of community.

Renting a bedroom is more of a commercial activity best situated in an arena where public protection is more available than the rural /ag/timber zoned upper Elk River area where this BnB is a tag on to a substandard parcel in a unique tiny subdivision. Adding motel like overnight stays will add to our already stressed crime threats. As in all arenas community awareness is paramount to safety and security. Fire threat is another burden increased by short term motel-like bedroom rental. There was a recent structure fire across the street from 7538 Elk Rvr. Ct. where the fire trucks could not access the area with vehicles, only long hoses. This location is in the very back of this grandfathered subdivision of 8-9 dwellings. My forest is directly behind the outer cottage building and would be even more threatened by increased unaware short term guests. It is just a matter of numbers. County services are in short supply; we simply do not have the funds to adequately police and support emergency services. Short tern stays add to that burden both to County and most especially to the surrounding land owners. There is good reason why we are mostly Ag Exclusive, Ag general zoning in this area.

This subdivision is in the 1987 FEMA Flood arena(though its existence predates the flood map.) The logging of the last 25-30 years has increased the 100 year flood height by 5-8 feet over that original 1987 flood height.(1% Annual Chance Flood Elevation Estimates for Lower Elk River, Humboldt County; Northern Hydrology & Engineering, 9-29-2020.) The water table is also raised so not only are flood risks greatly increased but functionality of the septic system comes into question. Conditions have changed since the early 70's when the system was permitted. The adequacy of the septic system is questionable to me as I remember when Edith Johnson (original and long time owner) lived there the system did not have a leach line only a leach pit which does not provide as high a level of distribution/filtering of septic effluent. With the water serving this location being from an onsite well which came into existence before County scrutiny was required there could be a more dangerous situation than originally existed. A more than perfunctory analysis should be required where the public safety is concerned. Most of the time in the past this property supported 1-2 people so using it now as a short term stay with 4 added guests does add to the human burden. The cottage was used as a storage unit not a space with kitchen, bedroom and bathroom. It may not be strictly growth enhancing because of the number of bedrooms in the big house that are projected to be used for short term stay. When only looked at with a check box mentality of doing what could be allowed without thinking about actual changed circumstances both environmental and dwelling oriented public safety could be short changed, especially when you consider this is a substandard parcel in an anomalous subdivision next to large agricultural parcels.

This Bedroom Rental facility certainly changes the character of the neighborhood. As stated earlier it is surrounded by mostly large agricultural land, timber, dairy, hay fields. I will be logging directly behind this parcel in hopes of addressing both increased safety and enhancing the larger Elk River Recovery Project as well as turning the plantation forest into a real Redwood forest. These multiple goals will require repeat logging in the area. I would hope the owner would realize that the meaning of TPZ land is loud noise and ugly views which ultimately will lead to a safer and better environment for everyone.

The cottage rental is really a separate unit with kitchen and bathroom, thus could be rented out long term giving the owner her desired revenue as well as supplying a much needed housing unit. Renting this out as a BnB is definitely inconsistent with the County Plan Housing unit. Humboldt County has a need for low income, seasonal housing for students, visiting nurses and other temporary workers. The County has known since 2016 of the need for guidelines for so called vacation, short term, BnB rental facilities. Until more open vetted guidelines are established no BnB units should be permitted especially not this one on a substandard parcel on and surrounded by prime ag soils. Permitting this one opens the door for others. There are two others operating out here that we know of(yes we have and will again complain.) Our experience does not show that the County is proactive or even responsible when it comes to BnB's. When first covered by the Cottage Industry provision it was difficult to have a facility of this type now with the advantages of the internet and the AirBnB website it is very easy. When people perceive a seemingly easy avenue to make money(think cannabis in the early days) many jump on the band wagon and with no really vetted ordinance too much is left up to the particular planner. Even with vetted rules we have seen the County do an inadequate job of enforcing their own rules(illegal cannabis grow and insulation business allowed.) Our concerns are immediately on high alert because we know the County does not have the resources to adequately address each situation. It often boils down to short sighted paper analysis or what I call a check box review. That is he kind of analysis that lead to Elk River having become so sediment impaired from logging. (We have been dealing with that for over 25 years to no real avail: logging prevails and conditions continue get worse for the residents.) Some of us long time residents are thinking caring knowledgeable people. We have learned the hard way to really pay attention an think about the repercussions of our and others actions. I am not sure new people in the upper Valley are aware of their own situation. We would expect County Planning to do more than a perfunctory investigation as to how they can permit it but more into should they permit and what does this ultimately lead to. Too much is dependant on the individual planner's interpretation of circumstances in the present process. It is obvious she has played to the heart strings of her close subdivision neighbors by drawing up a letter of support for them to sign. And yes, we all want to help our neighbor that is to be commended but do not do it in such a way that hurts the larger community and only benefits the one person getting the permit. If the owner needs revenue there are ways at her disposal other than a so called BnB. She would not need a special permit to do long term rental but I think the public health issue needs to be thoroughly vetted; maybe they are fine but lets make sure.

I oppose this Special Permit as it does not conform to the County Land Use in our area, is in direct opposition to the Housing unit goals; it opens the door wide for others to say me too without a vetted Ordinance in place so all know the requirements; it burdens the larger surrounding landowners with increased fire, security and emergency risks while benefiting only one person, the homeowner. It is truly alarming to me.

Kristi Wrigley
2550 Wrigley Road
Eureka, CA. 95503

TO: Humboldt County Planning Department
attn: Steve Lazar
FROM: Stephanie Bennett, resident of Upper Elk River Community
RE: Special permit for short term rental/motel business on Elk River Court
DATE: 5/29/23

The bed and breakfast business on Elk River Court does not support the goals of the General Plan and is not consistent with the character of this community. This community is plagued with multiple health and safety concerns: polluted domestic water from Elk River, fragile septic systems, no cell service, no internet without electricity, frequent power outages, no street lights, private bridges that may not be certified for emergency services, and no fire hydrants. This is not a community to support lodging visitors without incurring great liability for the guests' health and safety, the neighbors, and further impacting this severely impaired watershed.

This county has no coherent process for approving of short term rentals. Even health and safety issues are left unaddressed as there is no assessment by Environmental Health to ensure that septic systems are properly functioning or that domestic water supplies are safe. This bed and breakfast does not have to provide its guests with the same standards of health and safety as motels do; in fact, it doesn't have to ensure that any standards at all are met.

Short term rentals may be appropriate in some rural areas where accommodation choices are slim, but this is not the case here. There are hundreds of motels, hotels, and private home accommodations just 5 miles away in Eureka and other neighboring towns. These legal and appropriate lodging options are already close to business services, emergency services, entertainment, and they all are subject to stringent health and safety protections for the tourists. Permitting lodging options in unprepared, environmentally insecure neighborhoods like ours with fragile water supplies, is inconsistent with the General Plan and is not in the public interest.

This Elk River Court residence doesn't have an approved septic system or domestic water supply, and the private bridge that must be crossed to reach it has not been certified by the Fire Departments. Is there a dedicated water tank for fire on this property since 20-30 minutes may elapse before CalFire or Humboldt Fire can get there? This lack of access to emergency services should be an immediate denial of any petition to invite more people on this property. This approval for a short term rental business is premature and dangerous to our community.

The character of our community had never been openly defined by planner Steve Lazar yet he is empowered to determine whether this new use will be compatible with this unknown, unstated character of our community. He doesn't know where our domestic water supply intakes are or whether our homes are up to code. He never asked affected neighbors about their experiences here, especially those of us who are already enduring short term rental impacts. Health and safety issues abound here in Elk River, but County Planning wants to avoid that inconvenient truth. Without assurances of health and safety protocols or clear guidelines for approval of a special permit, approval of this business will damage our community culture, damage our fragile infrastructure, and must be considered to be arbitrary and capricious.

This Upper Elk River community has no public services to offer tourists; not even basic cell service or internet access or street lights. There is only one public destination: the small Headwaters Park which is only open during daylight hours so tourists have no business here after dark. All other lands are private. Any non-resident here after dark will find great hardship in navigating these roads without streetlights

or cell service creating more dangerous conditions for us local humans and the wildlife. All public services (food, lodging, entertainment, supplies) are available 5 miles back down the road in Eureka or other towns.

Furthermore, creating lodging where only private property exists just encourages trespass and nuisance as many of us locals already experience. These nuisances remain unabated as Humboldt County now contemplates adding yet another nuisance-producing activity here. We live near a neighbor who has been operating a lodging business (airbnb) since 2018 without permits and with numerous notices of code violations. The "guests" were walking with their dogs in our water supply because they didn't understand how we locals really live and their hosts didn't inform them: Elk River is fragile, impaired, and yet still must supply all the downstream residents with their source of domestic water. As a neighborhood we respect the common uses of this river but tourists are here only to exploit what we have, not protect it. Providing recreational opportunities for tourists in Elk River is not in the public interest, nor this community's interest, when we must pump our home's water from the very river they want to recreate in.

The appeal of short term rentals is the ability of tourists to "live like a local" as is Airbnb's slogan. These tourists want to gain access to back regions, not yet commercialized, so they can enjoy the amenities not available to anyone but the local residents. But while in our community, tourists don't really want to live like us locals; they just want to experience the best of what our community offers with none of the hassles. Tourists can pay a few hundred dollars to enjoy our community; it costs us residents many hundreds of thousands just to live here, enjoyable or not. This short term lodging business only benefits the one host operating it while the rest of the neighbors pay the real price.

A sampling of the reviews from a neighbor's illegal airbnb "perfect for quiet getaway; extra quiet and peaceful; loved how secluded it felt; so peaceful, so beautiful, so tranquil."

Well yes; those attributes do describe the character of our Upper Elk River community. And those attributes exist precisely because we long term residents nurture and protect them just as we protect the river, our neighborhood's water supply. Government certainly isn't supporting our protections. It's we local residents who maintain our community's "commons:" beauty, peace, tranquility, and privacy by interacting with and respecting our neighbors. We never agreed to make a profit off of the commons, the values and resources we all share because we reside here, but some neighbors don't care about agreements.

We only discovered our neighbor's illegal short term rentals when they placed 5 glamping tents in the riparian zone next to our home. Guests had to drive across a dry pasture to reach their lodging, creating a fire hazard. No fire extinguishers were provided while the guests enjoyed their private campfires. There is no dedicated water tank for fire at this site, threatening all of us neighbors as the guests pretend to "live like locals." The glamping guests complained to their host that our farm dogs' barking disturbed their sleep. So the host (our neighbor) threatened and harassed us for months. They demanded that we transform the way we farm so as not to annoy these guests. That outcome is precisely what the General Plan intends to avoid: forcing farmers to adjust to non-farming uses in our agricultural communities resulting in a net loss of working farms and an increase in community conflict.

With no government enforcement of these short term rentals we neighbors have to take on the burden of dealing with these neighborhood conflicts which is both damaging to our community's social fabric and to government's interest in effective and fair policies. Ironically, Humboldt County claims that it

places a priority on abatement of violations that result in agricultural land conversion, loss of productivity, or conflicts with neighboring agricultural operations. In fact, our airbnb neighbor actually stated that operating a short term rental business in this community was not illegal unless someone complained! By that logic, they are indeed illegal, yet they're still raking in money and paying their transient occupancy tax on their illegal lodging business. So perhaps, they are right: Humboldt County really doesn't care about permits or health and safety, as long as they can collect the TOT.

Until Humboldt County adopts a clear, coherent, and enforceable policy regarding operation of short term rentals in rural areas like ours, no special permits to operate or variances should be approved.

Airbnb and other short term lodging platforms are escalating world wide. Neighborhood problems are epic and many cities have adopted ordinances to deal with the horror stories of these problems. Does Humboldt County really believe that the US and global economies are so robust that wealthy tourists will continue to flock to our community where locals make \$12/hour, while they can pay \$500 for 2 nights' stay? This short term rental industry is as unsustainable as the cannabis industry and a heck of a lot less regulated.

This industry creates speculation and illicit economies as already evidenced here in our Upper Elk River community. The operators of these rentals experience all the benefits while externalizing the costs of doing business onto their neighbors. When the short term rental market collapses as is predicted, these operators will also cut and run, just as the pot growers did. Only the long term residents who actually value living here, will remain.

It's a reality that one's property rights do not guarantee that every use one desires is appropriate for that particular property particularly if this use damages the commons. Upper Elk River is special precisely because so few people have access here, yet no analysis was conducted of this community and how impacted it will be from this infusion of tourists. Humboldt County has failed to provide any evidence that this business is appropriate much less compatible with the character of our community. Humboldt County has yet to provide a clear, coherent regulatory process for determining where short term rentals are appropriate. This disorderly government process leads to discrimination, violations, damages, and great expense for all parties.

Approval of this bed and breakfast lodging establishment in a community with a dangerous water supply, damaged septic systems, inadequate access for emergency support, no public lands open at night, and no public services whatsoever is irrational and inappropriate and will be costly. Nothing about this permit is consistent with the General Plan goals or the character of our community.

This permit at Elk River Court must be denied for multiple health and safety reasons and the fact that such approval is inconsistent with the General Plan. Short term rentals belong where the infrastructure already exists to support them. Our neighbors who desire to make money converting our farmlands to tourist rentals must find a more compatible use for their rural properties. Or they can sell out to a new owner who actually values living here without impacting their neighbors and this severely impaired watershed.

From: [stuart.lane](#)
To: [Planning Clerk](#)
Subject: Young Bed & Breakfast Special Permit, PLN-2022-17962; June 1 Hearing
Date: Tuesday, May 30, 2023 2:53:37 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

John Ford
Director and Zoning Administrator
Planning Department
County of Humboldt
3015 H Street
Eureka, CA 95501

[VIA E-MAIL: Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us)

RE: Young Bed & Breakfast Special Permit, PLN-2022-17962; June 1 Hearing

Dear Director Ford:

I submit these comments and concerns against granting the Young B & B Special Permit because the proposed B&B doesn't follow the intentions of the Humboldt County General Plan, increases the public safety and health risks, and detracts from our Agricultural "farmy" residential neighborhood.

Affordable Housing:

The proposed B&B would remove another affordable housing unit, turning it into a vacation rental. I believe that this is against the goals of the Humboldt County General Plan Housing Element. Our Elk River neighborhood is already lacking affordable housing, and conversion to short term rentals exacerbates the situation. I recently talked with a young man whose parents were forced out of a Elk River Road low cost rental, and could not find anything nearby. I own multiple rental houses, and do just fine getting regular, long term (over 30 days) rent. I pay a rental tax to the County (not Humboldt County) for each unit.

Neighborhood Safety:

The proposed B&B would be put the public, i.e. B&B guests and neighbors, to an increased fire danger, as the FD will not drive across the Elk River Court wooden bridge. Non-local users might not understand the fire risk, or safety risk, as they would not know that about the relative lack of emergency services. The house right next door to the proposed B&B burnt to the ground last year because of the FD access problem, as the firefighters had to walk in dragging a smaller hose than normal. B&B guests might have trouble calling 911 as cell service is spotty, and somewhat dependent upon the chosen cell service carrier. At our house, if I stand in one spot, about a 100' from the house, I can sometimes get cell service with Verizon, but not with any other provider.

The proposed B&B property is entirely within the FEMA 100 year flood zone (FIRM MAP 1025G). The sedimentation of Elk River makes the flooding worse, as all who live out here know, and we have all experienced the flooding. This is a concern due to the fact that the water supply is a well on the same small parcel (1.25 acres) as the septic system. Although the lot size might be acceptable per code, in this specific case, I suspect it could a problem, at least

seasonally, leading to well water contamination. If the septic drain field fails due to increased use, the effluent may effect the immediate neighbors Elk River Court, and the residences downstream. I have personally seen a neighborhood comprised of 1 and 2 acre lots with septic systems and wells on each lot dealing with well contamination. The site plan does not show the water well location or leach field location (only the tank location is shown), nor does it show any neighboring wells or septic systems that might be too close. Although the septic system was adequate in 1965, today's standards require more leach field capacity, generally each kitchen also adds to the linear footage requirement, a calculation that wasn't considered in prior decades, and should be considered even for the reduced number of room rentals.

