

Project Title: Valadao Subdivision - 1820 Pickett Rd, McKinleyville, CA 95519  
Assessor's Parcel Number: 510-381-021-000  
PLN-2021-17560-APPEAL  
Board of Supervisors File Number: BAI-23-1593

January 23, 2024

To: Humboldt County Board of Supervisors  
From: Cindy Condit  
2082 Steven Way, McKinleyville, CA

Through a life of living with or dealing with people who worked in government, law, construction, education, finance, or almost anything else, I have learned that people live by 3 main rules:

1. Right is right and wrong is wrong whether anyone is watching or not.
2. Just because something is not illegal does not mean that it isn't wrong.
3. The ongoing practice of the "Good old boys' system" is as ingrained in current society now as ever. Now please forgive me for using this outdated phrase, but I had a hard time finding a more palatable, PC way of saying it and still getting the feeling through. I don't mean to offend, as I feel this phrase is offensive in so many ways, but I couldn't think of a satisfactory replacement.

For many people, rules 1 and 2 only apply when it suits their needs. Many people believe that it's only wrong if you get caught, and that rules are for suckers and meant to be broken. Unfortunately, these people fit well into the Good Old Boys Club and get gratification and support from the others in the club with the same mentality. Membership, by the way, is based on who you are and who you know.

The county Public Works codes and the McKinleyville Community Plan are written as laws but seem to align more with the idea that these are not really rules or laws, but just general guidelines that apply to some individuals but not others. And for someone in the "Club", granted variances mean they don't apply at all.

I have addressed the Planning Commission and sent you, the Humboldt County Board of Supervisors, letters about the infrastructure of the Valadeo Subdivision, specifically the drainage system and detention basins proposed. Thank you for your partial attention to that.

However, I am asking for real accountability. I have been assured this is up to the engineers and inspectors and it will all have to be "signed off." However, I have often seen things "signed off" as correct and complete because someone didn't feel like actually doing the work, or they are part of the system that allows things to slide through that should not. The Good Old Boy system often seems to play a role in how complete and correct, or not, the construction/development/work can be in order to be approved.

The Valadeo Subdivision needs to be done right because it is directly, physically affecting so many other people in the neighborhood as well as the future tenants. Please, no more "Good enough." No more exemptions to the codes. No more, "We need housing, so it doesn't matter what he does."

In the RESOLUTION OF THE BOARD OF SUPERVISORS, that you will be voting on today,

"Owner's Association for PUDs - §314-31.1.8 22. FINDING: The project complies with section 314-31.1.8 of the Humboldt County Code through the **required** condition to form "a nonprofit incorporated owners association <sup>1</sup>or <sup>2</sup>alternative acceptable to County Counsel<sup>3</sup>) to provide for improving, operating and maintaining common facilities, including open space, streets, drives, service and parking areas, and recreation areas." EVIDENCE: a) Condition of approval 23 **requires** formation of a homeowner's association prior to issuance of the first Building Permit. b) Condition 23 **requires** the HOA address rules and guidelines for owners and tenants of the development and establish and collect monthly or annual fees to pay for common area maintenance, repair, and upkeep of common areas and facilities such as: - landscaping o roadways & parking areas - stormwater management infrastructure - shared sewer, water, and electrical infrastructure - shared garbage and laundry facilities c) The Conditions also include a **requirement** that the applicant form a Road Maintenance Association for the proposed access road "Jack Way" as well as attempt to form a Road Maintenance Association for Gwin Road or join one should it exist.

According to your resolution and to the intent of County Code 314-31.1.8, the formation of the Homeowners Association (a nonprofit incorporated owners association) is **required**. There is only one property owner now. There may be 19 in the future. There is no reason to resort to a "or alternative acceptable to County Counsel" (line 3) unless you are implementing more of the good old boy standard. Please remove those 6 words.

There will potentially be 19 different property owners once Mr. Valadeo sells these lots. The only way to ensure the properties and infrastructure are properly maintained in the future is through a nonprofit incorporated owners association. Please protect the neighborhood and the tenants.

In "findings"

1 Remove

2 Add "but not limited to"

3 Add "drainage + detention system"

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The recent Planning and Building Department document regarding this hearing claims, "The primary reason for the PUD approach is to allow greater flexibility in developer financing..." (page 4 of file # 24-99)

We shouldn't have to pay for the developer's flexible financing with our safety, comfort, loss of natural light, and diminished quality of life.

The entire community is being asked to pay for the developer's flexible financing. Pierson Park, with the beautiful eastern view, is a significant benefit to surrounding businesses when hundreds of people at a time, including tourists, attend festivals, concerts, and annual events in Pierson Park. The view should not be obstructed by giant 2-story monoliths.

HCC 31.1.6.1.3 states "The height of buildings constructed near ridgelines should not affect the ridgeline's silhouette." The ridgeline is beautiful from Central Ave., also.

Please plan ahead for an engaged community's McKinleyville Town Center and keep the beautiful view of forest.

The planning department based their decision on the developer's need for financing this project. A for-profit business, the developer should not be exempt from following building guidelines, especially to the detriment of our neighborhood and McKinleyville's growing town center.

