# COUNTY OF HUMBOLDT

**For the meeting of:** 9/9/2025

**File #:** 25-1051

**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**Vote Requirement:** Majority

**SUBJECT:**
An Appeal of the Planning Commission's Denial of a Parcel Map Subdivision Application of an Approximately 4.55-acre Parcel into Two Parcels of Approximately 1.4 Acres (Parcel 1) and 3.2 Acres (Parcel 2) and a Variance Request to Allow Creation of Parcels Smaller than the 2.5-acre Minimum Allowed in the Zone and an Exception Request to Allow the Parcels to be Served by a Roadway Not Meeting the Category 4 Road Standard

**RECOMMENDATION(S):**
That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by appellant, and testimony from the public; and
2. Close the public comment portion of the public hearing; and
3. Adopt the resolution (Attachment 1), which does the following:
    a. Finds the project is exempt from environmental review pursuant to State CEQA Guidelines Section 15270, projects that are disapproved; and
    b. Finds that the proposed project does not comply with the General Plan and Zoning Ordinance; and
    c. Denies the appeal submitted by Larry and Eileen Henderson; and
    d. Denies the Henderson Parcel Map Subdivision.
4. Direct the Clerk of the Board to provide a certified Board Order and executed resolution to the Planning and Building Department to be included with the notification of decision to the appropriate parties; and
5. Close the public hearing.

**STRATEGIC PLAN:**
This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other
Strategic Plan Category: 9999 - Core Services/Other

**DISCUSSION:**

*Executive Summary*

This is an appeal of the Humboldt County Planning Commission's Aug. 7, 2025 denial of a Parcel Map Subdivision (PMS) application for an approximately 4.55-acre parcel to be divided into two parcels of approximately 1.4 acres (Parcel 1) and 3.2 acres (Parcel 2). The parcels would be served by an on-site well and on-site septic systems. The project was denied by a 6-1 vote. A variance is requested to allow the subdivision on a substandard parcel (less than 2.5 acres).

Fundamentally, this appeal centers around two primary contentions by the applicant/appellants: 1) their stated belief that a proposed subdivision does not need to be "consistent" with the General Plan to be approved but rather that it needs to be "compatible" with the General Plan, and that in their view it is "compatible" even if it is inconsistent with specific policies that they believe are erroneous and/or outdated, and 2) that the Jacoby Creek Community Plan policies are in error and should have been amended.

As discussed below, the Planning and Building Department disagrees with both contentions, and perhaps just as importantly, the Jacoby Creek Community Plan policies that are the primary subject of the applicant's argument are not the only relevant issues. The proposed subdivision is also inconsistent with the Humboldt County General Plan land use designation and inconsistent with the minimum lot size established by the RS-B5(2.5) zone district.

The proposed PMS is inconsistent with the Humboldt County General Plan as the resulting parcels would not comply with the density range prescribed by the Residential Estates (RE) land use designation, and the project is similarly inconsistent with the Humboldt County Code, as the parcels that would result from the proposed subdivision cannot meet the 2.5-acre minimum parcel size required by the zone. Additionally, the project is inconsistent with the Jacoby Creek Community Plan which expressly prohibits development at designated plan densities until public water and sewer service are available, except under limited circumstances which are not met by this application. The Jacoby Creek Community Plan also prohibits subdivision of RE lands resulting in parcels less than 5 acres unless public water is available. The findings required for approval of the requested variance cannot be made as the existing parcel is less than 5 acres which does not allow even an average lot size of 2.5 acres under the General Plan and the Parcels would be less than 5 acres as required by the Jacoby Creek Community Plan. Consequently, the Planning Commission denied the application.

*Applicable State Subdivision Law*

Section 66464 of the California Government Code (Subdivision Map Act) states that *A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative is not*

*required, if it makes any of the following findings:*

a) *That the proposed map is not consistent with applicable and special plans as specified in Section 65451.*
b) *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

Further, Section 66473.5 of the California Government Code (Subdivision Map Act) states that *No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1.*

*A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan.*

*General Plan and Community Plan Consistency, Applicant Argument and Staff Analysis:*
The proposed subdivision would result in parcels that have a residential density higher than allowed by the General Plan and the community plan, including the higher densities allowed by the Jacoby Creek Community Plan (JCCP) even if public water and sewer are available. The plan density under the Humboldt County General Plan (HCGP) is one single-family residential unit per 2.5 acres and the subdivision proposes a density of one unit per 2.3 acres. The JCCP requires a maximum density of one unit per 5 acres for parcels without public sewer and water. Based on a comprehensive view of plan policies, the proposed subdivision is not consistent or compatible with the HCGP or JCCP.