Neighborhood Compatibility:

Having read all of the B&B reviews (on all the local B&B's), it is clear that Nancy Young was advertising the adjacent private Redwood Plantation as a "perk", with implied permission for guests to use it, and the adjacent portions of the river, also private property, not under Nancy Young's control, and without permission from the property owner.

The Staff includes a provision for the revocation of the permit if needed. Although this sounds like a good thing for the neighbors, to me it sounds like a duplicitous conciliatory gesture to the neighborhood, as in so far as all SP's can be revoked for cause, and specifically calling it out does not change anything in regard to enforcement or intention to enforce any violations to the point of SP revocation.

I also see that the site plan calls out nearby shared driveways as private, but does not call out Elk River Court as private. It is important that reviewers and the interested public know that it is a private road and private bridge, and that the additional traffic generated by guests will increase the required road maintenance and future bridge replacement costs to the other owners, and yet those other owners will not benefit financially, only the applicant.

Staff Report:

I find the Staff Report's explanation of COA #7 troubling. The Executive Summary states that COA #7 deals with septic system capacity and water supply. Then I read that the applicant has "volunteered" to reduce the operation to 2 bedrooms. I would prefer to see that Planning Staff *require* this reduction to make it clear that any approval only for the 2 bedrooms (4 persons), as the way it is written implies that expansion of the SP is simply a matter of improving the water and wastewater capacity. Allowing the applicant to increase the size from 2 bedrooms to any larger use also increases the potential damage and disruption to the neighborhood, and thus needs a full SP review, again.

Condition of Approval #5 states the "owner *or operator* of the Bed & Breakfast must reside on the premises". I believe this violates County rules, i.e. "The dwelling on the site shall be occupied by the owner of the cottage industry". My understanding of the County rules in regards to SP's is that a SP cannot supersede the "owner occupied" requirement.

It is stated by the owner that non-resident family members would sometimes operate the B&B. The idea that the owner can have other people act in their stead, who do not live there, should not be allowed, as those other people could soon become the permanent operator. This will set an unacceptable precedent of an absentee (Special Permit) B&B owner.

The proposed Young B&B Special Permit is not in the best interest of the neighborhood, nor in the interest of public health and safety for those who live along the Elk River. It may

further damage the fragile Elk River watershed. The proposed B&B Special Permit is not needed, Nancy Young can rent out the cottage via a "normal" lease to generate income. Please deny the Young Bed and Breakfast Special Permit.

Respectfully,

Stuart Lane
Elk River Road resident.

May 30, 2023

John Ford
Director and Zoning Administrator
Planning Department
County of Humboldt
3015 H Street
Eureka, CA 95501

VIA E-MAIL: Planningclerk@co.humboldt.ca.us

RE: Young Bed & Breakfast Special Permit, PLN-2022-17962; June 1 Hearing

Dear Director Ford:

I submit these comments in strong opposition to granting the above-referenced Special Permit because the proposed Bed and Breakfast (B&B) is contrary to the goals of the Humboldt County General Plan, is contrary to Humboldt County Code and California housing policy goals, is a precedent-setting inequity, is an increased burden on the 303(d) sediment-impaired Elk River, is incompatible with our rural residential neighborhood, and represents an increased public health and safety risk.

Housing

The proposed B&B would decrease the availability of affordable housing by turning what could be a long-term residential rental unit into a vacation rental. I note that County has been aware of the problems that B&Bs, vacation rentals, and other short term rentals present with regard to the General Plan Housing Element since at least early 2016 because the Planning and Building Department referenced such problems in its February 2016 Vacation Home Rental Zone Reclassification Petition (Case Number ZRP-15-003). That petition specifically states Secondary Dwelling Units “represent affordable housing opportunities for Humboldt County residents and are part of the County’s Housing Inventory.” County’s ADU website (humboldtadu.org) plainly states: “ADUs often provide homes for the local workforce and families who serve essential roles in the county. Increasingly, these community groups are finding it difficult to find suitable and affordable housing. With the lack of available affordable housing, building and renting an ADU is truly considered to be a community service.” So if putting an ADU into the rental market is in the public interest, it stands to reason that taking an ADU out of the rental market is against the public interest. Should the Young B&B Special Permit be approved, Humboldt County will be setting a precedent that incentivizes the transformation of what would otherwise be available Housing Inventory into vacation rentals in direct opposition to the goals of the Humboldt County General Plan Housing Element and California’s state-level housing policy goals. Because the Young B&B Special Permit fails to achieve HCC Required Finding 312-17.1.1, it cannot be approved.

Allowing what is called the “cottage” in the Special Permit application materials to be used as part of a Bed and Breakfast Establishment would also be in direct contravention of HCC 314-69.05.3.4, which states that Accessory Dwelling Units “shall not be rented for periods of thirty (30) days or less.” If there is any doubt about the “cottage” being an ADU, please see enclosed screenshots of the AirBnB webpage for the Young property. Humboldt County cannot approve an ADU for short-term rental in contravention of its own Code.

Health and Safety

The proposed B&B would be detrimental to the public health, safety, and welfare because it would be located beyond a bridge that the fire department will not cross. Adding to the danger is the fact that cellular phone service in the area is generally very poor. Most staying at a B&B in Elk River Court would

likely only have a cell phone for communication, and in an emergency, it would do them no good. Services and infrastructure in Elk River are lacking, making it contrary to the public interest to allow a B&B to operate in Elk River Court.

Further detriment to the public health, safety and welfare due to the proposed B&B come from the higher burden on, and greater threatened harm to, the already deeply impaired Elk River. Numerous residents rely on Elk River for domestic water and it has historically been an important watercourse for threatened salmon and steelhead populations. Further, given the increase in Base Flood Elevation that has occurred in Elk River (see enclosed Northern Hydrology Technical Memorandum), adding vehicular and pedestrian traffic through the approval of the Young B&B Special Permit will also expose a greater number of non-residents, who have less experience with flooding than long-term habitants of Elk River, to increased flood hazard.

Equity and Compatibility

The proposed Special Permit would privilege Nancy Young to operate an ADU as a short-term rental above others who seek to operate a legally sound B&B at a later date. If others in Elk River seek to operate a B&B in conformance with HCC, they would be in direct competition with someone given a less-than-legal leg up. Thus the proposed Special Permit does not promote equity.

The proposed B&B would also violate HCC Required Finding 312-17.1.4 because it would be materially injurious to properties in the vicinity. Numerous reviews of the Young B&B on the website [airbnb.com](https://www.airbnb.com) mention how enjoyable the neighboring redwood forest is (see enclosed screenshots). This represents *prima facie* evidence of trespassing. Such trespassing brings non-local B&B guests into contact with a Timber Production Zone, which threatens to result in serious injury to any trespassing guests and timber operators, which could in turn become a huge cost for neighboring timberland owners. (See enclosed screenshot of aerial showing extreme proximity to timberland.)

With further regard to trespassing: When Nancy Young was operating her B&B illegally, she advertised the neighboring redwood forest as an enhancing feature of her short term rental. Because Nancy Young does not own the redwood forest next to her property, she was encouraging trespass for purposes of her own financial benefit. Does Humboldt County want to set an example of rewarding illegal behavior? How would granting this Special Permit be fair and equitable to those who will not to operate illegally and choose to go through the proper channels first?

Staff Report and Conditions of Approval

The Staff Report notes that given past unpermitted operation of the Young B&B, the inclusion of a provision foreshadowing the revocation of the permit is warranted. But inherent in the granting of any kind of conditional permit is the possibility of that permit's revocation. Making the implicit explicit simply exposes the diaphanously substandard nature of the Staff Report and does not change the proposed Young B&B into an acceptable use.

I am confused by the Staff Report's treatment of COA 7. In the second paragraph of the Executive Summary, the Staff Report states that COA 7 has been included because of issues with septic system and water supply capacity. Yet in the next paragraph it is stated that because of feedback regarding concern over the density of the proposal, the applicant has "volunteered" to limit the operation to a maximum of two (2) bedrooms and four (4) guests. It seems we have a situation where the neighborhood's stated concern about density can be abrogated by solving County's issues regarding water and septic systems. Surely such unsound logic cannot be used to recommend the approval of the Young B&B Special Permit.

Condition of Approval 5 states the "owner or operator of the Bed & Breakfast must reside on the premises." But the "or operator" part is counter to HCC 314-45.1.3.2, which states "The dwelling on the site shall be occupied by the owner of the cottage industry." As HCC 314-45.1.4 makes clear, HCC

314-45.1.3.2 is not allowed to be modified with a Special Permit. This constitutes evidence of the arbitrary and capricious nature of any granting of this Special Permit, and as such, adds further clarity to the fact that the proposed Young B&B is contrary to the public interest.

In Conclusion

The proposed Young B&B Special Permit is not in the interest of the neighborhood. It is not in the interest of public health and safety. It is not in the interest of the sensitive Elk River watershed. The proposed B&B Special Permit is only in the interest of Nancy Young's bank account and Humboldt County's coffers. For this and all the above-mentioned reasons, I request you deny the Young Bed and Breakfast Special Permit.

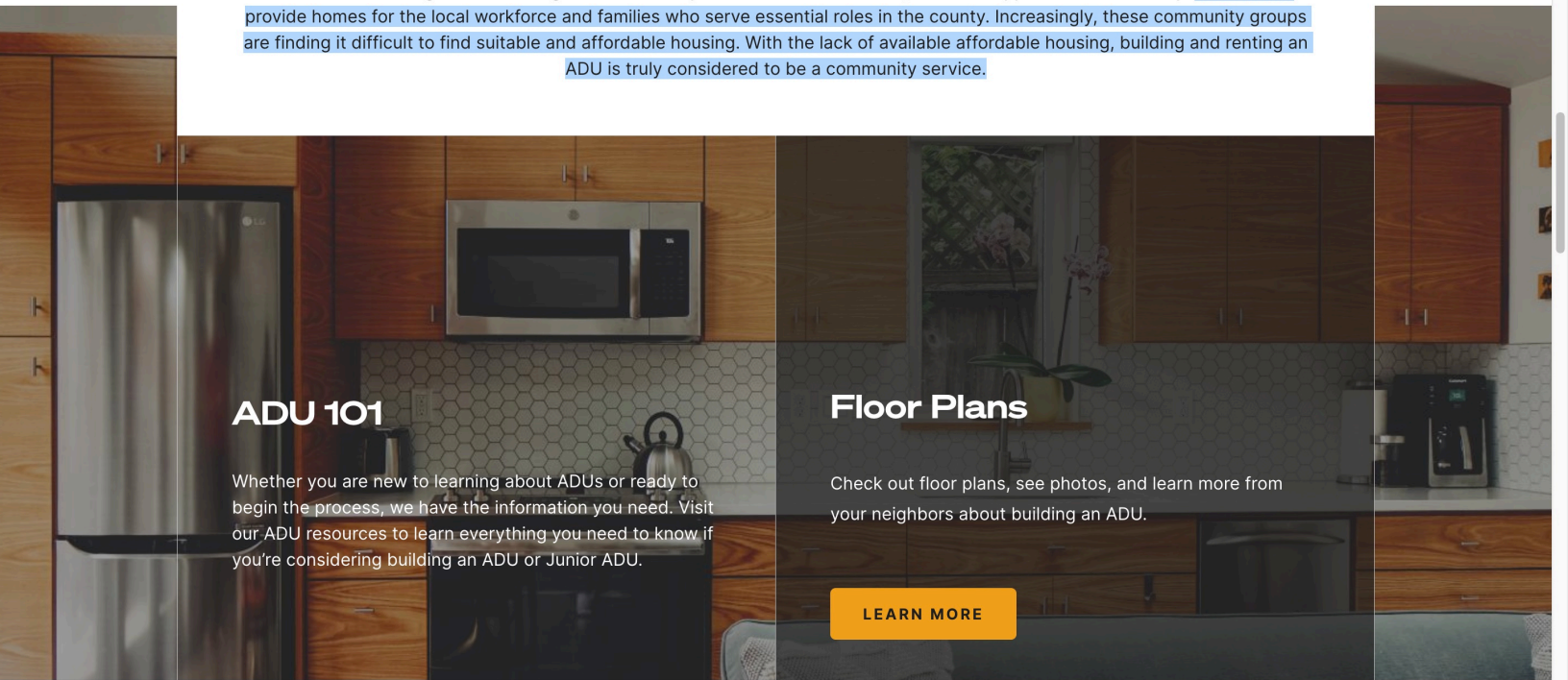
Respectfully,

A handwritten signature in black ink that reads "Matthew K. Turner". The signature is written in a cursive, slightly slanted style.

Matthew Turner
Elk River Resident

Encl.: Northern Hydrology Technical Memorandum, various screenshots

Humboldt ADU is a program developed by Humboldt County to support and inform homeowners within the county who are interested in building ADUs. Building an ADU not only benefits the homeowner, but also supports the community. ADUs often provide homes for the local workforce and families who serve essential roles in the county. Increasingly, these community groups are finding it difficult to find suitable and affordable housing. With the lack of available affordable housing, building and renting an ADU is truly considered to be a community service.



ADU 101

Whether you are new to learning about ADUs or ready to begin the process, we have the information you need. Visit our ADU resources to learn everything you need to know if you're considering building an ADU or Junior ADU.

Floor Plans

Check out floor plans, see photos, and learn more from your neighbors about building an ADU.

[LEARN MORE](#)

Building an ADU

[GET STARTED](#)

Close

17 / 22





Start your search



Airbnb your home



Elk River Cottage in Humboldt County near Eureka

★ 4.91 · 138 reviews · Superhost · Eureka, California, United States

Share Save



Entire guesthouse hosted by Nancy

3 guests · 1 bedroom · 3 beds · 1 bath



Self check-in

\$56 night

★ 4.91 · 138 reviews

CHECK-IN
Add date

CHECKOUT
Add date

Browser tabs: Flux AUTOP, The C, Don't, Conve, Macro Rep, HowC, The A, Can th, Humb, Hous, ADU1, humb, News, Public, Hous, Elk X

Address bar: https://www.airbnb.com/rooms/50230868/amenities?source_impression_id=p3_166

Page content:

- Photos Amenities Reviews Location \$56 night Check availability
- What this place o
- Garden view
- Kitchen
- Dedicated worksp
- Pets allowed
- Bathtub
- Show all 50 amenities
- Select check-in d
- Add your travel dates for ex
- May 202
- Su Mo Tu We
- 1 2 3
- 7 8 9 10 11 12 13 4 5 6 7 8 9 10

Modal window content:

- River view
- Bathroom**
- Bathtub
- Hair dryer
- Cleaning products
- Shampoo
- Hot water
- Bedroom and laundry**
- Essentials

Close

7 / 22



Browser tabs: Post P, Your C, Flux C AUTOPL, The Cl, Don't U, Conve, Macro Rep, HowC, The Ar, Can th, G Humb, Housin, Home, Rental, Public, Housin, Elk X

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Modal window:

