

**CONDITIONS OF APPROVAL  
(Lot Line Adjustment)**

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE LOT LINE ADJUSTMENT:

1. Applicant must meet all zoning and State Responsibility Area setback requirements per Humboldt County Planning Department.
2. Per the Department of Public Works Memo dated May 12, 2025, the corners of the new property lines shall be monumented, pursuant to Section 325.5-9 of the Humboldt County Code. A Record of Survey shall be filed unless this requirement is waived by the County Surveyor. The requirement for a Record of Survey may be waived if, in the opinion of the County Surveyor, any one of the following findings can be made:
  - a. The new boundary line(s) are already adequately monumented of record.
  - b. The new boundary line(s) can be accurately described from Government Subdivision Sections or aliquot parts thereof.
  - c. The new boundary line(s) can be accurately described and located from existing monuments of record.
  - d. The new boundary is based upon physical features (i.e. roads, creeks, etc.) which themselves monument the line.
3. Graphical Exhibit: If a Record of Survey will not be filed as part of a Lot Line Adjustment, the Lot Line Adjustment shall include a graphical exhibit compiled from record data depicting the resulting lots.
4. Informational Note: Monumenting a line that is not shown on a filed map is what triggers a Record of Survey pursuant to B&P Code Section 8762(b)(4).
5. Landlocked Lots: The Applicant shall ensure that no parcels resulting from the lot adjustment will be landlocked. When creating a right of way to serve a landlocked parcel, the width of the right of way shall conform to Sections 4-1 and 4-2, Appendix A of the Subdivision Ordinance (County Code Section 321-1, et seq.). This requires that the size of the right of way be based upon the subdivision potential of the properties served by the right of way. The minimum required right of way widths are listed in Figures included in Appendix A and are summarized as follows:
  - a minimum 40 foot wide right of way serves up to 12 urban lots and up to 20 rural lots
  - a minimum 50 foot wide right of way serves more than 12 urban lots

and more than 20 rural lots. In the event that the lots do not have any subdivision potential, a minimum 20 foot wide right of way may be acceptable as it is consistent with minimum flag widths specified in Section 7-2(b) of the Appendix. When a right of way less than 40 feet in width is considered and the terrain is not flat, the Applicant shall demonstrate that there is sufficient right of way to construct the road prism along with cut and fill slopes. The Applicant is advised that these are minimum right of way widths; and that careful consideration must be given when selecting a right of way width so as not to inadvertently limit the future development potential of the lots served by the proposed right of way. [Reference: Roadway design standards/classification figures in Section 4.2 of Appendix A of the County Subdivision Ordinance].

6. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
  - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
  - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
  - c. A completed "Notice of Lot Line Adjustment and Certificate of Subdivision Compliance" form for each parcel.
  - d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$445.00 per notice plus \$300.00 for each additional legal description plus applicable recordation fees).
7. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
8. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$106.00) as required by the County Assessor shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's

cost in updating the parcel boundaries.

9. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
10. Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition.  
*Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.*

#### **Informational Notes:**

1. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.
2. Lot frontage improvements to the roadway (such as paved driveway aprons, sidewalk, curb & gutter, parking lanes, lane widening, shoulder widening, road paving, curb returns, curb ramps, etc.) are typically not required as part of a lot line adjustment project. Lot frontage improvements are typically required when building permits (or other development permits) are requested.

3. The subject property is located within the State Responsibility Area and is subject to the County's Fire Safe Regulations (FSR) as set forth in County Code. Development of the subject property must comply with the FSR. The Department is involved with ensuring that roads meet minimum FSR. The most common issues with roads not conforming to the FSR are: the maximum length of dead-end road is exceeded; the width of road is not wide enough; the grade of the road is too steep; and curve radii are too small. Development of the subject property may require extensive on-site and off-site road improvements in order to meet minimum standards. The applicant should be advised that approval of the Lot Line Adjustment does not imply that the FSR have been met or can be met.
4. To reduce costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: items 1-6) as a package at least four (4) weeks before the desired date for recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. There is no charge for the first post project approval meeting. Please contact the Planning Division at (707) 445-7541 for copies of all required forms and written instructions.
5. This permit shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
6. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.
7. **The following is applicable to future ground disturbing activity on any of the parcels resulting from this Lot Line Adjustment:** If cultural resources are encountered during construction activities the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) will be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish

or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.

### **CONDITIONS OF APPROVAL (Zone Reclassification)**

APPROVAL OF THE ZONE RECLASSIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE ZONE RECLASSIFICATION CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

1. The applicant shall submit a legal description of the area to be rezoned from Agriculture Exclusive (AE), Forestry Recreation (FR) and Unclassified (U) to Agriculture Exclusive (AE B-5(160)) for review and approval by the County Land Surveyor. The applicable review fee must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Reclassification being scheduled for a decision by the Board of Supervisors.

### **CONDITIONS OF APPROVAL (Agricultural Preserve)**

1. The applicant shall submit a legal description of the Agricultural Preserve for review and approval by the County Land Surveyor. The applicable review fee (currently \$460.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Land Conservation Contract application being scheduled for a decision by the Board of Supervisors.
2. The applicant shall submit an executed and notarized Land Conservation Contract.