

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960



F9a

A-1-HUM-21-0079
COUNTY OF HUMBOLDT
FEBRUARY 11, 2022

EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Plans

Exhibit 3 – Notice of Final Local Action

Exhibit 4 – Appeal Filed by Commissioners Wilson and Escalante



EXHIBIT NO. 1

CDP Application No.
A-1-HUM-21-0079
VICINITY MAP

SCOPE OF WORK R-3 OCC. CONS. TYPE: VB

SCOPE: DEMOLISH EXISTING SFR AND OUT BUILDINGS, CONSTRUCT NEW 8800 SQ. FT. SFR W/ 100 SQ. FT. OF GARAGES, 876 SQ. FT. COVERED PORCHES, 68 SQ. FT. PORT AU COCHERE, 84 SQ. FT. POOL, AND SFR, AND 9000 SQ. FT. RECREATION (TENNIS, BASKETBALL COURT) AREA

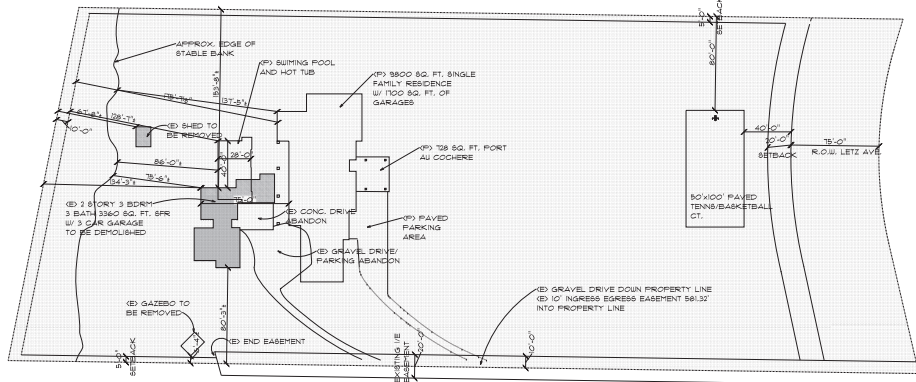
ALL WORK SHALL BE IN CONFORMANCE WITH THE 2018 EDITIONS OF THE CALIFORNIA 2018 BUILDING CODE, CALIFORNIA 2018 RESIDENTIAL CODE, CALIFORNIA 2018 ELECTRICAL CODE, CALIFORNIA 2018 MECHANICAL CODE, CALIFORNIA 2018 PLUMBING CODE, CALIFORNIA ENERGY CODE, CALIFORNIA FIRE CODE, CALIFORNIA TREE CODE, CALIFORNIA GREEN BUILDING CODE, 4 LOCAL ORDINANCES, THE CALIFORNIA BUILDING STANDARDS CODE IS BASED ON THE 2018-IBC.