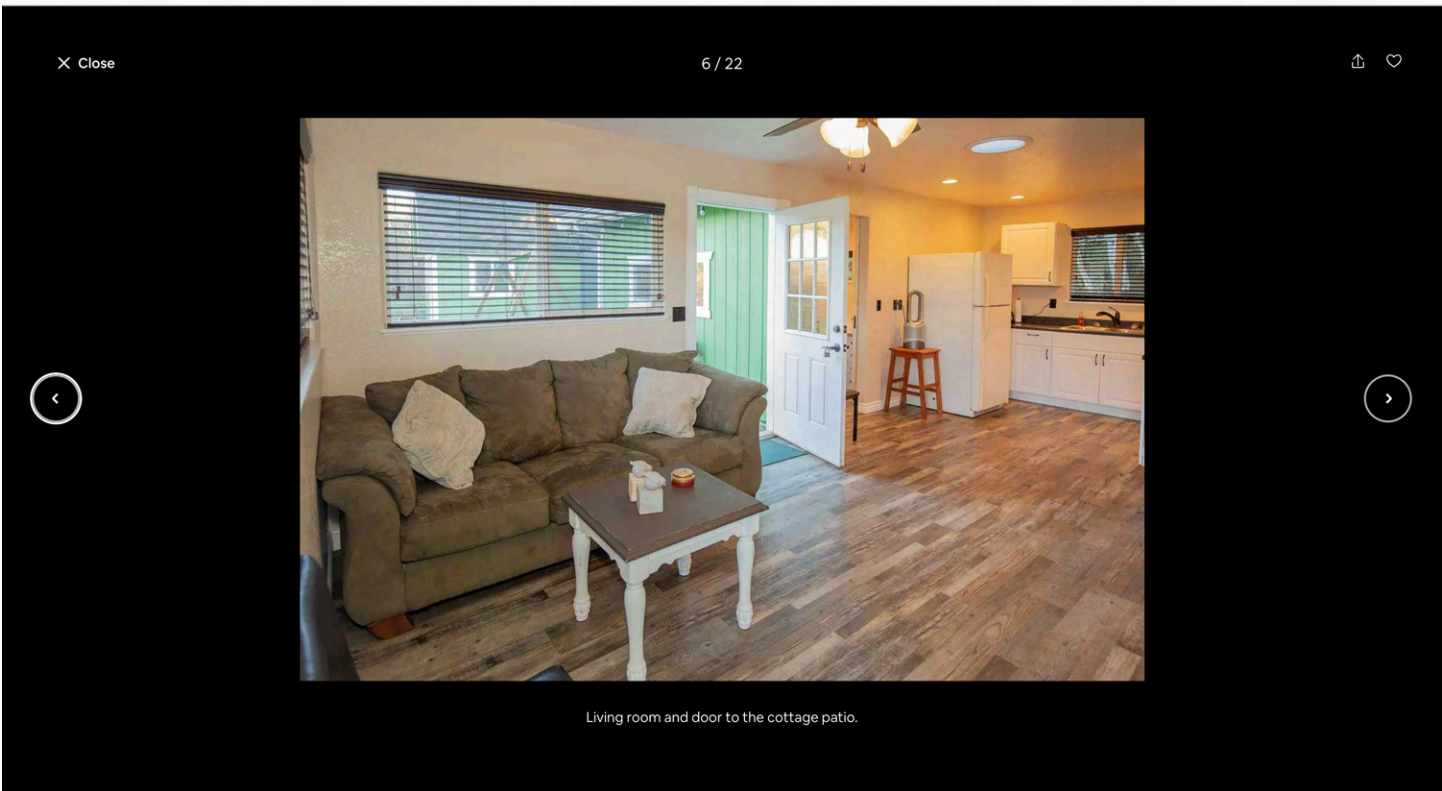
- X
- Dedicated workspace
- Kitchen and dining**
- Kitchen**
Space where guests can cook their own meals
- Mayfair refrigerator
- Microwave
- Cooking basics**
Pots and pans, oil, salt and pepper
- Dishes and silverware**
Bowls, chopsticks, plates, cups, etc.
- Freezer

Close

5 / 22



Also has microwave, toaster and hot water



Browser tabs: The Cu, Don't F, Convex, Macro Repo, Flux G, AUTOPL, HowCo, Why D, Airbnb, Airbnb and, Inside F, Your O, Airbnb, Elk River, Airbnb, Elk R X, Host pr


Address bar: https://www.airbnb.com/rooms/50230868/reviews?source_impression_id=p3_1665

Search reviews


★ 4.91 · 138 reviews

Cleanliness	██████████	4.9
Accuracy	██████████	4.9
Communication	██████████	4.9
Location	██████████	4.7
Check-in	██████████	5.0
Value	██████████	4.9


throughout. Nice big space for the dogs to run and play. We all Enjoyed it


 **William**
July 2021

So clean. So quiet. So peaceful. They have a fresh water pond with a waterfall out the window that is so peaceful. They have a couch and tv which was so comfy to cozy up on after a full day exploring the redwoods. Great price for the amount of space.

 **Shaun**
July 2021

What a wonderful place! It's out in a gorgeous peaceful, quiet valley and at the end of a tiny neighborhood and right next to the forest and little creek-like river, yet is still close to town. The cottage is very nice, and quite spacious, and Nancy and family were very sweet and very helpful. Sooo much better than staying in the city.

 **Rusty**
August 2022

 [Translate to English \(US\)](#)

Self check-in Add date Add date

Browser tabs: Macro Rep, Flux C AUTOP, HowC, Why D, Airbnb, Airbnb and, Inside, Your C, Airbnb, Elk Riv, Airbnb, Elk X, Gray V, Elk Riv, Gorge

URL: https://www.airbnb.com/rooms/50230868/reviews?source_impression_id=p3_1665

Search: Search reviews

★ 4.91 · 138 reviews

Cleanliness	██████████	4.9
Accuracy	██████████	4.9
Communication	██████████	4.9
Location	██████████	4.7
Check-in	██████████	5.0
Value	██████████	4.9

John
July 2021

Amazing retreat from the city. Adjacent woods were a fun little adventure, and the property itself sits in a beautiful garden. Very good spot for the money.

Colton
July 2021

This was an excellent place to stay, the location is beautiful and the hosts are very nice. The rental is in the back of the property with a garden between the main house and the rental. The hosts were very gracious and allowed us to pick from their garden for dinner. The rental has a nice open layout with private views into the redwood forest. I would definitely stay again.

Julia
July 2021

Beautiful Place! Everything was so well kept and tidy with thoughtful touches throughout. Nice big space for the dogs to run and play. We all Enjoyed it

William
July 2021

Self check-in Add date Add date

Browser tabs: Flux C AUTOP, HowC, Why D, Airbnb, Airbnb and, Inside, Your C, Airbnb, Elk Riv, Airbnb, Elk X, Gray, Elk Riv, Gorge

URL: https://www.airbnb.com/rooms/50230868/reviews?source_impression_id=p3_1665

Elk Riv
★ 4.91 · 138 reviews

Cleanliness 4.9
Accuracy 4.9
Communication 4.9
Location 4.7
Check-in 5.0
Value 4.9


Search reviews

Clara
July 2021
The place was in a beautiful location tucked away from Eureka against the forest. Great spot to disconnect and explore!

Jennifer
July 2021
We loved Nancy's place, and she and her family members were so welcoming and accommodating. We would have loved to have stayed longer and would have if it had not already been booked. It's outside of the city on a gravel road, so the community is very quiet. Nancy has a beautiful meditation garden and there was a nice field and wooded area next to their home that was perfect for walking our dogs.

Olympia
July 2021
Beautiful place to stay! We had a great time and the pellet stove is a wonderful addition. The garden is so charming and inviting. Would definitely come back.

John
July 2021
Amazing retreat from the city. Adjacent woods were a fun little adventure, and the



Browser tabs: Flux C AUTOP, HowC, Why D, Airbnb, Airbnb and, Inside, Your C, Airbnb, Elk Riv, Airbnb, Elk X, Gray, Elk Riv, Gorge

URL: https://www.airbnb.com/rooms/50230868/reviews?source_impression_id=p3_1665

★ 4.91 · 138 reviews

Search reviews

Cleanliness	██████████	4.9
Accuracy	██████████	4.9
Communication	██████████	4.9
Location	██████████	4.7
Check-in	██████████	5.0
Value	██████████	4.9

veggies from their garden in the morning was such a wonderful treat too. I'd love to stay again sometime.

Lori
August 2021

Nancy and her family are very friendly. They are very quick to respond. They have a very nice cottage in a rural area so there is peace and quiet. There is a cool wooden bridge that you drive over to get to their place. They have a lovely garden area to have your morning coffee. There is a redwood forest behind the cottage that you can explore.

Matt
August 2021

A beautiful little slice of nature. Our family loved staying here. The garden is amazingly kept, The host (Nancy) and her family are a delight, and the place has all the amenities we could need (including a giant forest and creek literal feet away from the property!).

Overall a fantastic experience and 100% the place to stay if you are passing through Eureka. We stayed here twice (on the way up and the way back) after how great our first experience was and will be checking to see if the place is available for any future roadtrips through the area.

Self check-in Add date Add date

Browser tabs: on't, Conve, Macro Rep, Flux C AUTOP, HowC, Why D, Airbnb, Airbnb and, Inside, Your C, Airbnb, Elk Ri, Airbnb, Elk X, Gray, Elk Ri, Gorge

Address bar: https://www.airbnb.com/rooms/50230868/reviews?source_impression_id=p3_1665

Search reviews

★ 4.91 · 138 reviews

Cleanliness	██████████	4.9
Accuracy	██████████	4.9
Communication	██████████	4.9
Location	██████████	4.7
Check-in	██████████	5.0
Value	██████████	4.9

nancy's place was phenomenal! her and her family were extremely friendly and hospitable. The guesthouse had everything we needed and more. Don't forget to sign their little guest booklet when you go! :-)

Emiko
March 2022

Nancy's place was just what my partner and I needed for a quick weekend get-a-way. The space was thoughtfully laid out and clean. We had everything we needed and Nancy was quick and responsive with communication if there was anything else we might need. The property itself was really beautiful and quiet. My partner and I enjoyed walking our dog around the woods nearby and had a fantastic time in the area. We will definitely be back again in the future!

Jake
February 2022

such a lovely spot! we've stayed at half a dozen places in eureka the last few years and this was my favorite. really great to find somewhere affordable and pet friendly and it feels quiet and private but still just 15 mins away from downtown eureka

Lydia
February 2022

Self check-in Add date Add date

Browser tabs: on't, Conve, Macro Rep, Flux C AUTOP, HowC, Why D, Airbnb, Airbnb and, Inside, Your C, Airbnb, Elk Riv, Airbnb, Elk X, Gray, Elk Riv, Gorge

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Search: Search reviews

★ 4.91 · 138 reviews

Cleanliness	██████████	4.9
Accuracy	██████████	4.9
Communication	██████████	4.9
Location	██████████	4.7
Check-in	██████████	5.0
Value	██████████	4.9

It was very nice very peaceful

Pamela
May 2022

We had the best time! Elk River Cottage is such a gem of a find. The cottage is stocked with everything we needed and we really enjoyed the pelt stove heater! Nancy was the perfect host and took the time to greet us and make sure we had what we needed. It was such a treat to be able to bring our canine daughter Abby and we all loved walking in the woods right next to the property. The gardens on the property are beautiful and there is a large open grassy space to take your pet. This cottage is perfect we will be back!!!!

Linda
May 2022

We wanted to stay in Arcata but ended up at this location just a little south of Eureka because we had a dog and we wanted a place where he could run a little. Nancy's place is set in a beautiful little valley filled with horses, goats, cows, sheep, and lots and lots of green pasture land. The unit itself was perfect for us and had everything we needed. We liked to sit out on the little patio at night and watch the stars. There is a lovely garden that Nancy has created and we enjoyed sitting out there in the mornings with our coffee. The little pond had tons of tadpoles in it and there were lots of flowers. Just beyond the patio/garden area is a huge pasture with a disc golf course on it so I would

Self check-in | Add date | Add date



Northern Hydrology and Engineering

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Telephone: (707) 839-2195; email: Jeff@northernhydrology.com

Engineering – Hydrology – Stream Restoration – Water Resources

TECHNICAL MEMORANDUM

Date: 29 September 2020

To: Charles J. Striplen
North Coast Regional Water
Quality Control Board
5550 Skylane Blvd, Suite A
Santa Rosa, CA 95403-1072



From: Jeffrey K. Anderson, P.E., M.S.

Expires: 30 Sep. 2021

Re: **1% Annual Chance Flood Elevation Estimates for the Lower Elk River, Humboldt County**

INTRODUCTION AND BACKGROUND

As part of the Action Plan for the Upper Elk River Sediment Total Maximum Daily Load (TMDL), the North Coast Regional Water Quality Control Board has initiated the Elk River Recovery Assessment and Community Stewardship Program (Stewardship). The Stewardship Program is being led by California Trout (CalTrout) with technical assistance from Northern Hydrology & Engineering (NHE) and Stillwater Sciences. As part of Stewardship, a number of public meetings and Elk River landowner meetings have occurred since early 2019. During these meetings, several landowners have voiced concerns regarding flooding and the accuracy of the Federal Emergency Management Area (FEMA) flood hazard zone mapping. Upon review of the FEMA Flood Insurance Rate Map (FIRM) Elk River panels it was noted that several residential structures that currently flood are mapped outside of the FEMA flood hazard zone. It also became evident, based on conversations with landowners, that the current extent, depth, and risk associated with extreme flood events in the Elk River, such as the 1% annual chance (or 100-yr) flood, may not be fully understood or appreciated. This even applies to landowners who lived in the Elk River watershed during the extreme flood events of the 1950s, 1960s and 1970s, a period when the Elk River had more flood flow capacity than it does today. Given the loss of channel capacity by sedimentation and vegetation changes that have occurred since the 1990s, the associated depth and risk from extreme flood events has significantly increased over conditions that existed in the Elk River during the 1950s to 1970s.

Following recommendations from agency project partners and interest expressed by landowners, the two-dimensional hydrodynamic and sediment transport model developed as part of the Elk River Recovery Assessment (California Trout et al., 2018) was expanded to model extreme flood events up to the 1% annual chance flood. The expanded model can be used to provide:

- A modeling tool to support future flood analysis of the restoration strategy developed as part of the Stewardship program.
- Existing condition fluvial and coastal flood elevations for the 1% annual chance flood event in the Lower Elk River Study area (as described below).

This technical memorandum (memo) provides a summary of the flood analysis conducted by NHE on the Elk River to provide 1% annual chance flood water surface elevation estimates for the Study area covered by the modeling domain. The Study area is defined as the lower portions of the North Fork (NF) Elk River and South Fork (SF) Elk River and the Elk River from the confluence of the NF and SF Elk Rivers to Humboldt Bay (Figure 1).

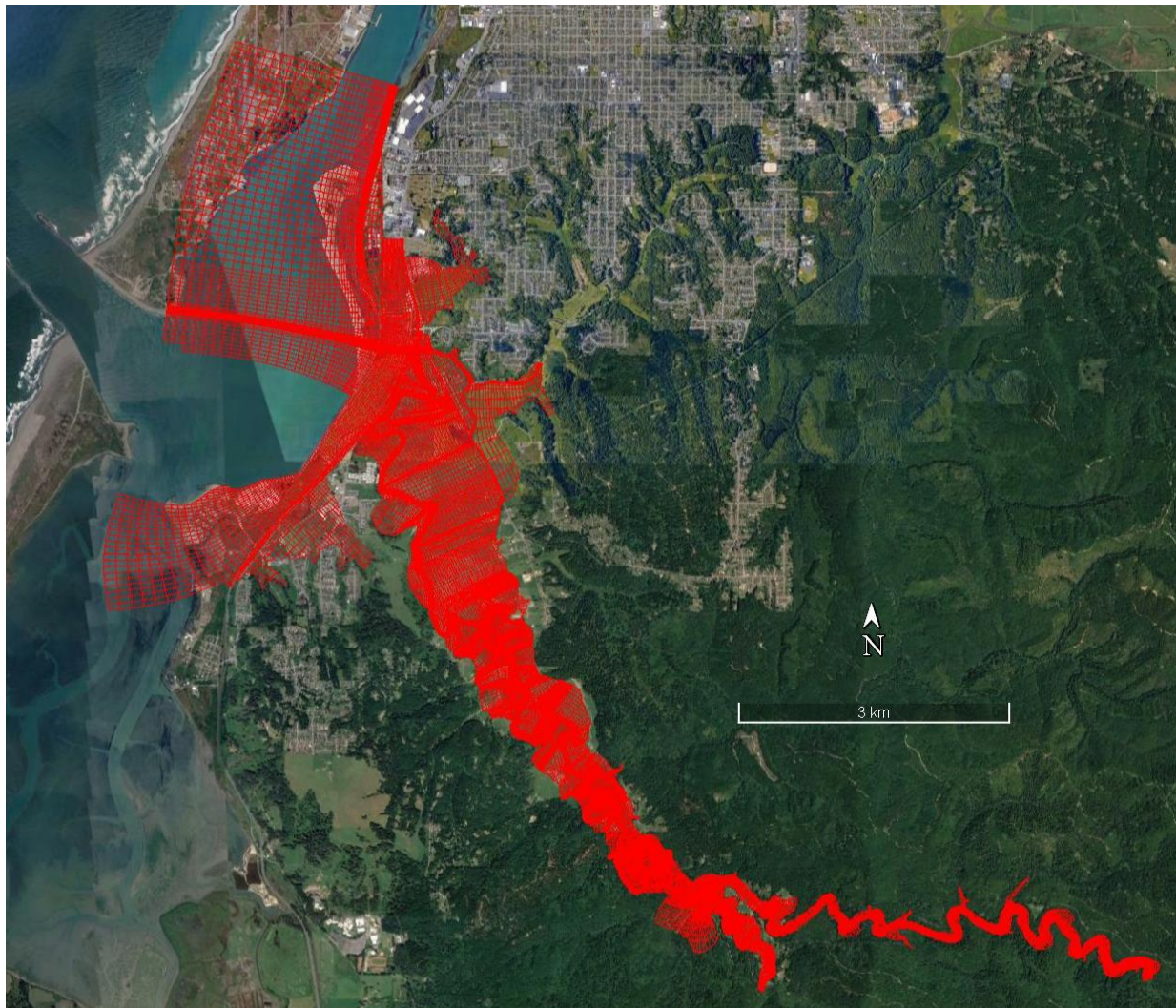


Figure 1. Location map showing the extent of the Elk River hydrodynamic expanded model (H-Exp Model).

