



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

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

Hearing Date: October 17, 2019

To: Humboldt County Zoning Administrator

From: John H. Ford, Director of Planning and Building Department

Subject: **Sequoia Investments X, LLC Lot Line Adjustment and Coastal Development Permit**  
Case Number: PLN-2019-15752  
Assessor Parcel Numbers: 401-301-010 (por.), 401-301-016 (por.)  
1920 Vance Avenue, Fairhaven area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
October 17, 2019	Lot Line Adjustment and Coastal Development Permit	Trevor Estlow

**Project:** A Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 74.2 acres and 2.0 acres in size. The purpose of the LLA is to adjust the parcel lines to place a formerly contaminated area on a separate parcel to allow for the refinancing of the remainder of the property. The parcels are developed with various commercial and industrial buildings. The project site is within the Coastal Zone, therefore, a Coastal Development Permit (CDP) is required.

**Project Location:** The project site is located in the Fairhaven area, on the south side of Bay Street, at the southwest corner of the intersection of Bay Street and Vance Avenue, on the property known as 1920 Vance Avenue and on the property known to be in the southeast quarter of the northwest quarter of Section 29 of Township 05 North, Range 01 West, Humboldt Base & Meridian.

**Present Plan Designation:** Industrial/General (MG); Humboldt Bay Area Plan (HBAP). Density: n/a. Slope Stability: Relatively stable.

**Present Zoning:** Industrial General with combining zone for Coastal Wetlands (MG/W).

**Case Number:** PLN-2019-15752

**Assessor Parcel Numbers:** 401-301-010 (por.), 401-301-016 (por.)

**Applicant**

Sequoia Investments X, LLC  
Tim Callison  
323 Fifth Street  
Eureka, CA 95501

**Owner(s)**

same as applicant

**Agent**

Kelly-O'Hern Associates  
Mike O'Hern  
3240 Moore Avenue  
Eureka, CA 95501

**Environmental Review:** Project is categorically exempt from environmental review per Section 15305(a) of the California Environmental Quality Act (CEQA).

**Major Issues:** None

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

## SEQUOIA INVESTMENTS X, LLC LOT LINE ADJUSTMENT AND COASTAL DEVELOPMENT PERMIT

Case Number: PLN-2019-15752

Assessor Parcel Numbers: 401-301-010 (por.), 401-301-016 (por.)

### Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda;
2. Call for public testimony regarding the agenda item;
3. If no one requests discussion take the following action:

*Find the project exempt from environmental review pursuant to Section 15305 of the State CEQA Guidelines, make all of the required findings for approval of the Lot Line Adjustment and Coastal Development Permit, based on evidence in the staff report, and adopt the Resolution approving the Sequoia Investments X, LLC project subject to the recommended conditions.*

**Executive Summary:** The applicant is proposing a Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 74.2 acres and 2.0 acres in size. The purpose of the LLA is to adjust the parcel lines to place a formerly contaminated area on a separate parcel to allow for the refinancing of the remainder of the property. The parcels are developed with various commercial and industrial buildings. The parcels are within the appeals jurisdiction of the Coastal Zone; therefore, a Coastal Development Permit is required for the Lot Line Adjustment.

The easterly parcel (a portion of APNs 401-301-010 and 401-301-016) involved in this LLA was created by a Decree of Distribution of the estate of George M. Fay, recorded in Book 54 of Deeds, page 643 on September 3, 1895. The westerly parcel (a portion of APNs 401-301-010 and 401-301-016) involved in this LLA was created by a separate LLA in 1965 which was identified in the Grant Deed (Simpson Timber to Crown Simpson Pulp Company) recorded on March 26, 1965 in Volume 830 of Official Records, page 257. Both parcels were created in compliance with the Subdivision Map Act.

