



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

August 11, 2011

LACO Associates
Randy Rouda
P.O. Box 1023
Eureka, CA 95502

Re: Information Request, APNs: 500-131-09, -11 & -12, Buttermilk Lane, IR-11-42

Dear Mr. Rouda:

This letter is in response to your question regarding the above-referenced parcel numbers. To answer your questions, I offer the following:

1. The density for the Urban Expansion area is fixed at one dwelling unit per 5 acres until served by public water and sewer. Therefore, the minimum allowable lot size for subdivision is five (5) acres.
2. Yes, a five (5) acre minimum parcel size is required.
3. The proposal to reconfigure the two smaller parcels (500-131-11 & -12) into two roughly 2.4 acre parcels may be supported if site suitability for on-site water and sewage disposal can be demonstrated. These parcels while smaller than the five (5) acre standard are in keeping with the parcel sizes in the vicinity. It should be noted, however, that in order to perform a Lot Line Adjustment involving these two parcel numbers, it must be demonstrated that the two parcel numbers represent separate and legal parcels. According to our records, there is no Lot Line Adjustment or Subdivision on file that would establish them as separate and legal.

Please note that the information provided in this response is based on documents and records currently available in our Department. Plans, codes, and standards do change over time and any such change could alter the findings or conclusions reached in this response. Further, while we have attempted to provide as complete a response as possible, the limitations of the Information Request process require that we treat the information provided as a general rather than a project level evaluation. Applications submitted for development projects involve detailed plans and supporting documentation that are closely reviewed by this Division and other responsible departments and agencies, and often involve site inspections. It is not uncommon for this more detailed review and evaluation to identify environmental or other issues not disclosed herein. Lastly, the response addresses matters within the purview of Planning Division; you are encouraged to contact the Division of Environmental Health (445-6215) and/or the Department of Public Works – Land Use Division (445-7205) if you have questions regarding the requirements of these departments." Please do not hesitate to call me with any questions. My direct line is 707-268-3740.

Sincerely,

Trevor Estlow, Senior Planner
Planning Division, Community Development Services



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

August 14, 2015

Jenny Wread
2230 Browning Street
Berkeley, CA 94702
sit.jenny@gmail.com

APN: 501-022-018 (previously 501-022-012), 2535 Jacoby Creek Road, Bayside area
Case No.: IR-15-030; Apps No.: 9938

Dear Ms. Wread:

This letter is in response to your question regarding the legal status of the second unit on the above-mentioned property. The parcel was part of a recent subdivision of approximately 20 acres into four separate parcels. The tentative map prepared for the subdivision identified several structures on the property, including a residence, gazebo, carriage house, barn and other outbuildings (see enclosed). It was not disclosed that a secondary dwelling unit existed on the property. Furthermore, the density allowed in the Jacoby Creek Community Plan (JCCP) – where this property is located – is one dwelling unit per five acres. The subdivision meets the overall density of four parcels/dwelling units on approximately 20 acres. None of the parcels created by the subdivision qualify for a secondary dwelling unit (i.e. 10 acres in size). In order to alert future owners, a Conveyance and Agreement was recorded that conveys the right to construct a secondary dwelling unit until such time that the parcels are connected to community sewer or the development timing provisions in the JCCP allows for a density greater than one dwelling unit per five acres.

According to Assessor records, the structure in question appears to be part of a 48' x 24' "tool shed" built in 1953. In 1996, the Assessor noted that a 23' x 24' portion of that tool shed had been converted to a residential use. No permits are on file for the conversion. Therefore, this residential unit is unpermitted and would not be able to be permitted as a secondary dwelling unit due to the density limitations.