The majority of the Study area is located within a FEMA Zone A special flood hazard area for which 1% base flood elevations (BFE) have not been determined, and Zone X special flood hazard area of minimal flood hazard and area of future conditions 1% annual chance flood hazard (FEMA, 2017; FEMA, 2018). The Zone A designation generally implies an unstudied area in which FEMA has not conducted a detailed hydrologic and hydraulic analysis. FEMA has conducted detailed studies at two locations within the Study area. These include a narrow strip of land adjacent to Humboldt Bay in which a detailed coastal hazard analyses provided 1% BFEs for both stillwater and wave runup elevations; and Martin Slough in which a detailed hydrologic and hydraulic analysis provided 1% BFEs in this area approximately 0.5 miles above its confluence with Swain Slough (FEMA, 2018). The Martin Slough hydraulic analysis consisted of a backwater analysis using the HEC-2 program assuming normal-depth downstream boundary conditions. The analysis did not consider backwater effects from the mainstem Elk River.

The 1% annual chance flood elevations determined in this work can be used to provide estimates of the 1% BFE in the Zone A areas of the Elk River. It should be noted that these 1% flood elevations have not formally been adopted by FEMA to represent 1% BFE but do provide the best available information for the Zone A areas of the Elk River covered by the model domain. FEMA, the County of Humboldt (Humboldt) or City of Eureka could pursue using this information and amending the Flood Insurance Study (FIS) and/or Flood Insurance Rate Map (FIRM) panels related to the Elk River.

The 1% flood elevations presented in this memo are a composite of the maximum water levels from either a riverine flood or a coastal stillwater extreme high-water (storm surge) level analysis within the Study area. These results do not account for sea-level rise effects, nor represent combined probabilities of riverine flood and coastal events occurring at the same time, which is beyond the scope and funds available for this work.

Units provided in this memo are a combination of U.S. customary and metric units. The modeling analysis was conducted in metric units. Elevations are referenced to the North American Vertical Datum of 1988 (NAVD88), and the horizontal coordinate system is Universal Transverse Mercator (UTM) Zone 10, North American Datum of 1983 (NAD83).

This memo supersedes a previous memo dated 30 March 2020.

GENERAL FLOOD ANALYSIS APPROACH

This study used an existing two-dimensional hydrodynamic and sediment transport model (HST Model) developed as part of the Elk River Recovery Assessment (California Trout et al., 2018). The existing HST Model was not configured to model 1% annual chance flood flows and it was necessary to expand the model grid in the lowest reach of the Elk River near Humboldt Bay. This expansion included extending the model grid into areas west of Highway 101 and Humboldt Bay on the both north and south sides of Elk River. The expanded HST Model will only model hydrodynamics and will be referred to as the H-Exp Model.

The Elk River Study area is subject to flood and inundation regimes from both riverine flooding and coastal extreme high-water events (storm surge). Two event conditions were analyzed, one for riverine flooding and the second for coastal flooding. For riverine flooding, the Study area includes the confluence of the NF and SF Elk Rivers (confluence). Based on available data, the

backwater effects from the confluence on upstream flood levels needs to be considered in the analysis, which is a deviation from the typical FEMA approach for determining BFEs. The approach used in this study for determining 1% annual chance flood levels used coincident peaks for the NF and SF Elk River that consider backwater effects at the confluence of these river tributaries. This approach required two separate coincident flood cases be modeled within the riverine event condition. The two 1% annual chance flood event conditions analyzed are described as follows:

- Event Condition 1: Riverine flooding from the 1% annual chance flood event from upstream riverine sources with a representative existing condition spring tide level at the downstream boundary. The H-Exp Model was used to represent steady-state conditions for riverine flooding. Two coincident peak flood cases were simulated for Event Condition 1:
 - Case 1 consists of analyzing flood conditions assuming the NF Elk River discharge is at the 1% annual chance peak-flood, and the SF Elk River discharge is the difference between the 1% annual chance peak-flood for the Elk River below the confluence and the NF Elk River 1% annual chance peak-flood.
 - Case 2 is the opposing coincident flood condition and assumes the SF Elk River discharge is at the 1% annual chance peak-flood, and the NF Elk River discharge is the difference between the 1% annual chance peak-flood estimates below the confluence and SF Elk River.
- Event Condition 2: Coastal flooding based on a representative existing condition stillwater 1% annual chance extreme coastal event at the downstream boundary with winter median-flow from upstream sources. The H-Exp Model was used as a dynamic model for coastal flooding, with a tidal time series boundary condition and steady winter median-flows for all streams.

To account for the riverine and coastal flood events, the 1% annual chance flood elevation estimate was taken as the maximum water level from either Event Condition 1 (Case 1 and Case 2) or Event Condition 2.

HYDROLOGIC ANALYSIS

This section describes the hydrologic analysis conducted for determining 1% annual chance peak-flood flow estimates within the general Study area.

Background

Streamflow data on the Elk River is limited to two time periods. The USGS maintained a streamflow gaging station on the Elk River below the NF and SF Elk River confluence (USGS 11479700 Elk River near Falk, CA) for water year (WY) 1958 to 1967, and annual peak-flow data exist for this period-of-record (POR). Since WY 2003, Humboldt Redwood Company has maintained streamflow gaging stations on the Elk River below the NF and SF confluence (approximate location of the historic USGS gage), NF Elk River above the confluence, and SF Elk River above the confluence, and annual peak-flow estimates exist at these three locations for WY 2003 to current.

A review of USGS published peak-flood estimates (Gotvald et al., 2012) for the Elk River station demonstrates that the less frequent peak-flood estimates (e.g. 1% annual chance event) from a Bulletin 17B analysis (IACWD, 1982) using a Log-Pearson Type-3 distribution on the POR annual peak-flows are significantly lower than peak-flood estimates from the regional flood-frequency equations (Table 1). A condition that does not exist for other gaged streams in the local vicinity as the Elk River, such as the USGS gaging station on Jacoby Creek which is another tributary to Humboldt Bay, and the USGS gaging station on Little River that has a watershed area similar in size to the Elk River (Table 1).

Table 1. USGS Flood-frequency estimates for Elk River, Little River and Jacoby Creek (Gotvald et al., 2012) from a Bulletin 17B analysis (Log-Pearson Type 3 distribution) of the annual peak-flow station data and the regional flood-frequency equations. Not all flood-frequency estimates available in Gotvald et al. (2012) are provided.

Station Name	Basin Area (mi ²)	Flood-Frequency Estimate ¹	Percent (%) Annual Chance Flow (cfs)			
			50	10	1	0.2
Elk River near Falk, CA (USGS Sta: 11479700; POR: 1958-1967)	43.2	G	2,740	3,430	3,960	4,220
		R	2,880	6,730	11,900	15,400
		%Diff	5.1	96	201	265
Little River near Trinidad, CA (USGS Sta: 11481200; POR: 1953-2006)	40.5	G	4,990	8,840	12,700	14,900
		R	3,250	7,220	12,500	15,900
		%Diff	-34.9	-18	-2	7
Jacoby Creek near Freshwater, CA (USGS Sta: 11480000; POR: 1955-1974)	6.05	G	757	1,560	2,630	3,400
		R	606	1,390	2,450	3,170
		%Diff	-19.9	-11	-7	-7

1) G is estimate from the Bulletin 17B analysis using the annual peak-flows from each station; R is estimate from regional flood-frequency equations; %Diff is percent difference calculated as $(R-G)/G \times 100$.

Review of Table 1 indicates that the Elk River Bulletin 17B peak-flood estimates for the 10%, 1% and 0.2% annual chance flows are approximately 96%, 201% and 265% lower than the regional flood-frequency equation estimates, respectively. However, the 10%, 1% and 0.2% annual chance flood-frequency estimates for Little River and Jacoby Creek only differ from each other by approximately 7% to -18%, indicating reasonable consistency between the Bulletin 17B and regional equation estimates. One possible explanation for this discrepancy is that the above-mentioned Elk River gaging sites are in an area with significant overbank flows during flood events (Figure 2). Not only is the site inaccessible during flood events due to road flooding, it appears that the gaged record may have only accounted for discharge within the channel and did not accurately account for the overbank flows. NHE has concluded that the observed annual peak-flow record for the historic USGS Elk River gage (USGS 11479700 Elk R. nr Falk CA) do not represent accurate annual peak-flows and conducting flood-frequency analysis with these data provide unreasonably low peak-flood estimates and should not be used. NHE has further concluded that this same condition applies for the three active Humboldt Redwood Company Elk

River gaging stations described above, and the annual peak-flows from these stations should not be used to provide peak-flow estimates. Consequently, NHE used the regional flood-frequency equations to estimate peak-flood flows for this study.

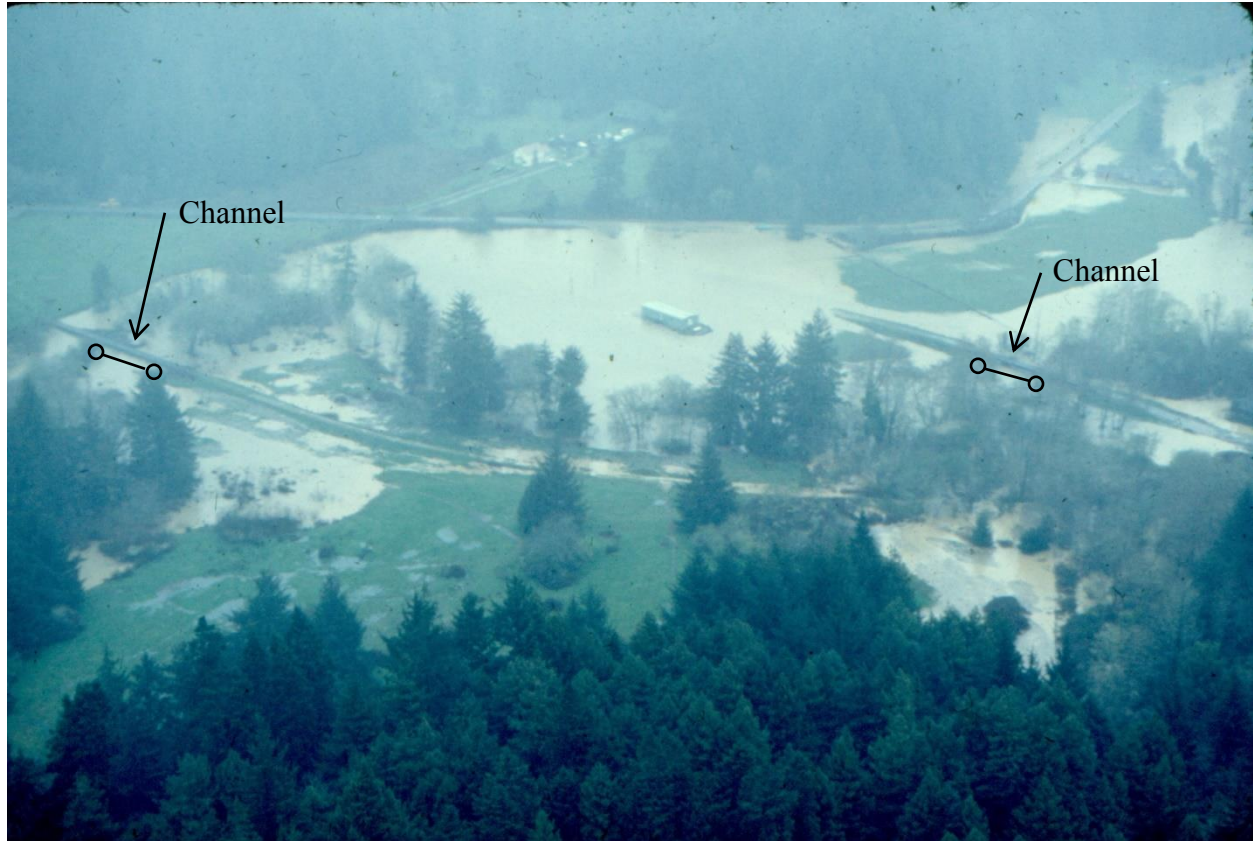


Figure 2. 1975 flood event on Mainstem Elk River showing large overbank floodplain flows. The photo is looking upstream and shows the Steel Bridge (center – right side of photo) and old railroad bridge (center – left side of photo). The approximate river channel width (o—o) is shown at both bridge locations and make up a small fraction of the total flood extents. Both bridge approaches encroach into the floodplain and the Steel Bridge road is covered by floodplain flow. The 1975 flood is the highest annual peak-flow event of record for Little River (POR: 1953 to 2019).

Methods and Results

Peak-Flood Estimates

The 1% annual chance peak-flood estimates for the Elk River study area were estimated using the regional flood-frequency equation for California (regional-equation) (Gotvald et al., 2012). Regional-equation parameters for the NF and SF Elk River, Elk River below the NF and SF Elk River confluence, and various Elk River tributaries (Table 2) were determined from the USGS online StreamStats program (<http://water.usgs.gov/osw/streamstats/>).

Table 2. Regional flood-frequency equation parameters for Elk River Study area (refer to Figure 3).

Parameter	Basin Area (mi ²)	Annual Precipitation (in)
NF Elk River below confluence with Lake Creek	18.5	57.0
NF Elk River below confluence with Browns Gulch	20.2	56.3
NF Elk River below confluence with Dunlap Gulch	21.0	55.9
NF Elk River below confluence with Unnamed Tributary 3	21.7	55.6
NF Elk River above SF Elk River	22.6	55.3
SF Elk River above NF Elk River ¹	19.4	57.8
Elk River below confluence of NF and SF Elk River ¹	42.0	56.5
Elk River below confluence with Railroad Gulch	43.2	56.3
Elk River below confluence with Clapp Gulch	44.2	56.1
Elk River below confluence with Unnamed Tributary 4	44.9	55.9
Elk River below confluence with Shaw Gulch	46.0	55.7
Elk River below confluence with Unnamed Tributary 1	47.3	55.4
Elk River below confluence with Unnamed Tributary 2	47.7	55.3
Elk River below confluence with Orton Creek	49.1	55.0
Elk River below confluence with Swain Slough (includes Martin Slough)	55.8	53.5

1) Adjusted parameter estimates by removing Railroad Gulch from SF Elk River.

Several tributaries to the NF Elk River and Elk River between the confluence and Humboldt Bay are included in the Elk River HST model (refer to Figure 3). Tributary flood flows were determined by calculating the 1% annual chance peak-flood estimate in the Elk River directly below the tributary confluence using the regional equation, and then subtracting the nearest upstream 1% annual chance peak-flood estimate. This approach provided tributary flood flows that were lower than the 1% annual chance peak-flood estimates from the regional-equation for each tributary but maintained upstream to downstream consistency in 1% annual chance peak-flood estimates along the Elk River.

As discussed earlier, two coincident flood cases were analyzed for Event Condition 1.

