



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

---

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

Hearing Date: August 18, 2022

To: John H. Ford, Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Nunez Coastal Development Permit and Lot Line Adjustment**  
Case Number: PLN-2021-17521  
Assessor's Parcel Number: 514-121-001 and -011  
Westhaven area

**Table of Contents**

**Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution and Staff Analysis of the Evidence Supporting the Required Findings	5

Maps

**Attachments**

Attachment 1: Recommended Conditions of Approval	10
Attachment 2: Applicant's Evidence in Support of the Required Findings	13
Attachment 3: Referral Agency Comments and Recommendations	14
Attachment 4: Plot Plan	15
Attachment 5: Public Works Memo dated 12/2/2021	17

Please contact Jacob Dunn, Planner, at 267-9390, or by email [jdunn@co.humboldt.ca.us](mailto:jdunn@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 18, 2022	Lot Line Adjustment and Coastal Development Permit	Jacob Dunn

**Project:** A Lot Line Adjustment (LLA) between two parcels of 16,411 square feet and 13,208 square feet, resulting in two parcels of 12,853 square feet and 16,766 square feet. The parcels are each developed with a single-family residence and accessory structures. The purpose of the LLA is to remedy a garage that crosses a property line. Also included is the after-the-fact removal of six trees within the riparian corridor of a perennial stream. A Coastal Development Permit (CDP) is required for the removal of the trees and proposed restoration work including invasive species control, a revegetation plan, and a monitoring and reporting program in the area of tree removal. The property is served with community water by Westhaven Community Services District and on-site wastewater treatment systems.

Parcel	Creation Document	Area Before LLA	Area After LLA
A. 514-121-001	The subject parcel has been determined to be one legal parcel as created prior to 1964 per recorded deed dated January 23rd, 1947.	16,411 square feet	12,853 square feet
B. 514-121-011	The subject parcel qualifies for Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map Act due to approval of building permit BLD-2019-49183	13,208 square feet	16,766 square feet

**Project Location:** The project is located in in the Westhaven area, on the East side of South Westhaven Drive, approximately 0.15 miles from the intersection of State Highway 101 and South Westhaven Drive, on the properties known as 287 S Westhaven Drive and 237 S Westhaven Drive.

**Present Plan Land Use Designation:** Rural Village (RV). Trinidad Area Plan, 2017 General Plan. Density: 3 units per acre, Slope Stability: Low Instability (1)

**Present Zoning:** Residential Single Family (RS) – No Further Subdivision Allowed (X) - Manufactured Homes (M) / Streams and Riparian Corridors Protection (R)

**Record Number:** PLN-2021-17521

**Assessor's Parcel Number:** 514-121-001 and -011

**Applicant:**  
Heather Nunez  
4459 Kjer Road  
McKinleyville, CA 95519

**Owner(s):**  
Same as applicant

**Agent:**  
Points West Surveying Co  
5201 Carlson Park Dr, St 3  
Arcata, CA 95521

**Environmental Review:** The project is exempt from environmental review pursuant to Categorical Exemption Section 15305 (Minor Alterations in Land Use Limitations) and 15333 (Small Habitat Restoration Projects) of the CEQA Guidelines.

**Major Issues:** None

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

## Nunez Lot Line Adjustment and Coastal Development Permit

Record Number: PLN-2021-17521

Assessor's Parcel Number: 514-121-001 and -011

### Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as part of the consent agenda:

*Adopt the Resolution to take the following actions: 1) Find that the project is Categorically Exempt from environmental review pursuant to Section 15305 and 15333 of the CEQA Guidelines, 2) make all of the required findings for approval of the Lot Line Adjustment and Coastal Development Permit and 3) approve the Nunez Lot Line Adjustment and Coastal Development Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** The applicant is seeking a Lot Line Adjustment (LLA) between two parcels of 16,411 square feet and 13,208 square feet, resulting in two parcels of 12,853 square feet and 16,766 square feet. The parcels are each developed with a single-family residence and accessory structures. The purpose of the LLA is to remedy setback requirements for a garage that crosses a property line. The LLA will not result in a change to the land use or density of the parcels.

