

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

Resolution Number 25-

**LINDSTROM CONSTRUCTION, INC PARCEL MAP SUBDIVISION
PROJECT NUMBER PLN-2025-19169
ASSESSOR PARCEL NUMBER 301-052-036**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE LINDSTROM CONSTRUCTION, INC PARCEL MAP SUBDIVISION

WHEREAS, the Lindstrom Construction, Inc. submitted an application and evidence on behalf of the property owner in support of approving a Parcel Map Subdivision; 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 Planning Division, the lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts of the project were analyzed and addressed during preparation of Environmental Impact Reports (EIR) for the 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Parcel Map Subdivision (Record Number PLN-2025-19169); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 4, 2025.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

PROJECT DESCRIPTION

- 1. FINDING:** A Parcel Map Subdivision of APN 301-052-036 resulting in (3) parcels of the following sizes (net area): Parcel 1- 13,450 sf, Parcel 2- 6,000 sf, and Parcel 3- 6,900 sf. The parcel is currently developed with a new single-family residence under construction, a garage and an existing residence to become an accessory dwelling unit, all of which will remain on proposed Parcel 1. Proposed Parcel 2 and Parcel 3 will be vacant and suitable for residential development. Pursuant to Humboldt County Code Section 325-9, an exception is requested to reduce the required right-of-way width, traveled way width, turnaround requirements, and road surfacing. The parcel is served with community water and sewer provided by the Humboldt Community Services District.

EVIDENCE: a) Project File: PLN-2025-19169

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has determined the project is not subject to further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

EVIDENCE: a) Section 15183 of the CEQA Guidelines acknowledges CEQA's mandate that projects are not subject to additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:

Project-specific environmental effects:

- are peculiar to the project or the parcel on which it is located
- are significant and were not analyzed as such in a prior EIR
- are off-site and/or cumulative and were not discussed

in the prior EIR

- were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR was certified) are determined to have a more severe adverse impact than what was disclosed.

The residential density specified in the Eureka Community Plan (ECP) was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017.

- b) There are no environmental effects that are abnormal to the project or the parcel on which the project is located. The parcel being divided was previously host to residential development, adjacent lands in the vicinity are similarly planned and zoned and are also developed and sized consistent with the applicable planned density and minimum lot size. The development pattern and design included in the concept provided by the applicant has been found to be acceptable by the Land Use Division of Public Works and Planning Division.
- c) Potential Impacts such as those common to the project were analyzed and addressed during preparation of the Programmatic Environmental Impact Report (SCH #2007012089) certified during adoption of the 2017 General Plan.
- d) There are no potentially significant environmental effects which were not analyzed in the 2017 General Plan EIR. The proposed subdivision would enable future build-out to the currently planned density for the area, which was confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above

referenced EIR (SCH #2007012089). The proposed subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the most recently adopted General Plan.

- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified.
- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment as conditioned.
- h) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed minor subdivision will create two new parcels that can accommodate future residential development consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than significant impact to aesthetics.
- i) To date no cultural resources have been documented on the project site or its vicinity. The Inadvertent Archaeological Discovery Protocol has been added as a condition of approval. Project referrals were sent to both the Northwest Information Center (NWIC) and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of the Rohnerville Rancheria. Per referral comments, recommended conditions include adherence to standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance.
- j) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is not located in an Airport Review Area - the Samoa Airport is the nearest airport and is located approximately 2 miles west of the project site.
- k) The project site is located within the Local Responsibility Area, with Humboldt Bay Fire JPA providing emergency response services, and is mapped as an area of no

substantial fire hazard severity. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.

- l) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Water and wastewater services are provided to the existing residence by the Humboldt Community Services District. Referral comments did not suggest potential issues servicing the newly formed parcels and subsequent development(s).
- m) The applicant will be required to submit a complete hydraulic report and drainage plan, as well as comply with requirements to prevent control and reduce stormwater pollutants. The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated April 10, 2025.
- n) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. The Planning Department finds there is no evidence that the proposed subdivision and future residential development will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns and will not result in vehicle miles traveled beyond that anticipated.
- o) The project is consistent with the development density of 1-6 dwelling units per acre of the Residential Low Density (RL) land use designation established during adoption of the Eureka Community Plan and upheld in 2017 following adoption of the General Plan update (GPU). The establishment and future development of two additional parcels is consistent with mitigations for induced

population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR) to reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA) using alternative subdivision standards and the facilitation of opportunities for second residential units. The growth impacts of this project are not anticipated to create peculiar, specific, or more severe impacts effects which the GPU EIR failed to analyze as significant effects or failed to evaluate.