- Case 1 consists of analyzing flood conditions when the NF Elk River is at the estimated 1% annual chance peak-flood flow. The SF Elk River flood flow was taken to be the difference between the NF Elk River 1% annual chance peak-flood flow and the estimated 1% peak-flood flow below the confluence of the NF and SF Elk River. Under Case 1, the SF Elk River flood flow used in the analysis is lower than the estimated 1% annual chance peak-flood flow for the SF Elk River.
- Case 2 consists of analyzing flood conditions when the SF Elk River is at the estimated 1% annual chance peak-flood flow. The NF Elk River flood flow was taken to be the difference between the SF Elk River 1% annual chance peak-flood flow and the

estimated 1% annual chance peak-flood flow below the confluence of the NF and SF Elk River. Under Case 2, the NF Elk River flood flow used in the analysis is lower than the estimated 1% annual chance peak-flood flow for the NF Elk River.

Tributary flood flows downstream of the confluence were the same between Case 1 and Case 2.

Table 3 and Table 4 provide summaries of the Case 1 and Case 2, respectively, 1% annual chance peak-flood flow and coincident flood flow estimates for the NF and SF Elk River, Elk River below the NF and SF Elk River confluence, and Study area tributaries.

Table 3. Summary of Case 1 (Event Condition 1) 1% annual chance peak-flood flow and coincident flood flow estimates for the Elk River Study area (refer to Figure 3).

Parameter	Flood Estimate (cfs)	Note
Case 1 for Event Condition 1		
NF Elk River above confluence with SF Elk River	6,720	1% annual chance peak-flood estimate
NF Elk River below confluence with Lake Creek	5,934	NF Elk River blw Lake Creek 1% peak-flood adjusted to NF Elk River 1% peak-flood
Browns Gulch	426	Difference between NF Elk River blw Lake Creek and NF Elk River blw Browns Gulch 1% peak-flood flows adjusted to NF Elk River 1% peak-flood
Dunlap Gulch	192	Difference between NF Elk River blw Browns Gulch and NF Elk River blw Dunlap Gulch 1% peak-flood flows adjusted to NF Elk River 1% peak-flood
Unnamed Tributary 3	169	Difference between NF Elk River blw Dunlap Gulch and NF Elk River blw Unnamed Trib 3 1% peak-flood flows adjusted to NF Elk River 1% peak-flood
SF Elk River above confluence with NF Elk River	4,907	Coincident SF Elk River flow as difference between Elk River below confluence and NF Elk River 1% peak-flood flows
Elk River below confluence of NF and SF Elk River	11,627	1% annual chance peak-flood estimate
Railroad Gulch	268	Difference between Elk River blw NF & SF Elk confluence and Elk River blw Railroad Gulch 1% peak-flood flows
Clapp Gulch	214	Difference between Elk River blw Railroad Gulch and Elk River blw Clapp Gulch 1% peak-flood flows
Unnamed Tributary 4	142	Difference between Elk River blw Clapp Gulch and Elk River blw Unnamed Trib 4 1% peak-flood flows
Shaw Gulch	235	Difference between Elk River blw Unnamed Trib 4 and Elk River blw Shaw Gulch 1% peak-flood flows
Unnamed Tributary 1	267	Difference between Elk River blw Shaw Gulch and Elk River blw Unnamed Trib 1 1% peak-flood flows
Unnamed Tributary 2	80	Difference between Elk River blw Unnamed Trib 1 and Elk River blw Unnamed Trib 2 1% peak-flood flows
Orton Creek	286	Difference between Elk River blw Unnamed Trib 2 and Elk River blw Orton Creek 1% peak-flood flows
Martin Slough	1,313	Difference between Elk River blw Orton Creek and Elk River blw Martin Slough 1% peak-flood flows

Table 4. Summary of Case 2 (Event Condition 1) 1% annual chance peak-flood flow and coincident flood flow estimates for the Elk River Study area (refer to Figure 3).

Parameter	Flood Estimate (cfs)	Note
Case 2 for Event Condition 1		
NF Elk River above confluence with SF Elk River	5,592	Coincident NF Elk River flow as difference between Elk River below confluence and SF Elk River 1% peak-flood flows
NF Elk River below confluence with Lake Creek	4,938	NF Elk River blw Lake Creek 1% peak-flood adjusted to NF Elk River coincident flow
Browns Gulch	354	Difference between NF Elk River blw Lake Creek and NF Elk River blw Browns Gulch 1% peak-flood flows adjusted to NF Elk River coincident flow
Dunlap Gulch	159	Difference between NF Elk River blw Browns Gulch and NF Elk River blw Dunlap Gulch 1% peak-flood flows adjusted to NF Elk River coincident flow
Unnamed Tributary 3	140	Difference between NF Elk River blw Dunlap Gulch and NF Elk River blw Unnamed Trib 3 1% peak-flood flows adjusted to NF Elk River coincident flow
SF Elk River above confluence with NF Elk River	4,907	1% annual chance peak-flood estimate
Elk River below confluence of NF and SF Elk River	11,627	1% annual chance peak-flood estimate
Elk River tributaries below confluence of NF and SF Elk River	NA	All tributary flows below confluence of NF and SF Elk River are same as Case 1 (Table 3)

Winter Median-Flow

Winter median-flow estimates for Elk River and tributaries were necessary for the Event Condition 2 analysis. Winter median-flow estimates were determined for each tributary by scaling Little River near Trinidad (USGS 11481200) winter median-flow by tributary watershed area ratios. The winter median-flow estimate for Little River (243 cfs) was taken as the median flow for the months of November to April for the 64-year record (WY 1956 to 2019). The same general top-down approach used for the peak-flow estimates was used for estimating winter median-flows for the Elk River study area (Table 5).

Table 5. Summary of Event Condition 2 winter median-flow estimates for the Elk River Study area (refer to Figure 3).

Parameter	Winter Median-Flow Estimate (cfs)	Note
Event Condition 2		
NF Elk River above confluence with SF Elk River	135.4	Winter median-flow estimate for NF Elk River
NF Elk River below confluence with Lake Creek	115.4	NF Elk River blw Lake Creek winter median-flow adjusted to NF Elk River winter median-flow
Browns Gulch	10.6	Difference between NF Elk River blw Lake Creek and NF Elk River blw Browns Gulch winter median-flow adjusted to NF Elk River winter median-flow
Dunlap Gulch	5.0	Difference between NF Elk River blw Browns Gulch and NF Elk River blw Dunlap Gulch winter median-flow adjusted to NF Elk River winter median-flow
Unnamed Tributary 3	4.4	Difference between NF Elk River blw Dunlap Gulch and NF Elk River blw Unnamed Trib 3 winter median-flow adjusted to NF Elk River winter median-flow
SF Elk River above confluence with NF Elk River	116.2	Winter median-flow estimate for SF Elk River
Elk River below confluence of NF and SF Elk River	251.7	Winter median-flow estimate
Railroad Gulch	7.2	Difference between Elk River blw NF & SF Elk confluence and Elk River blw Railroad Gulch winter median-flow
Clapp Gulch	6.0	Difference between Elk River blw Railroad Gulch and Elk River blw Clapp Gulch winter median-flow
Unnamed Tributary 4	4.2	Difference between Elk River blw Clapp Gulch and Elk River blw Unnamed Trib 4 winter median-flow
Shaw Gulch	6.6	Difference between Elk River blw Unnamed Trib 4 and Elk River blw Shaw Gulch winter median-flow
Unnamed Tributary 1	7.8	Difference between Elk River blw Shaw Gulch and Elk River blw Unnamed Trib 1 winter median-flow
Unnamed Tributary 2	2.4	Difference between Elk River blw Unnamed Trib 1 and Elk River blw Unnamed Trib 2 winter median-flow
Orton Creek	8.4	Difference between Elk River blw Unnamed Trib 2 and Elk River blw Orton Creek winter median-flow
Martin Slough	40.1	Difference between Elk River blw Orton Creek and Elk River blw Martin Slough winter median-flow

HYDRAULIC ANALYSIS

This section summarizes the hydrodynamic model modification and further development used to estimate 1% annual chance flood elevations in the Elk River study area.

Elk River Hydrodynamic Model

The HST Model developed as part of the Elk River Recovery Assessment (California Trout et al., 2018) was used to simulate the hydrodynamics and sediment transport of the lower reaches of the Elk River for the observational period of Water Year (WY) 2003 to 2015. The HST model was developed using the Environmental Fluid Dynamics Code (EFDC) modeling framework, which solves the three-dimensional shallow water equations of motion and dynamically couples salinity, temperature, sediment transport and water quality transport modules. The EFDC model can be configured for one-, two- and three-dimensional simulations. The Elk River HST Model was configured as a two-dimensional model. The Windows-based EFDC_Explorer8.4 was used for a majority of the pre- and post-processing, and the enhanced EFDCPlus model was used in this assessment (Craig, 2018).

The HST Model grid domain covers approximately 18 mi (~29.5 km) of Elk River channel, with the upstream boundaries of the domain beginning just below Lake Creek on the NF Elk River and Toms Gulch on the SF Elk River, and the downstream boundary ending in Humboldt Bay (Figure 1 and Figure 3). The model grid was originally configured to achieve prediction goals and expectations at both the grid and reach scales and allow for long-term simulations (~13 years) within reasonable computer run times. The highest flood flow within the 13-yr simulation record (WY 2003 to 2015) was an approximate 10% annual chance flood event in December 2002. Upstream of Highway 101 (HWY101) the model domain includes the active 10% to 1% annual chance floodplain. However, downstream of HWY101 the model grid was confined to the Elk River channel which is confined by levees, a sand spit, and higher topographic areas which did not overtop during the peak flood events in the 13-yr simulation record. To model 1% annual chance flood events the HST Model grid was expanded in the downstream reaches to allow flood flows to cross HWY101, and flow south towards King Salmon and North towards the Eureka wastewater facility (Figure 1 and Figure 3). The expanded grid resolution diminishes in the north and south directions moving away from the Elk River channel. The coarser grid north and south areas may miss topographic features that could raise water levels above predicted values and under-estimate inundation in these areas. As mentioned earlier, the expanded model is referred to as the H-Exp Model to differentiate it from the original Elk River HST Model.

The H-Exp Model was configured as a two-dimensional (2D) model (Figure 3). The curvilinear-orthogonal grid consists of 41,246 horizontal segments and one complete mixed, depth-averaged vertical layer. Consistent with the original HST Model, the H-Exp Model contains thirteen (13) stream flow boundaries which includes the NF and SF Elk Rivers and eleven tributaries. Two different Humboldt Bay downstream open boundary condition regions were included to accommodate the expanded grid. In general, consistent grid elevations and model parameters (e.g. effective bottom roughness height (Z_0), vegetation drag coefficients, and eddy viscosity) from the calibrated and validated HST Model were used in H-Exp Model. For a more detailed discussion of the HST Model development, reference can be made to Elk River Recovery Assessment (California Trout et al., 2018).

Infrastructure components incorporated into the H-Exp Model domain include tide gate structures, drainage ditch features, bridge crossings and at-grade floodplain roads, which are briefly discussed in the following:

- The four largest tide gate structures and the major drainage ditch features located in the lower agricultural reaches of the domain were incorporated into the model grid.
- Six bridge crossings located on the NF Elk River (Concrete Bridge), SF Elk River (SF Bridge), and Mainstem Elk River (Elk River Courts Road, Berta's Road, Zanes Road, and HWY101) were incorporated into the model grid. The bridge crossing topographic constrictions were accounted for in the grid, but the bridge piers and decks were not.
- Six at-grade roads (NF Elk River Road, Steel Bridge Road, Elk River Courts Road, Bertas Road, Zanes Road and HWY101) that cross the floodplain perpendicular to the direction of flow were also incorporated into the model grid.

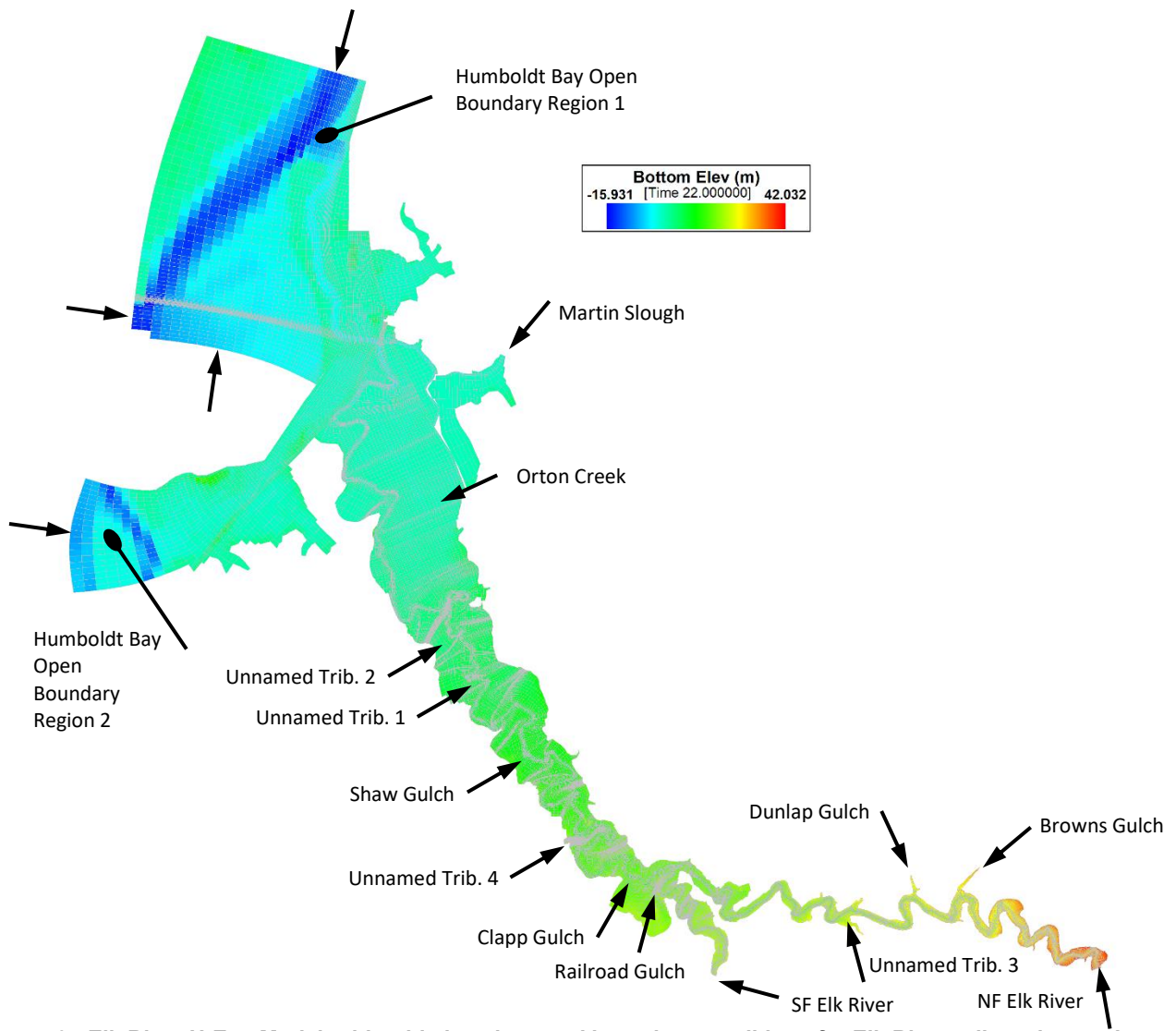


Figure 3. Elk River H-Exp Model grid, grid elevations and boundary conditions for Elk River, tributaries, and Humboldt Bay open boundary regions.

For this study, the H-Exp model only simulated hydrodynamics (i.e. depth and velocity) and not sediment transport. The original HST model was calibrated and validated to a large data set of water surface elevations, velocity, discharge, and suspended sediment concentration observations in the Elk River model domain study area for WY 2003 to 2015. The model calibration and validation results demonstrate high predictive capability for all simulated variables.

Correlation plots of water surface elevation for in-channel stage data (Figure 4) and floodplain high-water mark data (Figure 5) for the WY 2015 calibration period show high correlation of predictions to observations. The high correlation of predictions to observations indicate that the HST model and H-Exp Model have good to excellent predictive skill for water surface elevations over a large range of elevations. Only calibration results are provided in this memo, but validation results show similar correlation.