The parcels are located in the Fairhaven area, just north of the town of Fairhaven. The previously contaminated site is associated with a former Weigh Master's Building and weigh station. The site has been under investigation since 2003 when an initial Phase I Environmental Site Assessment (ESA) was performed due to previous underground storage tanks. Since that time, contaminated areas have been identified, monitored and remediated and/or closed. Information regarding this site can be found on the Water Board's Geotracker website and will be included in a Development Plan recorded on the property.

Based on the on-site inspection, a review of Planning Division reference sources, and comments received from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of 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 permits if you are unable to make all of 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 19-**

**Case Number PLN-2019-15752  
Assessor Parcel Numbers 401-301-010 (por.), 401-301-016 (por.)**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Sequoia Investments X, LLC Lot Line Adjustment and Coastal Development Permit.**

**WHEREAS**, Mike O'Hern, on behalf of the owner, submitted an application and evidence in support of approving a Lot Line Adjustment and Coastal Development Permit; and

**WHEREAS**, the County Planning Division reviewed the submitted application and evidence and referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the project is categorically exempt from environmental review pursuant to Section 15305, Class 5, Minor Alterations in Land Use Limitations, of the California Environmental Quality Act (CEQA); and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Lot Line Adjustment and Coastal Development Permit (Case Number PLN-2019-15752); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on October 17, 2019.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Zoning Administrator that:

1. The application is categorically exempt from environmental review pursuant to Section 15305, Class 5 of the CEQA Guidelines; and
2. Makes the findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-15752 based on the submitted evidence; and
3. Approves the Lot Line Adjustment and Coastal Development Permit applied for as recommended and conditioned for Case Number PLN-2019-15752.

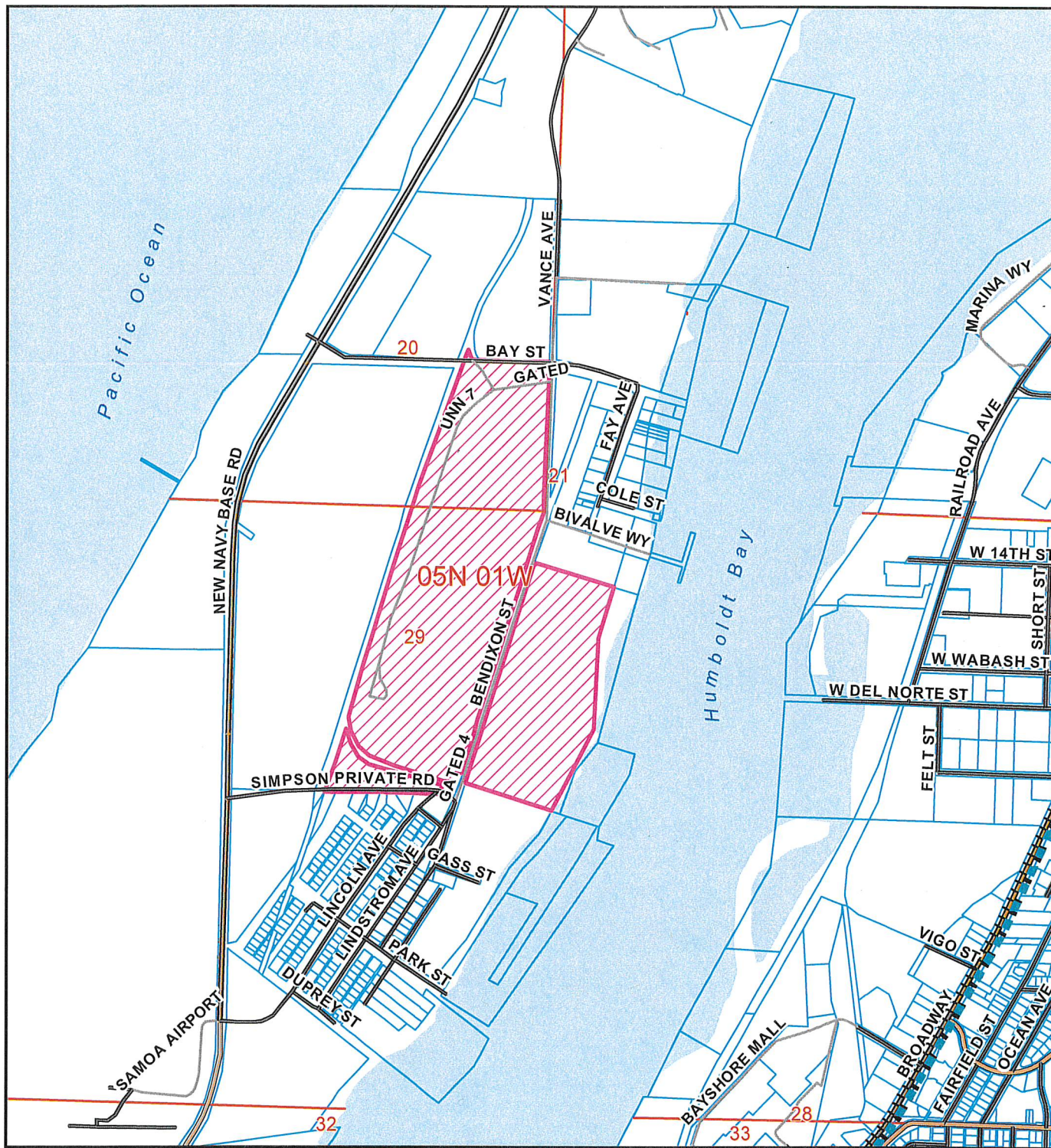
Adopted after review and consideration of all the evidence on October 17, 2019.

