

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

Resolution Number 25-065

**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 3 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 October 2, 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- 6,600 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 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 July 3, 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

- | | | |
|-----------|------------------|--|
| 3. | FINDING: | The lot was created in compliance with all applicable state and local subdivision regulations. |
| | 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- 6,600 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 in the interim to be ultimately paved, to provide access to the driveways and parking spaces.
- b) The Recommended Conditions of Approval prepared by the Land Use Division of Public Works, dated July 3, 2025, include abandoning 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 required 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 4a.
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:** It is appropriate to allow an exception to the required 50' right of way width to a 30-foot right of way until the 90 degree turn and a 20-foot right of way after the 90 degree turn.
- 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) In order to optimize the residential density potential allowed under the existing Zoning and General Plan regulations, the applicant is proposing to maintain the flag configuration as there is insufficient room to accommodate the required 50-foot-wide right-of-way while maintaining setbacks to the existing residence on the site. A 30-foot wide right of way can safely accommodate the required travelled way and allow for on-street parking and

pedestrian movements and will not be detrimental to the public health, safety or welfare.

- c) The 20-foot wide right of way after the 90 degree turn that is requested by the applicant is appropriate given that will be limited vehicle and pedestrian traffic after the 90 degree turn.

10. FINDING: An exception to the road surface to allow the surfacing of the roadway to be deferred until time of occupancy of Parcel 2 and Parcel 3 is appropriate, 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 to no use of the access road until parcels 2 and 3 are occupied. The first 50 feet off of Union should be paved in order to ensure that any use does not track dirt or gravel onto the county roadway.

11. FINDING: It is appropriate to allow for a reduced travelled way on the access road after the turn (or knuckle) and this will not be detrimental to the public health, safety or welfare.

EVIDENCE: a) After this turn there is access to only two parcels, which can safely allow for a 16-foot-wide travelled surface.

12. FINDING: Granting of the exception to the required vehicle turnaround is not appropriate as it would be detrimental to the public safety and welfare.

EVIDENCE: a) Without room for a vehicle to turnaround, delivery vehicles would need to back out down the access road and back out onto Union Street, creating a potential traffic and safety hazard.

- b) There is sufficient room on Parcel 1 immediately west of the proposed parking to add a turn around that will allow for vehicles to be able to drive straight out on Union.

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 4a.
- 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

- 14. FINDING:** The proposed development is in conformance with the County General Plan.
- EVIDENCE:**
- 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), 6,600 sq. ft. (Parcel 2), and 6,900 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 as conditioned 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) subject to the recommended conditions of approval.

Adopted after review and consideration of all the evidence on **October 2, 2025**.

The motion was made by COMMISSIONER LORNA MCFARLANE and seconded by COMMISSIONER IVER SKAVDAL and the following vote:

AYES: Commissioners: Thomas Mulder, Lorna McFarlane, Iver Skavdal, Peggy O'Neill

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Jerome Qiriazzi, Sarah West, Noah Levy

DECISION: Motion carried 4/0

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

ATTACHMENT 1A
CONDITIONS OF APPROVAL

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PARCEL MAP MAY BE FILED FOR RECORD PLN-2025-19169:

CONDITIONS OF APPROVAL:

1. All taxes to which the property is subject shall be 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 parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The relevant conditions in the Department of Public Works referral response dated July 3, 2025, shall be completed or secured to the satisfaction of that department. Final signoff from the Department of Public Works will satisfy this condition. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval, said map to identify net and gross acreage for each parcel.
4. To better accommodate circulation and siting of future building sites, minor adjustments to the design of the tentative map (parcel boundaries, driveway & road locations, etc.) may be performed, subject to review and approval by the Planning Division and Public Works Land Use Division.
5. Prior to filing the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. Prior to filing the Parcel Map, the applicant shall submit a letter from the United States Postal Service stating that the project meets their requirements for mailbox units. This condition shall be administered by the Department of Public Works.
7. The relevant conditions in the Humboldt Community Services District referral response dated February 26, 2025, shall be completed or secured.

8. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit. The applicant is required to pay for permit processing on a time and material basis as set forth in the latest schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision and upon file close out. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
9. Prior to filing the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. A Cost report will be made available at the Humboldt County Planning Department.
10. 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 as required by the County Assessor's Office shall be paid to the 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.
11. A Condition & Mitigation Monitoring deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note #1 below for suggestions to reduce the cost for this review.
12. Any vegetation removal shall occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes. 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.

13. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contours.
- (2) Proposed access, parking lanes and pedestrian ways.
- (3) Two (2) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.

B. Notes to be Placed on the Development Plan:

- (1) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:
 - If suspected archaeological resources are encountered during the project:
 1. Stop work within 100 feet of the find;
 2. Call a professional archaeologist, the representatives from the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, and the County Planning and Building Department;
 3. The professional archaeologist, Tribes and County officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.
 - If human remains are encountered:
 1. All work shall stop and per CA Health and Safety Code Section 7050.5;
 2. Call the Humboldt County Coroner at (707) 445-7242;
 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours.
 4. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
- (2) Construction activities shall be restricted to hours between 7:00 a.m. and 6:00

p.m. Monday through Friday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan.

