

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

Resolution Number: 25-044

Record Number: PLN-2025-19198

Assessor's Parcel Numbers: 520-142-005, 520-151-005, and 520-151-013

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving a Lot Line Adjustment and Coastal Development Permit.

WHEREAS, Tim Duncan submitted an application and evidence in support of approving a Lot Line Adjustment and Coastal Development Permit; and

WHEREAS, the Humboldt County Planning and Building Department as the Lead Agency has found that the project qualifies for exemptions found in Section 15061(b3)-General Rule Exemption and 15305(a)- Minor alterations in land use limitations; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on **May 15, 2025**, and reviewed, considered, and discussed the application for a Lot Line Adjustment and Coastal Development Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

1. FINDING:

Project Description: A Lot Line Adjustment (LLA) between three parcels, resulting in three parcels. All three parcels are developed with residences and commercial structures. The purpose of the lot line adjustment is to adjust property lines to better fit existing improvements based on conflicting surveys and to add land to the northerly side of APN 520-151-005 for future use. The parcels are served with water provided by the Orick Community Services District and onsite wastewater treatment systems. The property is located within the Appeals jurisdiction of the Coastal Zone; therefore, a Coastal Development Permit (CDP) is also required.

EVIDENCE: a) Project File: PLN-2025-19198.

2. FINDING: **CEQA:** The project complies with the requirements of the California Environmental Quality Act (CEQA). The project is exempt from environmental review per Sections 15061(b3) (General Rule Exemption) and 15305(a) (Minor Alterations in Land Use Limitations) of the CEQA Guidelines.

EVIDENCE: a) As Lead Agency, the County of Humboldt determined the project is exempt per CEQA Sections 15061(b3) (General Rule Exemption) and 15305(a) (Minor Alterations in Land Use Limitations) of the CEQA Guidelines. Furthermore, none of the exceptions to a Categorical Exemption pursuant to Section 15300.2 apply to the project.

3. FINDING: The project is consistent with the North Coast Area Plan.

EVIDENCE: a) Land Use Section 5.3 (NCAP): The property is designated Commercial General (CG), which is intended to classify lands that because of their location, access, and availability of services are suitable for commercial development. The Lot Line Adjustment is between three parcels to adjust property lines to better fit improvements based on conflicting surveys and to add land to the northernly side of APN 520-151-005. Each parcel fronts State Highway 101 and is developed with both residences and commercial structures. No new development is proposed. A Coastal Development Permit is required because the parcels are within the Appeals jurisdiction of the Coastal Zone.

b) Housing Section 3.36 (NCAP): Housing in the Coastal Zone shall be developed in conformity with the goals, policies, and standards of the Humboldt County Housing Element. The Lot Line Adjustment and Coastal Development Permit will have no net effect on housing densities. None of the parcels were included in the 2019 County Housing Inventory and no development is proposed. The project is consistent with the County's housing element.

c) Hazards Section 3.38 (NCAP): To minimize risks to life and property in areas of high geologic, flood and fire hazards. The subject parcel is located in an area of low to moderate geologic instability with slopes well below 15%. The parcels are not within a Fault Hazard Zone, not mapped in an area of historic landslides, and are not located in an area of potential liquefaction. According to the Humboldt County GIS, the parcels are not located within any flood zones but are within

the Tsunami Hazard Zone even though they are over a mile away from the ocean. The subject parcels are located within the State Responsibility Area for fire protection and within a moderate fire hazard severity zone. The parcels are also within the Orick Community Services District, which provides structural fire protection and medical emergencies. There is no development proposed with the Lot Line Adjustment or Coastal Development Permit, and therefore the project will have no impact to hazards.

d) Resource Protection Policies and Standards Section 3.4 (NCAP). To protect designated sensitive and critical resource habitats. The subject parcels are either within or in close proximity to a Streamside Management Area. According to the California Natural Diversity Database (CNDDB), the parcels are within range of identified rare or endangered species. Species identified are the obscure bumble bee, the western bumble bee, northern steelhead, eulachon and Coastal Cutthroat trout. There is no development proposed as part of the Lot Line Adjustment and Coastal Development Permit, and therefore it is not anticipated to impact sensitive and critical resource habitats.

e) Archaeological and Historical Resources, Section 3.42 (NCAP): The County shall encourage the preservation of significant archaeological and historic sites. There are no known cultural or historic resources on the subject parcels. The project was referred to the Yurok Tribe and NWIC. NWIC responded with standard recommendations. The standard inadvertent discovery language was put into the conditions of approval should development occur at a later date. No additional increased threats to cultural resources are anticipated as a result of the Lot Line Adjustment and Coastal Development Permit.

f) Visual Resource Protection, Section 3.42 (NCAP): The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. The subject parcels are not within Coastal Zone Scenic Areas or Scenic Viewing Areas. There is no development proposed as part of the Lot Line Adjustment or Coastal Development Permit, and therefore no impact to visual resources is anticipated.