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.

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





### LOCATION MAP

**PROPOSED SEQUOIA INVESTMENTS X, LLC  
COASTAL DEVELOPMENT PERMIT &  
LOT LINE ADJUSTMENT  
FAIRHAVEN AREA  
PLN-2019-15752**

**Project Area =** 

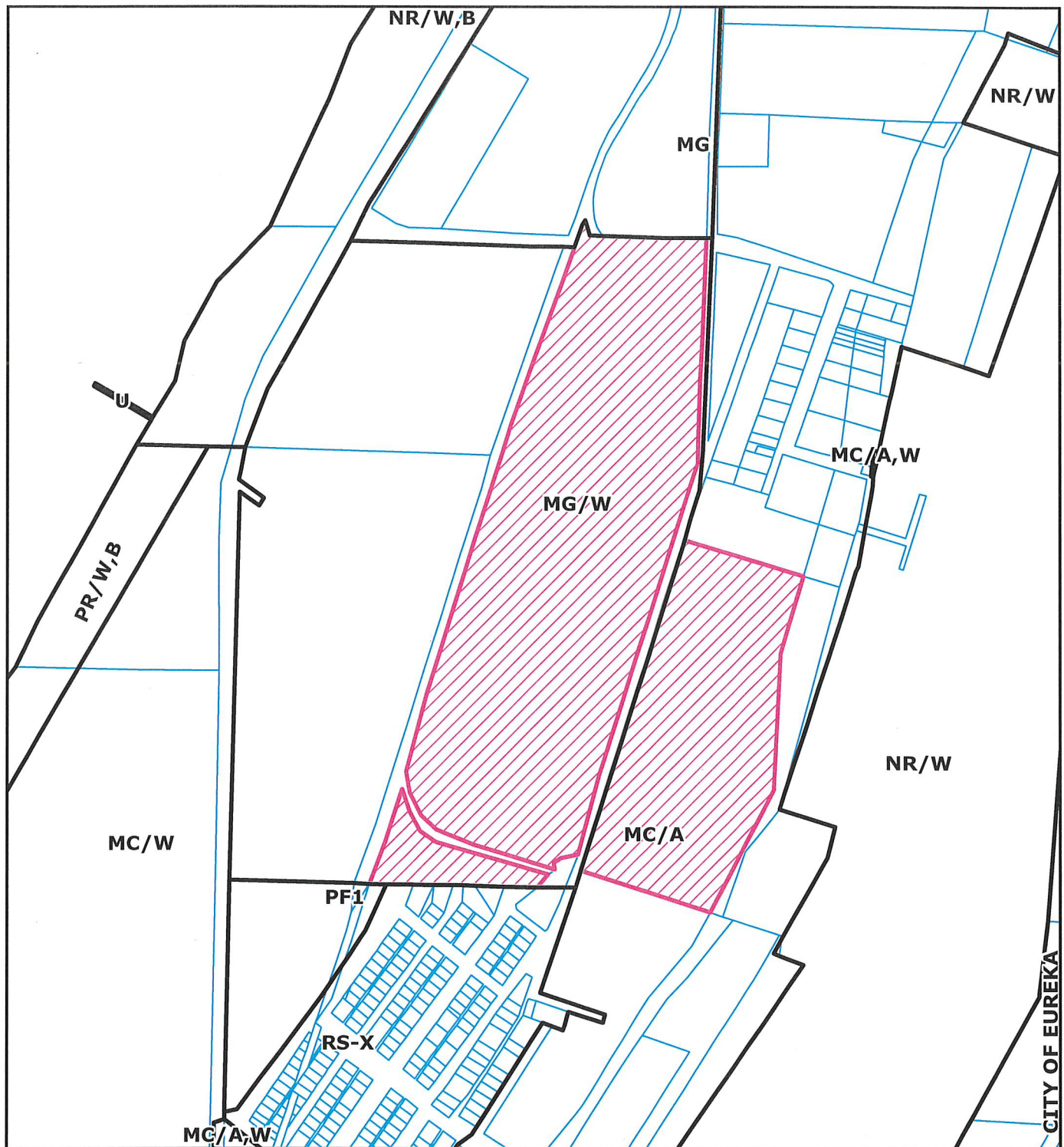
**Coastal Zone Boundary** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

**APN: 401-301-010 & 401-301-016  
T05N R01W S29 HB&M (Eureka)**

0 500 1,000 1,500  
Feet





# **ZONING MAP**

**PROPOSED SEQUOIA INVESTMENTS X, LLC  
COASTAL DEVELOPMENT PERMIT &  
LOT LINE ADJUSTMENT  
FAIRHAVEN AREA  
PLN-2019-15752**