The subdivision as proposed does not meet the requirements of the JCCP. The subdivision is inconsistent with JCCP Policy P27, Development within the Urban Development Area (UDA), which states that "*Development within the Urban Area should only occur at designated plan densities only when public water and public sewage disposal systems are available, except as provided in this plan."* JCCP Policy P26, which is complimentary to Policy P27, states that "*Residential development at one dwelling unit per five or more acres may be permitted within the Urban Development Area"* without public sewer and water service under certain conditions. As stated above, Policy P26 allows for use of on-site water and sewer systems for parcels in the UDA, however the maximum density allowed is one unit per five acres. The proposed subdivision is also inconsistent with JCCP Policy P39 which applies both inside and outside the UDA. This policy states. *"No new subdivision or minor subdivision which creates parcels of less than five acres shall be approved on lands designated as Residential Estates until a public water system is available to such lands."* The area subject to the 5-acre density standards outlined above is shown in figure 2 (Attachment 2). This area includes both the UDA and areas designated Residential Estates within the JCCP.

The applicant argues that these JCCP policies are an error because there is no current intent of the City of Arcata and or any other service provider to provide water and sewer services to the area and that current standards for on-site septic systems will protect public health. They reference General Plan Policy G-P9, which states that "*Where there is an obvious error in the Plan that would prevent a land use decision otherwise consistent with the Plan, the Planning Commission… may act on the matter based on a comprehensive view of the Plan."*

In the applicant's view the proposed subdivision is also consistent with General Plan Policy G-P31 which states that the Plan *"should be interpreted in a commonsense manner to encourage reasonable development which can meet the needs of the community with minimal impacts on the environment and demands on public services. Taking a comprehensive view of all relevant plan policies, the result must balance the intent of these policies in a practical, workable, and sound manner."*

It is hard to find these policies in error when there are findings to support the imposition of the policies. It is worth noting that the findings in the original JCCP for the inclusion of the 5-acre requirement for development on lots without public water and sewer stated the following:

- *Existing development within the urban portion of the Planning Area has reached maximum capacity in some neighborhoods.*
- *Domestic water is provided to the Planning Area by both the City and the District.*
- *Failing septic systems and surface water contamination have been documented in portions of the Planning Area.*

It is clear that the Board of Supervisors was concerned about allowing a continuation of the development pattern created prior to adoption of the JCCP and thus included policies to ensure more intensive development density was limited until such a time as water and sewer services were provided. A project cannot be considered to be compatible with the objectives and policies of the plan if it does not comply with policies put in place due to expressed concerns about the capacity of the area to have additional development.

The mapping of the UDA, while predicated on the assumption public water and sewer would eventually be available, is not an "obvious error" as described in policy G-P9. An obvious error is likely to mean something inherent, clear from the text, and possibly clerical in nature. The decision to include this property within the UDA while prohibiting more urban densities until connection to public services was intentional on the part of the Board of Supervisors. The property is approximately 150 feet from the incorporated city limits of Arcata and yet does not currently have access to urban water and wastewater service and it was not unreasonable to expect that these services may be extended to the property. In adopting this mapping the Board specifically contemplated that services might not be provided. This is demonstrated by policies JCCP-P26 and JCCP-P27 which specifically address

development in the UDA if such services are not available. Further, even if the mapping were to constitute an "obvious error" which, the applicant argues, would result in the project being considered rural development, policy P39 (quoted above) is not limited to parcels in the UDA as it applies equally to lands designated Residential Estates in rural areas of the JCCP. Thus, the subdivision would not be approvable even if it was not mapped within the UDA.

