



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: August 24, 2017

To: Humboldt County Planning Commission

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

Subject: **Lake Parcel Map Subdivision, Planned Development Permit and Special Permit Extension**
Application Number 10048
Case Number PMS-08-014X, PDP-09-003X, SP-08-107X
Assessor Parcel Number (APN) 510-091-074-000
2758 Central Avenue, McKinleyville area

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Please contact Trevor Estlow at (707) 268-3740, or by email at trestlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 24, 2017	Parcel Map Subdivision, Planned Development Permit and Special Permit Extension	Trevor Estlow

Project: A two-year extension, in addition to two automatic two-year extensions as allowed by State Assembly Bills 208 and 116, of a Parcel Map Subdivision (PMS-08-014) originally approved December 3, 2009. The project consisted of a subdivision of an approximate 0.9 acre parcel into four (4) parcels between 3,135 square feet (net) and 8,378 square feet (net). A Special Permit is required for an exception to the loading space requirement for commercial development based on the level of anticipated use. The parcel is currently planned both Residential Multi-Family (RM) and Commercial Services (CS), however, under the General Plan Update, additional lands are proposed to change to RM. The subdivision design can be supported with either plan designation. Also the project includes an exception to the minimum right of way width requirement and a Planned Development Permit to allow flexibility for future residential development with regard to parking and lot coverage. Water and sewer service is provided by the McKinleyville Community Services District. **No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on December 18, 2017.**

Project Location: The project site is located in the McKinleyville area, on the west side of Central Avenue, approximately 350 feet south of the intersection of Murray Road and Central Avenue, on the property known as 2758 Central Avenue.

Present Plan Designation: Commercial Services (CS), Residential, Medium Density (RM). McKinleyville Community Plan (MCCP). Density: CS: 1 – 6 units per acre. Slope Stability: Low Instability.

Present Zoning: Community Commercial with combining zones for Airport Safety Review, Noise Impacts and Streamside Management Areas and Wetlands (C-2-AP-N-WR), Residential Multiple Family with combining zones for Airport Safety Review, Noise Impacts and Streamside Management Areas and Wetlands and Multi-Family Rezone (R-3-AP-N-WR-Q).

Case Numbers: PMS-08-014X, PDP-09-003X, SP-08-107X

Application Number: 10048

Assessor Parcel Number: 510-091-074-000

Applicant

Robert Lake
PO Box 621
Trinidad, CA 95570

Owner(s)

same as applicant

Agent

Pacific Builders
Pat McDonald
880 L Street
Arcata, CA 95521

Environmental Review: Project requires environmental review.

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

LAKE PARCEL MAP SUBDIVISION, PLANNED DEVELOPMENT PERMIT AND SPECIAL PERMIT EXTENSION

Case Numbers PMS-08-014X, PDP-09-003X, SP-08-107X

Assessor Parcel Number 510-091-074-000

RECOMMENDED COMMISSION 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 a part of the consent agenda:

"I move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval."

Staff Analysis of the Evidence Supporting the Required Findings

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly. In addition, recent legislation (AB 116, AB 208, AB 333) added sections to the Subdivision Map Act that granted automatic extensions to a tentative subdivision or parcel map which met certain criteria.

Recommendation:

The findings and conditions of the original project have not changed significantly based on the following analysis.

Staff Analysis:

A two-year extension, in addition to the automatic two-year extensions allowed by State Assembly Bills No. 208 and 116, of a Parcel Map Subdivision, Planned Development Permit and Special Permit (PMS-08-014X, PDP-09-003X, SP-08-107X) originally approved December 3, 2009. The project consisted of a subdivision of an approximate 0.9 acre parcel into four (4) parcels between 3,135 square feet (net) and 8,378 square feet (net). A Special Permit is required for an exception to the loading space requirement for commercial development based on the level of anticipated use. The parcel is currently planned both Residential Multi-Family (RM) and Commercial Services (CS), however, under the General Plan Update, additional lands are proposed to change to RM. The subdivision design can be supported with either plan designation. Also the project includes an exception to the minimum right of way width requirement and a Planned Development Permit to allow flexibility for future residential development with regard to parking and lot coverage. Water and sewer service is provided by the McKinleyville Community Services District. **No change to the original project is proposed.**

The applicant states that the conditions of the property have not changed since the original application/approval of PMS-08-014, PDP-09-003X, SP-08-107. This is the first applicant requested extension and, if approved, the tentative map will expire on December 18, 2017.

The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that **the findings and conditions of the original project, effective December 18, 2009, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:**

1. The parcel's zoning, Community Commercial with combining zones for Airport Safety Review, Noise Impacts and Streamside Management Areas and Wetlands (C-2-AP-N-WR), for which a conformance finding was made, has changed to include a portion of Residential Multiple Family with combining zones for Airport Safety Review, Noise Impacts and Streamside Management Areas and Wetlands and Multi-Family Rezone (R-3-AP-N-WR-Q), however, the subdivision design can be supported with the mixed-zone situation.
2. The General Plan Land Use designation, Commercial Services (CS), for which a consistency finding was made, has changed to include a portion of Residential, Medium Density (RM), however, the subdivision design can be supported with the mixed-plan situation.
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. The original project was subject to environmental review and a Mitigated Negative Declaration was adopted by the Planning Commission as required by Section 15074 (b) of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Referral agencies have recommended approval of the extension.

ALTERNATIVES: The Planning Commission could elect not to approve the extension. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Note: If the extension is denied, a fifteen calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors. There is no appeal period for approved map extensions.