**Project Area =** 

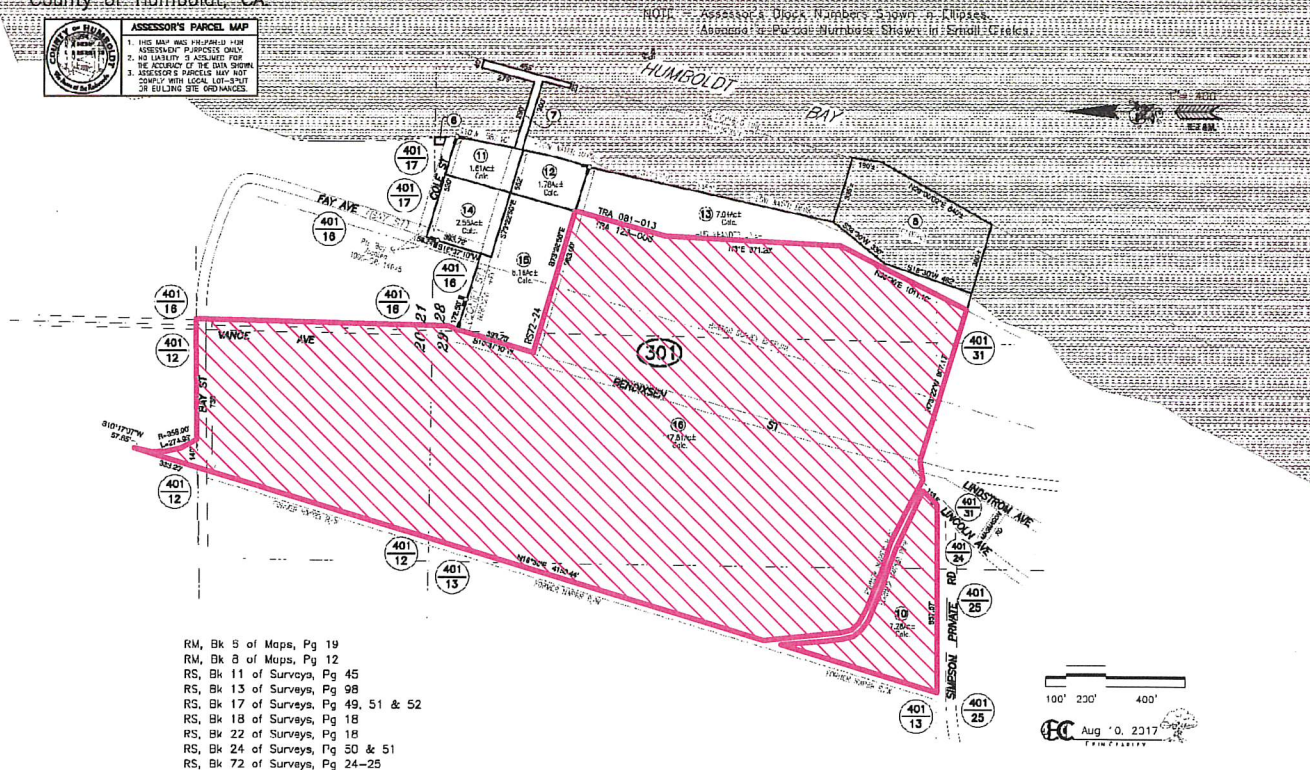
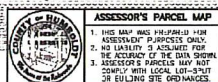
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

**APN: 401-301-010 & 401-301-016  
T05N R01W S29 HB&M (Eureka)**



**0 250 500 750 1,000  
Feet**

401-30



# ASSESSOR PARCEL MAP

# PROPOSED SEQUOIA INVESTMENTS X, LLC COASTAL DEVELOPMENT PERMIT & LOT LINE ADJUSTMENT

## FAIRHAVEN AREA

**PLN-2019-15752**

**APN: 401-301-010 & 401-301-016**

T05N R01W S29 HB&amp;M (Eureka)

**Project Area =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

z 

**MAP NOT TO SCALE**





## AERIAL MAP


**PROPOSED SEQUOIA INVESTMENTS X, LLC  
COASTAL DEVELOPMENT PERMIT &  
LOT LINE ADJUSTMENT  
FAIRHAVEN AREA  
PLN-2019-15752**

**Project Area =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

**APN: 401-301-010 & 401-301-016  
T05N R01W S29 HB&M (Eureka)**



0 150 300 450 600  
 Feet





NOTES

1. THIS TENTATIVE MAP PROPOSES A LOT LINE ADJUSTMENT BETWEEN TWO EXISTING PARCELS.
2. WATER - HUMBOLDT BAY MUNICIPAL WATER DISTRICT SEWER - ON SITE DISPOSAL.
3. NO TOPOGRAPHIC INFORMATION WAS COLLECTED OR SHOWN ON THIS MAP.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN HEREON.
5. BUILDINGS AND OTHER FEATURES SHOWN HEREON ARE PER AERIAL MAPPING COMPLETED IN 2006.
6. PARCEL NUMBERS SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT INTENDED TO REPRESENT A SUBDIVISION OF LAND.

