



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

July 29, 2010

Ron Henrickson
Rio Dell City Manager
675 Wildwood Avenue
Rio Dell, CA 95562

RE: Request for Public Hearing
Applicant: Town of Scotia LLC – Lot Line Adjustment
File No.: APN 205-351-02 Case No: LLA-09-27

Dear Mr. Henrickson:

The Department has received your request dated June 24, 2010 for a public hearing regarding the subject lot line adjustment. As you have indicated, a hearing on a lot line adjustment may be held if the Director finds either: 1) that the lot line adjustment does not qualify for approval, or 2) believes that the adjustment may result in a significant deprivation of property rights of other landowners. The Planning Director has reviewed these two issues and finds that the lot line adjustment qualifies for approval.

Further, the Planning Director finds insufficient evidence to support a claim that the adjustment may result in a significant deprivation of property rights of other landowners. Your request did not substantiate that the lot line adjustment approval would result in “significant deprivation of the property rights of other landowners.” The location of infrastructure improvement easements has been dealt with in the conditions of approval of the lot line adjustment (which includes requirements for reciprocal easement agreements). Also the lot line adjustment is subject to financial security mechanisms for subdivision improvements prior to transfer of lot line adjusted properties. These are the only two issues raised in your letter relative to deprivation of property rights of other landowners. They are dealt with in the conditions of approval of the lot line adjustment and because of this they fail to rise to a level which demonstrates significant deprivation of property rights.

For these reasons, the request for a public hearing is waived, and the Planning Director finds that there is sufficient evidence in the record for approval of the proposed lot line adjustment with conditions.

County regulations (Title III, Division 2, Section 325.5-10) provide that you may appeal the Director’s decision to approve the lot line adjustment to the Board of Supervisors.

325.5-10. APPEALS.

Any person aggrieved by an action of the Planning Director or Planning Commission may take an appeal to the Board of Supervisors and with the Planning Department within ten (10) days of said action. The notice of appeal filed with the

Planning Department shall be accompanied by a fee set by resolution of the Board of Supervisors sufficient to cover the cost of processing the application for appeal. Upon receipt of the notice of appeal, the Planning Department shall forthwith transmit to the Board of Supervisors all the papers constituting the record upon which the action appealed from was taken.

The notice of appeal will need to be accompanied by a fee of \$2,276 under the current fee schedule. The last day to file an appeal with the Planning Division is August 9, 2010.

Thank you for your interest in these County planning issues.

Sincerely,



Kirk Girard
Director
Community Development Services

Cc: Mr. Pierce Baymiller, President and Town Manager, Town of Scotia, LLC
Mr. Frank Bacik, Vice President, Director of Legal Affairs, Town of Scotia, LLC