The applicant argues that the proposal is compliant with General Plan standard IS-S2, which states in part "*The County shall take appropriate actions as necessary to reflect new capacity limitations in land use and permitting decisions and communications to the public.*" It does not necessarily follow that the appropriate action is an approval of this subdivision in spite of the capacity limitations. Implementation measure IS-IM 12 states the County will *"Coordinate with water and wastewater providers to monitor the capacities of infrastructure and services to ensure that growth does not exceed acceptable levels of service."* Further, the JCCP states the plan is predicated on the intent that public water and sewer services will be available to the UDA, and the General Plan similarly indicates the plan provides for *"higher development potential in urban areas with access to public sewer and water."* It would follow that absent the conditions outlined above (i.e. public water and sewer availability) higher density of development is discouraged if not outright disallowed. Draft zoning updates appear to confirm this, as the areas currently zoned RS-B-5(2.5) are tentatively planned to be rezoned to Rural Residential Agriculture, minimum lot size 5 acres (RA-5).

The applicant is additionally arguing that the County Planning Commission, during its review of amendments to the Accessory Dwelling Unit Ordinance revisions in July 2020, directed the Planning Department to include in its motion to the Board of Supervisors to revisit the JCCP policies regarding the 5-acre density restrictions related to sewer and water. This is true, however the context of the discussion by the Planning Commission was regarding accessory dwelling units and not subdivision potential. The area in question is served by fairly narrow roadways, not connected to urban services and serves as a transition between the denser City of Arcata and the larger timberland parcels to the east. This area may be appropriate for accessory dwelling units on parcels below 5 acres in size however it is unclear whether the Planning Commission, Board of Supervisors and members of the public would support allowing smaller parcel subdivisions in this area that could potentially double or triple (with JADU's) the allowable number of residential units in the area. The Planning Department has not yet brought forward a reconsideration of the JCCP policies due to a lack of available time and money to put towards this effort. The fact that this review has not yet occurred does not render the existing policies inapplicable.

The applicant also argues that the General Plan land use designation of Residential Estates with a density of 2.5 acres may be exceeded because the General Plan allows Residential Estates designations to have a density of up to one unit per acre. Table 4-B of the General Plan specifies that the density of Residential Estates is a range of 1 to 5 acres per unit, with the actual density to be as specified on the land use map. In this case, the land use map adopted with the 2017 Humboldt County General Plan specifies a density of 2.5 acres per unit in this area. This is the density that was

considered and adopted by the Board of Supervisors after consideration by the Planning Commission.

*Variance Findings, Applicant's Justification*

The applicant has requested a variance, as the proposed subdivision does not comply with the minimum parcel sizes of the zone district and cannot meet the requirements of Humboldt County Code section 325-11, which allows a modification to minimum lot sizes. Section 325-11 allows a parcel to be modified down to a maximum of 50% of the minimum lot size required provided the resulting lots are not on average less than the size required by the applicable zone or General Plan designation. While the proposed lot 1 is not less than 50% of the minimum lot size required by the zone, the resulting lots would be an average of 2.3 acres, 0.2 acres less than the 2.5 acre minimum required by the B combining zone.

The applicant contends there are special circumstances applicable to the property such that approving the proposed subdivision would not constitute a grant of special privileges. Per the applicant the proposed subdivision is in effect part of a phased subdivision of a 10- acre parcel into four 2.5-acre parcels. The proposed 1.4-acre proposed lot 1 was combined with an adjacent property in 1975 to create a single 11.2-acre parcel. The parcel was then redivided into two parcels and modified in 1984 and again in 1987 by a Lot Line Adjustment resulting in the present-day configuration. Per the applicant, the parcels were intended to be the first phase of a two-phase subdivision resulting in four lots, which, would have been permissible under the lot size modifications and practices at the time of subdivision but does not meet the requirements of current provisions (the subdivision was approved in 1975, prior to both the adoption of the current zoning designation and the adoption of the JCCP). The applicant contends that the parcel is the largest in the neighborhood, and with an average parcel size of 2.1 acres for lots in the area, not granting a variance would deny the property owner a privilege enjoyed by other properties in the neighborhood. Based on this information the applicant has asserted the parcel qualifies for a variance from the minimum parcel size required by the zone. The JCCP was adopted in 1982, so the 5-acre requirement has been in place since that time. The surrounding lots are smaller but have contributed to the concern expressed in the findings. These lots are non-conforming. The applicant is not being denied a privilege being enjoyed by another property under similar conditions (a larger parcel in the neighborhood that cannot currently be subdivided). The applicant still has a legal lot that has a house and can support an ADU.