The project is located in the Trinidad area, on South Westhaven Drive, approximately 0.15 miles from the intersection of State Highway 101 and South Westhaven Drive, on the properties known as 287 S Westhaven Drive and 237 S Westhaven Drive. The parcels are zoned Residential Single Family (RS). The parcels have a Manufactured Home (M), No Further Subdivision Allowed (X), and Streams and Riparian Corridor Protection (R) Combining Zones. The parcels have a land use designation of Rural Village (RV) under the Trinidad Area Plan (TAP). A rural parcel size analysis was conducted for the project consistent with Section 3.21 Rural Subdivision Requirement of the Trinidad Area Plan and Section 30250(a) of the California Coastal Act. The survey sampled a total of 65 parcels (n=65), within a quarter-mile radius. As for the first test of 50% developed, 45 of the 65 parcels are developed representing 70% of the sample. As for the second test of average parcel size, the mean is 0.80 acres and the median is 0.33 acres. Therefore, the created parcels (12,853 square feet and 16,766 square feet) are less than the median and mean of the surveyed parcels, although the degree of non-conformity will not change. The parcel sizes are currently beneath the average parcel size for their area and will remain under after the approval of the proposed project.

The after-the-fact removal of six trees within the riparian corridor of a perennial stream triggered the need for a restoration plan, which was prepared by SHN. The recommendations in the plan are included as conditions of approval for this CDP.

The property is served with community water by Westhaven Community Services District and on-site wastewater treatment systems.

**Staff Recommendations:** Based upon a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all the required findings for approving the Lot Line Adjustment and Coastal Development Permit.

**Alternatives:** Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permit if you are unable to make all the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 22-  
Record Number PLN-2021-17521  
Assessor's Parcel Number: 514-121-001 and -011**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Nunez Lot Line Adjustment and Coastal Development Permit**

**WHEREAS**, Heather Nunez, submitted an application and evidence in support of approving the Lot Line Adjustment and Coastal Development Permit; 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 project is exempt from environmental review pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and 15333 (Small Habitat Restoration Projects) of the CEQA Guidelines;

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed project (Case Number: PLN-2021-17521); and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly noticed public hearing on August 18, 2022, and reviewed, considered, and discussed the application for the LLA and CDP and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Zoning Administrator makes all of the following findings:

- 1. FINDING:**                   **Project Description:** A Lot Line Adjustment (LLA) between two parcels of 16,411 square feet and 13,208 square feet, resulting in two parcels of 12,853 square feet and 16,766 square feet. The parcels are each developed with a single-family residence and accessory structures. The purpose of the LLA is to remedy a garage that crosses a property line. Also included is the after-the-fact removal of six trees within the riparian corridor of a perennial stream. A Coastal Development Permit (CDP) is required for the removal of the trees and proposed restoration work including invasive species control, a revegetation plan, and a monitoring and reporting program in the area of tree removal. The property is served with community water by Westhaven Community Services District and on-site wastewater treatment systems.

**EVIDENCE:**   a)   Project File: PLN-2021-17521

- 2. FINDING:**                   **CEQA:** The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA).

**EVIDENCE:**   a)   The proposed project is exempt from environmental review pursuant to Categorical Exemption Section 15305 (Minor Alterations in Land Use Limitations) and 15333 (Small Habitat Restoration Projects) of the CEQA Guidelines.

## **FINDINGS FOR COASTAL DEVELOPMENT PERMIT AND LOT LINE ADJUSTMENT**

**3. FINDING:** The Lot Line Adjustment application is complete.

**EVIDENCE:** a) The applicant has submitted a completed and signed application form, copies of present owners deeds, a preliminary title report, a copy of the creation documents for the parcels, two copies of a Lot Line Adjustment plot plan, required County fees, and a written statement explaining the reasons for the adjustment.