- p) The California Natural Diversity Database indicates the potential presence of Siskiyou checkerbloom, Scouler's catchfly, and Pacific gilia. However, the area has been routinely maintained as a residential lawn area and is located in a relatively dense developed area. There is a large Monterey Pine located on the northwest corner of the property. According to the biological report compiled by Hohman and Associates, noise from generators beneath the adjacent cell tower would prevent any raptors or large wading shorebirds from utilizing this tree as a nesting site. Additionally, the tree is proposed to be removed with the construction of the residence on Parcel 1. The habitat requirements of special status mammals make the project footprint unsuitable for these species. The project will avoid indirect impacts on special-status fish, amphibians, and reptiles by remaining within the confines of the proposed project area, which avoids all wetland locations. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project and recommended any vegetation removal to occur outside of nesting season and if newly discovered special-status species are observed, consultation with CDFW should be conducted and the results of that consultation shall be amended into the project before any development operations occur, as conditioned in Attachment 1A.

LEGAL LOT REQUIREMENT – SECTION 312-1.1.2

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| 3. | FINDING: | The lot was created in compliance with all applicable state and local subdivision regulations. |
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EVIDENCE: a) The subject parcel is a separate legal parcel as described in Notice of Merger 1992-5053-3.

SUBDIVISION FINDINGS - (Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code)

4. FINDING: All lots shall be suitable for their intended uses.

EVIDENCE: a) The project will result in a total of three (3) parcels. The parcels will be over the minimum requirement of 6,000 square feet in size. Parcel 1- 13,450 sf, Parcel 2- 6,000 sf, and Parcel 3- 6,900 sf.

5. FINDING: Improvements shall be required for the safe and orderly movement of people and vehicles.

EVIDENCE: a) All three parcels will utilize frontage on Union Street, a County maintained road, to access the private road into the subdivision. The private access road will have a paved apron and entrance, with gravel surfacing for the remainder, to provide access to the driveways and parking spaces.

b) The Recommended Conditions of Approval prepared by the Land Use Division of Public Works include retrofitting the existing driveway, public utility easements, slope maintenance, adding curb/gutter/sidewalks, and additional improvements to address potential drainage issues, and that these conditions be granted as part of the filing of the map.

c) The development timing provisions of the Recommended Conditions require that all of the frontage improvements be completed prior to issuance of the first building permit for residential development. This will help ensure that the roads are sufficiently designed and improved prior to new residential development occurring.

6. FINDING: Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider (Appendix to Division 2 of Subdivision Regulations).

EVIDENCE: a) Section 3.0 of the Public Works Conditions of Approval Memo informs the applicant of their responsibility to

- correct any drainage problems associated with subdivision to the satisfaction of DPW and requires that a hydraulic report and drainage plan be prepared by a California-licensed Civil Engineer for the subdivision and be submitted to DPW for review and approval.
- 7. FINDING:** Sewer and water systems shall be constructed to appropriate standards.
- EVIDENCE:** a) Water and wastewater services are provided to the existing residence by the Humboldt Community Services District. Referral comments did not suggest potential issues servicing the newly formed parcels and subsequent development(s). HCSD provided conditions of approval and are included as Attachment 2B.
- 8. FINDING:** The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.
- EVIDENCE:** a) Per the tentative map, the size and configuration of the proposed parcels complies with width and depth requirements of the R-1 zone. Setbacks and proposed ground coverages are in compliance with the R-1 designation.
- b) The three resulting parcels will be greater than the required minimum parcel size of 6,000 square feet.

FINDINGS FOR EXCEPTIONS- Title III Division 2 Chapter 5 of the Humboldt County Code

- 9. FINDING:** Conditions exist that allow an exception to the required 50' right of way width to a 30-foot right of way width but not to the 20-feet requested by the applicant.
- EVIDENCE:** a) There is insufficient room to accommodate the required 50 foot wide right of way while maintaining setbacks to the existing and proposed residences.
- b) A 20-foot wide right of way is not sufficient to allow for development of a 20-foot wide traveled way and pedestrian improvements.

- 10. FINDING:** An exception to the requirement for a vehicle turnaround at the end of the access road is not appropriate. A turnaround is necessary for roadway safety.
- EVIDENCE:** a) Without a turnaround, delivery vehicles and others will be backing out all the way onto Union Street.
- 11. FINDING:** An exception to the road surface is appropriate, to allow the surfacing of the roadway to be deferred until time of occupancy of Parcel 2 and Parcel 3, provided that the first 50 feet is surfaced with pavement at the same time as the improvements along the frontage of Union Street.
- EVIDENCE:** a) There will be limited use of the access road until parcels 2 and 3 are occupied.
- 12. FINDING:** Conditions exist to allow for a reduced travelled way on the access road after the turn (or knuckle).
- EVIDENCE:** a) After this turn there is access to only two parcels, which can safely allow for a 16-foot-wide travelled surface.