*Zoning Consistency and Variance Findings*

Should the proposed subdivision be found consistent with the General Plan, to be approved it would also require a variance. The minimum parcel size required by the RS-B5(2.5) zone district that the property is in has a minimum parcel size of 2.5 acres and the proposed subdivision would create two parcels of approximately 1.4 acres (Parcel 1) and 3.2 acres. While county code does allow for lot size modifications to result in one or more parcels in a subdivision to be below the minimum required in the zone, the requirement is that the total number of lots created by the subdivision are not more than that allowed by the zone. In this instance, a minimum of 5 acres is needed to create two parcels

with an average parcel size of 2.5 acres.

The applicant contends the parcel was originally intended by the property owners to be part of a two-part phased subdivision, and while that may be the case, it was first part of a four-lot subdivision in 1975, prior to the adoption of the JCCP in 1982 and the County-Wide Framework General Plan in 1984. The parcel was then part of a lot line adjustment in 1984, memorialized by Parcel Map No. 2301, and then adjusted again by a lot line adjustment in 1987, resulting in the current configuration of the parcel at 4.6 acres. Two 2.5-acre parcels cannot be created from a single 4.6-acre parcel and be consistent with the land use and zoning.

While this lot line adjustment created a parcel that is nonconforming as to the 5-acre parcel size requirements of the community plan, lot line adjustments at the time were not required to be consistent with community plan or general plans. Senate Bill No. 497 (Sher) amended state subdivision law on October 13, 2001 to require lot line adjustments be consistent with applicable general and specific plan policies. The Lot Line Adjustment approved in 1987 could not be approved under the current provisions of the Subdivision Map Act without approval of a Special Permit for a lot size modification.

Any intent for a phased approach to a subdivision was not reflected in the parcel maps, lot line adjustments or approved subdivisions. Even so, a property owner's intent in further subdividing property does not rise to the level of vesting the policies and zoning requirements in place at the time of subdivision. A property owner's intent is not a special circumstance. Not granting a property owner his or her intent does not deprive a property owner of privileges enjoyed by other property owners in the vicinity and under identical zoning classification. The County has consistently applied these standards and has informed other property owners of the same parcel size requirements and subdivision limitations that apply to the subject property (Attachment 5). Accordingly, there is no evidence that denial of this variance would deprive the property owner of privileges enjoyed by other property owners in the vicinity who have the same zoning limitations. There is no precedent for approval of a variance to allow subdivisions to below the minimum parcel size under the zoning.

The applicant has utilized different maps to demonstrate their belief that the proposed subdivision would result in parcels larger than that in the neighborhood. In the application materials the applicant contends the average parcel size in the area is 2.1 acres, and in the appeal documents they provide a map indicating that the density of the area is 1.7 acres. This map demonstrating a density of 1.7 acres appears to be including multiple dwellings on some parcels, which is contrary to the concept in the General Plan of density based on one single-family unit per parcel. Under state law most single-family parcels are principally permitted for up to three residential units that are not included in density calculations. Additionally, it appears that the parcel immediately north of the subject property is identified and counted as two parcels in the applicant's maps despite this being a single legal parcel. Both maps utilized by the applicant however are based on a "neighborhood" map that appear arbitrarily drawn to eliminate larger parcels. Per the letter the "neighborhood consists of the

developed, unincorporated properties between the City of Arcata and the Baywood Golf Course, served by Golf Course Road." The map provided by the appellant appears to not include a number of parcels that would meet this definition, including a parcel 10 acres in size and two parcels approximately 5 acres in size each. A review of Humboldt County WebGIS indicates parcels in the area with identical zoning (RS-B-5(2.5)) are on average approximately 2.45 to 2.48 acres in size, depending on whether assessed lot sizes or GIS measurements, respectively, are used for the calculations. The area assessed with similar zoning is shown in figure 1 (Attachment 2). Accounting for all parcels in this community plan area with similar zoning, the proposed subdivision would result in an average parcel size which is smaller than the average parcel size for the existing parcels in the area.