Thank you.

Linda Barney  
1049 Deborah Dr., McKinleyville



Hello, my name is Jim Gable and, I live off of Gwin Road.

My family and I recently moved here from Southern California after falling in love with the serene beauty and quaint charm of Humboldt County. Since moving here, we have been passionately promoting our newfound community to our conscious younger friends and family members – especially professionals and those with means – both for our own selfish reasons as well as for our community.

We were shocked and disillusioned by the hasty approval by the Planning Commission of the poorly planned and overly dense Valadao Subdivision, which we think will degrade our safety and quality of life here significantly.

We recently learned that Gwin Road was gifted to the county by the Gwin family, but due to the cost of improvements and the removal of old trailers, it has never been added to its maintenance schedule.

Even though the County uses the road to allow public access to the parking lots at Pierson Park and the Teen Center, as a school bus route, and in the plans for the McKinleyville Town Center Project, the County seems unwilling or unable to take responsibility for maintaining it.

Gwin Road is already a very congested and dangerous road for pedestrians, cyclists and drivers... If this project is approved, potentially 400 to 600 more cars a day will be using it – depending on how many times a day 100 additional cars go up and down it. I know we use it at least a few times a day...

Also, there is a 40-foot Public Utility easement planned on the Gwin Road side of the project, so big utilities trucks will also be going up and down Gwin as well.

According to HCC 325-7, (we looked it up): If the County is going to approve the Subdivision, it must either take responsibility for maintaining the road it owns, or deny the subdivision. That's the law.

We are asking you to please follow the law and consider the public safety impact if you are going to approve the current plan of this project.

Thank you so much for your time and consideration.

Hello, my name is Stewart Jewell, and I live at 1795 Pickett Road, right across from the proposed development. Every car leaving "Jack Way" will shine its lights right into my living room, so I'm very much one of the people Commissioner O'Neil is referring to when she speaks about the impact of this project.

I'd like to continue reading Commissioner O'Neil's comments from that November meeting...

And I quote:

"I know the Service District does a great job trying to fill in for the County, but we don't have that much law enforcement, we don't have great roads, we don't have good bike paths, we don't have a lot of things.

I don't like the fact that we don't know who owns Gwin Road. That seems like something we need to figure out, because somebody owns the land underneath it, if the county doesn't, so we probably need to know the answer to that before we go forward. Or else I wouldn't even think that you should be able to access Gwin Road with this subdivision. It would have to go up the other way, and then that's going to be a big impact.

Everyone wants a car. You might want to say that you want to have a walkable community – it sounds really good – but everybody's got two cars in every household it seems like. There might be a few people in there that don't have a car, but most people have two, and then if they have guests come over, there is no place for them to park, so then it just becomes a big hazard if you are walking through that subdivision with that many cars... lack of spaces.

I've seen them park all over the place in the subdivision that we did because it was a "walkable" community with limited parking, but unless you restrict tenants to not having cars, they're gonna have probably two per place.

Those are my comments. I hate to keep saying, "gee, we need more housing, so we're just going to throw out all the other needs we have in our community."

Thank you for the opportunity to speak.



Thank you. My name is Ann Kim. I live on Crystal Way, off of Gwin Road.

We and our neighbors are in full support of building more safe and affordable housing in our community.

I am here pleading to please consider ours, and future residents' needs to preserve and hopefully improve the safety, health, aesthetics and general wellbeing, as you review this project.

I completely agree with the comments made by Planning Commissioner Peggy O'Neil - the Only commissioner who voted against the plan at the hearing on November 16<sup>th</sup> last year - and I would like to read her statement from the recording of that meeting...

And I quote:

"I live in McKinleyville, and disclose that.

It seems like a lot of burden is put on McKinleyville for development - providing multiple housing units, increased density...

It's been going on for a number of years, but I don't see the commitment from the County to improve our roads. I'm concerned that there's not a lot of off-site improvements required in this project.

Similar projects that I mentioned earlier - that I participated in - we had to put millions of dollars in off-site improvements to be able to do half the units that are being done here. And I know that's a burden on development, but we have no improvements going on in McKinleyville.

For those of us that live there, the roads aren't improving, the walkability is not improving... We've done a few bike lanes down the main street, but that's about it, and so I am concerned about the lack of improvement and I'm concerned about the lack of parking spaces, the lack of amenities (I think someone mentioned that) and I know we discussed that on other projects...

We increased some units in the mobile home park in McKinleyville, and they had to do trails and things on-site, where there is nothing like that here.

So, I do agree that we need more housing, but not at the expense of our community and, you know, aesthetics in our community. I sympathize with the people that are going to see the impact.

Even though it may be zoned for multifamily, it doesn't have to have this type of impact in terms of so many more people coming with less improvements to the infrastructure in the area..."