GENERAL NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE COMPLIANCE AND CONFORMANCE WITH THE VARIOUS PROVISIONS WITHIN ORDINANCES AND CODES LISTED ABOVE IN ALL OF THE WORK.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED SAFETY PRECAUTIONS AND THE METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES REQUIRED TO PERFORM THE WORK.
3. PROJECT DRAWINGS INDICATE GENERAL CONFIGURATION OF CONSTRUCTION, WHERE CONDITIONS REQUIRE SPECIFIC DETAIL INFORMATION NOT INCLUDED WITH THESE DRAWINGS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFORM INTENT WITH THE DRAFTSMAN BEFORE PROCEEDING WITH CONSTRUCTION.
4. BRENDAN REILLY ASSUMES NO RESPONSIBILITY AS TO THE PHYSICAL CHARACTERISTICS OF THE SLOPE.
5. BRENDAN REILLY ASSUMES NO RESPONSIBILITY FOR, NOR VERIFIES THE ACCURACY OF, ANY ENGINEERING DATA SUPPLIED BY OTHERS.
6. CONTRACTOR SHALL VERIFY ALL DIMENSIONS SHOWN ON THE DRAWINGS BEFORE COMMENCING WITH WORK. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DRAFTSMAN PRIOR TO STARTING OR CONTINUING ANY CONSTRUCTION IN THE AREA OF CONCERN. HOLD INDICATED DIMENSIONS, DO NOT SCALE DRAWINGS.
7. IN THE EVENT OF DISCREPANCIES OR CONTRADICTORY INFORMATION IN THE DRAWINGS, NOTES, OR SPECIFICATIONS, IT IS THE OBLIGATION OF THE CONTRACTOR TO NOTIFY THE DRAFTSMAN OR ENGINEER OF SAME AND TO OBTAIN CLARIFICATION FROM THE DRAFTSMAN OR ENGINEER BEFORE PROCEEDING WITH THE WORK. ANY WORK DONE BY THE CONTRACTOR AFTER DISCOVERY OF SUCH DISCREPANCY SHALL BE DONE AT THE CONTRACTOR'S RISK.
8. MECHANICAL SYSTEM, ELECTRICAL SYSTEM, PLUMBING SYSTEM, AND FIRE PROTECTION SYSTEM (IF APPLICABLE) TO BE BIDDER DESIGNED. SUB-CONTRACTORS DESIGNATED TO ACCOMPLISH THE ABOVE WILL BE RESPONSIBLE FOR THE PREPARATION OF DRAWINGS AND APPLICATIONS FOR APPROPRIATE REQUIRED PERMITS. ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK TO COMPLY WITH APPLICABLE CODES.
9. APPLICATION AND INSTALLATION OF INSULATION AND VAPOR BARRIERS SHALL COMPLY WITH CURRENT TITLE 24 ENERGY EFFICIENCY REQUIREMENTS.
10. SAFETY GLAZING SHALL BE INSTALLED IN AREAS SUBJECT TO HUMAN IMPACT ACCORDING TO APPLICABLE CODE.
11. FIREBLOCKING AND DRAFTSTOPPING SHALL BE INSTALLED IN COMBUSTIBLE LOCATIONS IN ACCORDANCE WITH APPLICABLE CODES.
12. GUARDRAILS SHALL BE PLACED AT ALL UNENCLOSED FLOOR AND ROOF OPENINGS, LANDING RAMP, BALCONIES, DECKS OR PORCHES WHICH ARE MORE THAN 30" ABOVE FINISHED GRADE OR FLOOR BELOW. TOP OF GUARDRAILS SHALL NOT BE LESS THAN 42" IN HEIGHT. OPEN GUARDRAILS SHALL HAVE INTERMEDIATE RAILS OR ORNAMENTAL PATTERNING WHICH WILL NOT ALLOW THE PASSAGE OF A 4" SPHERE.
13. ONE HANDRAIL SHALL BE PROVIDED AT EVERY STAIRWAY HAVING FOUR OR MORE RISERS. TOPS OF HANDRAILS SHALL BE NOT LESS THAN 34" NOR MORE THAN 38" ABOVE THE NOSING OF TREADS. HANDRAIL PORTIONS OF HANDRAILS SHALL BE NOT LESS THAN 1 1/2" NOR MORE THAN 2" IN CROSS-SECTIONAL DIMENSION AND SHALL TERMINATE IN WALLS OR NEEL POSTS.
14. PROVIDE WOOD OR METAL BLOCKING AT PARTITIONS, CEILING, AND WALLS FOR ALL MOUNTED ACCESSORIES AS REQUIRED.
15. EXHAUST FANS VENTED TO THE EXTERIOR ARE REQUIRED IN ALL OF THE FOLLOWING LOCATIONS: BATHROOMS, POWDER ROOMS, AND KITCHENS. VENTING TO BE INSTALLED IN ACCORDANCE TO APPLICABLE CODES.
16. GENERAL CONTRACTOR TO BE RESPONSIBLE FOR COORDINATING ALL WORK INCLUDING ADDITIONAL PERMITS AND SUBCONTRACTOR WORK.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL BUILDING INSPECTIONS WITH LOCAL JURISDICTION IN AUTHORITY.
18. CONTRACTOR SHALL CLEAN ALL SURFACES PRIOR TO OCCUPANCY.
19. ALL EXISTING CONSTRUCTION AND LANDSCAPE FEATURES THAT ARE TO REMAIN AS PART OF THE PROJECT SHALL BE PROTECTED FROM DAMAGE THROUGHOUT THE PERIOD OF CONSTRUCTION WORK. ANY DAMAGED CONSTRUCTION OR FEATURES SHALL BE REPLACED AT THE EXPENSE OF THE CONTRACTOR TO THE SATISFACTION OF THE OWNER WITH MATERIALS EQUIVALENT OR SUPERIOR TO THE ORIGINAL (ITEMS).
20. GRADING AND PAVING ADJACENT TO THE PERIMETER OF THE BUILDING SHALL SLOPE AWAY FROM THE BUILDING AT A MINIMUM OF A ONE INCH PER FOOT UNLESS NOTED OTHERWISE.
21. ALL ELECTRICAL OUTLETS, COMPUTER AND TELEPHONE OUTLETS/JACKS, SWITCHES, PULL STATIONS, TELEPORTS, EXIT LIGHTS, AND ALL OTHER WALL MOUNTED ACCESSORIES SHALL BE ALIGNED VERTICALLY OR HORIZONTALLY WHEN IN VIEW. COORDINATION OF THIS ALIGNMENT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. LOCATIONS SHALL BE APPROVED BY THE ARCHITECT.
22. THE EXISTING CONDITION INFORMATION INDICATED IS BASED ON A SURVEY PROVIDED BY THE OWNER AND OTHER DOCUMENTS PROVIDED TO THE ARCHITECT BY THE OWNER. THE INFORMATION IS NOT GUARANTEED AS TO ITS COMPLETENESS OR ACCURACY. THE CONTRACTOR SHALL BE OBLIGATED AS A MATTER OF COURSE TO VERIFY BY FIELD MEASUREMENTS. ALL SURVEY INFORMATION GIVEN, THE EXISTENCE AND LOCATIONS OF UNDERGROUND UTILITIES INDICATED ON THE DRAWINGS ARE NOT GUARANTEED AND SHALL BE INVESTIGATED AND VERIFIED IN THE FIELD BY THE CONTRACTOR WORK.
23. VERIFY ALL ROUGH-IN DIMENSIONS FOR EQUIPMENT, PROVIDE ALL BUCK-OUT, BLOCKING, BACKING, AND JACKS REQUIRED FOR INSTALLATION.
24. DIMENSIONS ARE TO EXTERIOR FACE OF CONCRETE/WOOD RESULTING UNLESS NOTED OTHERWISE.
25. EXTERIOR WALL FRAMING SHALL BE 2X4 WOOD STUDS UNLESS NOTED OTHERWISE.
26. INTERIOR WALL FRAMING SHALL BE 2X4 WOOD STUDS UNLESS NOTED OTHERWISE.
27. ALL EXTERIOR JOINTS SHALL BE SEALED, CAULKED, GASKETED OR WEATHER-STRIPPED TO LIMIT AIR LEAKAGE IN THE FOLLOWING LOCATIONS: PER WASHINGTON STATE ENERGY CODE: WINDOWS AND DOOR FRAMES, OPENINGS BETWEEN WALLS AND FOUNDATIONS, BETWEEN WALLS AND ROOF, OPENINGS AT PENETRATION OF UTILITY SERVICES, ALL OTHER OPENINGS IN THE BUILDING ENVELOPE.

SHEET INDEX

1	SITE PLAN/ VICINITY MAP
2	ELEVATIONS, FLOOR, FOUNDATION, ROOF PLAN
3	
4	
5	
6	



SITE PLAN

SCALE: 1" = 50'

HATCHED BUILDING AREA TO BE DEMOLISHED

SITE PLAN NOTES:

NO TREES TO BE REMOVED

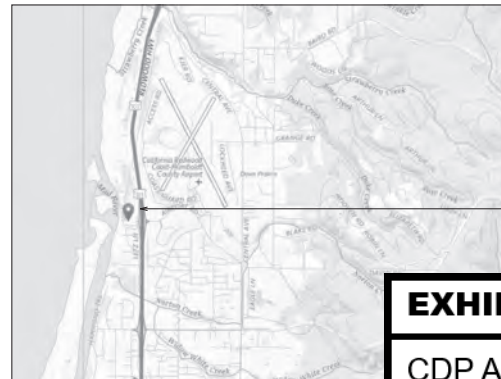
UTILITIES: MISC SEWER AND WATER
ATT PHONE
SIGNALING CABLE
POLE GAS AND ELECTRIC

NO CREEKS

APPROX. 20,000 SF NEW IMPERMEABLE LOT COVERAGE

CALL B1 PRIOR TO ANY EXCAVATION

DEMOLITION: 100% OF TREES, STUMPS, ROCKS & ASSOCIATED VEGETATION & SOILS RESULTING PRIMARILY FROM LAND CLEARING SHALL BE REUSED OR RECYCLED. FOR A PHASED PROJECT, SUCH MATERIAL MAY BE STOCKPILED ON SITE UNTIL THE STORAGE SITE IS DEVELOPED.