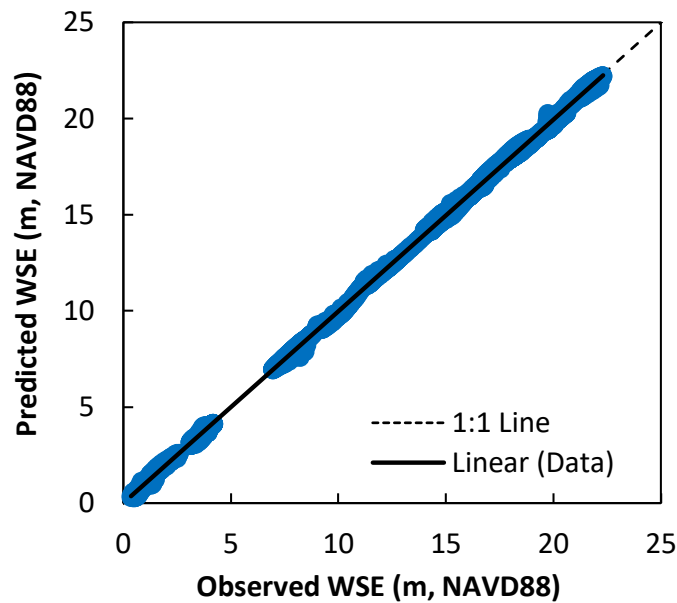


Figure 4. Observed and predicted WY 2015 water surface elevation (WSE) (in meters) for in-channel stage data [sample number = 13,088, correlation coefficient >0.999, average absolute error = 0.085 m (0.28 ft), root mean square error = 0.108 m (0.35 ft)].

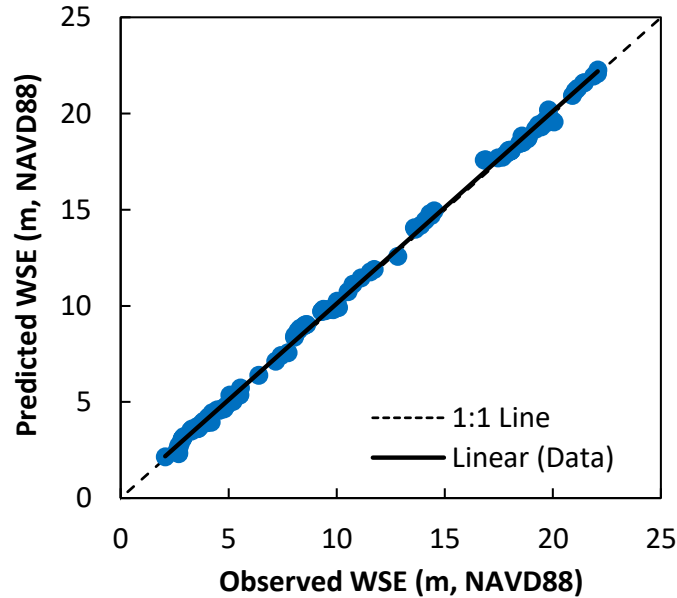


Figure 5. Observed and predicted WY 2015 water surface elevation (WSE) (in meters) for floodplain high water mark data [sample number = 112, correlation coefficient >0.999, average absolute error = 0.111 m (0.36 ft), root mean square error = 0.256 m (0.84 ft)].

Independence of Coastal (Surge) and Riverine Events

The Study area is subject to coastal extreme high-water level (storm surge) and riverine flood events. These processes can happen independently or simultaneously occur creating combined flood levels from both coastal and riverine events. Along much of the U.S. Pacific Coast, storm systems that produce extreme coastal surge events are not the same systems that produce extreme riverine flooding, and these events can generally be assumed independent (FEMA, 2005).

To verify the independence assumption, an evaluation of annual peak-flows for the Eel River at Scotia (USGS 11477000) and Little River near Trinidad (USGS 11481200), and the coincident maximum daily tide level from the Crescent City tide gauge (NOAA 94119750) on station datum was conducted (Figure 6). The intersection of these data is compared to the Eel River and Little River flood level probabilities from Gotvald et al. (2012), and the Crescent City extreme high-water level event probabilities and mean higher high water (MHHW) and mean monthly maximum water (MMMW) levels from NHE (2015).

Over the POR for both river locations simultaneous coastal and riverine events exceeding 10% annual chance probabilities have not occurred. Although a limited number of simultaneous events did occur between 50% and 10% annual chance probabilities at both locations. Results indicate that coastal and riverine extreme events generally appear independent or can be assumed widely separated in time.

Figure 6 also demonstrates that coastal water levels were between MHHW and the 50% annual chance event for most annual peak-flows at both river locations. This indicates that the assumption of using a MMMW tidal series as a typical downstream boundary condition for riverine flood events is reasonable.

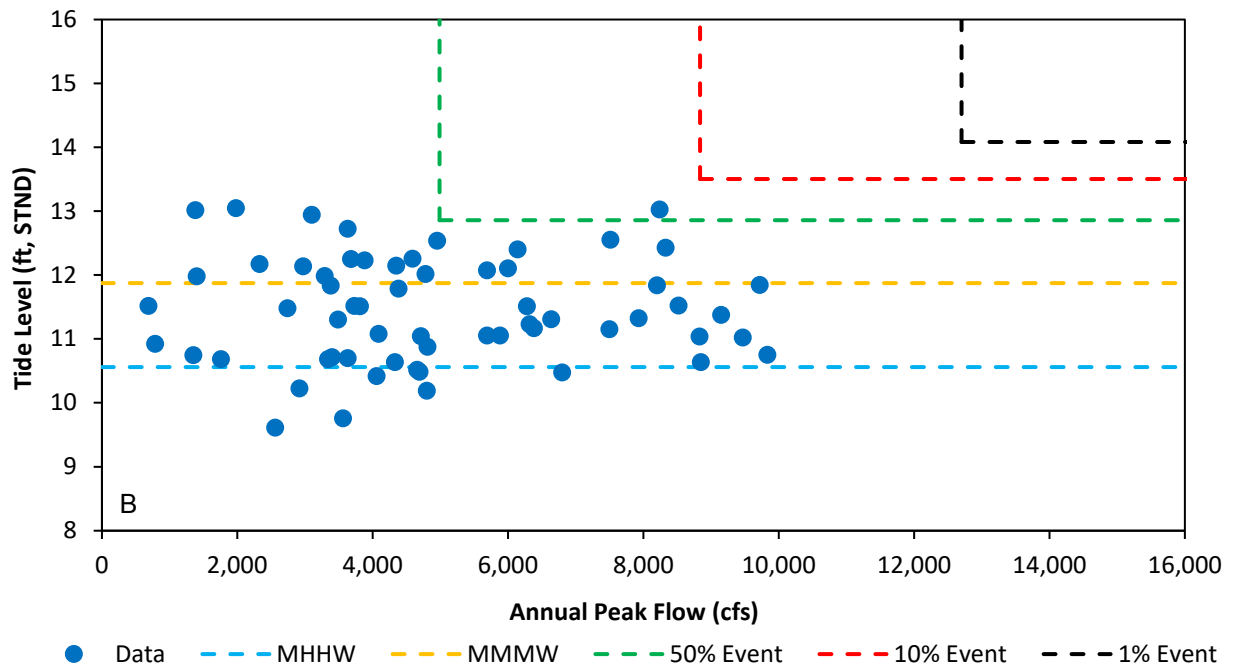
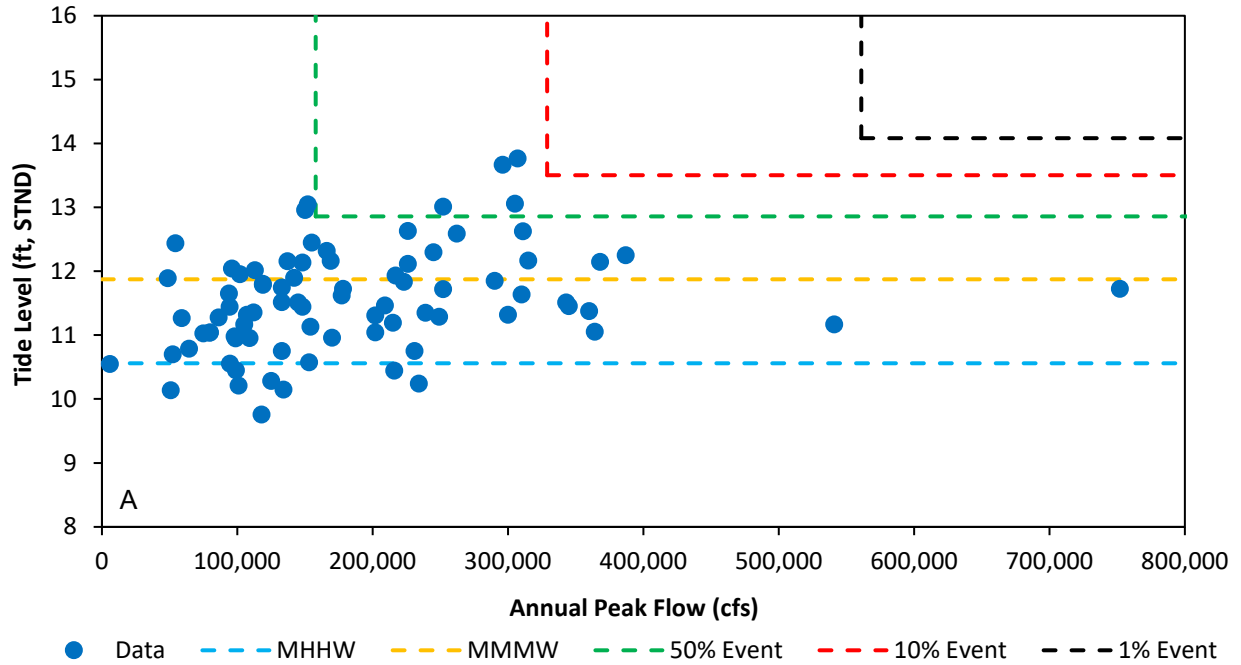


Figure 6. Comparison of (A) Eel River at Scotia (USGS 11477000) and (B) Little River near Trinidad (USGS 11481200) annual peak flows and coincident maximum daily tide levels for Crescent City (NOAA 94119750) tide gauge reported on station datum (STND). Extreme high-water level event probabilities and mean higher high water (MHHW) and mean monthly maximum water (MMMW) for Crescent City are from NHE (2015); and Eel River and Little River flood probabilities are from Gotvald et al. (2012). #% Event (e.g. 1% Event) represents the #% annual chance event (e.g. 1% annual chance event).

Boundary Conditions

This section provides an overview of the H-Exp Model upstream and downstream boundary conditions used for the Event Condition 1 and Event Condition 2 analysis.

Event Condition 1

Event Condition 1 analyzed the 1% annual chance flood from upstream riverine sources with a representative constant existing condition spring tide level at the Humboldt Bay downstream boundary regions. The H-Exp Model was used as a steady-state model with constant boundary conditions for Event Condition 1.

Due to backwater conditions at the NF and SF Elk River confluence, two cases were analyzed. For Case 1 the NF Elk River was at the 1% annual chance peak-flood flow, and the tributary peak-flows used in the analysis are summarized in Table 3. Case 2 assumes the SF Elk River is at the 1% annual chance peak-flood flow, and the tributary flows are summarized in Table 4.

The downstream boundary condition spring tide water level for Case 1 was represented as the mean monthly maximum (MMMW) tide level, which was taken from the Humboldt Bay sea-level rise 2D modeling work conducted by NHE (2015) for Year 2012. For this study the Year 2012 results from NHE (2015) represent existing conditions. The MMMW water levels were extracted at the corners of the two open boundary regions (Figure 3), and then interpolated along each boundary edge. MMMW water levels in open boundary region 1 ranged between 7.94 and 8.02 ft, and in region 2 between 7.99 and 8.01 ft.

Event Condition 2

Event Condition 2 analyzed the stillwater 1% annual chance extreme coastal event in Humboldt Bay with winter median-flow from upstream riverine sources. For Event Condition 2, the H-Exp Model was used as a dynamic model with tidal time series boundary conditions in Humboldt Bay and steady winter median-flows for all streams (Table 5).

The representative 1% annual chance tidal series were extracted from the Humboldt Bay sea-level rise 2D model results (NHE, 2015) for Year 2012. Like Event Condition 2, the tidal time series were extracted at the corners of each open boundary region and interpolated along the boundary region edges. Figure 7 shows a representative 1% annual chance tidal series used as one of the Humboldt Bay boundary conditions. It should be noted that the tidal series contains both the 1% and 0.2% annual chance extreme high-water level events.

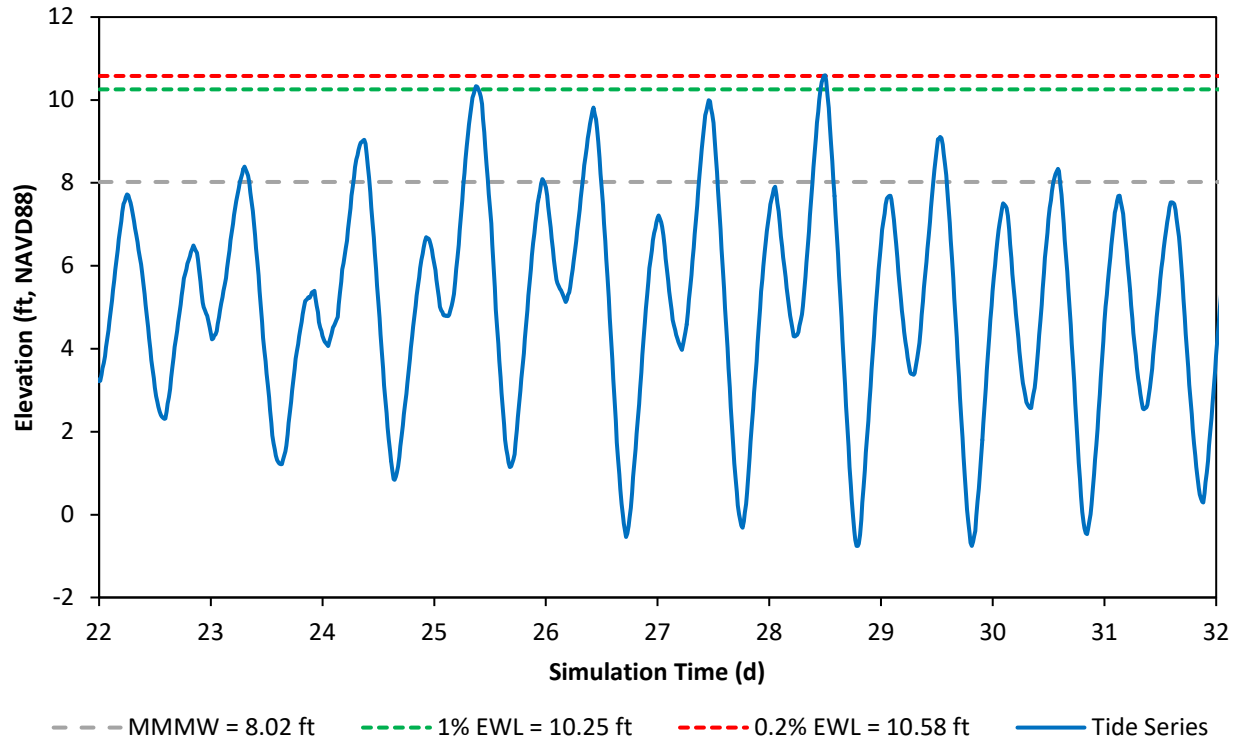


Figure 7. Representative tidal series for the H-Exp Model downstream boundary condition for the 1% annual chance extreme high-water level event. #% EWL (e.g. 1% EWL) represents the #% annual chance extreme high-water level (e.g. 1% annual chance extreme high-water level).

1% ANNUAL CHANCE FLOOD ELEVATION ESTIMATES

The H-Exp Model was used to estimate the 1% annual chance flood elevations within the Elk River Study area. To account for the effects of coincident flood flows for the NF and SF Elk River, and coastal and riverine flood events, the maximum water surface elevation at each grid cell from Event Condition 1 and Event Condition 2 runs were combined into a single layer representing the 1% annual chance flood elevations over the Elk River Study area.