The original text of the JCCP identifies that in 1980 there were 770 housing units in the area (P 15 - 2201 Existing Population and Housing). It can be inferred from this that many of the lot sizes and development patterns were established prior to the adoption of the JCCP and the Zoning Ordinance. In this area there are parcels that are less than 2.5 acres in size, but there are also parcels that are larger than 2.5 acres in area. Under the zoning unless the parcel is more than 5 acres in area, it cannot be further subdivided. In this case this property owner has the same right of any other property owner with a parcel area between 2.5 and 5 acres to develop their property with a single-family residence and any permitted accessory buildings and uses allowed under zoning. This property is not being denied privileges available to other property owners in the area.

Approval of the subdivision as proposed would constitute a grant of special privileges inconsistent with other properties in the vicinity and in the same zone. No other parcels of the same zone have been approved for subdivision to below an average of 2.5 acres per parcel in this area. A lot line adjustment could be pursued to revert the parcels to their previous configuration which would result in both parcels meeting the five-acre minimum parcel size required for a subdivision by the zone and avoid the need for a variance, provided the required HCGP and JCCP requirements can be met.

**Appeal Arguments**

In their letter dated August 25, 2025, the applicant/appellant argues that the Planning Department has acted outside the law and abused its discretion. The claim is that the Planning Department erroneously framed the debate as "should the subdivision be approved" when the debate should be "should it be denied?" and they argue that the 5-acre density restriction within the JCCP is not a legitimate government interest. Further, the appellant argues that the Planning Department selectively applied Section 66473.5 of the Subdivision Map Act to mislead the Planning Commission into thinking that they had no choice other than to deny the subdivision. The appellant argues that the test for approval is "compatibility" rather than "consistency" with the plan.

*Appellant argues that the 5-acre density restriction in the Jacoby Creek Community Plan is not a legitimate government interest.*

The appellant states that the subdivision can be supported by on-site water and sewer services that

comply with Division of Environmental Health standards and that therefore there is no impact to public health and safety from the subdivision. While it is true that the on-site water and sewer services can meet Division of Environmental Health standards, these standards do not consider the cumulative impacts of these facilities. The community plan is a community level planning document that establishes the locations and intensities of development over a specific area to balance the cumulative impacts of development with other needs. It is a vision of development patterns for the community that is intended to serve as the basis for local land use decisions. The establishment of maximum densities and parcel sizes is therefore a legitimate government interest. Subdivision and additional development densities have potential to impact overall public welfare through impact on groundwater supplies, water quality, and additional traffic among other factors. The record is clear that this density restriction was established with the objective of limiting more urban development due to concerns that the area had already reached its maximum development capacity. There are no studies that have been done to support the idea that development at higher densities can be done in a manner that does not adversely impact the community. Lastly, even if the 5-acre density restriction in the JCCP were removed, the subdivision would still be inconsistent with the density established under the HCGP, which is a maximum of 2.5 acres per single family dwelling. The subdivision proposes a density of 2.3 acres per single-family dwelling parcel.

*Appellant argues that the test for approval is "compatibility" with the General Plan rather than "consistency" with the Plan.*

Section 66473.5 of the California Government Code (subdivision Map Act) states the following:

*No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1.*

*A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan.*

The appellant is focusing on the second paragraph of the above section, which guides how consistency is determined. In their argument they point to specific General Plan policies that the proposed subdivision is consistent with, such as General Plan Policy H-P17 which requires the County to "*promote in-fill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas and Housing Opportunity Zones as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment."* It should be noted that the property is not located in a Housing Opportunity Zone and the appellant argues that the property is erroneously mapped as within an Urban Development Area.

The appellant also points to General Plan Policy GP-P6 which prohibits on-site sewage systems for subdivisions in the Urban Development Area unless the Planning Commission finds that community services are not reasonably or likely to become available. Further, the appellant argues that the proposed subdivision is consistent with JCCP Policies 35 and 42 which state that no new rural development shall be permitted unless adequate water and waste water can be provided.