VICINITY MAP
N75

EXHIBIT NO. 2

CDP Application No.
A-1-HUM-21-0079
PROJECT PLANS
(Page 1 of 4)

BRENDAN REILLY
DRAFTING
549 FIELDBROOK RD.
McKinleyville, CA 95519
(707) 407-8988

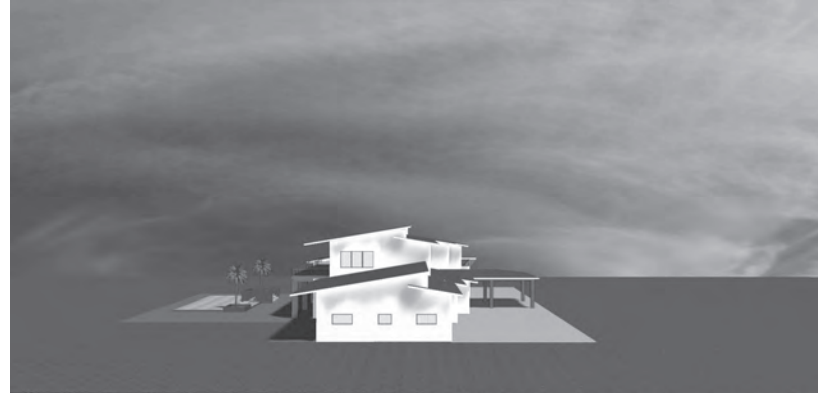


HONE RESIDENCE
APN: 571-061-009 3480 LETZ AVE. MCKINLEYVILLE CA 95519
For: THE HONES C/O CHRIS JOHNSON NEW WAVE REALTY

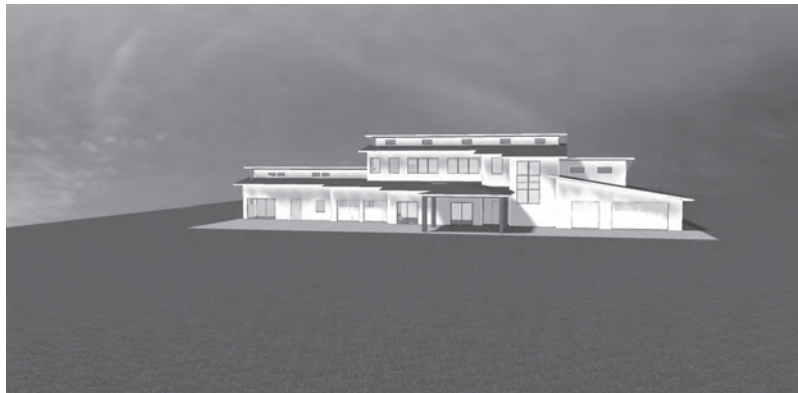
PROJECT NUMBER
1



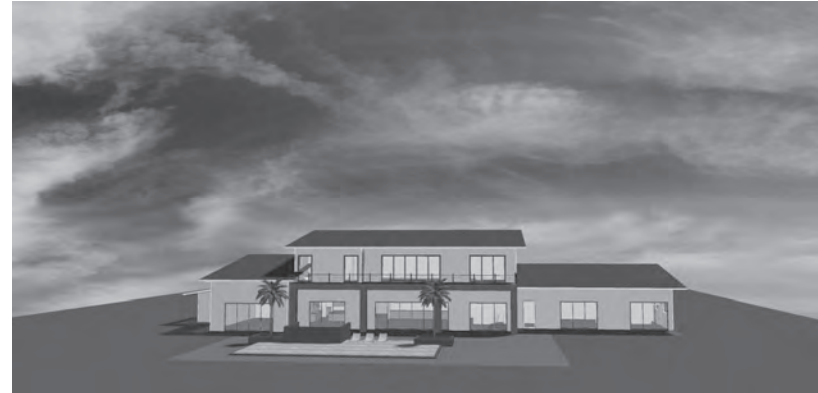
NORTH ELEVATION
NTS



SOUTH ELEVATION
NTS



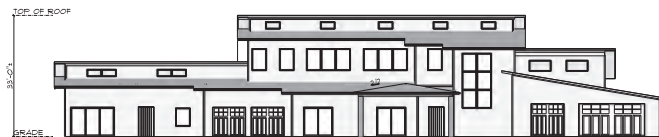
EAST ELEVATION
NTS



WEST ELEVATION
NTS

EXTERIOR FINISH NOTES:

ALL EXTERIOR SIDING SHALL BE HARDY SIDING, SHINGLE OR EQUIV.
ALL ROOFING SHALL BE STANDING SEAM METAL.
ALL EXTERIOR BEARING POSTS SHALL BE PRESSURE TREATED OR NATURAL WOOD UNWRAPPED WITH WEATHER AND PEST RESISTANT MATERIAL, GRADE AWAY FROM STRUCTURE.
EXTERIOR LUMINAIRES SHALL COMPLY WITH LOCAL CODES AND ORDINANCES REGARDING HEIGHT AND BRIGHTNESS.
CORROSION RESISTANT FLASHING SHALL BE INSTALLED AT OPENINGS AND INTERSECTIONS/ATTACHMENTS.
ADDRESS NUMBERS SHALL BE MAINTAINED AND PLAINLY VISIBLE FROM THE STREET.
NUMBERS SHALL BE A MIN. OF 4" IN HEIGHT AND OF A COLOR CONTRASTING WITH THEIR BACKGROUND.



BUILDING HEIGHT GRAPHIC
SCALE: 1/16" = 1'-0"

REVISIONS

BRENDAN REILLY
DRAFTING
549 FIELDBROOK RD.
MCKINLEYVILLE, CA 95519
(707) 407-8988



HONE RESIDENCE
APN: 511-061-009 3480 LETZ AVE. MCKINLEYVILLE CA 95519
For: THE HONES C/O CHRIS JOHNSON NEW WAVE REALTY

DATE: 10/15/21
BY: [Signature]