LOT LINE ADJUSTMENT SUMMARY

- X LINE TO BE DELETED BY LOT LINE ADJUSTMENT
- Y LINE TO BE ADDED BY LOT LINE ADJUSTMENT

PARCEL	BEFORE LLA AREA	AFTER LLA AREA
PORTION OF PARCEL FOUR OF BOOK 127 DEEDS, PAGE 405	65.45 ACRES +/-	
PORTION OF BOOK 54 DEEDS, PAGE 643	10.76 ACRES +/-	
PARCEL ONE		74.21 ACRES +/-
PARCEL TWO		2.00 ACRES +/-

SEE REPORT REGARDING SEPARATE PARCELS



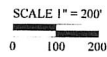
SURVEYOR:  
MICHAEL J. O'HERN  
KELLY-O'HERN ASSOCIATES  
3240 MOORE AVENUE  
EUREKA, CA 95501  
(707)442-7283

OWNER/APPLICANT:  
APN 401-401-301-010  
PORTION APN 401-301-016  
SEQUOIA INVESTMENTS X, LLC  
C/O TIM CALLISON  
323 FIFTH STREET  
EUREKA, CA 95501  
(707)845-2613

APN 401-301-010, -016  
LOT LINE ADJUSTMENT MAP  
FOR  
SEQUOIA INVESTMENTS X, LLC

IN  
SECTIONS 20, 28 AND 29 T2S, R1W, HUMBOLDT MERIDIAN  
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY  
JULY 2019 SCALE 1" = 200'

HUMBOLDT COUNTY  
STATE OF CALIFORNIA  
KELLY-O'HERN ASSOCIATES  
EUREKA, CALIFORNIA



## ATTACHMENT 1

### CONDITIONS OF APPROVAL

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

1. 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 the 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 \$415.00 per notice plus \$280.00 for each additional legal description plus applicable recordation fees).
2. 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.
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 \$80.00) 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.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **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 recording the Notices 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.*

6. The applicant shall submit at least two (2) 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 the following site development details:
  - A. Mapping
    - (1) The boundaries of the Lot Line Adjustment including all structures;
  - B. Notes to be placed on the Development Plan:
    - (1) "Parcel Two includes a former Weigh Master's Building and weigh station that was subject to a Phase I Environmental Site Assessment (ESA) in 2003. Since that time, contaminated areas have been identified, monitored and remediated and/or closed. A full report can be found at: [https://geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/4241121292/T0602393111.PDF](https://geotracker.waterboards.ca.gov/esi/uploads/geo_report/4241121292/T0602393111.PDF).
7. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County 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 (currently \$415.00 plus applicable recordation fees) will be required.

#### **Informational Notes:**

1. 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...".
2. 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.
3. This permit, including the Lot Line Adjustment and Coastal Development 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.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, as applicable.
5. There is a possibility that buried archaeological materials may be uncovered during future ground disturbing operations. If buried archaeological or historical resources are encountered during such operations, all work in the immediate area shall be called to a halt temporarily, and/or shifted to another area, and a qualified archaeologist and

representative of the Wiyot Tribe are to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains.

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

## ATTACHMENT 2

### Staff Analysis of the Evidence Supporting the Required Findings

**Required Findings:** To approve this project, the Hearing Officer shall determine that the applicants have submitted evidence in support of making **all** of the following required findings.

The following tables provide evidence in support of the required findings for the (A) Lot Line Adjustment and the (B) Coastal Development Permit:

- A1. The Lot Line Adjustment application is complete;
- A2. The project is consistent with the Subdivision Map Act;
- A3/B1. The project conforms with zoning and building ordinances, and conforms with all applicable standards and requirements of the coastal zoning regulations;
- A4/B2. The project is consistent with the General Plan; and
- A5/B3. The project, and the conditions under which it may be operated or maintained, will not be detrimental to the public health, safety and welfare; will not adversely impact the environment; and the required CEQA findings can be made for any development which is subject to the regulations of CEQA.

**A1. The application is Complete:** The following table identifies the evidence which supports the finding that the applicant has submitted the information which is required by Section 325.5-6(a) of the Humboldt County Code.