**4. FINDING:** The project is consistent with the Subdivision Map Act.

**EVIDENCE:** a) The subject parcels involved in the LLA were created in compliance with the Subdivision Map Act and the governing rules at such time the parcels were created.  
b) Parcel A has been determined to be one legal parcel as created prior to 1964 per recorded deed dated January 23rd, 1947.  
c) Parcel B qualifies for Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map Act due to approval of building permit BLD-2019-49183

**5. FINDING:** The proposed project is in conformance with zoning and building ordinances.

**EVIDENCE:** a) The proposed Lot Line Adjustment will neither cause non-conformance nor increase the severity of preexisting nonconformities with zoning and building ordinances. This project will reduce non-conformance by moving the property line away from an existing garage to meet setback requirements. The project does not propose any other changes that would alter this finding.

**6. FINDING:** The proposed development is in conformance with all applicable policies and standards in the Humboldt County Coastal Zoning Regulations.

**EVIDENCE:** a) The Residential Single Family Principally Permitted Use includes the following uses: Single Family Residential, Second Residential Unit, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses. The purpose of the Lot Line Adjustment is to authorize an adjustment of approximately 3,558 square feet to bring an existing garage into conformance. No development is proposed as part of the Lot Line Adjustment. The project is consistent with the RS zone.  
b) RS-X does not indicate a minimum parcel size, but the Trinidad Area Plan states that Rural Village parcels are to be a minimum of 14,500 sq ft. Parcel A is currently in conformance and will be reduced to 12,853 sq ft. Parcel B is currently in nonconformance and will be increased to 16,766 sq ft, bringing the parcel into conformance. This LLA will reduce the degree of nonconformance by trading parcel size conformance and conforming to setback standards.  
c) No structural development is proposed as part of this Lot Line Adjustment. Any future development on any of the parcels will be required to comply with all zoning requirements including building height.

- d) Existing structures meet property line setbacks or are classified as legal nonconforming. The LLA will remedy an encroachment issue with an existing garage situated between the two parcels.
- e) The No Further Subdivisions (X) Combining Zone is used to modify the principal zone to prohibit further subdivisions of any lots within the zone. The LLA does not constitute the subdivision of any lot and will only shift the property line shared between parcels.
- f) The Manufactured Homes (M) Combining Zone is used to modify a principal zone to allow manufactured homes as permitted building type. The proposal does not include the development of any structures.
- g) The Streams and Riparian Corridors Protection (R) Combining Zone of these regulations is to provide for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface waterflow, and alteration of natural streams, and by protecting riparian habitats. This proposal includes a restoration and revegetation plan for the SMA located on Parcel B. The restoration and revegetation plan will minimize adverse effects and enhance the stream located on this parcel.

**7. FINDING:** The proposed development is in conformance with all applicable policies and standards of the Trinidad Area Plan (TAP).

- EVIDENCE:**
- a) The project is a LLA and CDP to remedy an encroachment issue with an existing garage and unpermitted work within a SMA. The proposed project will not increase health and safety risks since no additional development is proposed. The project area is in a low instability area with a moderate fire hazard severity. The project area is not in a flood zone.
  - b) This project was referred to NWIC and the Yurok Tribe for input. NWIC does is not aware of any archaeological resources in this area and has requested that the project is conditioned with the standard inadvertent discovery protocol. Yurok Tribe has been referred and the County has not received a response. Follow-up for comment was attempted, but no response was received.
  - c) The purpose of the Rural Development (RV) zone is to allow development of rural community neighborhoods where minimal urban levels of services currently exist and only minimal expansion of these services is expected. This project does not include a proposal for a subdivision. The LLA will be trading nonconformance issues concerning minimum parcel size between each parcel. Each parcel is already developed and has water and sewer services provided by Westhaven Community Services District.
  - d) Rural Development Subdivision Requirements state that Land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. A survey of 65 properties within a 0.25-mile radius of the subject parcels shows that 70 percent of the parcels are improved. The average size of the surrounding parcels is 0.80 acres, but this project does not propose subdividing the lots.
  - e) The project includes a resolution to an open code enforcement case through restoration and remediation of an environmentally sensitive habitat area that had been disturbed by unpermitted work. The plans have been designed to remedy negative impacts and prevent future

impacts to the habitat area. The project was referred to the Coastal Commission and CDFW, and no comments were received.

- 8. FINDING:** The proposed development will not adversely impact the environment, and will not be detrimental to the public health, safety or welfare and will not be materially injurious to properties or improvements in the vicinity.