COMMUNITY PLAN FINDINGS – EUREKA COMMUNITY PLAN

- 13. FINDING:** The proposed development is consistent with the Eureka Community Plan (ECP).
- EVIDENCE:**
- a) §2520 Subdivisions – Roads planned to serve the proposed subdivision are acceptable to Public Works for the development at the planned densities and for use by emergency vehicles.
 - b) §2620 (1) Policies – The proposed project is in compliance with the residential density of 1 to 6 dwellings per acre and each subsequent parcel is in compliance with the minimum lot size of 6,000 square feet.
 - c) §2620 (4) Policies – The Humboldt Community Services District provides water and septic service to the existing residence and has approved the proposed project, with conditions, included as Attachment 2B.
 - d) §3200 Geologic Hazards – The project site is relatively flat

with low instability, is not located in a zone of potential liquefaction, and is not located in the Alquist-Priolo fault hazard zone.

- e) §3300 Flood Hazards – The project site is not located in a FEMA 100-year flood zone, is not located in a tsunami hazard zone nor susceptible to coastal inundation related to sea level rise (1 meter).
- f) §3400 – Sensitive Wildlife and Vegetation Management – The project will avoid indirect impacts on special-status fish, amphibians, and reptiles by remaining within the confines of the proposed project area, which avoids all wetland and sensitive locations. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project and recommended any vegetation removal to occur outside of nesting season and if newly discovered special-status species are observed, consultation with CDFW should be conducted and the results of that consultation shall be amended into the project before any development operations occur, as conditioned in Attachment 1A.
- g) §3500 Cultural Resources – The project was referred to NWIC, the Wiyot Tribe, Blue Lake Rancheria and the Bear River Band of the Rohnerville Rancheria. There were no initial concerns with the project details, however inadvertent archaeological discovery protocols were requested to be in place for any ground-disturbing activities that may take place. There are no historic buildings or other artifacts that will be impacted by the proposed project.

FINDINGS APPLICABLE TO ALL PERMITS

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| 14. | FINDING: | The proposed development is in conformance with the County General Plan. |
| | EVIDENCE: | <ul style="list-style-type: none">a) The property is planned and zoned for residential development and the resultant parcels will all be compliant with the 1 to 6 dwelling units per acre density requirement.b) The proposed subdivision would result in the creation of three new parcels. |

- c) The newly created parcels contain sufficient area outside the setbacks to accommodate future residential development outside of any potential sensitive wetland or riparian zones.

15. FINDING: The proposed development is consistent with the purposes of the existing zone in which the site is located.

EVIDENCE: a) One-family dwelling and accessory units are principally permitted uses within the R-1 zone; All buildings on the existing property (Parcel 1) are compliant with setbacks and the proposed subdivision will establish suitable properties (Parcels 2 and 3) that allow for new residences to comply with all required setbacks; The proposed project would not increase ground coverage exceeding the maximum coverage allowed on the lot.

16. FINDING: The proposed development conforms with all applicable standards and requirements of the zoning regulations.

EVIDENCE: a) All parcels being created by the proposed subdivision are of sufficient size to accommodate essential infrastructure, parking areas, and residential development while meeting the minimum required setbacks from property lines and rights of way.

17. FINDING: The proposed parcel map subdivision of an approximately 0.83-acre parcel into three parcels of approximately 13,450 sq. ft. (Parcel 1), 6,000 sq. ft. (Parcel 2), and 6,000 sq. ft. (Parcel 3) 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 planned and zoned for residential use.
b) The parcel is currently developed with a single-family residence, detached garage and shed. The garage and shed are proposed to be removed and a new single-family residence with garage has been approved under BLD-2024-60903. Once constructed, this will become the primary residence on Parcel 1, with the existing residence becoming an ADU. Parcels 2 and 3 are currently undeveloped but single-family residences are expected as future developments. The proposed subdivision will be consistent with the surrounding parcels (primarily designated as

Residential Low Density with R-1 zoning).

- c) The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated April 10, 2025, and July 3, 2025. Other reviewing referral agencies have approved, conditionally approved or not responded to the proposed development, with conditions listed in Attachment 1A. There is no evidence that the project will be detrimental to public health, safety or welfare.

18.

FINDING:

The proposed project does not reduce the residential density for the parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE:

- a) The property being divided was not targeted for residential development in the current Housing Inventory and therefore has no targeted density for development.
- b) The project is proposing a subdivision which will establish new residential parcels, with the existing residence remaining unchanged. The resultant subdivision will create a potential net benefit to the local housing stock.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Parcel Map Subdivision (Record Number: PLN-2025-19169), based on the application materials on file for the project received February 13, 2025, and subject to the recommended conditions of approval.

Adopted after review and consideration of all the evidence on **September 4, 2025**.

The motion was made by Commissioner _____ and seconded by Commissioner _____ and the following vote.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. 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 H. Ford, Director
Planning and Building Department