

April 26, 2022

Humboldt County Planning and Building
3015 H Street
Eureka, CA 95501



Attention: Trevor Estlow – Senior Planner

Re: Exception Request Justification (325-9) (CALFIRE) – Azalea Ranch Minor Subdivision APN 509-321-018

Mr. Estlow:

Attached you will find a completed CALFIRE Exception Request (Section 325-9) to the proposed right of way road width, from SRA required width of 40 feet to the proposed exception of 18 feet. The Applicant is also requesting an exception to sidewalks, curbs, and gutters for the project. The following conditions exist which warrant exception to these requirements:

1. There are special circumstances or conditions affecting said property.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the Applicant/Petitioner.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property adjacent to where this property is situated.

Currently, there are two existing residences on the property (1641 and 1643 Azalea Ave). The project would result in the potential for three additional single-family residences in the future. The subdivision design plans include consideration for the provision of emergency services, such as maneuverability, off-street parking, setbacks, widening existing travel lanes from 12 to 18 feet, providing a durable compacted base to support 40,000-pound vehicles, and utilizing existing turnarounds similar to hammerhead T style, etc.

The project site is on the boundary of Local and SRA, and the site is accessed by Azalea Avenue and Sutter Road. There is an existing 50-foot easement right of way (R/W), on that SRA boundary, which extends north to south along the westerly boundary of the property. That easement would remain intact and undeveloped. Branching out from the 50-foot main driveway R/W are two 12-foot-wide dead-end driveways that lead to the two existing residences. These driveways are already improved with compacted road base aggregate and are suitable for emergency vehicles (Personal Communication: Ed Laidlaw-Arcata Fire District Marshall, April 5, 2022).

The project site has no connectivity to an established sidewalk system in the area. The benefit/cost would not be feasible to install due to the physical layout and conditions on site that limit the functionality of a sidewalk system.

The proposed minor subdivision is infill development consistent with planned growth for the area. The proposed project helps achieve maximum buildout for the community, and supports the construction of much needed additional housing units. The proposed project would be consistent with the Humboldt County General Plan, Zoning Ordinance, McKinleyville Community Plan, and be prepared in accordance with the State's Tentative Map Act.

In granting this exception there would not appear to be a detrimental impact on the public's health, welfare, or safety, nor violate the intent of SRA Fire Safe Regulations. On this basis, the Applicant/Petitioner respectfully requests that an exception be granted. If you should need additional information, feel free to contact me anytime.

Sincerely,

A handwritten signature in blue ink is located below the "Sincerely," text. The signature appears to read "Keith Castonguay".

Keith Castonguay – Agent

cc: Michael O'Hern; Ed Laidlaw AFD; File

December 13, 2023

Humboldt County Planning and Building
3015 H Street
Eureka, CA 95501



Attention: Rodney Yandell – Senior Planner

Re: Exception Request Justification (HCC Section 325-9) – Azalea Ranch Minor Subdivision APN 509-321-018

Mr. Yandell:

The applicant respectfully requests exception from certain Land Use Division's recent conditions of approval (Dated: April 27, 2023), that includes the condition of a 40-foot right of way (ROW).

There are three conditions in HCC 325-9 that must be met in order to consider an exception. The following conditions exist which warrant exception to these requirements:

1. **There are special circumstances or conditions affecting said property.**

Azalea Avenue ROW (Right of Way) flares from 50-foot to 60-foot from south to north. Two proposed unnamed access roads branch off Azalea Avenue, which are described as access road 1 and 2. Azalea Avenue services two entrances for (APN 509-240-004) proposed new Parcel 1. Access road 1 will service three parcels (2, 3, &4). Access Road 2 will service Parcel 1 and the Remainder Parcel.

Access Road 2 to the Remainder Parcel can be considered a rural driveway and will have an 18-foot travel lane and a 10-foot PUE (Public Utility Easement). The level of service would warrant classification as road category #1 at worst case scenario. A 20-foot ROW with a 10-foot PUE would seem more than adequate east of Azalea Avenue. If a 40-foot ROW were to be imposed it would reduce the usable area for development to a point whereby Parcel 1 could not be created.

The Access Road 1 to Parcels 2, 3, and 4 are being allowed to have an 18-foot wide gravel per CalFire approval (CalFire Battalion Chief Chris Ramey, April 7, 2023). A 20-foot ROW plus 10-foot PUE would seem more than adequate east of Azalea Avenue to service these lots. If a 40-foot ROW were to be imposed it would reduce the usable area for development to a point whereby Parcel 3 could not be created.

It would appear as though a 20-foot ROW, in addition with a 10-foot PUE, for areas east of Azalea Avenue, would offer ample infrastructure to support; the conditions of approval specified 18-foot access roadway widths, level of service, safety, and maneuverability demands for the project.

2. **That the exception is necessary for the preservation and enjoyment of a substantial property right of the Applicant/Petitioner.**

The proposed minor subdivision is infill development consistent with planned growth for the area. The proposed project helps achieve maximum buildout for the community, and supports the construction of much needed additional housing units. The proposed project is consistent with the Humboldt County General Plan Housing Element (Policy H-P1), Zoning Ordinance, McKinleyville Community Plan, and be prepared in accordance with the State's Tentative Map Act. Not to mention the addition of valuable infill housing development and tax base to the community.

If the 40-foot ROW were to be imposed on the project access roadways at least two lots would be eliminated and the project would no longer be financially feasible to the Applicant, nor offer rough proportionality with surrounding uses and activities.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property adjacent to where this property is situated.

The subdivision design plans include consideration for the provision of emergency services, such as maneuverability, off-street parking onsite out of the easements, setbacks, widening existing travel lanes from 12-foot to 18-foot, providing a durable compacted base to support 40,000-pound vehicles, utilizing turnarounds, vegetative fuel modification, accessing fire hydrant system, sprinklered homes, street signage, etc.

The subdivision safety/design elements were prepared in accordance with the recommendations of at least four public entities whom conducted site visits prior to project submittal, including: Arcata Fire District Marshall; CA Dept. of Fish & Wildlife Biologist; MCSD management; HC Planning & Building.

On this basis, the Applicant/Petitioner respectfully requests that this exception be granted. Denying the exception would deprive the Applicant the right to maximize the development potential of the property as promulgated in the General Plan, McKinleyville Community Plan, and Zoning Ordinance.

If you should need additional information, feel free to contact me anytime.

Regards,



Keith Castonguay – Agent
cc: file

From: [Keith Castonguay](#)
To: [Yandell, Rodney](#)
Cc: [Freed, Ken](#)
Subject: Azalea Ranch Subdivision
Date: Wednesday, January 10, 2024 9:14:48 AM

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

Hi there Rodney, hope you had a nice holiday season. I wanted to give a courtesy heads up that Mr. O'hern will be completing the Tentative Map revisions we discussed with you and Mr. Freed. I cleaned up the 325-9 Exceptions Request, thanks to assistance from Mr. Freed. I focused the discussion on only the easement widths. I will be emailing you the TM and 325-9 later today and will be dropping off hard copies of those to you at the County as well.

I wanted to let you know that the Applicant does not want to install any sidewalks, except the area around the Sutter Road and Azalea Avenue intersection encroachment requirement. I am mentioning this because it would be an issue that we would appeal to Planning Commission on for leniency. This is to let you know the Applicant's intentions ahead of time. Other than reducing the access roads easement widths to 30-foot and no sidewalks on Azalea Avenue (past the encroachment area), there are no other concerns it appears.

Hope everything looks good and meets with your approval. We look forward to Staff and Planning Commission approval hopefully.

See you soon. Thanks very much.

Keith Castonguay