

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

Resolution Number 24-

Record Number PLN-2024-19033

Assessor's Parcel Numbers 303-270-027 & 303-270-028

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Ramirez and Barry Minor Subdivision and Lot Line Adjustment.

WHEREAS, Alfredo Ramirez and Rachel Barry submitted an application and evidence in support of approving the proposed Lot Line Adjustment resulting in one approximately 8,891 square foot parcel and one approximately 1.9 acre parcel, followed by a Minor Subdivision of the 1.9 acre parcel into four parcels between 0.26 acres and 0.84 acres in size; 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 agency, 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 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 proposed Parcel Map Subdivision and Lot Line Adjustment (Record Number PLN-2024-19033); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on December 5, 2025.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

PROJECT DESCRIPTION

- 1. FINDING:** The project consists of two parts: a Lot Line Adjustment and Minor Subdivision. The Lot Line Adjustment will adjust the boundaries between two parcels resulting in two parcels (Parcel A and Parcel B). Proposed Parcel B will be approximately 8,891 square feet in size and is currently developed with a single family

residence. Proposed Parcel A will be divided into four parcels ranging in size between 9,872 (net) square feet and 36,724 square feet (gross). The parcels will be served with community water and sewer provided by the Humboldt Community Services District (HCSD). An exception request to the 30 foot State Responsibility Area (SRA) setback requirements, in accordance with Section 3115-2(b) of Humboldt County Code (HCC) and Section 1276.01(b) of the State Minimum Fire Safe Regulations, has been submitted to and approved by CalFIRE.

EVIDENCE: a) Project File: PLN-2024-19033

CEQA

2. FINDING: The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds that no further environmental review is required for the proposed subdivision pursuant to the provisions of CEQA Section 15183 (Projects Consistent with a Community Plan or Zoning) of the CEQA Guidelines.

EVIDENCE: a) Section 15183 of the CEQA Guidelines notes CEQA's mandate that projects be exempt from 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. 15183 requires a public agency to limit its examination of environmental effects to those which:

1. Are peculiar to the project or the parcel on which it is located,
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Impacts which are not peculiar to the parcel or project, had been addressed in a prior EIR, or can be substantially mitigated by uniformly applied development policies or standards do not require EIRs based solely on those impacts.

- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. The parcel being divided has an open building permit application for residential development and there is existing residential development on one of the subject parcels in the lot line adjustment. 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.
- c) Potential Impacts such as those common to similar projects 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 above referenced 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 proposed.

- 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 three additional parcels, and each parcel 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, as future development will be at the same scale and type as existing surrounding development.
- i) Proposed Parcel B is currently developed with a single-family residence which had been permitted in 2000. Proposed Parcel 1 is proposed to be developed with a single-family residence which has an open building permit application.
- j) To date no cultural resources have been documented on the project site or its vicinity. Project referrals were sent to the Northwest Information Center and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe and Bear River Band of the Rohnerville Rancheria. The Northwest Information Center recommended contacting the local Native American Tribes for comment. Blue Lake Rancheria recommended approval of the project. The Wiyot Tribe requested inadvertent discovery protocols, which have been included as a condition of approval.
- k) 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 nearest airports are the Murray Field Airport and Samoa Field Airport, which are both roughly 4.2 miles away from the project site.
- l) According to the Humboldt County Fire Hazard Severity map, the parcels are located in a moderate fire hazard severity area. The site is within the Humboldt No. 1 Fire Protection District. 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.

- m) 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 sewer service on the properties is provided by the Humboldt Community Services District.
- n) A Drainage Report has been prepared and will be reviewed in detail by the Department of Public Works prior to the filing of the Parcel Map. This is noted in the Department of Public Works memo dated 09/19/2024.
- o) A Botanical Resources Assessment has been prepared and identified a wetland onsite. The wetland buffer for the Streamside Management Area was established in the Assessment and the project is conditioned to prepare a Development Plan detailing the location of the wetland with respect to proposed structures.
- p) 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 Department finds that there is no evidence that the proposed subdivision and associated future residential development will result in significant changes to vehicle miles traveled that had 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 has adequate on-site circulation and parking capacity.
The project is consistent with the one to seven dwelling units per acre development density of the Residential Low Density (RL1-7) land use designation established during adoption of the Eureka Community Plan (ECP) and upheld in 2017 following adoption of the General Plan update (GPU). The development of three additional parcels is consistent with estimates for induced population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR); utilizing

alternative subdivision standards and the facilitating opportunities for second residential units, the project will reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA).

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.

FINDINGS APPLICABLE TO ALL PERMITS

3. FINDING: The proposed development is in conformance with the County General Plan, Open Space Plan and Open Space Action Program.

EVIDENCE: a) As identified above in the Community Plan evidence, the proposed development is consistent with the Residential Low Density (RL1-7) land use designation. The project maintains existing residential development and creates opportunities for new residential development. The RL1-7 designation (Chapter 4.8, Land Use Designations) is used for areas suitable for single-family residential use where urban services are available or are anticipated to be available. The Density Range is one to seven units per acre. The proposed subdivision will increase the number of parcels that allow single-family residences and accessory dwelling units in the area to approximately 4 units per acre. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).

4. FINDING: The proposed development is consistent with the purposes of the existing Residential One Family (R-1-B-7(8,000)) zone in which the site is located.