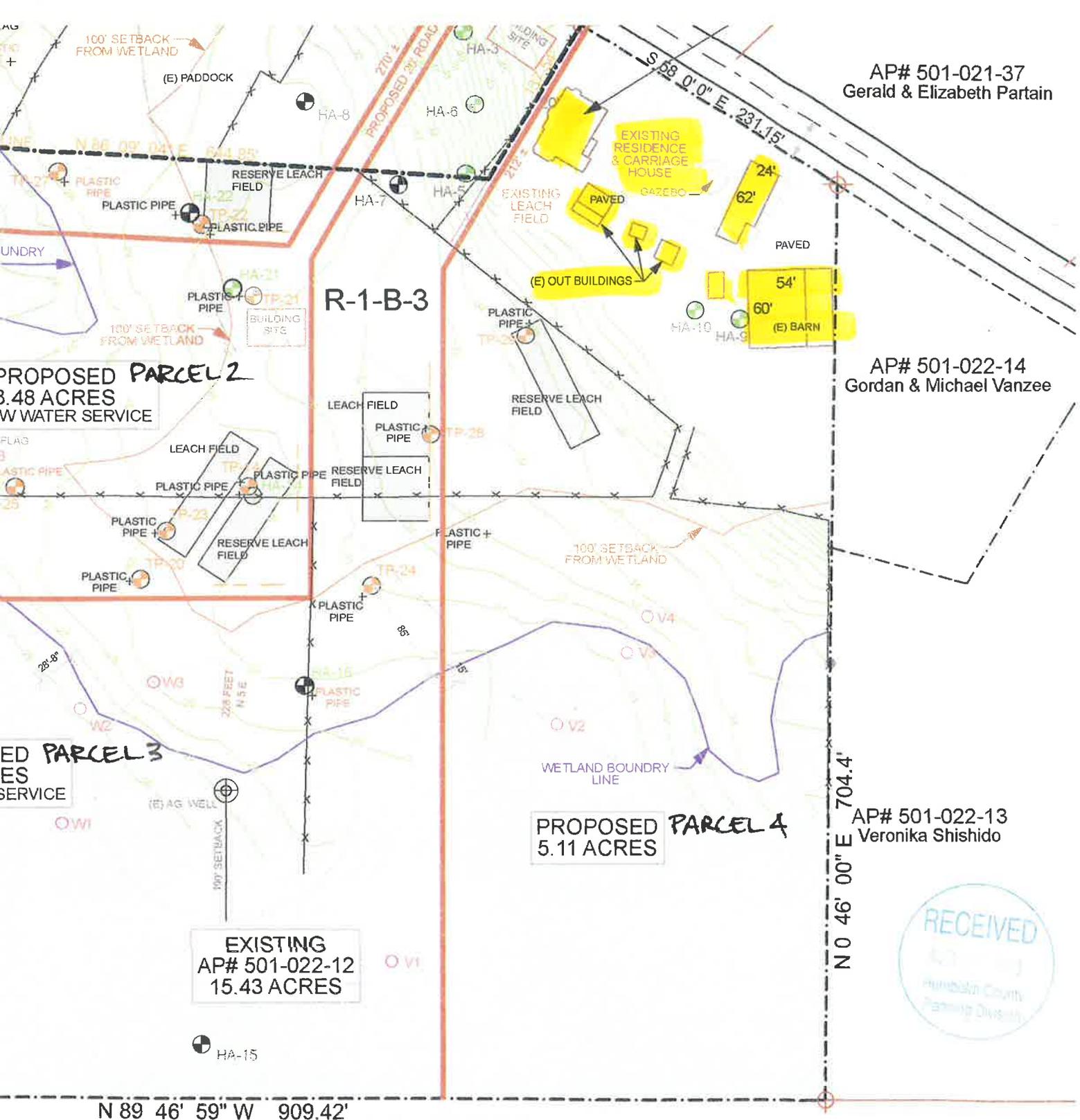
Regarding your question relating to the General Plan Update (GPU), this parcel is proposed to have a mixed designation with Residential Estates with a density of one dwelling unit per 2.5 to 5 acres encompassing approximately the first 300 feet from the road turning to Agriculture Exclusive beyond. Regardless of the density allowed by the GPU, the policies of the JCCP will remain which maintain a density of one unit per five acres.

If you have any questions regarding this letter, please contact me at (707) 268-3740 or testlow@co.humboldt.ca.us.

Sincerely,

Trevor Estlow
Senior Planner

Enclosure



AP# 501-021-37
Gerald & Elizabeth Partain

AP# 501-022-14
Gordan & Michael Vanzee

AP# 501-022-13
Veronika Shishido

EXISTING
AP# 501-022-12
15.43 ACRES



- FOR WETLAND TEST HOLE FLAGS
- FOR PERC. TEST PIPES
- OPTIC SYSTEM PERC. TEST
- INGS FOR SEPTIC
- DRY LINES
- NDRY LINES

AP# 501-121-19
Abreall Goodwin

NOTE:
All easements of record are shown on the tentative map and will appear on the recorded subdivision map.