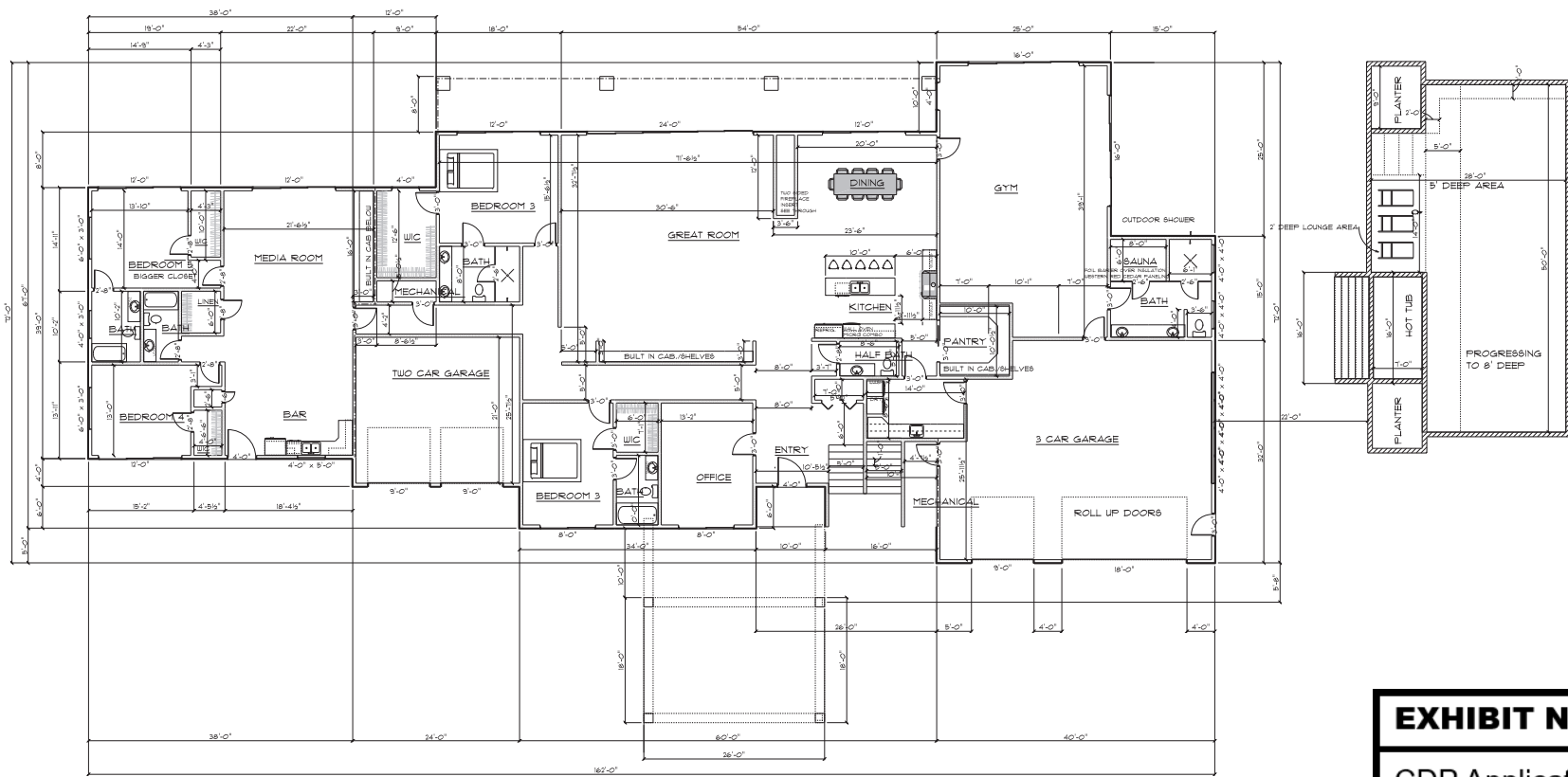
SHEET NUMBER

2

EXHIBIT NO. 2

CDP Application No.
A-1-HUM-21-0079
PROJECT PLANS
(Page 2 of 4)

THESE PLANS ARE THE PROPERTY OF BRENDAN REILLY DRAFTING. NO PART OF THESE PLANS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BRENDAN REILLY DRAFTING. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS OF THE JOB.



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT NO. 2

CDP Application No.
A-1-HUM-21-0079
PROJECT PLANS
(Page 3 of 4)

HONE RESIDENCE

APN: 511-061-009 3480 LETZ AVE. MCKINLEYVILLE CA 95519

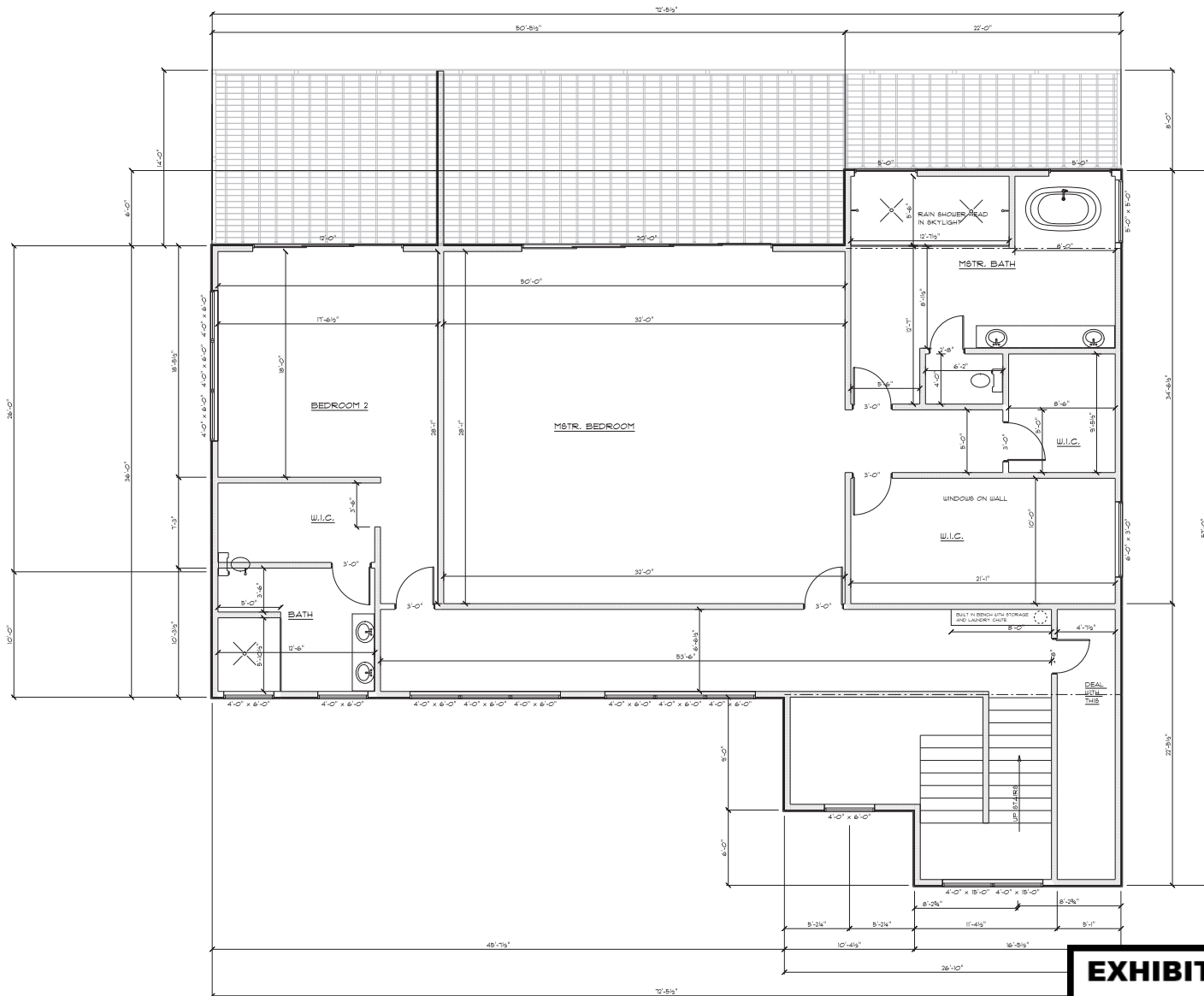
For: THE HONES C/o CHRIS JOHNSON NEW WAVE REALTY

