

HUMBOLDT COMMONS

A KENDAL AFFILIATE

January 30, 2026

County Surveyor Robert Bronkall
County of Humboldt
3015 H Street
Eureka, CA 95501

RE: Petition for Exception Request
Humboldt Commons Subdivision
Application # PLN-2025-19246 PMS
APN 508-251-060 and 510-133-013

Dear Mr. Bronkall,

Pursuant to Humboldt County Code Section 325-9, I am requesting a clarification and exceptions for the following items:

1. Clarification that Humboldt Commons is responsible only for curb, gutter, and sidewalk improvements along Hiller Road, and that roadway widening, paving, or other improvements that do not meet nexus and proportionality requirements are not the responsibility of the developer.
2. Exception to the Public Utility Easement (PUE) requirement under Section 1.7(a) of the Public Works memorandum, as the stormwater drainage system can be placed within the existing right-of-way.
3. Exception to the McKinleyville Town Center Q-Zone Ordinance Section 5.2.4.1 bicycle storage requirement to allow 0.5:1 ratio (CalGreen minimum) instead of 1:1 ratio per residential unit.

Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

1. That there are special circumstances or condition affecting said property.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

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In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air and public health, safety, convenience and general welfare.

The proposed subdivision, as shown on the Tentative Map, is consistent with the prescribed density, minimum parcel size and building setbacks, parking regulations, and other development criteria of the applicable regulations. This proposed subdivision is consistent with planned growth of the area, and is General Plan supported in-fill development.

ITEM 1: HILLER ROAD FRONTAGE IMPROVEMENTS

Section 2.5(b) of the Public Works memorandum outlines requirements for Hiller Road improvements. This project proposes frontage improvements along the south side of Hiller Road consisting of curb, gutter, and sidewalk, consistent with standard subdivision requirements.

We request clarification that Humboldt Commons is responsible only for south side frontage improvements (curb, gutter, and sidewalk) and the County indicated that the Applicant is not responsible for widening the roadway, paving the roadway, or making any other improvements to Hiller Road that do not meet the nexus and proportionality requirements. This position was established under *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*.

Additionally, there exists an approximately 10-foot gap between the proposed new curb location and the existing road edge. Humboldt Commons proposes to restore this area to its original condition (filled, graded sand and gravel edge) and maintain it, rather than pave it. The new curb and sidewalk would be installed by Humboldt Commons to establish the curb-line boundary with the public sidewalk placed in its dimensionally correct location for all future work to meet dimensional standards. This approach is appropriate because requiring the developer to pave this area would exceed the proportional impact of the subdivision on the existing roadway infrastructure. Further, adding an additional 10-foot wide paved area to the existing traffic lane would result in a non-standard, extraordinarily wide lane width creating safety concerns (speeding vehicles, unclear traffic movement, not wide enough to park), which would not be retained once the Hiller Road right-of-way design was implemented for the stated safety reasons.

ITEM 2: EXCEPTION TO THE PUBLIC UTILITY EASEMENT (PUE) REQUIREMENT

Section 1.7(a) of the Public Works memorandum requires dedication of a 10-foot wide Public Utility Easement (PUE) adjacent to the right-of-way for Hiller Road.

Based on engineering analysis by SHN, the stormwater drainage system for this subdivision can be placed entirely within the existing 80-foot right-of-way at Hiller Road. The storm sewer would be located directly south of the current pavement, between the curb and the existing paved area, and would not disturb the existing roadway.

Given the adequate width within the existing right-of-way to accommodate the stormwater infrastructure, we request elimination of the PUE requirement under Section 1.7(a), unless such easement is determined to be necessary for other utilities. A separate, 10-foot easement is being provided to accommodate PG&E lines. Eliminating the additional unused 10-foot easement area will allow for additional green space along Hiller Road. This exception is not detrimental to public welfare as the stormwater system will be properly accommodated within the existing right-of-way.

ITEM 3: EXCEPTION TO BICYCLE STORAGE RATIO FOR SENIOR HOUSING

Humboldt Commons requests an exception to the Q-Zone requirement for 1:1 bicycle storage per residential unit, proposing instead the CalGreen minimum ratio of 0.5:1. This project is specifically designed as an aging-in-place community serving seniors, including those with limited mobility. Industry data demonstrates that bicycle usage among seniors is significantly lower than general population housing.

Special circumstances exist in that this is a specialized senior housing campus with unique demographic characteristics. The 1:1 requirement would result in largely unused facilities, representing inefficient use of nonprofit resources that could be directed to accessibility features and senior-specific amenities. The exception is necessary to appropriately design facilities for the actual needs of the resident population. The 0.5:1 ratio adequately serves the bicycle storage needs while meeting state building code minimums, and is therefore not detrimental to public welfare. This exception is consistent with Q-Zone Section 3.2, which allows exceptions for senior housing to develop more appropriate residential development patterns.

Since the project, as proposed, satisfies other requirements for land subdivision, granting these exceptions does not provide special privileges not available to others; but upholds the preservation and enjoyment of substantial property right of the landowner. Denying the exception request would deprive the property owner of the ability to subdivide the subject property to the maximum potential as described in the existing General Plan and Zoning Regulations.

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The granting of these exceptions is not detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Please do not hesitate to contact me with any questions or concerns regarding this petition.

Sincerely,

Emma Haskett

Emma Haskett
Project Manager
Humboldt Commons
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cc: Erin Cearley, Assistant Engineer, Humboldt County Public Works Department
Michael Holtermann, Associate Planner, Humboldt County Planning Department