TENTATIVE PARCEL MAP SCALE: 1" = 100'
MINOR SUBDIVISION - AP#s 501-022-11 & 501-022-12



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION**

3015 H Street, Eureka, CA 95501 Fax: (707) 268-3792 Tel: (707) 445-7541

<http://co.humboldt.ca.us/Planning>



Information Request

Name Jenny Wread Telephone: 510 506 2639
Mailing Address 2230 Browning St
City Berkeley State CA Zip 94702

Deliver Response by:

- Mail Address (if different from above): _____
- Email Email Address: sit.jenny@gmail.com
- Fax Fax Number: _____

Property Address (if applicable): 2535 Jacoby Creek Rd, Bayside
Assessment Parcel Number: 501-022-012 (we think... Approx same parcel w/ farmhouse & outbuildings)

Describe questions or information requested in space below:

(Include any details necessary to process the request. Use reverse side of this form if needed.)

We would like to inquire about the legality and status of any second dwelling units on this property. Does one currently exist? Is it legal? If not, would it be possible to make it a permitted second unit? What are the steps?
How will the General Plan and zoning updates impact this parcel related to 2nd dwelling units?
If current owners relinquished the rights to a second unit to the county in the process of a subdivision, what does that mean?

The information request form must include cash or a check in the amount of **\$75.00**, payable to Humboldt County Planning Division. This charge is a deposit. Complex requests may require additional staff time and cost more than the deposit. Total cost will not exceed \$200.00.

Information Requests may take a week or more to process depending on the number and complexity of questions.

For more information, please visit our web geographic information system at <http://gis.co.humboldt.ca.us>



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT ~ PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

RECEIPT

Receipt # C 3333 Receipt Date 8/10/2015 Receipt Type Fee Payment Received By Steve Lazar

PROJECT INFORMATION

Apps # 9938 Key Parcel Number 501-022-012-000 Case Numbers IR15-030

PAYER INFORMATION

Applicant Name Jenny Wread
Applicant Phone (510)506-2639
Address 1 2230 Browning St.
Address 2
City Berkeley
State CA
Zip 94702

PAYMENT

Cash Amount \$ Credit Card Amount \$ Other Amount \$ Check Amount \$75.00 Check # 269 Amount Paid \$75.00

FEE DETAIL

Planning Fees

[Edit Table](#) [First 50](#) | [Previous](#) | [Next](#) | [Last](#) | [All](#) | [Search Table](#)

	No.	Category	Fee Name	Fee Type	Fee Amount
<input type="checkbox"/>	1	<u>Deposit</u>	Information Request	Miscellaneous	\$75.00
	Total:				\$75.00

[Edit Table](#) [First 50](#) | [Previous](#) | [Next](#) | [Last](#) | [All](#) | [Search Table](#)

NOTES

Notes IR deposit -SL 8/10/15



PLANNING AND BUILDING DEPARTMENT CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501 Fax: (707) 268-3792 Phone: (707)445-7541
<http://www.co.humboldt.ca.us/planning/>

October 25, 2019

Greg Nordhues
112 Foothill Drive
Vacaville, CA 95688

RE: **(AMENDED)** Information request regarding the subdivision potential for 1884 Golf Course Road, Bayside, 95524, APN: 500-211-001, PLN-2019-15856

Dear Mr. Nordhues:

This letter is in response to your two-part inquiry:

- 1) The first part of your inquiry is related to dividing the parcel by initiation of a partition action. The County Planning Department does not have jurisdiction over judicial matters and cannot comment on this request because it is a private legal matter between the property owners and would require an attorney with expertise in civil litigation. However, please note that partition actions are subject to compliance with the County Subdivision regulations and the State Subdivision Map Act, so the response to the second part of your inquiry below is determinative as to the ability to divide the property.
- 2) The second part of this inquiry is about whether the subject parcel can be subdivided into two (2) distinct parcels. The County has jurisdiction over subdivision of land under the County Zoning Ordinance, the County General Plan, the County Subdivision Regulations, and the State Subdivision Map Act. This parcel does not qualify for subdivision due to the zoning and several policies from the Jacobi Creek Community Plan (adopted 1982) that are related to minimum lot size, water, and sanitation infrastructure.