BRENDAN REILLY
DRAFTING



NUMBER

3



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

EXHIBIT NO. 2

CDP Application No.
A-1-HUM-21-0079
PROJECT PLANS
(Page 4 of 4)

HONE RESIDENCE

APN: 511-061-009 3480 LETZ AVE. MCKINLEYVILLE CA 95519

For: THE HONES C/O CHRIS JOHNSON NEW WAVE REALTY

BRENDAN REILLY
DRAFTING



NUMBER

4



PLANNING AND BUILDING DEPARTMENT
COUNTY OF HUMBOLDT
CURRENT PLANNING DIVISION

3015 H Street, Eureka, CA 95501
Phone (707) 445-7541 • Fax (707) 268-3792
<http://www.humboldt.gov/156>

California Coastal Commission
1385 8th Street, Ste 130
Arcata, CA 95521

Notice of Final Action Taken

Date: November 24, 2021 Appealable Status Appealable
Applicant: Brendan Reilly
549 Fieldbrook Road
McKinleyville, CA 95519

Assessor Parcel Number: 511-061-009

Record Number: PLN-2021-17105

Contact: Logan Shine - 707-671-6844

Description

A Coastal Development Permit to authorize the construction of a 9,800 square foot single family residence, 876 square feet of covered porch area, 1,700 square foot garage, 728 square foot port au cochere, 1,340 square foot pool, and 5,000 square foot recreation area on an approximately five-acre parcel.

Action Taken

Following a noticed Public Hearing the County of Humboldt Planning Commission approved the referenced application on November 4, 2021.

Appeal Completion

The appeal period for this project has been completed and no appeal was received.

Effective Date

Coastal Development Permit record number PLN-2021-17105 will become effective at the end of the California Coastal Commission appeal period and will expire at the end of 1 year .

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 1 of 8)

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

Resolution Number 21-174

Record Number PLN-2021-17105

Assessor's Parcel Number: 511-061-009

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Hone Coastal Development Permit.

WHEREAS, Brendan Reilly submitted an application and evidence in support of approving a Coastal Development Permit for the construction of a 9,800 square foot single family residence, 876 square feet of covered porch area, 1,700 square foot garage, 728 square foot port au cochere, 1,340 square foot pool, and 5,000 square foot recreation area on an approximately five acre parcel in the McKinleyville area (APN 511-061-009); and

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Section 15303 (a) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Humboldt County Planning Commission reviewed, considered, and discussed the application for a Coastal Development Permit on November 4, 2021.

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

FINDING: **Project Description:** The application is a Coastal Development Permit to authorize the construction of a 9,800 square foot single family residence, 876 square feet of covered porch area, 1,700 square foot garage, 728 square foot port au cochere, 1,340 square foot pool, and 5,000 square foot recreation area on an approximately five-acre parcel.

2. EVIDENCE: Project File: PLN-2021-17105
FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with.

EVIDENCE: a) Project is exempt from environmental review per Section 15303(a) – New Construction or Conversion of Small Structures, of the CEQA Guidelines

FINDINGS FOR THE COASTAL DEVELOPMENT PERMIT

3. FINDING The proposed development is in conformance with the County General Plan.

EVIDENCE a) The proposed development is consistent with the Res (RE) land use designation. The RE designation pro family units and residential accessory uses. The RE commonly used in water-only service areas. This pro

EXHIBIT NO. 3
CDP Application No. A-1-HUM-21-0079 LOCAL ACTION (Page 2 of 8)

parcel is currently developed. The proposed development will not increase the amount of single-family housing in the area. Therefore, the project is in conformance with the County General Plan.

- 4. FINDING** The proposed development is consistent with McKinleyville Area Plan (MAP)
- EVIDENCE**
- a) The land use designation for the parcel within the MAP conforms with the General Plan land use designation.
 - b) MAP Section 2400 Housing is consistent with the General Plan Chapter 8 of the Housing Element. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element. The proposed development would support the residential use on the site.
- 5. FINDING** The project is compatible with the physical scale and visual resource policies of section 3.42(A)(1)(a) and 3.42(A)(1)(c)(1) of the Local Coastal Plan (MAP).
- EVIDENCE**
- a) The project is within the mapped urban limit line and meets all standards of the principal permitted uses designated in the General Plan, including setbacks, height restrictions, and allowable lot coverage of 35% in the RE zone.
 - b) Existing vegetation bordering the project parcel screen and soften the visual impact of the development from the roadway, public beach, and neighboring parcels in conjunction with an increased setback from the bluff proposed in the Geotechnical Hazard report provided by LACO & Associates (Manhart 2021). No removal of vegetation is proposed.
 - c) The project site is not located within a mapped coastal scenic area and the project is not any greater in height or bulk than is permitted for the principal use, and it is otherwise compatible with the styles and visible materials of existing development in the immediate neighborhood, as the development is not visible from the nearest public road.
- 6. FINDING** The proposed development is consistent with the purposes of the existing Residential Estates (RE), AP (Airport Safety Review), G (Alquist-Priolo Fault Hazard), N (Noise Impact) combining zones in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone.
- EVIDENCE**
- a) The proposed development is consistent with the minimum required development standards of the RS-5 zone, including height, lot coverage, property line setbacks, density, and residential parking availability. The proposed 33 foot building height is less than the 35 foot height requirement in the AP and RS zones. The proposed development is proposed within the required setbacks of the RS zone. Front, Rear, and Interior Side setbacks are 10 feet, 10 feet, and 5 feet respectively. All proposed development meets the allowed 35% lot coverage at roughly 8%, and conforms with the

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 3 of 8)

density limit of 1 dwelling unit per lawfully created lot (HCC 313-6.1). An existing driveway and parking area meet the requirements for residential parking. The design materials are consistent with the zone requirements, including the prohibition of manufactured homes in the Noise Impact (N) combining zone (HCC 313-16.3).

- b) The project is proposed on Lot 133 of the Seffner & Wolf Subdivision. The proposed development of a 9,800 square foot residence, approximately 33 feet in height, a 1,700 square foot garage, 876 square feet of covered porches, 728 square foot port au cochere, 1,340 square foot pool, and 5,000 square foot recreation area, is a principally permitted use in the RS-5 zone with a Residential Estates (RE) land use description (General Plan Chapter 4.8.1)(McKAP Chapter 5.20).
- c) A condition of approval has been included to address the inadvertent discovery of cultural resources during construction of the proposed development.

7. FINDING

The construction of a permitted single-family residence will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The property is currently developed, and the proposed development will be consistent with the surrounding existing development. Residential housing will be beneficial to the public health, safety and welfare and will not be materially injurious to properties or improvements in the vicinity.

8. FINDING

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.