The 1% annual chance flood levels in the Elk River Study area are provided in Attachments 1, 2 and 3, and include the following information on each attachment:

- FEMA special flood hazard zones that include 1% annual chance BFE for Zones AE and VE from the FEMA coastal analysis (blue text and blue polygons); and the Martin Slough detailed study information (red text and solid red BFE contour lines).
- FEMA flood hazard zone inundation extents (orange-red line) for all flood zones (Zones A, AE, and VE).
- Estimated 1% annual chance flood elevation contours (ft, NAVD88) from this study (black text and black dashed lines).
- Estimated 1% annual chance flood inundation extents from this study (black solid line).

These attachments provide 1% annual chance flood elevation estimates over much of the Elk River Zone A areas.

Attachment 2 shows the 1% annual chance flood elevation estimates compared to the FEMA BFE near Humboldt Bay. The FEMA FIS hydraulic analysis for Martin Slough assumed a normal-depth downstream boundary condition which resulted in a BFE of 13 feet over much of the lower Martin Slough area. The 1% annual chance flood elevation estimate from this study for the Elk River is above 15 feet near the confluence with Martin Slough, indicating that the FEMA BFE in lower Martin Slough could be over 2 feet low. Likewise, on the west side of HWY101, the 1% annual chance flood elevation estimates from this study for the Elk River are 1 to 4 feet higher than the FEMA BFE of 10 feet within the adjacent land areas to Humboldt Bay. The FEMA FIS and BFE accounted for Martin Slough flooding only without consideration of Elk River backwater flood effects, or coastal flooding only on the west side of HWY101 without the combined effects of coastal and fluvial flooding from Elk River. The developed H-Exp Model provides Elk River backwater flood conditions that can be considered in lower Martin Slough and combined coastal and Elk River fluvial flood conditions on the west side of HWY101.

These attachments also identify properties outside of the FEMA Zone A boundary that are vulnerable to 1% annual chance flood exposure. It appears this is the case for several residences near the NF and SF Elk River confluence area (Attachment 3).

REFERENCES

California Trout, Stillwater Sciences, and Northern Hydrology & Engineering. 2018. Elk River Recovery Assessment: Recovery Framework. Prepared by California Trout, Arcata, CA; Stillwater Sciences, Arcata, CA; and Northern Hydrology & Engineering, McKinleyville, CA for North Coast Regional Water Quality Control Board, Santa Rosa, CA.

Craig, Paul M. 2018. User's Manual for EFDC_Explorer: A Pre/Post Processor for the Environmental Fluid Dynamics Code. Dynamic Solutions--International, LLC, Edmonds, WA, May, 2018.

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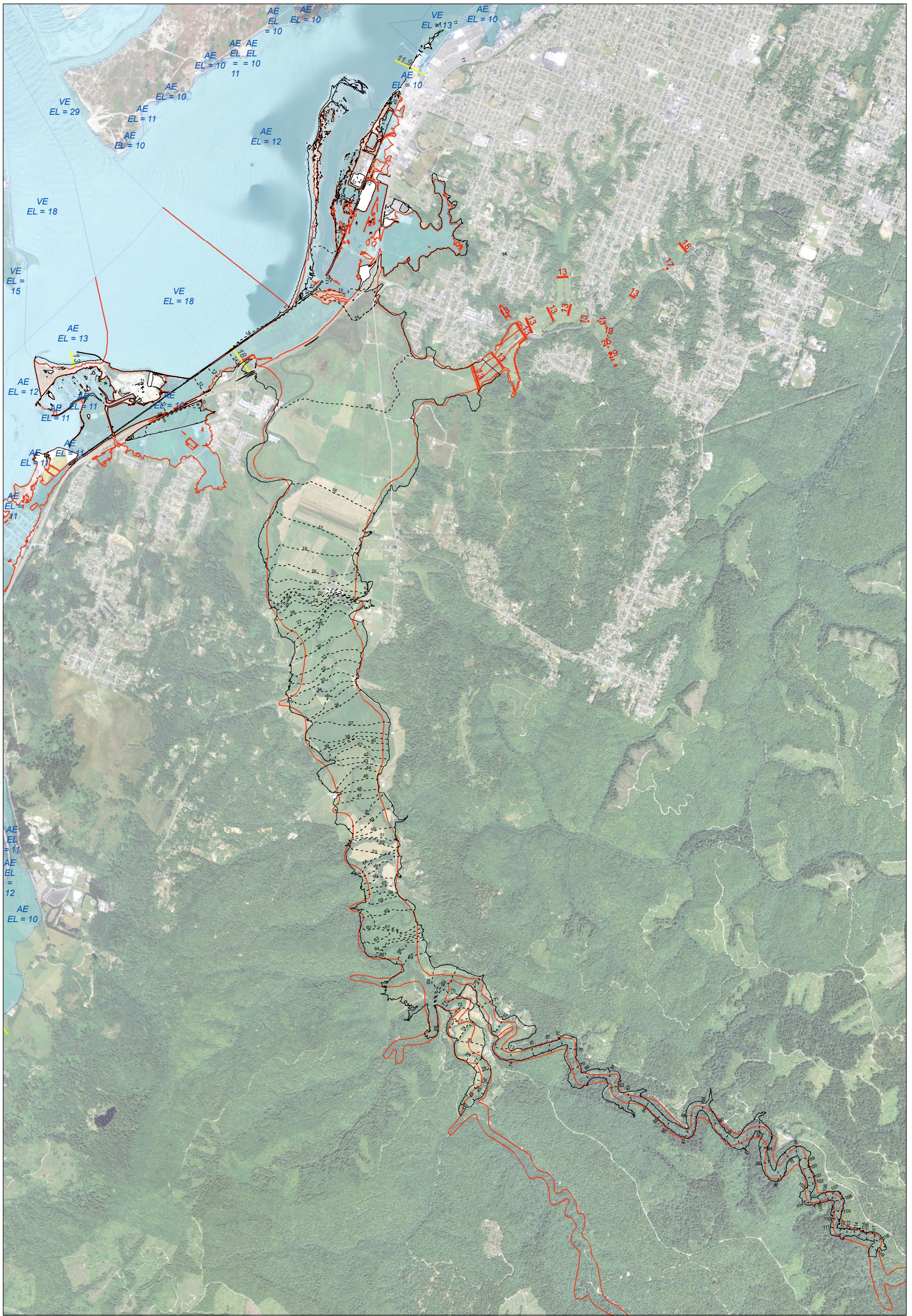
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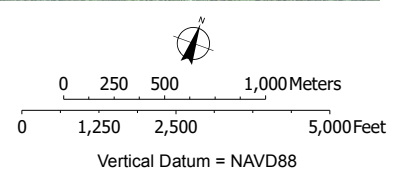
Gotvald, A.J., Barth, N.A., Veilleux, A.G. and C. Parrett. 2012. Methods for determining magnitude and frequency of floods in California, based on data through water year 2006: U.S. Geological Survey Scientific Investigations Report 2012-5113, 38 p., 1 pl., available online only at <http://pubs.usgs.gov/sir/2012/5113/>.

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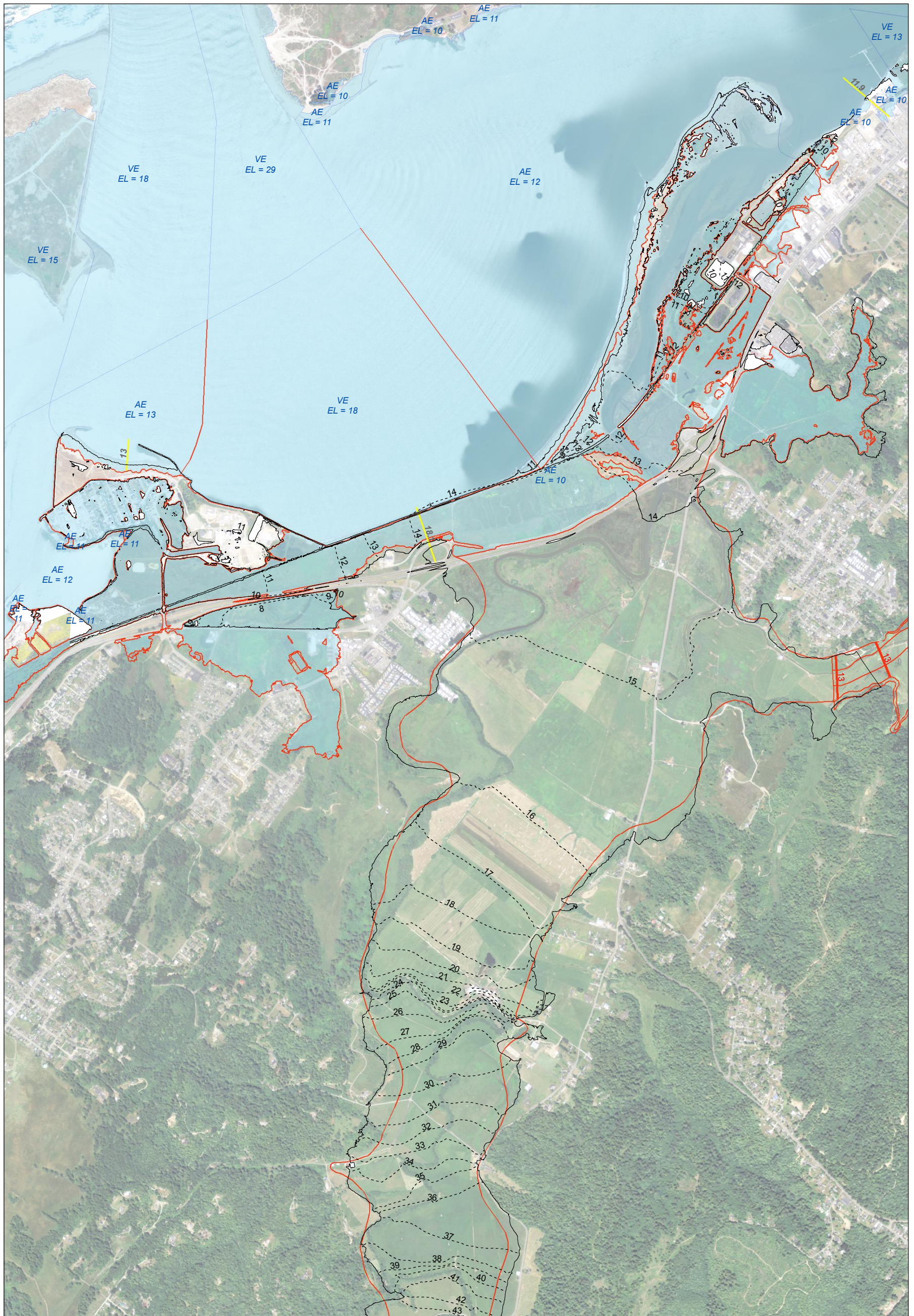
Northern Hydrology & Engineering (NHE). 2015. Humboldt Bay: Sea Level Rise, Hydrodynamic Modeling, and Inundation Vulnerability Mapping. Prepared for the State Coastal Conservancy, and Coastal Ecosystems Institute of Northern California. McKinleyville, CA.



- FEMA Coastal Transect (S_CST_TSCT_LN)
- FEMA Flood Hazard Line (S_FLD_HAZ_LN)
- FEMA Base Flood Elevation (S_BFE)
- FEMA Flood Hazard Area (S_FLD_HAZ_AR)
- Predicted 100-year Water Surface Elevation
- Predicted 100-year Inundation Extent



Attachment 1. 1% Annual chance flood elevation estimates in entire Elk River Study area.



- FEMA Coastal Transect (S_CST_TSCT_LN)
- FEMA Flood Hazard Line (S_FLD_HAZ_LN)
- FEMA Base Flood Elevation (S_BFE)
- FEMA Flood Hazard Area (S_FLD_HAZ_AR)
- Predicted 100-year Water Surface Elevation
- Predicted 100-year Inundation Extent

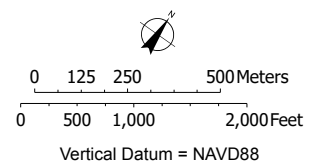
0 125 250 500 Meters
 0 500 1,000 2,000 Feet
 Vertical Datum = NAVD88

NORTHERN
 HYDROLOGY &
 ENGINEERING

Attachment 2. 1% Annual chance flood elevation estimates in the northern portion of Elk River Study area.

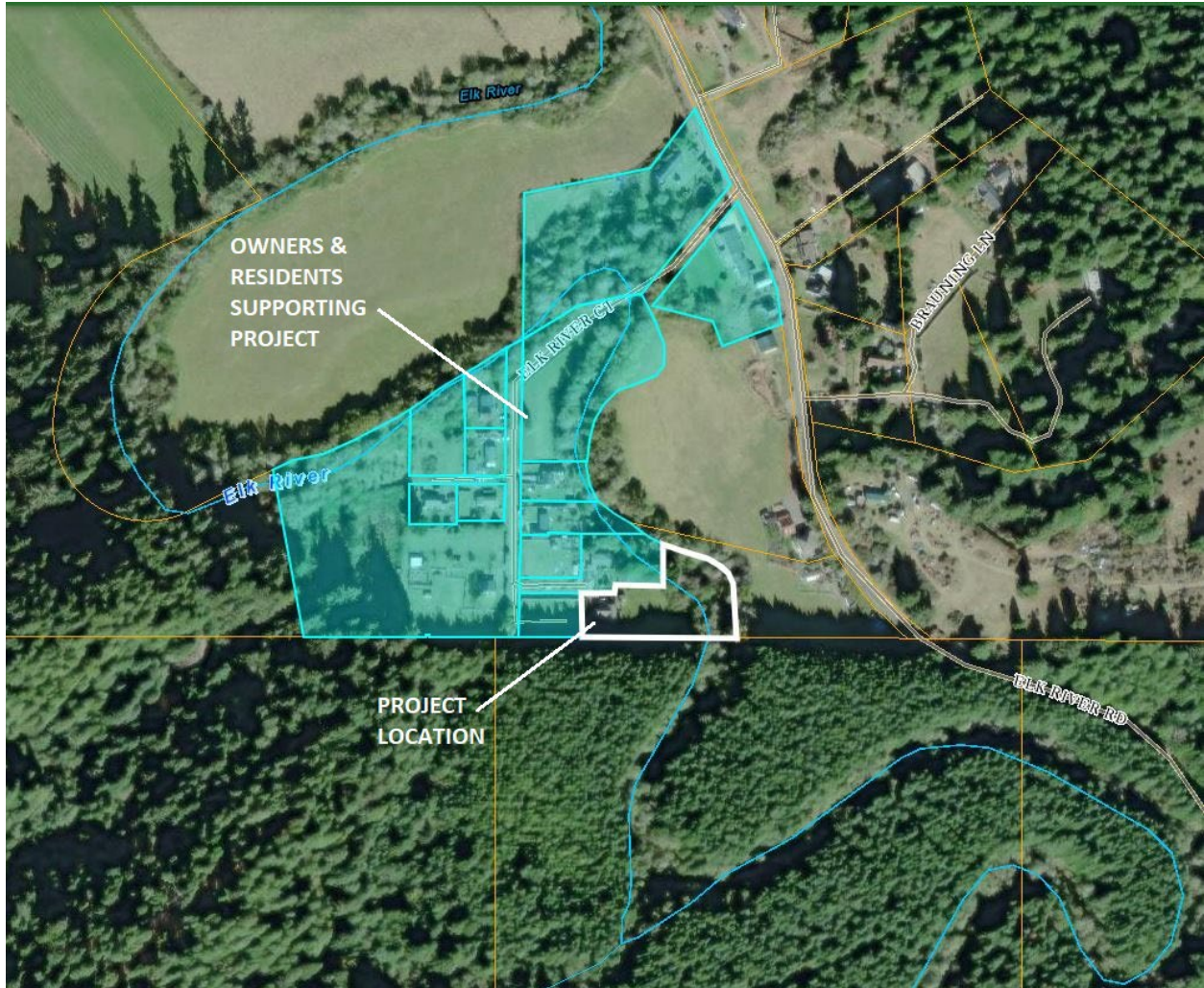


- FEMA Coastal Transect (S_CST_TSCT_LN)
- FEMA Flood Hazard Line (S_FLD_HAZ_LN)
- FEMA Flood Hazard Area (S_FLD_HAZ_AR)
- - - - - Predicted 100-year Water Surface Elevation
- Predicted 100-year Inundation Extent



Attachment 3. 1% Annual chance flood elevation estimates in the southern portion of Elk River Study area.