4. FINDING: The proposed development is consistent with the Humboldt County Coastal Zoning Code.

EVIDENCE: a) The subject parcels are all zoned Commercial General (CG) with a Design Review (D) combining zone. The parcels are all developed with existing residences and commercial buildings, which is consistent with this zone district. Minimum lot size is 5,000 square feet, and all three parcels conform to this size standard both before and after the Lot Line Adjustment. Minimum lot width and depth are also consistent with the CG zoning. Front and side yard setbacks are not required, as all the subject properties are within the CG zone and not abutting to a Residential Zone or Agricultural Zone. The Lot Line Adjustment between Parcel One and Parcel Two is to clarify the parcel line between property owners, which will create approximately a 9-foot setback from parcel line to residence on Parcel One, and approximately 9.5-foot setback from parcel line to residence on Parcel Two. Rear property line setbacks in the CG zone district are 15 feet, except where a rear yard abuts an alley, in which case it is 5 feet. The properties do abut an alley, and existing structures on the property are legal conforming. The Design Review combining zone is to provide design review for conformance of new development with policies and standards of the General Plan. As no new development is associated with the Lot Line Adjustment and Coastal Development Permit, Design Review is not required. Should development occur in the future, a Design Review committee will need to be consulted.

5. FINDING: The project and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare of materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The proposed project will not be detrimental to public health, safety, or welfare. The proposed Lot Line Adjustment complies with all the standards of the zone district which are intended to protect public health, safety and welfare. Based on staff analysis and the findings made in this report, there is no evidence that the proposed Lot Line Adjustment and Coastal Development Permit will be materially injurious to properties or improvements in the vicinity.

6. FINDING: A Lot Line Adjustment shall be approved or conditionally approved when there is compliance with all the approval criteria.

EVIDENCE: a) The application is complete. All referral agencies that responded either approved or conditionally approved the project. Parcels to be adjusted are found to be in compliance with the Subdivision Map Act. Two parcels were created by deed prior to the establishment of applicable county and state subdivision requirements, and one parcel was created by an approved subdivision. The proposed Lot Line Adjustment is consistent with the Commercial General zone district. Staff supports the Lot Line Adjustment and Coastal Development Permit so that property lines will be adjusted to better fit on-the-ground conditions.

6. FINDING: The proposed development shall 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 project parcels are not part of the 2019 Housing Element Residential Land Inventory. The Lot Line Adjustment and Coastal Development Permit will not preclude any future residential development and will not reduce the residential density below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Duncan Lot Line Adjustment and Coastal Development Permit (Record No. PLN-2025-19198).

Adopted after review and consideration of all the evidence on **May 15, 2025**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.



John H. Ford, Zoning Administrator
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF A LOT LINE ADJUSTMENT AND COASTAL DEVELOPMENT PERMIT IS CONDITIONED UPON THE FOLLOWING TERMS AND REQUIREMENTS:

1. Per the Department of Public Works Memo dated March 10, 2025, the corners of the new property lines shall be monumented, pursuant to Section 325.5-9 of the Humboldt County Code. A Record of Survey shall be filed unless this requirement is waived by the County Surveyor. The requirement for a Record of Survey may be waived if, in the opinion of the County Surveyor, any one of the following findings can be made:
 - a. The new boundary line(s) are already adequately monumented of record.
 - b. The new boundary line(s) can be accurately described from Government Subdivision Sections or aliquot parts thereof.
 - c. The new boundary line(s) can be accurately described and located from existing monuments of record.
 - d. The new boundary is based upon physical features (i.e. roads, creeks, etc.) which themselves monument the line.
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$106.00) as required by the County Assessor shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction

of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition. *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.*

Informational Notes:

1. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.
2. To reduce costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: items 1-6) as a package at least four (4) weeks before the desired date for recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. There is no charge for the first post project approval meeting. Please contact the Planning Division at (707) 445-7541 for copies of all required forms and written instructions.
3. The subject property is located within the State Responsibility Area and is subject to the County's Fire Safe Regulations (FSR) as set forth in County Code. Development of the subject property must comply with the FSR.