EVIDENCE

- a) The parcel's General Plan land use designation (RE) and zoning (RS-5/AP/G/N) allow residential use. The project will not negatively impact compliance with Housing Element law. The project will not impact available housing in the McKinleyville area and will comply with the density range of the RE land use designation, 1-5 acres per unit with a maximum floor area ratio of 0.20. The proposed development is consistent with the McKinleyville Area Local Coastal Plan (Section 3.25 Housing).

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 4 of 8)

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 approve the Conditional Use Permits (PLN-2021-17105) for Hone, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and
- Adopted after review and consideration of all the evidence on November 4, 2021

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Peggy O'Neill and the following ROLL CALL vote:

AYES: COMMISSIONERS: Thomas Mulder, Peggy O'Neill, Alan Bongio, Noah Levy, Brian Mitchell
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS: Melanie McCavour, Mike Newman
ABSTAIN: COMMISSIONERS:
DECISION: Motion carries 5/0

I, John 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 Ford, Director
Planning and Building Department

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 5 of 8)

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE COASTAL DEVELOPMENT PERMIT CAN BE FINALIZED.

A. General Conditions

1. 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.
2. The applicant is required to pay for permit processing on a time and material 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 Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. Conformance of Final Design and Construction Plans to the Geologic Reports.
 - a. *All final design and construction plans, including site preparation, foundation design, and drainage plans, shall be consistent with the recommendations contained in the geologic report of the site (Manhart 2021) prepared by LACO & Associates. This includes the setback from the edge of the bluff identified by the geologic report. Prior to issuance of the building permits the applicant shall submit for review a revised site plan showing the setback as recommended in the geologic report.*
 - b. *The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Director. No changes to the approved final plans shall occur without an amendment to this coastal development permit, unless the Director determines that no amendment is legally required.*
5. No future development of shoreline protective devices is permitted on the project parcel.
 - a. *By acceptance of Coastal Development Permit (CDP), the applicant agrees, on behalf of himself/herself and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to CDP PLN-2021-17105, including, but not limited to, the development of a beach, park, and recreation area, including in the event that the development is damaged or destroyed by damage or destruction from waves, erosion, storm conditions, liquefaction, landslides, or other coastal hazards in the future, and as may be exacerbated by sea level rise. By acceptance of this Permit, the applicant hereby waives, on behalf*

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 6 of 8)

all successors and assigns, any rights to construct such devices that may exist under applicable law.

- b. By acceptance of this Permit, the applicant further agrees, on behalf of their self and all successors and assigns, that the landowner shall remove the development authorized by this Permit, if the County or any other government agency with legal jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that the development is currently and permanently unsafe for occupancy or use due to coastal hazards, and that there are no measures that could make the structures suitable for occupancy or use without the use of bluff or shoreline protective devices. If any portion of the development authorized by this permit at any time encroaches onto public property, the permittee shall either remove the encroaching portion of the development or apply to retain it. Any application to retain it must include proof of permission from the owner of the public property. The permittee shall obtain a CDP for removal of approved development, unless the Planning Director provides a written determination that no CDP is legally required.
 - c. In the event that the edge of the bluff-top recedes to a point where any portion of the structure becomes threatened, but no government agency has ordered that the structures not be occupied or used, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist, retained by the permittee, that addresses whether any portions of the authorized development are threatened by coastal hazards. The report shall identify all those immediate or potential future measures that could stabilize the development without bluff or shoreline protective device(s), including, but not limited to, removal or relocation of portions of the development. The report shall be submitted to the Planning Director and the appropriate local government officials. If the geotechnical investigation concludes that any portion of the development is unsafe for operation or use, the permittee shall, within 90 days of submitting the investigation, apply for a coastal development permit amendment to remedy the hazard.
 - d. Prior to removal/relocation, the permittee shall submit two copies of a Removal/Relocation Plan to the Planning Director for review and written approval. The Removal/Relocation Plan shall clearly describe the manner in which such development is to be removed/relocated and the affected area restored so as to best protect coastal resources, including the Pacific Ocean. In the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner shall remove all recoverable debris associated with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a CDP.
5. Prior to the any ground disturbance occurring in association with this permit a qualified botanist shall review the site to determine if Siskiyou checkerbloom is present. If found to be present within the proposed disturbed areas the checkerbloom shall be relocated and an equivalent area of the species shall be created or restored on-site at the direction of a qualified botanist.
 6. No trees larger than 12" diameter at breast height are authorized for removal by this permit.
 7. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk in accordance with the State CEQA Guidelines. **Within three days of the effective approval**, the Department will file the NOE and will charge this fee to the project.
 8. The approved building plans shall meet all applicable fire codes, including

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 7 of 8)

infrastructure requirements deemed necessary for the project by the Building Inspection Division, Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

9. No lighting of the outdoor recreation area is permitted.

Informational Notes:

1. The subject project lies within airport compatibility zone for the McKinleyville Airport as identified in the Airport Land Use Compatibility Plan (ALUCP).
2. If cultural resources are encountered during construction activities, the contractor on-site 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.

EXHIBIT NO. 3

CDP Application No.
A-1-HUM-21-0079
LOCAL ACTION
(Page 8 of 8)

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
(707) 826-8950
NORTHCOAST@COASTAL.CA.GOV

**APPEAL FORM**

Appeal of Local Government Coastal Development Permit

RECEIVED

DEC 13 2021

CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

Filing Information (STAFF ONLY)

District Office: North Coast

Appeal Number: A-1-HUM-21-0079

Date Filed: _____

Appellant Name(s): Commissioners Mike Wilson and Linda Escalante

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the North Coast district office, the email address is NorthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 1 of 13)

Appeal of local CDP decision

Page 2

1. Appellant information¹

Name: Mike Wilson and Linda Escalante

Mailing address: 825 5th St. Eureka, CA 95501/ 455 Market Street, Suite 300 San Francisco, CA 94105

Phone number: 415-904-5202

Email address: mike.wilson@coastal.ca.gov/linda.escalante@coastal.ca.gov

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☐ Submitted comment ☐ Testified at hearing ☐ Other

Describe: N/A

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: N/A

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: N/A

¹ If there are multiple appellants, each appellant must provide their own contact and personal information. Please attach additional sheets as necessary.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 2 of 13)

Appeal of local CDP decision

Page 3

2. Local CDP decision being appealed²

Local government name: Humboldt County
Local government approval body: Planning Commission
Local government CDP application number: PLN-2021-17105
Local government CDP decision: ☒ CDP approval ☐ CDP denial³
Date of local government CDP decision: November 4, 2021

Please identify the location and description of the development that was approved or denied by the local government.

Describe: The subject property is a 5-acre bluff-top lot located west of Highway 101 at 3480 Letz Road, within the unincorporated community of McKinleyville, Humboldt County (APN 511-061-009).

Humboldt County's permit PLN-2021-17105 authorizes the following:

A Coastal Development Permit for (1) demolition of an existing 3,360-square-foot (sf) residence, detached shed, and gazebo, (2) construction of a 9,800-sf residence with a 1,700-sf attached garage, 876-sf of attached covered porches, and 728-sf attached port au cochere, (3) 1,340-sf swimming pool and hot tub, (4) and 5,000-sf of recreational basketball and tennis courts.