Assessor records indicate that the lot is 3.38 acres and developed with two residences with two dedicated septic systems. Residence number one (1,133 sq. ft. with unfinished basement and carport) was built around 1950 and first appraised in 1962. Residence number two (2,280 sq. ft.) was built in 1962 and first appraised in 1962.

The zoning for the parcel is Residential Suburban-Special Building Site Combining Zone-Minimum Lot Size of 2.5 to 5 Acres (RS-B-5(2.5-5)). The zoning is set to change to Rural Residential Agriculture 5-acre minimum lot size (RA-5) in October 2019. The General Plan and Jacobi Creek Community Planning Area land use designation is Residential Estates-2.5-5 acre minimum lot size (RE-2.5-5). The existing lot size is approximately 3.38 acres and is considered existing non-conforming. The Planning Division could not support approval of a subdivision that increased the non-conformity because of the creation of smaller lots.

The following page provides the Jacobi Creek Community Plan (JCCP) policies related to the subject parcel (underlining is for emphasis). For your reference, you will find the JCCP included with this letter.

Jacoby Creek Community Plan

These are the applicable development policies of the Plan:

JCCP-P25. Provision of Urban Services. This plan is predicated on the intent that either the City of Arcata or the Jacoby Creek County Water District will be the provider of urban services within the Urban Development Area.

JCCP-P26. Residential Densities. Residential development at one dwelling unit per five or more acres may be permitted within the Urban Development Area if it is determined that: A. Public water or sewer services are not presently available to serve the project site; and B. The proposed development can safely accommodate individual water and waste water disposal systems consistent with current County standards; and C. Mitigation measures will assure that the proposed development will not cause adverse cumulative health or environmental impacts; and D. The design of the proposed development will not preclude the ultimate development of the site to planned urban densities when public water and sewage disposal systems are provided.

The use of private water sources within the Urban Development Area is permitted only for residential development at densities of one dwelling unit per five or more acres.

Urban type development should not be permitted within the Urban Expansion Area until it is annexed by the City of Arcata.

JCCP-P27. Development within the Urban Development Area. Development within the Urban Development Area should occur at designated plan densities only when public water and public sewage disposal systems are available, except as provided in this Plan.

JCCP-P30. Urban Expansion Areas. No division of lands within the Urban Expansion Area shall be approved where such division creates any parcel smaller than 5 acres until such parcel has been annexed to the City of Arcata.

JCCP-P31. Zoning of Urban Expansion Areas. The County should reclassify lands within the Urban Expansion Area as AG B-5(5) or some equivalent zone.

JCCP-P39. Subdivision of Land Designated Residential Estates. 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.

As stated above in Item #2, the take away is that under the current zoning and provisions of the JCCP the further division of this parcel is not supported. Any application would be recommended for denial as the requisite findings for subdivision cannot be made. The JCCP contemplates that urban level services (water and sewer) must be provided to this parcel before a change in land use density and minimum parcel size can be adopted to make subdivision feasible.

You have also inquired about changing the General Plan and zoning through the amendment process. While there is a process to seek changes to the General Plan, these may only be considered where found to be in the public interest. This process would begin with a petition filed in accordance with Section G-P8 of the General Plan and Section 312-50 of the zoning regulations. The plan and zone amendment, should the petition be accepted, is a legislative action conducted in accordance with the Planning and Zoning law and as such the outcome is unknown. Changing a plan so fundamentally would be a lengthy and expensive endeavor. Finally, we would not be able to make findings for approval without meeting the requirements of the Jacoby Creek Community Plan.

Please note this response addresses matters within the purview of the Planning Division and the information provided in this response is based on documents and records currently available in our Department. Plans, codes, and standards do change over time and any such change could alter the findings or conclusions reached in this response. Further, while we have attempted to provide as complete a response as possible, the limitations of the Information Request process require that we treat the information provided as a general rather than a project level evaluation.

I can be reached at 268-3704 or tshortridge@co.humboldt.ca.us if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink that reads "T. Shortridge". The signature is written in a cursive style with a large, stylized initial "T".

Tricia Shortridge
Planner II