Application Requirements	Submitted
Completed and Signed Application Form	✓
Copies of Present Owners Deeds	✓
Lot Book Report or Title Report	✓
Copy of the Creation Documents for the parcels	✓
6 Copies of a Lot Line Adjustment Plot Plan	✓
Required County Fees	✓
A Written Statement Explaining the Reasons For the Adjustment	✓

**A2. Consistency with the Subdivision Map Act:** The following table identifies the evidence which supports the finding that the parcels to be adjusted are found to be in compliance with the Subdivision Map Act which is required by Section 325.5-6(b) of the Humboldt County Code.

Parcel	Creation Document	Legal Status
401-301-010 (por.), 401-301-016 (por.)	Decree of Distribution of the estate of George M. Fay, recorded in Book 54 of Deeds, page 643 on September 3, 1895.	One legal, separate parcel.
401-301-010 (por.), 401-301-016 (por.)	LLA in 1965 which was identified in the Grant Deed (Simpson Timber to Crown Simpson Pulp Company) recorded on March 26, 1965 in Volume 830 of Official Records, page 257.	One legal, separate parcel.

Based upon requirements of the County Lot Line Adjustment Ordinance, and due to requirements in the Subdivision Map Act, a Notice of Lot Line Adjustment must be recorded for each resultant parcel.



**A3/B1. Conformance with Zoning and Building Ordinances:** The following tables identify the evidence which supports the finding that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances.

Zoning Section	Summary of Applicable Requirement	Evidence that supports the zoning finding
§313-3.3 Industrial General (MG)	Heavy commercial, research/light industrial are principally permitted uses.	A portion of APN 401-301-016 contains a formerly contaminated area that poses problems for financing. The LLA will adjust the parcel lines between two parcels such that the formerly contaminated area is on an approximately two-acre parcel. This will allow financing to occur on the larger adjusted parcel. No development is proposed as part of this LLA.
Min. Parcel Size	One acre	Parcel 1: 74.2 acres Parcel 2: 2 acres
Min. Lot Width	None specified	Parcel 1: ±700 feet Parcel 2: ±290 feet
Max. Lot Depth	None specified	Parcel 1: ±2,800 feet Parcel 2: ±300 feet
Max. Bldg. Height	50 feet	Parcel 1: ±26 feet Parcel 2: ±26 feet
Max. Lot Coverage	None specified	Parcel 1: ±1% Parcel 2: ±1%
Min. Setbacks	Front: 50' Rear: 50' Side: 25'	The development on both parcels complies with the required setbacks.
313-38.1 W: Coastal Wetland Areas	The purpose of these provisions is to establish regulations to provide that any development in coastal wetlands will not degrade the wetland but will maintain optimum populations of marine or freshwater organisms and, where feasible, will enhance wetland resources.	There are some mapped dune hollow and emergent wetlands on the subject properties, however, the purpose of the project is for financing purposes only and will not impact these wetlands. Any future development will require a Coastal Development Permit and be required to comply with wetland protection policies.

**A4/B2. (Coastal Zone) The proposed development must be consistent with the General Plan.** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt Bay Area Plan (HBAP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use: §4.10 (HBAP)	Principal uses include residential single-family development. Density: three to seven dwelling units per acre.	The LLA will adjust the parcel lines between two parcels such that a formerly contaminated area is on an approximately two-acre parcel. This will allow financing to occur on the larger adjusted parcel. No development is proposed as part of this LLA
Rural Divisions §3.21 (HBAP)	Land divisions outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the created parcels would no smaller than the average size of surrounding parcels. Section 3.31 of the HBAP incorporates the policy language of Section 30250 of the Coastal Act. <sup>1</sup>	The subject property is not located inside the Urban Limit Lines as mapped in the Humboldt Bay Area Plan. In accordance <i>La Fe, Inc. v County of Los Angeles</i> (73 Cal.App. 4 <sup>th</sup> 231), staff has reviewed a Rural Land Division Analysis prepared by the agent pursuant to Section 3.31 et seq. of the HBAP. This section incorporates the policies of Section 30250 of the Coastal Act, i.e., " <i>the created parcels would no smaller than the average size of surrounding parcels</i> ". The analysis identified 42 parcels in the study area. These parcels generally are not the same as the Assessor Parcel Numbers as they are based on separate deeded parcels. 37 of the parcels are developed by forest product buildings or associated developments, which is 88 percent of the useable parcels. The mean parcel size is 4.37 acres, while the median parcel size is 0.97 acres. Due to the few larger parcels in the study area, the mean parcel size is much larger than most of the parcels in the area. The median parcel size is more representative of the parcels in the area. As proposed, the lot line adjustment will be in conformance with Section 30250 of the Coastal Act.