² Attach additional sheets as necessary to fully describe the local government CDP description of the development that was the subject of the CDP application and d

³ Very few local CDP denials are appealable, and those that are also require sub Please see the [appeal information sheet](#) for more information.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 3 of 13)

Page 4

McKinleyville, CA 95519

Appeal of local CDP decision

Page 5

5. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☐

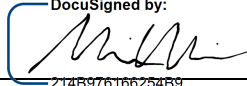
Interested persons identified and provided on a separate attached sheet

6. Appellant certification⁵

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Mike Wilson

Print name _____

DocuSigned by:

214B976166234B9...

Signature

12/13/2021

Date of Signature _____

7. Representative authorization⁶

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

⁵ If there are multiple appellants, each appellant must provide their own certification on additional sheets as necessary.

⁶ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 5 of 13)

Appeal of local CDP decision

Page 5

5. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☐

Interested persons identified and provided on a separate attached sheet

6. Appellant certification⁵

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Linda Escalante

Print name _____

DocuSigned by:



0FBAB2AB80584C8...

Signature

12/13/2021

Date of Signature _____

7. Representative authorization⁶

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐

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EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 6 of 13)

ATTACHMENT B

...Continued from Section IV ("Reasons Supporting This Appeal") of Appeal Form

REASONS FOR APPEAL:

The approval of CDP No. PLN-2021-17105 by Humboldt County is inconsistent with the policies and standards of the certified Local Coastal Program (LCP) [McKinleyville Area Plan (MAP) Land Use Plan and Coastal Zoning Regulations (CZR) IP] including, but not limited to, policies and standards regarding (1) protection of environmentally sensitive habitat areas; (2) permitted uses in lands planned and zoned for residential use; and (3) compatibility with visual resource policies. Each is discussed separately below.

(1) Protection of Environmentally Sensitive Habitat Areas:

Summary of Applicable LCP Policies:

MAP Policy 3.40 states as follows:

- *** 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

MAP Policy 3.41 states as follows (emphasis added)

- A. Identification of Wetlands and other Environmentally Sensitive Habitats
1. Environmentally sensitive habitats within the County McKinleyville planning area shall include:
 - (a) Rivers, creeks, and associated riparian habitats including Little River, Widow White Creek, and other streams.
 - (b) Wetlands, estuaries, including the Clam Beach ponds and the mouths of Little River, Widow White Creek, and Mad River
 - (c) Vegetated dunes at Clam Beach, Little River Beach, and the banks of the Mad River
 - (d) Other critical habitats for rare and endangered species listed on state or federal lists.

The definition of environmentally sensitive habitat areas is contained in CZR Section 313-143 (emphasis added):

313-136–161 DEFINITIONS (A - Z)

...

313-143 DEFINITIONS (H)

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 7 of 13)

...

Habitat Areas, Environmentally Sensitive: Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments, including: (Former Section CZ#A312-10)

- A. Areas of special Biological Significance as identified by the State Water Resources Control Board;
- B. Rare and endangered species listed in Sections 670.2 or 670.5 of Title 14 of the California Code of Regulations, or Sections 17.11 or 17.12 of Title 50 of the Code of Federal Regulations, pursuant to the Federal Endangered Species Act as rare, threatened or endangered;
- C. All coastal wetlands and lagoons;
- D. Tidepools and near-shore reefs;
- E. Sea caves, islets and offshore rocks;
- F. Kelp beds;
- G. Indigenous dune plant habitat;
- H. Federally designated wilderness and primitive areas;
- I. Rivers, creeks, and associated riparian habitats; and
- J. Rookeries for herons and egrets.

...

Discussion:

Although the subject 5-acre bluff-top lot is developed with an existing 3,360-square-foot single family residence and gravel driveway, the County's approval authorizes approximately 20,000 square feet of existing undeveloped, open grassy portions of the property to be developed with a new 9,800-square-foot residence, 728-square-foot "port au cochere," ~1,340-square-foot outdoor swimming pool/hot tub, new paved driveway spur and parking area, and 5,000-square-foot tennis/basketball court. Open, grassy coastal prairie and meadow habitats in the McKinleyville area and elsewhere in the County contain documented populations of rare plant species, including, but not limited to, coast checkerbloom (Sidalcea oregana ssp. eximia, and Siskiyou checkerbloom, Sidalcea malviflora ssp. patula). Both checkerbloom species have a California rare plant rank of 1B.2 (i.e., considered "rare throughout their range" in California and elsewhere and "moderately threatened in California" according to the CDFW and California Native Plant Society). Documented occurrences of both rare plant species at the open, grassy meadow habitat on the County airport property directly adjacent to the subject site, approximately a half mile to the east.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 8 of 13)

As cited above, habitat areas that support rare and endangered species are classified as ESHA under the certified LCP and the Coastal Act. Although the proposed project would disturb open grassy coastal terrace habitat similar to the nearby open grassy habitat with known populations of rare checkerbloom plants on the County airport property, no rare plant survey was required or completed in support of the proposed development application. Instead, County CDP condition of approval #5 requires

“Prior to any ground disturbance occurring in association with this permit a qualified botanist shall review the site to determine if Siskiyou checkerbloom is present. If found to be present within the proposed disturbed areas the checkerbloom shall be relocated and an equivalent area of the species shall be created or restored on-site at the direction of a qualified botanist.”

Thus, no determination has been made as to whether rare plant ESHA exists on the property, and the development as approved by the County authorizes a non-resource dependent use (residential development) in ESHA. In addition, if rare plant species are found on the property under the required survey outside of but in proximity to the approved development footprint, there are no findings establishing that the approved development will be sited and designed to prevent impacts that would significantly degrade the rare plant ESHA and be compatible with the continuance of the ESHA. As a result, the County’s approval is inconsistent with the ESHA protection policies of the LCP that limit the development within ESHA to only resource-dependent uses and require that new development adjacent to ESHA be sited and designed to protect ESHA and to provide for its continuance.

(2) Permitted uses in lands planned and zoned for residential use:

Summary of Applicable LCP Policies:

MAP Section 4.50, “McKinleyville Land Use Plan Maps,” chapter 4, page 15, depicts the land use designation for the subject site as “RE: Residential Estate.”

MAP Section 5.20, “Urban Plan Designations,” lists the following standards that apply to lands designated “Residential Estates:”

Purpose: To allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

Principal Use: Detached single family residences

Conditional Uses: Same as RL.

Gross Density: 0-2 units per acre.