4. This permit shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
5. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.
6. **The following is applicable to future ground disturbing activity on any of the parcels resulting from this Lot Line Adjustment:** 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 as well as the appropriate Tribal Historic Preservation Officer(s) will be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.

APN 520-142-005
APN 520-151-005, -013
LOT LINE ADJUSTMENT MAP

FOR
**TIM DUNCAN, BRIAN V. COMBS, TRUSTEE,
MIKE AND BRENDA CORDOVA AND
CLINTON CORDOVA**

IN
NW 1/4 SECTION 4 T10N, R1E, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
NOVEMBER 2024 SCALE 1" = 30'

**HUMBOLDT COUNTY
STATE OF CALIFORNIA**

**KELLY-O'HEARN ASSOCIATES
EUREKA, CALIFORNIA**

SCALE 1" = 30'
0 30

SURVEYOR/AGENT:
KELLY-O'HEARN ASSOCIATES
ATTN: MICHAEL O'HEARN
1245 MOORE AVENUE
EUREKA, CA 95501
(707)442-7283

OWNER:
APN 520-142-005
MIKE I. CORDOVA, ET AL
PO BOX 128
CORRALES, NEW MEXICO 87048
(505)950-7453

OWNER/APPLICANT:
APN 520-151-005
TIM DUNCAN
PO BOX 448
ORICK, CA 95555
(707)845-1340

NOTES

1. THIS TENTATIVE MAP PROPOSES A LOT LINE ADJUSTMENT BETWEEN THREE EXISTING PARCELS.
2. NO TOPOGRAPHIC INFORMATION WAS COLLECTED FOR THIS LOT LINE ADJUSTMENT MAP.
3. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN. PARCEL AREAS SHOWN ARE APPROXIMATE.
4. ADDRESS: 120049 STATE HIGHWAY 101, ORICK, CA 95555
120199 STATE HIGHWAY 101, ORICK, CA 95555
120215 STATE HIGHWAY 101, ORICK, CA 95555
5. THE PURPOSE OF THIS LOT LINE ADJUSTMENT IS TO ADJUST PARCEL LINES TO INCLUDE EXISTING IMPROVEMENTS ON PARCELS APN 520-151-005 THAT ENCRUSCH ON APN 520-142-005, BASED ON A DIFFERENCE IN THE LOCATION OF SURVEY LINES AND TO ADD LAND TO THE NORTH SIDE OF APN 520-151-005 FOR FUTURE USE.
6. THESE PARCELS ARE LOCATED WITHIN THE CALIFORNIA COASTAL ZONE, WITH LOCAL CDP PERMIT JURISDICTION, WITH APPEAL JURISDICTION TO THE STATE. ZONING IS CSD-10.
7. EXISTING LEACH FIELDS ARE SHOWN HEREON BASED ON INFORMATION FROM THE LANDOWNER AND HAVE NOT BEEN LOCATED BY A FIELD SURVEY.

LOT LINE ADJUSTMENT SUMMARY

- [X] LINE TO BE DELETED BY LOT LINE ADJUSTMENT
[Y] LINE TO BE ADDED BY LOT LINE ADJUSTMENT

PARCEL CREATION DOCUMENT

APN 520-142-005 BOOK 221 O.R., PAGE 566
APN 520-151-005 BOOK 427 O.R., PAGE 7
APN 520-151-013 PARCEL 2 OF BOOK 19 OF PARCEL MAPS, PAGES 22-23

PARCEL	BEFORE LOT LINE ADJUSTMENT AREA	AFTER LOT LINE ADJUSTMENT AREA
APN 520-142-005	0.58 ACRES ±	0.51 ACRES ±
APN 520-151-005	0.32 ACRES ±	0.74 ACRES ±
APN 520-151-013	1.39 ACRES ±	1.44 ACRES ±

REDWOOD CREEK

APPROVED
MAY 15 2025
Humboldt County
PLANNING