- EVIDENCE:** a) This project will not impact other properties or improvements, all work is proposed on the parcel. The Lot Line Adjustment will have no impact on health, safety and welfare of others and the restoration work will improve public health by remediating and preventing impacts on the environmental sensitive habitat area.

- 9. FINDING:** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

- EVIDENCE:** a) The project will not conflict with any provisions of the County Housing Element.



## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit and Lot Line Adjustment based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **August 18, 2022**.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

---

John H. Ford, Zoning Administrator,  
Planning and Building Department

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

#### APPROVAL OF THE COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE WORK IS INITIATED:

##### A. General Conditions

1. The applicant shall comply with the recommendations identified in the Public Works Department memo dated December 2, 2021, detailing the following:
  - a. Applicant must apply for and obtain an encroachment permit to relocated fence and gate and to remove the retaining walls and restore the right of way grade.
  - b. All parking must be developed on site. All parking required by code must be constructed prior to occupancy of building or "final" issued for building permit.
  - c. Site visibility must be maintained at the driveway approach in conformance with County Code.
  - d. Applicant shall be responsible to correct any involved drainage problems within the County right of way to the satisfaction of this Department.
  - e. All parking must be developed on site or applicant may construct a parking lane along the County maintained road in a manner approved by this Department.
  - f. A Record of Survey is to be filed in conjunction with the Lot Line Adjustment.
2. 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 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 \$446.00 per notice plus \$300.00 for each additional legal description plus applicable recordation fees).
3. 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 \$85.50 per parcel) 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.
4. Restoration and Monitoring shall be consistent with the *Revegetation Plan and As-Planted Report for Stream Restoration* prepared by SHN February 2021.
5. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
6. The applicant is responsible for receiving all necessary permits and/or approvals from state and local agencies.

7. The applicant is responsible for submitting an exception request from the Humboldt County Fire Safe Regulations.
8. **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 parcel or final map 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.*
9. The applicant is required to pay for permit processing on a time and material basis as set forth in the 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. 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

#### **Informational Notes:**

1. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date") except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.
2. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey..."
3. 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.
4. 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) 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 is ultimately responsible for ensuring compliance with this condition.

**ATTACHMENT 2**  
**APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS**

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division.

1. Application form (On file)
2. Plot Plan (Attached)
3. Revegetation Plan and As-Planted Report for Stream Restoration (On file)
4. Grant Deed (On file)

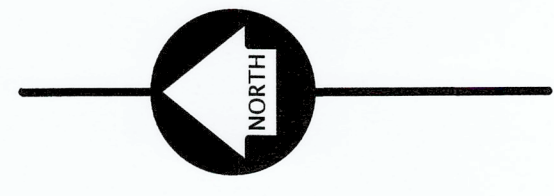
**ATTACHMENT 3**  
**Referral Agency Comments and Recommendations**

The project was referred to the following agencies for review and comment. Those agencies that provided written comments are checked off.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>On File</b>
County DPW, Land Use Division	✓	Conditional Approval	✓
Building Inspection Division	✓	Approval	✓
Division of Environmental Health	✓	Approval	✓
City of Trinidad			
Westhaven CSD			
California Coastal Commission			
County Counsel			
CDFW			
District #4 FPD			
NWIC	✓	Conditional Approval	✓
Yurok Tribe			