The certified zoning district for the subject site is “RS: Residential Single-Family.” Section 313-6.1 of the CZR describes the regulations that apply for the subject site as follows (in applicable part):

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 9 of 13)

313-6.1 RS: Residential Single Family	
Use Type	Principal Permitted Use
	Residential Single Family Principal permitted Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations
Civic Use Types	Guest House Essential Services Community Assembly Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Timber Use Type	Timber Production
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Types	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RS zone.

Section 313-163.1.9 of the CZR describes the principal permitted use for the RS zone district as follows:

163.1.9.5 Residential Single Family. The Residential Single Family Principally Permitted Use includes the following uses: Single Family Residential, Second Residential Unit, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

Sections 312-17 through 312-49 of the CZR describe the various required and supplemental findings that must be made for the County to approve a CDP. The Section states, in applicable part, as follows (emphasis added):

312-17 REQUIRED FINDINGS FOR ALL PERMITS AND VARIANCES

17.1 REQUIRED FINDINGS FOR ALL PERMITS.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 10 of 13)

Unless waived by State law, the Hearing Officer may approve or conditionally approve an application for a Special Permit, Use Permit, Coastal Development Permit, or Planned Unit Development Permit only if all of the following findings, in addition to any applicable findings in Sections 312-18 through 312-49, Supplemental Findings, are made:

...

17.1.2 The proposed development is consistent with the purposes of the existing zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone;

...

Discussion:

The parcel is located on land planned and zoned for Residential Single Family uses. The above-cited policies list the standards and uses that apply to the Residential Single Family (RS) Residential Estates (RE) land use and Residential Single Family (RS) zoning designations in the certified LCP. Principal uses allowed on lands designated and zoned RE/RS are limited to those associated with single-family residences.

The approved CDP authorizes demolition of an existing 3,360-sf residence and construction of a total development area covering almost 20,000 square feet or approximately 0.45 acres. The authorized development includes several accessory amenities not commonly associated with residential development in the Humboldt County coastal zone but more typically associated with commercial hotels and vacation rentals (including a 728-sf attached port au cochere, a 1,340-sf outdoor swimming pool and hot tub, a sauna and outdoor shower, indoor gym and a 5,000-sf outdoor recreational courts for basketball and tennis). In addition, the approved new house is much larger than surrounding single-family residences. The house on the subject lot authorized for demolition under this CDP is 3,360 square feet; the house to the immediate north (which the Commission approved in 2000 under CDP No. A-1-HUM-00-001) is ~4,000 square feet; the house to the immediate south is ~4,140 square feet;¹ other houses on Letz Ave. are in the 3,360-square-foot range.² None have amenities such as swimming pool and basketball/tennis courts similar to those approved under the County's CDP. Furthermore, given the subject property's bluff top location adjacent to the Coastal Trail with impressive ocean and coastal views and it's proximity to ocean beaches, Highway 101, and Humboldt County's commercial airport, the approved development would be highly desirable to renters of vacation homes.

Given the approved accessory amenities, the large size of the approved house, and its location, the approved development is particularly-well suited for short term vacation rental (or transient habitation) use.

Hotels and vacation home rentals are not allowable uses on the subject parcel. In 1997 the County adopted Ordinance 2154 that established the Vacation Home Use District.

¹ Based on an estimate by Zillow: https://www.zillow.com/homedetails/3412-Letz-F-95519/63185232_zpid/.

² Estimated using zillow.com

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page 11 of 13)

combining zone, which is applied to certain inland areas within County limits but does not apply to coastal zone areas. Hotels, motels, and similar transient habitation facilities are allowed on commercially zoned properties but not on residential lands. Therefore, under current regulations, visitor serving facilities are not a permissible use and are not covered in the MAP regulations.

As noted, above the subject parcel is designated and zoned for single-family residential use. Humboldt County, like most communities in California, has a shortage of housing. Vacant residential parcels that can be developed for residential use are in short supply and are an important resource for addressing housing shortages. Using such parcels for transient habitation and not for the long-term residential use that the LCP designates for the property would diminish an opportunity to provide much needed housing in a manner that is inconsistent with the residential designation and zoning for the site.

Although the County's CDP does not expressly approve a vacation rental, the approved permit does not contain conditions prohibiting such use. In addition, although the County has not adopted an ordinance allowing for vacation rental use of residences in the coastal zone, numerous vacation rentals in the Humboldt County coastal zone are advertised on vacation rental websites and elsewhere. Given the extraordinary attributes of the approved development for use for vacation rental use described above, the risk that the development may be used for vacation rental purposes rather than exclusively for residential use is very high. Therefore, the project as approved without express prohibitions against transient habitation use is inconsistent with the purpose and uses allowed in the RE/RS designation/zone and the MAP and CZR regulations cited above.

(3) Inconsistency with Visual Resource Policies:

Summary of Applicable LCP Policies:

MAP Policy 3.42 states in applicable part as follows (emphasis added):

*** 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

The approved development is located on an approximately 5.0-acre lot that currently is developed with a 3,360-sf single-family residence, detached garage, and gazebo, all of which will be demolished/removed. The approved development is three times the size (9,800-sf) of the existing development and also includes a new 1,700-sf attached garage, 876-sf attached covered porches, 728-sf attached port au cochere, 1,340-sf swimming pool and hot tub, and 5,000 sf of recreational basketball and tennis courts.

The County's findings for approval state the following:

- a) The project is within the mapped urban limit line and meets principal permitted uses designated in the General Plan, including height restrictions, and allowable lot coverage of 35% in the R

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page12 of 13)

b) Existing vegetation bordering the project parcel screen and soften the visual impact of the development from the roadway, public beach, and neighboring parcels in conjunction with an increased setback from the bluff proposed in the Geotechnical Hazard report provided by LACO & Associates (Manhart 2021). No removal of vegetation is proposed.

c) The project site is not located within a mapped coastal scenic area and the project is not any greater in height or bulk than is permitted for the principal use, and it is otherwise compatible with the styles and visible materials of existing development in the immediate neighborhood, as the development is not visible from the nearest public road.

The subject site is partially visible from Highway 101 and from the California Coastal Trail (known locally as the Hammond Trail), which travels along Letz Avenue directly adjacent to the property. While existing vegetation borders the subject parcel, the vegetation consists of rows of trees with gaps that allow partial views across the subject parcel. The existing residence, which is colored light brown and set back approximately 450 feet from Letz Ave, is currently visible from several points along the road/Hammond Trail, and highway. The development approved by the County also would be visible from these public vantage points, since the main structure and sports court would be located closer to the road/trail than the existing development to be removed. As discussed above, the approved development would be much larger than surrounding single-family residences, which are characterized by modest-sized homes on large (~5-acre) lots with substantial open space (open grassy meadow habitat) and, on some lots, existing blue water ocean views. Although the approved development meets the setback and height restriction standards of the MAP, the approved development will not be visually compatible with the character of the surrounding area, inconsistent with MAP Policy 3.42.

EXHIBIT NO. 4

CDP Application No.
A-1-HUM-21-0079
APPEAL FILED
(Page13 of 13)