EVIDENCE: a) The Residential One Family (R-1) zoning designation principally permits single-family dwellings and accessory dwelling units. The proposed lot sizes are consistent with the required minimum lot size of 8,000 square feet established by the B-7 combining zone as well as the minimum width and maximum lot depth requirements. (HCC 314-6.2)

5. FINDING: The proposed lot line adjustment and subdivision will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

- EVIDENCE:** a) The proposed subdivision will divide a 1.9 acre parcel into four parcels, each potentially hosting existing residential development. The proposed parcel sizes and resulting density are consistent with that planned for the area and the present sizes of the surrounding parcels.
- b) One of the parcels in the lot line adjustment is presently developed with a residence and one of the parcels in the subdivision is being permitted separately for a residence. All nearby development is served by public water and sewer provided by Humboldt Community Services District. Therefore, the proposed subdivision should have little impact on the current conditions. It is not anticipated to have negative impacts on the public health, safety, and welfare, and will not be materially injurious to properties or improvements in the vicinity.

6. FINDING: The proposed subdivision with possible future 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) Parcel number 303-270-028, which will predominantly comprise Parcel A, is included in the 2019 Adopted Housing Element Inventory, which estimated a capacity of two residences on the existing vacant property. The subdivision will increase that capacity to at least four residences in the same space, and potentially at least four accessory dwelling units. Therefore, the residential density will not be reduced, so the subdivision will remain compliant with the Housing Element of the General Plan.

7. FINDING: The subject parcel was created in compliance with all applicable state and local subdivision regulations.

- EVIDENCE:** a) The subject parcels are determined to be two separate legal parcels as shown on the Recorded Map in Book 21 of Maps page 78, prepared by Omsberg and Company in April 1995. Parcel number 303-270-027 is Lot 28 on said recorded map and Parcel number 303-270-028 is the remainder on said recorded map. Each of the subject APNs comprise one legal and contiguous

parcel under the Subdivision Map Act.

SUBDIVISION FINDINGS

(Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code)

- 8. FINDING:** All lots shall be suitable for their intended uses.
- EVIDENCE:** a) The project will result in a total of five parcels. All parcels will comply with the minimum parcel size of the zone (8,000 square feet) and will be suitable for single-family residential use, matching the intended uses of the Residential One Family (R-1-B-7(8,000)) zone.
- 9. FINDING:** Improvements shall be required for the safe and orderly movement of people and vehicles.
- EVIDENCE:** a) Satisfaction of the requirements found in the Memo from the Land Use Division of Public Works (DPW) is required by the project Conditions of Approval. Section 2.4 of their memo describes requested improvements to North Ridge Road, the access road to the proposed parcels.
- 10. FINDING:** Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.
- EVIDENCE:** a) Satisfaction of the requirements found in the Memo from the Land Use Division of Public Works (DPW) is required by the project Conditions of Approval. Section 3.0 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of DPW and requires detailed review of the hydraulic report and drainage plan for the subdivision by DPW as part of the surveyor review of the approved tentative map.
- 11. FINDING:** Sewer and water systems shall be constructed to appropriate standards.
- EVIDENCE:** a) Residential development on each parcel being created will be connected to Humboldt Community Services District water and sewer services as part of the Building Permit process.

12. 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) The size and configuration of the proposed parcels complies with width, depth, and minimum lot size requirements of the R-1-B-7(8,000) zone.

GOVT. CODE §66474.02 STRUCTURAL FIRE PROTECTION

13. FINDING: Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (a county, city, special district, political subdivision of the state, or other entity that is monitored and funded by a county or other public entity and organized solely to provide fire protection services), or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

EVIDENCE: a) The property is located in a State Responsibility Area for Fire Protection, is located in an area of Moderate Fire Hazard Severity, and is within the boundaries of the Humboldt No. 1 Fire Protection District, who provide structural fire protection. The project was referred to the district for review and this did not result in any comments or issues being raised with the proposal. The project is conditioned to require a letter from the Humboldt No. 1 Fire Protection District confirming compliance with their requirements for service.

COMMUNITY PLAN FINDINGS –EUREKA COMMUNITY PLAN

14. FINDING: The proposed development is consistent with the Eureka Community Plan (ECP).

EVIDENCE: a) Water and sewer for the existing and proposed residential developments is provided by the Humboldt Community Service District

- b) The project parcel is not within the identified drainage review area but is required to submit a drainage plan to the satisfaction of the Department of Public Works and correct any drainage issues.
- c) The RL1-7 General Plan designation establishes a recommended land use of Residential Low Density and a density ranging between one to seven units per acre. The proposed minor subdivision of the 83,375 square foot parcel that would result from the lot line adjustment (Parcel A) into four parcels would provide a density of roughly 2.08 units per acre, assuming only one residence per parcel. The density of all parcels affected by this action would be approximately 2.3 units per acre after both the lot line adjustment and minor subdivision.
- d) The B-7 zone on the subject properties establishes an 8,000 square foot minimum parcel size. The smaller of the two parcels in the lot line adjustment was initially 8,001 square feet but will be increasing to 8,891 square feet. The smallest resultant parcel in the minor subdivision would be 9,872 square feet (net) and 11,357 square feet (gross).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

1. Adopt the findings set forth in this resolution; and
2. Conditionally approves the Minor Subdivision and Lot Line Adjustment for Ramirez and Barry based on the tentative map on file for the project dated July 12, 2024, subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **December 5, 2025**.

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____ and the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

DECISION:

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