**ATTACHMENT 4**  
**Plot Plan**





## PROJECT NOTES

- 1) This map represents a proposed Lot Line Adjustment between two parcels, APNs 514-121-001 and 514-121-011. The purpose of this LLA is to remedy a situation in which a portion of the residence on APN 514-141-011 is located over the property line.
- 2) This mapping is based on field surveys performed by Points West Surveying Company, dated June 1-3, 2021 and represents conditions in the field at that time.
- 3) The two parcels shown hereon are Lot 1 and a portion of Lot 2 of Block 18 of the Map of Westhaven. Property boundaries shown hereon are based on ties to monuments shown on the Map of Westhaven as recorded in Book 11 of Maps, Pages 19-22.
- 4) Both parcels are located within the Coastal Zone and are zoned Residential Single Family with combining zones specifying no further subdivisions, allowing manufactured homes and streams and riparian corridors protection (RS-X-W/R).
- 5) Each parcel is currently developed with a single family residence. After the LLA, each parcel will be developed with a single family residence and all existing structures and streets will remain. The proposed LLA does not affect the Residential Single Family 2 zone. The existing house on Lot 2 does not meet front yard setback requirements.
- 6) The existing boundary lines and easements are based on a Preliminary Title Report prepared by Humboldt Land Title Co., Order No. FH81-T02100024V, dated October 8, 2021. See Easement Notes hereon for easements not mapped.
- 7) The property is in Flood Zone X, area of minimal flood hazard, as shown Firm Community Panel No. 06023C0515G, dated June 21, 2017.
- 8) This properties are served by the following utilities:

Water:	Westhaven CSD/On Site
Sewer:	On Site
Electric:	Pacific Gas and Electric

The routing of underground utilities, including water, electric and septic are based on visible appurtenances and information provided by the property owners.

## LEGEND

OR  
HCR

(N74°15'19"W 98.70')  
**N74°15'19"W 98.70'**

OFFICIAL RECORDS, HUMBOLDT COUNTY RECORDS  
HUMBOLDT COUNTY OFFICIAL RECORDS

RECORD BEARING AND DISTANCE  
MEASURED BEARING AND DISTANCE

BOUNDARY LINES OF LANDS OF NINEZ  
LINES TO BE REMOVED BY LOT LINE ADJUSTMENT  
LINES TO BE REMOVED BY LOT LINE ADJUSTMENT  
ADJACENT BOUNDARY LINES  
RIGHT OF WAY CENTERLINE

EDGES OF PAVEMENT

EDGE OF TRAVELED WAY (GRAVEL ROAD)

FENCE

ELECTRIC METER  
OVERHEAD ELECTRIC, TELEPHONE & CABLE LINE  
UNDERGROUND ELECTRIC LINE  
JOINT UTILITY POLE

WATER METER  
WATER LINE

DRAINAGE COURSE FLOWLINE

## EASEMENT AND DEED NOTES

- 1) Item 6 of the Preliminary Title Report and 2018-0206958 both exhibit 'A' of the stream bed of the water flowing through Lot 2 as shown on the map. The water flowing through Lot 2 was then conveyed to William Townsend and wife, by Deed recorded March 21, 1947 in Book of Official Records, Page 9. This exclusion is not mapped hereon and it is not known who is the current owner of this exception. Item 5 of the Exceptions to Coverage addresses any adverse claim based on the current location of said creek.
- 2) Item 7 of the Preliminary Title Report describes an easement for Public Utilities granted to the Eureka and Klamath Railroad Company recorded September 11, 1903 in Book 82, Page 629, of Official Records.
- 3) Item 8 of the Preliminary Title Report describes an easement granted to Pacific Gas and Electric per Book 230 of Deeds, Page 397, HCR. The document grants to PG&E the right to erect and maintain a single line of poles and wires across Lot 2.

## LOT AREAS

- |    |  |   |                                  |
|----|--|---|----------------------------------|
| 4) | Item 9 of the Exceptions in the Preliminary Title Report is an easement for electric wires and pipe line and repairing or replacing said pipe line and incidental purposes over said land as reserved in Book 234 of Deeds, Page 190 and conveyed in Book 8 Page 9 of Official Records. It is unknown who is the current owner of this easement and said easement is not plotted hereon. | APN 514-121-001:<br>BEFORE LLA<br>AFTER LLA | 16,411 SQ. FT.<br>12,853 SQ. FT. |
| 5) | Item 10 of the exceptions addresses an ingress and egress easement over Lot 1 in favor of Lot 2 for the purpose of accessing the existing garage. It is likely that the easement is not enforceable at this point now that the two lots are held in common ownership.  | APN 514-121-002:<br>BEFORE LLA<br>AFTER LLA | 13,208 SQ. FT.<br>16,766 SQ. FT. |



## SURVEYOR'S STATEMENT

This map was prepared by me, or under my direction and is based on a field survey.

