



COUNTY OF HUMBOLDT

For the meeting of: 9/4/2025

File #: 25-1079

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Santos Subdivision Extension
Assessor Parcel Numbers (APN) 508-391-045
Record No.: PLN-2025-19208
McKinleyville area

A two-year extension to a previously approved Final Map Subdivision (PLN-2022-17846) of an approximately 10.51-acre parcel into 45 residential lots ranging in size between approximately 5,000 square feet to 7,800 square feet in size, including a proposed 11,850 square foot parcel (Lot "B") for park purposes. An exception to the solar shading requirements was approved for Lots 36 and 40. The project will be served with community water and sewer provided by the McKinleyville Community Services District. This includes a Coastal Development Permit due to a small portion of the property being located in the coastal zone and a Special Permit due to the location within an Alquist-Priolo Fault Hazard Zone.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Attachment 1), which does the following:
 - a. Finds Humboldt County Planning Commission adopted a Mitigated Negative Declaration (SCH# 2008012016). On September 1, 2011, the Planning Commission approved an Addendum to the MND and modification of the project. Further environmental review is not required as no changes to the previously approved project are proposed; and
 - b. Finds that the development has not changed from that for which the permit was granted, and the findings made for approval of the major subdivision can still be made; and
 - c. Approves the Extension subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: The project is in the McKinleyville area, on the north side of School Road near its intersection with Windsor Road.

Present General Plan Land Use Designation: Residential Low Density (RL) McKinleyville Community Plan (MCCP). Density RL: 1-7 dwelling units per acre.

Present Zoning: Residential One-Family with a combining zone for Noise (R-1-N); Residential Single Family specifying a minimum parcel size of 5,000 square feet with a combining zone for Alquist-Priolo Fault Hazard Area (RS-5/G).

Environmental Review: On March 6, 2008, during original approval of the project, the Humboldt County Planning Commission adopted a Mitigated Negative Declaration (SCH# 2008012016). On September 1, 2011, the Planning Commission approved an Addendum to the MND and modification of the project. Further environmental review is not required as no changes to the previously approved project are proposed.

State Appeal: Project is appealable to the California Coastal Commission.

Major Concerns: None.

Monitoring Required: None.

Executive Summary: A Final Map Subdivision Extension of an approximately 10.51-acre parcel into 45 residential lots ranging in size between approximately 5,000 square feet to 7,800 square feet in size, including a proposed 11,850 square foot parcel (Lot "B") for park purposes. An exception to the solar shading requirements has been requested for Lots 36 and 40. The project will be served with community water and sewer provided by the McKinleyville Community Services District. An extension is sought for the remaining phases of a major subdivision that expired (FMS-04-06M/CDP-04-17M/SP-11-20). The subdivision was first approved by the Planning Commission in 2004 and authorized the creation of 88 residential lots. In 2011 the project was modified and authorized by the Planning Commission to allow buildout in five phases. The first two phases have since been completed resulting in the creation of 43 residential parcels, however the map expired before the remaining three phases were completed. The applicant applied on July 13, 2022, for re-approval of the map to allow creation of the 45 additional lots from the remaining uncompleted phases that were planned and previously approved. This included an application for a Coastal Development Permit due to a small portion of the property being located in the coastal zone and for a Special Permit due to the location within an Alquist-Priolo Fault Hazard Zone. This re-approval was granted by the Planning Commission on February 16, 2023.

No changes to the original project are proposed. No changes to the applicable regulations have occurred since the approval. The parcels zoning of Residential One-Family with a combining zone for Noise and Alquist-Priolo Fault Hazard has not changed, and the General Plan designation of Residential Low Density has not changed. Further, the extension was referred to all applicable referral agencies who either did not respond or responded with approval. None of the applicable requirements of referral agencies have changed since approval of the map.

The Planning Commission previously approved this project on February 16, 2023, and it became effective on April 6, 2023, following the end of the Coastal Commission appeal period. The applicant submitted a request for an extension on March 21, 2025. If approved the extension will extend the term of the major subdivision and Special Permit and Coastal Development Permit until April 6, 2027.

Findings for Extension:

Per section 312-11.3 of the Humboldt County Code, the findings required for the hearing officer to make to grant an extension are as follows:

1. The development has not changed from that for which the permit or variance was granted, and
2. The findings made when the permit or variance was granted can still be made.

As discussed above, no changes to the project are proposed and no requirements or regulations have changed that would alter the ability to make the required findings for approval. The findings that were approved are presented in Attachment 2 to this staff report. There was discussion at the August 21 Planning Commission meeting regarding revising the proposed roads within the subdivision to include a Class IV separated, or buffered, bike lane and whether the findings for approval could still be made. Both the McKinleyville Community Plan and the Regional Bike Plan adopted by HCOAG identify the establishment of Class II-III bike lanes along McKinleyville Ave in the area of this proposed subdivision and Class II bike lanes are planned for the right-of-way for McKinleyville Ave that will be dedicated as part of this subdivision.

Environmental Review: On March 6, 2008, during original approval of the project, the Humboldt County Planning Commission adopted a Mitigated Negative Declaration (SCH# 2008012016). On September 1, 2011, the Planning Commission approved an Addendum to the MND and modification of the project. Further environmental review is not required as no changes to the previously approved project are proposed.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval (Attachment 4).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect not to approve the project if unable to make all the

required findings. Staff concludes that the necessary findings can be made. Consequently, the planning staff does not recommend further consideration of this alternative. Because this is a subdivision extension, the action in front of the Planning Commission is limited solely to the duration of the tentative map. As clarified in *El Patio v. Permanent Rent Control Board*, no findings under Section 66474 (findings for approval and denial of maps) may be reconsidered or revised during the extension process. Conditions may only relate to timing, procedural compliance, or enforcement of previously approved conditions. Should the commission want to amend the project to include additional improvements (such as wider bike lanes) or other revisions, the map extension should be denied.

ATTACHMENTS:

Attachment 1 - Draft Resolution

Attachment 1A - Tentative Map

Attachment 2 - Location Map

Attachment 3 - Planning Commission Resolution 23-017 (PLN-17846) with Conditions of Approval

Attachment 4 - Referral Agency Comments and Recommendations

Attachment 5 - Public Comment

Applicant/Owner:

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