<sup>1</sup> Pursuant to *Billings v. California Coastal Commission* (103 Cal.App. 3<sup>rd</sup> 729) the Court held that the Legislature did not define the arithmetic standard: "As no particular definition of 'average' was provided, we can only conclude that the Legislature used "average" in its everyday sense of the term, to mean typical or representative".

Hazards: §3.29 (HBAP)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	The property is in an area of relatively stable soils, and a geologic report is discretionary. The Building Inspection Division did not identify the need for a soils report. The project is located within the Local Responsibility Area for fire protection with services provided by the Samoa Peninsula Fire Protection District. The site is outside of flood zone "A" associated with both the Pacific Ocean and Humboldt Bay.
Archaeological and Paleontological Resources §3.29 (HBAP)	New development shall protect cultural, archaeological and paleontological resources.	The project was referred to the Northwest Information Center (NWIC) as well as the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. The NWIC recommended a study, however, further consultation with the Blue Lake Rancheria recommended approval with the standard inadvertent discovery condition. This has been made a condition of approval.
Resource Protection §3.30 (HBAP)	To protect designated sensitive and critical resource habitats.	According to the California Natural Diversity Database (NDDDB), the site has the potential to contain several listed species including the western snowy plover, the yellow rail, the western bumble bee and the black-crowned night heron. In addition, there are some mapped dune hollow and emergent wetlands on the subject properties. As the project is solely for financing purposes and no development is proposed, no impacts to sensitive resources are expected. The project was sent to the California Department of Fish and Wildlife (CDFW) for their review and comments. CDFW did not respond with any comments or concerns.

**A5/B3. Public Health Safety & Welfare, and Environmental Impact:** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4	Proposed development will not be detrimental to the public health, safety and welfare.	All reviewing referral agencies have approved the proposed action.
§15305 CEQA	Categorically exempt from State environmental review.	Based on the above discussion, project is categorically exempt from State environmental review per Section 15305(a).



### **ATTACHMENT 3**

#### **Applicant's Evidence In Support of the Required Findings**

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

- Application Form (in file)
- Plot Plan/Tentative Map Checklist (in file)
- Plot Plan (attached)
- Present Owners' Deeds (in file)
- Preliminary Title Report (in file)
- Creation documents (in file)
- Parcel size study (in file)

## ATTACHMENT 4

### Referral Agency Comments and Recommendation

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

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection Division	✓	Approval		✓
County Public Works, Land Use Division	✓	Comments		✓
County Division of Environmental Health	✓	Conditional Approval		✓
Samoa Peninsula Fire Protection District				
Humboldt Bay Municipal Water District	✓	Approval		✓
California Coastal Commission	✓	Comments		✓
California Department of Fish and Wildlife				
Northwest Information Center	✓	Recommend Study		✓
Wiyot Tribe				
Bear River Band of the Rohnerville Rancheria				
Blue Lake Rancheria	✓	Conditional Approval		✓
California Regional Water Quality Control Board				
North Coast Air Quality Management District				
California Department of Toxic Substances				
California Environmental Protection Agency				