The Planning Department agrees that the subdivision may be found consistent with some specific policies. However, a project is not consistent with the General Plan and Specific Plan just because it complies with and is compatible with some of the plan policies. In determining consistency, the decision-maker must consider all aspects of the project and its relationship to the objectives, policies and programs of the plan as a whole. As described above in this staff report, the proposed subdivision is not consistent or compatible with the policies and objectives of the general and specific plan as a whole, nor is it "compatible" with the objectives and policies in the plan that were specifically developed due to concerns that the area had reached its maximum development capacity. The subdivision is clearly inconsistent with multiple plan policies, and while it may be found consistent with some policies, a project may not be found consistent or compatible with the plan as a whole when it is directly inconsistent with multiple policies and contrary to the objectives of these policies.

As discussed above, the JCCP policies were intentional and serve a specified objective and are therefore clearly not an error as argued by the appellant. Importantly, even if they were an error, the Humboldt County General Plan requires a minimum of 2.5 acres per parcel for the Residential Estates 2.5 land use designation. The proposed subdivision is clearly not compatible or consistent with the General Plan or the Specific Plan.

In summary, the subdivision does not comply with the minimum lot size standards of the zone district, nor does it comply with the General Plan. Per the Subdivision Map Act (Section 66474 Tentative or Parcel Map; Grounds for Denial) the county shall deny approval of a parcel map if it makes the finding that "the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans." Design, as defined by the Subdivision Map Act includes, among other things, "lot size and configuration" and "sanitary facilities and utilities." The proposed average lot size of 2.3 acres is not consistent with either the minimum parcel size required by the zone district, or the density required by the General Plan, and the proposed lots utilizing on-site wastewater treatment systems and a groundwater well are not consistent with the specific plan policies regarding utilities and sanitary facilities as outlined above. Additionally, the findings for a variance cannot be made. The applicant was advised during an application assistance meeting that the correct pathway would be to apply to change the general plan policies, however they do not believe this is necessary for approval and have chosen to apply for the subdivision. Based on a comprehensive view of plan policies, the proposed subdivision does not balance the intent of policies in a practical, workable, and sound manner, and is therefore not compatible or consistent with the HCGP and the JCCP.

**SOURCE OF FUNDING:**
The Appellant has paid the fee associated with filing this appeal. If the cost of the appeal exceeds the appeal fee the remainder of the cost is funded by the General Fund Contribution to the Planning and Building Department (1100277).

**FINANCIAL IMPACT:**

The cost of processing this appeal has likely exceeded the appeal filing fee and is funded by the General Fund Contribution to the Planning and Building Department (1100277).

**STAFFING IMPACT:**
Processing of this appeal has been accomplished with existing staff in the Planning and Building Department and County Counsel.

**OTHER AGENCY INVOLVEMENT:**
All responding agencies responded with no comment, or recommended approval/conditional approval of the project. The Department of Public Works has recommended conditional approval of the project but has indicated they do not support an exception to the access road width. Public Works recommended conditions indicate along the frontage of the proposed subdivision Golf Course Road must be widened to have a paved travel lane width of 20 feet and a four-foot paved shoulder. Referral responses from Public Works indicate they do not support an exception to this standard as Golf Course Road has been previously identified by the community as needing widening to accommodate vehicular and non-vehicular travel. The Planning Commission has acknowledged this need and has conditioned prior subdivisions (subdivisions that complied with the general plan and minimum zone requirements) to widen Golf Course Road both on-site and off-site of the subject parcels.

CDFW has not conducted a site visit and has requested in referral comments that if the hearing body decides to proceed with approval the project be continued so the agency has an opportunity to conduct a site visit and a more in-depth review.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**
The Board could choose to approve the appeal and approve the application or could choose to approve a modified version of the requested entitlement, in which case the application should be continued to a future hearing to allow staff time to prepare a resolution with the findings for approval and to conduct environmental review under CEQA, as well as allow referral agencies additional time to review and comment. Because the proposed subdivision is not consistent with the densities established by the General Plan, it would not be exempt from environmental review under CEQA. Given the stated inconsistencies, staff does not recommend that this alternative be considered.

**ATTACHMENTS:**

1. Draft Resolution
    a. Tentative Map
2. Figures 1 and 2
3. Appeal Request
4. Appeal Letter with Attachments
5. Applicant's justification as submitted to Planning Commission
6. Planning Commission Resolution 25-041
7. Planning Commission Staff Report with Attachments
8. Public Comment

**PREVIOUS ACTION/REFERRAL:**
Meeting of: August 7, 2025 - Planning Commission
File No.: 25-903