Attachment 6 – Petition and Public Comments received supporting project



From: [Claire Josefine](#)
To: [Planning Clerk](#)
Cc: [Lazar, Steve](#)
Subject: Record #PLN-2022-17962
Date: Friday, June 23, 2023 8:08:11 AM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

I am writing in support of approving the special permit for Nancy Young's bed and breakfast on Elk River Court.

I am a neighbor of Nancy's and can honestly say that I have never experienced a problem with her hosting airbnb guests. What problems other neighbors might have experienced were quickly remedied by Nancy upon learning of them.

Nancy is an elderly woman on a limited income, hoping to share a couple of rooms in her house to help make ends meet while providing a welcoming stay to visitors to our lovely area. She is the exact opposite of a problem airbnb host; she lives in the house and is not taking housing away from long-term renters. Any increase in traffic would be minimal. (Elk River Road already carries considerable non-resident traffic because of the Headwaters trail.)

Apparently some Elk River residents, who are not Nancy's neighbors, are objecting because they want to emphasize the agricultural uses of Elk River valley over perceived commercial/tourist use. In that we are zoned Residential/Ag out here, I believe there is room for both small, owner-occupied airbnbs and agricultural use. The one does not take away from the other.

In addition to providing a service to guests, Nancy's airbnb will add to the county's tax revenue by contributing bed tax collected from each stay.

I really do not see any problems with Nancy having a small airbnb in her home, while I do see benefits to Nancy, visitors, and the county coffers. Please approve her request for a special permit.

Thank you,

Claire Josefine
7512 Elk River Road
Eureka, Ca 95503

To: Humboldt Planning Dept
Re: Letter of support for Nancy Young's application for a Bed
and Breakfast permit.
From: nancy young

May 24, 2023

Nancy and her family have been very good neighbors and
we support her application for the Bed and Breakfast permit so she has the
income to remain in the neighborhood.



Carolyn Barnett
7540 Elk River Ct.
707 672 9406

Rex Snow
7528 ERC
707 267-7256

Ajackson
7544 Elk River Ct
707-499-26-83

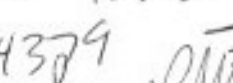
Dawid Mullins
7518 ELK RIVER CT
EUREKA, CA

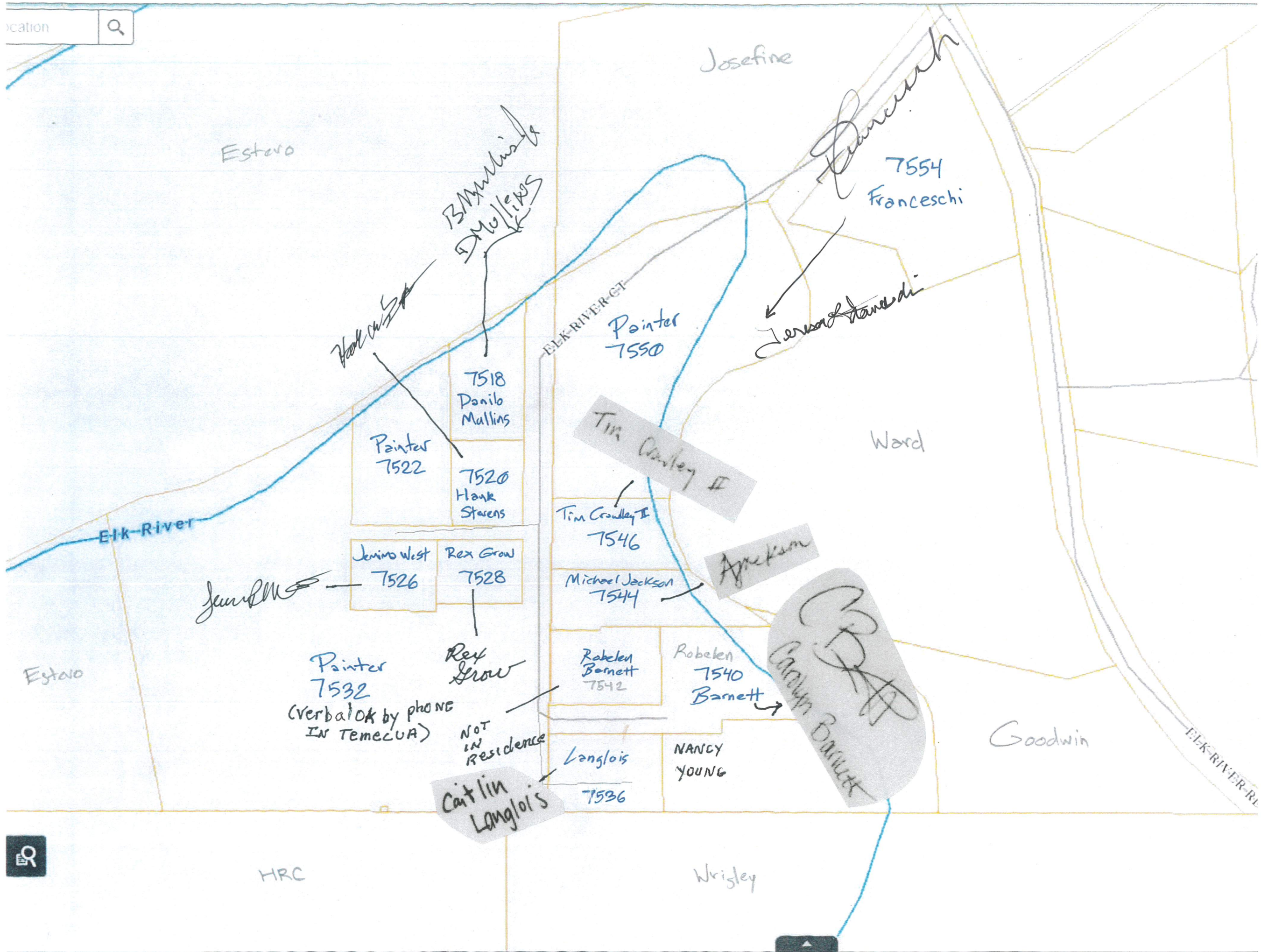
Caitlin
Langlois
7536 ELK
RIVER COURT
(707) 382-2814

Paul W. [unclear]
7520 Elk River
Eureka, Ca.
707-440-9127

Tim Crowley #
7546 Elk River Ct
Eureka CA 95507
707-416 3919

Jane Franceschi
7554 Elk River Rd
Eureka CA 95503
707 ~~498~~ 0001

Jemima West
7526 Elk River Rd
Eureka, CA 95503
707 599 4379




Estero

Josefine

7554 Franceschi

Painter 7550

7518 Danilo Mullins

Painter 7522

7520 Hank Starens

Tim Crowley II

Tim Crowley II 7546

Ward

Jenino West 7526

Rex Grow 7528

Michael Jackson 7544

Ariekson

Jenino West

Painter 7532 (Verbal OK by phone IN TEMECULA)

Rex Grow

Robelen Barnett 7542

Robelen 7540 Barnett

Carlyn Barnett

NOT IN RESIDENCE
Catlin Langlois

Langlois 7536

NANCY YOUNG

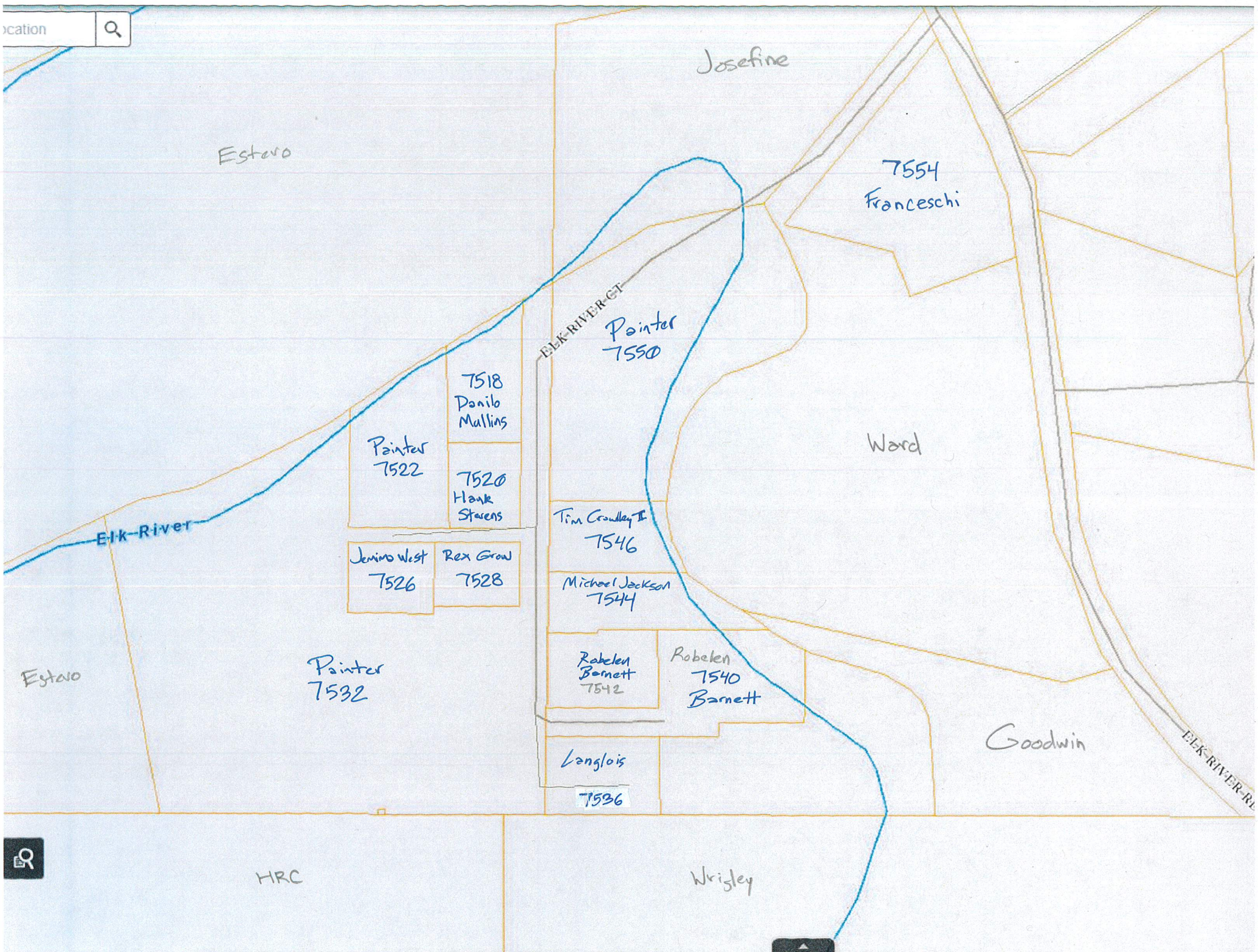
Goodwin

ELK RIVER RD

HRC

Wristley





Josefine

Estero

7554
Franceschi

ELK-RIVER-GT

Painter
7550

7518
Danilo
Mullins

Painter
7522

7520
Hank
Stevens

Ward

Elk-River

Tim Crowley II
7546

Jenino West
7526

Rex Grow
7528

Michael Jackson
7544

Estero

Painter
7532

Robelen
Barnett
7542

Robelen
7540
Barnett

Goodwin

ELK-RIVER-RE

Langlois
7536

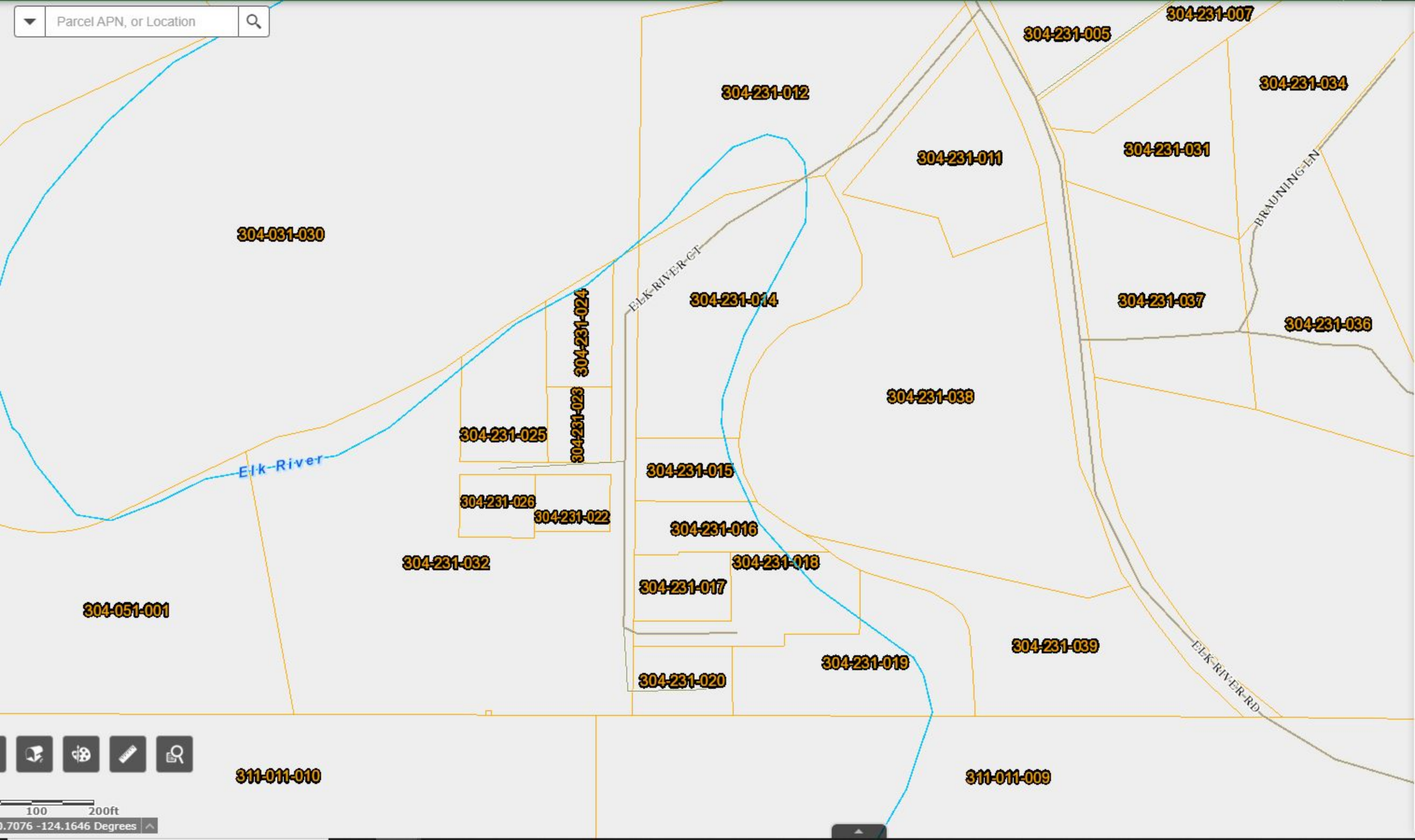


HRC

Wrigley



Parcel APN, or Location



304-231-012

304-231-005

304-231-007

304-231-034

304-031-030

304-231-011

304-231-031

ELK-RIVER-CT

304-231-014

304-231-024

304-231-037

304-231-036

Elk-River

304-231-025

304-231-023

304-231-038

304-231-015

304-231-026

304-231-022

304-231-016

304-231-032

304-231-018

304-231-017

304-051-001

304-231-039

304-231-019

304-231-020

ELK-RIVER-RD

BRAUNING-EN

311-011-010

311-011-009



100 200ft
-124.1646 Degrees