PROJECT: VALADAO MAJOR SUBDIVISION  
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Carole Huey

#### PUBLIC HEARING COMMENTS

- My name is Carole. My mom and I live in a mobile home abutting the west side of the proposed development.
- I FIRMLY support additional housing, but I oppose the subdivision of the parcel into 19 lots that could each be sold and have different landlords, creating a dilemma regarding the responsibility for maintaining the laundry facility, Jack Rd, the garbage area, the green areas, shared parking, etc..
- Fairly equivalent housing can still be built if the parcel remains one lot, but without all of the exceptions, use permits, etc. It would have to be done WITHIN THE LAW.
- The Coalition for Responsible Housing is asking that all involved be held accountable to build "responsibly" by upholding the laws, codes and regulations that are in place.
- We did not question the R3 zoning. We pointed out that the property is actually zoned R3-D, which requires a design review. We understand that we are entitled to a design review by a district-based committee, and we look forward to the findings of their review.
- The height and length of the proposed structures will reduce the amount of sunlight and warmth the tiny backyards of our mobile homes will receive. Gardening is enjoyed by many seniors who are otherwise limited. Due to different distances from the fenceline, some homes will be partially shaded. All backyards will be shaded except for about 1 hour per day.
- Some seniors who have enjoyed decades of their lives in our peaceful community may spend their end of life years in complete misery if this subdivision is approved as is. Please consider requiring a "discretionary permitted wall" between the development and the mobile home park to mitigate noise, as nonauditory effects of noise cause adverse health effects.\*discount us. This is my tiny dream home by the ocean. These monolithic structures will loom over my dream.
- The east, north and south sides of the parcel have roads for buffers. PLEASE consider single story units on the west side behind the mobile homes.
- A 5-member Board of Supervisors serves as the county's legislative body, setting policies to best serve the needs of the COMMUNITY. US. Please don't "feel" for us and "sympathize" with us. Support us and protect us from this type of deviation from the law and the existing codes and regulations..

\*<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1253729/#:~:text=Scary%20Sound%20Effects,e ar%2C%20resulting%20in%20hearing%20loss.>



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Comments to *omission* of response by Arcata Fire Protection District:

California Code of Regulations Tittle 24, Part 9 (Fire Code)  
Section 102.5 Application of residential code.

Where structures are designed and constructed in accordance to the California Residential Code, the provisions of this code shall apply as follows;

1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.

2. Administrative, operational and maintenance provisions: All such provisions of this code shall apply.

The potential requirements for fire hydrants, residential fire sprinklers, means of protected egress to public way, rated constructions between occupancies and potential no parking zones due to fire hydrant and/or fire department access to fire sprinkler stand pipes can only properly be addressed by the Arcata Fire Protection District.

Kjell B. Aspo - 2141 Pillow Dr. McKinleyville  
(209) 604-7696



Respectfully, Kjell B. Aspoy  
(209) 604-7696  
2141 Pillor Dr McKinleyville  
CA 95519

Valadao Subdivision Appeal 1/23/24 Assessor's Parcel #510-381-021-000

I am Barbara Georgianna and I live on Pickett Road two parcels east of the proposed development. I've lived here nineteen years and the neighborhood has been relatively peaceful and safe.

I recognize the County's need for affordable housing but don't ask my neighborhood to help meet a county housing quota. I'm hopeful that you will decide to decrease the numbers of parcels and buildings in this project so that all residents are able to park on-site.

The project currently has given an exception for required parking. This exception has potential for creating a hazardous safety situation for neighbors and sub-division residents. *Additionally, the proposed map does not show any allocation for handicapped parking spaces – a resident safety concern.*

According to the submitted map, Valadao is required to provide 134 parking spaces inside the development – he shows 86 spaces or 64% -that means 36% of the residents of his development will have to find parking on the street. **He got an exception for this.** The additional on- street parking on both Pickett and Gwin Road will create a dangerous safety issue for traffic flow, bicycle riders, and walkers - many of whom are children and older adults. They will have to navigate an increased number of vehicles driving and parked on the street. If I were a resident and had to park on either Gwin or Pickett, I would not be happy to carry my groceries a significant distance to my apartment.

Other housing developments in McKinleyville— one on Margo Lane and one at 2750 through 2758 Central Avenue have ample parking and NO off street parking needed. Handicapped parking was available also. The Furtado Heartwood planned unit development on Sagewood Way also has ample parking and designated handicapped parking spaces. .

Older development projects in McKinleyville i.e. Sandpiper Apartments, Redwood Creek Apartments on Sutter Road and Azalea Gardens apartments also on Sutter Road all have adequate parking in the development. **ALL OF THESE DEVELOPMENTS HAVE HANDICAPPED PARKING.** Valadao's project includes **NONE.**

The mentioned housing developments were developed on mostly open land and were not "squeezed in" an established single story neighborhood. The two story Valadao development as proposed will stick out like a sore thumb and have no aesthetic appeal!

Valadao density for a 2.47 acre parcel divided into 19 parcels has a density of **28** units per acre. Other developments such as Furtado's Heartwood development on Sagewood Way has a density of **9** units per acre and the Town Center Project has **4** units per acres . *What's wrong with this picture??*

Hopefully, you will **reject the exceptions and decrease the density of this project.** Your consideration is appreciated.