- (3) LOW IMPACT DEVELOPMENT (LID) NOTE: This subdivision is approved as a small project and is required to comply with the County Code §337-13. Each lot within the subdivision is considered a small project. At the time of issuance of a building permit, the applicant shall demonstrate compliance with County Code §337-13.
 - (4) Major vegetation removal shall be done outside of the nesting bird season (generally March 15 August 15). Alternatively, although discouraged due to the potential for project delays and associated costs, a qualified biologist shall survey for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee shall consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.
 - (5) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
14. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Community Development Services—Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required. The Development Plan shall also be noticed on the Final Map.

Informational Notes:

- 1. To minimize 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. The applicant should submit the listed item(s) for review as a package as early as possible before the desired date for final map checking and recordation. Post application assistance 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. Copies of all required forms and written instructions are included in the final approval packet.

- Each item evidencing compliance except legal documents to be recorded should note in the upper right-hand corner:

Assessor's Parcel No. _____, Condition _____.
(Specify) (Specify)

2. If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to 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 and successors are ultimately responsible for ensuring compliance with this condition.

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. Approval of the tentative map shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see Effective Date). This approval may be extended in accordance with the Humboldt County Code.



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ON-LINE
WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MANAGEMENT 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS 445-7421

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Derek Wiles, Assistant Planner

FROM: Kenneth Freed, Assistant Engineer 

DATE: 09/29/2025

RE: **LINDSTROM CONSTRUCTION INC, PLN-2025-19169
EXCEPTION REQUESTS**



A. Public Works has conditioned the subdivision to provide appropriate vehicular and non-vehicular access that will be adequate for the ultimate buildout of the subdivision. This includes providing an adequate roadway width, an adequate turnaround at the end of the road, and adequate parking. On-street parking on Lindel Lane is not proposed for this project. Public Works supports the project as conditioned in Attachment 1C (Exhibit A) dated 07/03/2025.

However, the applicant envisions a different concept to provide vehicular and non-vehicular access for the subdivision. The applicant has submitted an exception request dated 06/30/2025 that would modify the Public Works conditions of approval to achieve their desired concept. In support of their concept, Humboldt Bay Fire has stated that they are okay with eliminating the turnaround at the end of the road due to length of the road being short. The road is not designed for on street parking; however, the applicant indicates that there is area elsewhere on the site to develop adequate parking.

If the exception request is approved by the Planning Commission, the Public Works conditions of approval in Attachment 1C (Exhibit A) dated 07/03/2025 would be modified as follows:

1.8(b) PRIVATE ROAD: ~~UNNAMED ACCESS ROAD~~ (LINDEL LANE)

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels within the subdivision in a manner approved by this Department. The easement shall be 30 feet in width to the knuckle; then 20 feet in width for the remainder of the road ~~feet in width.~~

~~A turn-around area shall be provided at the end of road complying with Appendix D of the International Fire Code unless otherwise approved by this Department and the fire district having jurisdiction at the project location.~~

2.6(a) ~~UNNAMED ACCESS ROAD (LINDEL LANE)~~ (Not County Maintained): The intersection of the unnamed access road and Union Street must conform to Humboldt County Code §341 regarding visibility. An Urban Driveway No. 1 shall be constructed along the intersection of Union Street with the unnamed access road.

The access road shall be paved 20 feet wide to the knuckle; and 16 feet to the end of the road. The access road shall be constructed to provide access to all 3 parcels. If necessary, Caltrans Type A2-6 curb & gutter and/or a swale shall be constructed to direct storm water. ~~A turnaround shall be provided at the end of the road.~~ In addition, a 5 foot wide accessible pedestrian route shall be constructed to provide access for all 3 lots.

2.13 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION

When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- (a) ***Deferment tied to Parcel Map filing:*** Pursuant to Government Code § 66411.1 (improvement timing), fulfillment of reasonable on-site and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for (1) public health and safety, or (2) orderly development of the area. The following improvements are necessary for the public health and safety, or orderly development of the area and shall be completed: (1) within two (2) years after the filing date of the Parcel Map, or (2) prior to issuance of a building permit on any property subject to this notice, or (3) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

- ~~Item 2.6(b) (Union Street)~~

- (b) ***Deferment tied to issuance of building permit:*** The following improvements shall be completed: (1) prior to issuance of a building permit on any property subject to this notice, or (2) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

- Building Permit Issuance on Parcels 2 or 3: Items 2.5 (traffic signs), 2.6(b) (Union Street), ~~2.6 (a) (unnamed access road)~~, 2.9 (utilities), 4.2 (lot grading)

- (c) ***Deferment tied to building final or occupancy:*** The following improvements shall be completed: (1) within two (2) years after the issuance of a Building Permit on any property subject to this notice, or (2) prior to issuance of an Occupancy Permit for any property subject to this notice, whichever occurs first:

- Building Permit Final or Occupancy on Parcels 1, 2 or 3: 2.11 (clustered mailboxes), 3.5 (detention/retention facilities), 3.6 (low impact development), 2.6 (a) (Lindel Lane), 2.6(b) (Union Street)

- (d) ***Deferment of sidewalk:*** Sidewalk improvements on vacant lots may be deferred until such time as a building permit is pulled. Each building permit pulled will require that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may

include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit.

Sidewalks on lots with multiple road frontages can only defer the sidewalk on the frontage where the driveway is proposed.

- (e) **Notice of Deferment:** When improvements are deferred, the Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*. In addition, the following note shall be placed on the development plan submitted to the Planning & Building Department:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

B. Public Works conditions of approval are based upon the tentative map dated 02/07/2025. The tentative map has since been revised (dated 08/05/2025). The Public Works conditions do not require revisions based upon the revised 08/05/2025 tentative map.

// END //