SIGNED \_\_\_\_\_  
DATED 11/18/2021

Jesse Buffington  
PLS 9339



## PROJECT DATA

Owner / Applicant: Heather Nunez  
APN: 514-121-001 & 514-121-011  
Mailing Address: 4459 Kier Rd  
McKinleyville, CA 95519  
Phone: 707-498-6868

Agent: Jesse Buffington  
Points West Surveying Co.  
Mailing Address: 5201 Carlson Park Dr, Ste 3  
Arcata, CA 95521  
Phone: 707-840-9510  
Email: [buffington@pointswestsurveying.com](mailto:buffington@pointswestsurveying.com)

**General Plan Designation:** RV (Trinidad Area Plan)  
**Zoning:** Residential Single Family (RS-X-M/R)  
**Building Setbacks:** Front: 20'  
 Side: 5'  
 Rear: 10'

## LOT LINE ADJUSTMENT PLOT PLAN

for  
**Nunez**  
S 1/2 SECTION 21, T8N, R1E,  
HUMBOLDT MERIDIAN  
IN THE UNINCORPORATED AREA OF WESTHAVEN  
HUMBOLDT COUNTY, STATE OF CALIFORNIA  
March 2021

SCALE: 1" = 20'

SHEET 1 OF 1

**POINTS WEST SURVEYING CO.**  
5201 Carlson Park Dr., Suite 3 - Arcata, CA 95521  
707·840·9510 · Phone 707·840·9542 · Fax





**ATTACHMENT 5**  
**Public Works Memo**



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  
BUSINESS  
ENGINEERING  
FACILITY MANAGEMENT

445-7491  
445-7652  
445-7377  
445-7493

NATURAL RESOURCES  
NATURAL RESOURCES PLANNING  
PARKS  
ROADS

445-7741  
267-9540  
445-7651  
445-7421

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

LAND USE 445-7205

---


---

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

---

---

TO: Rebecca Jacobson, Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer 

DATE: 12/02/2021

RE: NUNEZ, APN 514-121-001, APPS# PLN-2021-17521-LLA CDP

**ROAD:** Westhaven Drive (County road No. C4N030) Westhaven Drive fronting this parcel is currently developed as a paved road with no curb and gutter, no bike lane, and no on-street parking. The road right of way is 60 feet in width.

*Lot Line Adjustment:* The proposed lot line adjustment does not affect any facilities maintained by the Department.

*Record of Survey:* A Record of Survey is required to be filed in conjunction with the Lot Line Adjustment. The County Surveyor may allow for an exception to filing of a Record of Survey map pursuant to County Code Section 325.5-9(c).

*Coastal Development Permit (CDP):* All retaining walls, fencing and gate, and restoration planting shall be constructed outside the County road right of way.

**SITE:** Applicant previously applied for a building permit from the Planning and Building Department. The Public Works does not require improvements for an interior remodel permit unless the applicant is adding more bedrooms or a garage. Or if the applicant has provided information to the Public Works Department that they would like to perform work withing the County road right of way. The photo below was taken prior to the permit being issued. It is clear from the photos below that work has been performed withing the County right of way without an encroachment permit from this department.





*Picture 1: Frontage of lot prior to issuance of building permit.*



*Picture 2: Retaining wall, fence & gate constructed in road right of way (Picture from 12/2021)*



**The following conditions are recommended:** Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval **before** construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

- (1) Applicant must apply for and obtain an encroachment permit to relocated fence and gate and to remove the retaining walls and restore the right of way grade. [reference: County Code sections 411-11(a)(b), and 411-51 (b)(1)(3)]
- (2) All parking must be developed on-site. All parking required by Code must be constructed prior to occupancy of building or "final" issued for building permit. [reference: County Code section 313-109.1 et seq.]
- (3) Site visibility must be maintained at the driveway approach in conformance with County Code. (Section 341-1 et seq.)
- (4) Applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of this Department.

Informational Notes:

1. Lot frontage improvements to the roadway (such as paved driveway aprons, sidewalk, curb & gutter, parking lanes, lane widening, shoulder widening, road paving 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.
2. The subject property is located in 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 applicant should be advised that approval of the Lot Line Adjustment does not imply that the FSR have been met or can be met.

// END //