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

Resolution Number 17-

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE LAKE PARCEL MAP SUBDIVISION
PLANNED DEVELOPMENT PERMIT AND SPECIAL PERMIT EXTENSION APPLICATION.**

**CASE NUMBER: PMS-08-014X, PDP-09-003X, SP-08-107X;
ASSESSOR PARCEL NUMBER: 510-091-074-000**

WHEREAS, Pat McDonald, on behalf of the owner, submitted an application and evidence in support of approving the Parcel Map Subdivision, Planned Development Permit and Special Permit Extension; 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, at their October 6, 2011 hearing, the County Planning Commission adopted a Mitigated Negative Declaration for the subject project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision, Planned Development Permit and Special Permit Extension request;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission considered the previously adopted Mitigated Negative Declaration; and
2. The findings in H.C.C. [§ 326-21] in the Planning Division staff report for Case Numbers: PMS-08-014X, PDP-09-003X, SP-08-107X support approval of the project based on the submitted evidence.
3. Approves the proposed project as recommended and conditioned in the Planning Division staff report for Case Numbered: PMS-08-014X, PDP-09-003X, SP-08-107X.

Adopted after review and consideration of all the evidence on August 24, 2017

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:

NOES: Commissioners:

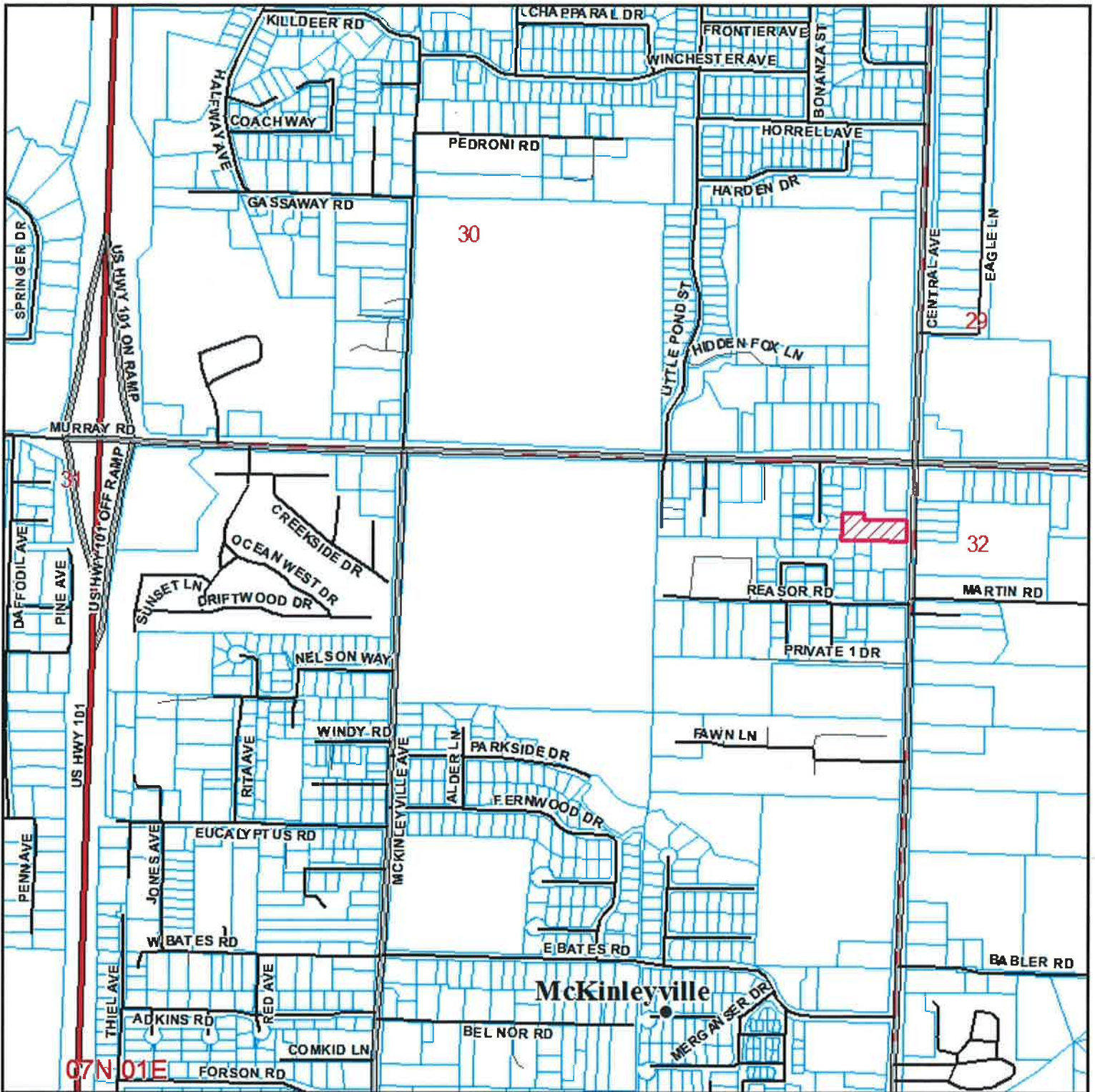
ABSTAIN: Commissioners:

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



LOCATION MAP

PROPOSED LAKE PARCEL MAP SUBDIVISION & SPECIAL PERMIT EXTENSIONS MCKINLEYVILLE AREA

PM S-08-014X/SP-08-107X

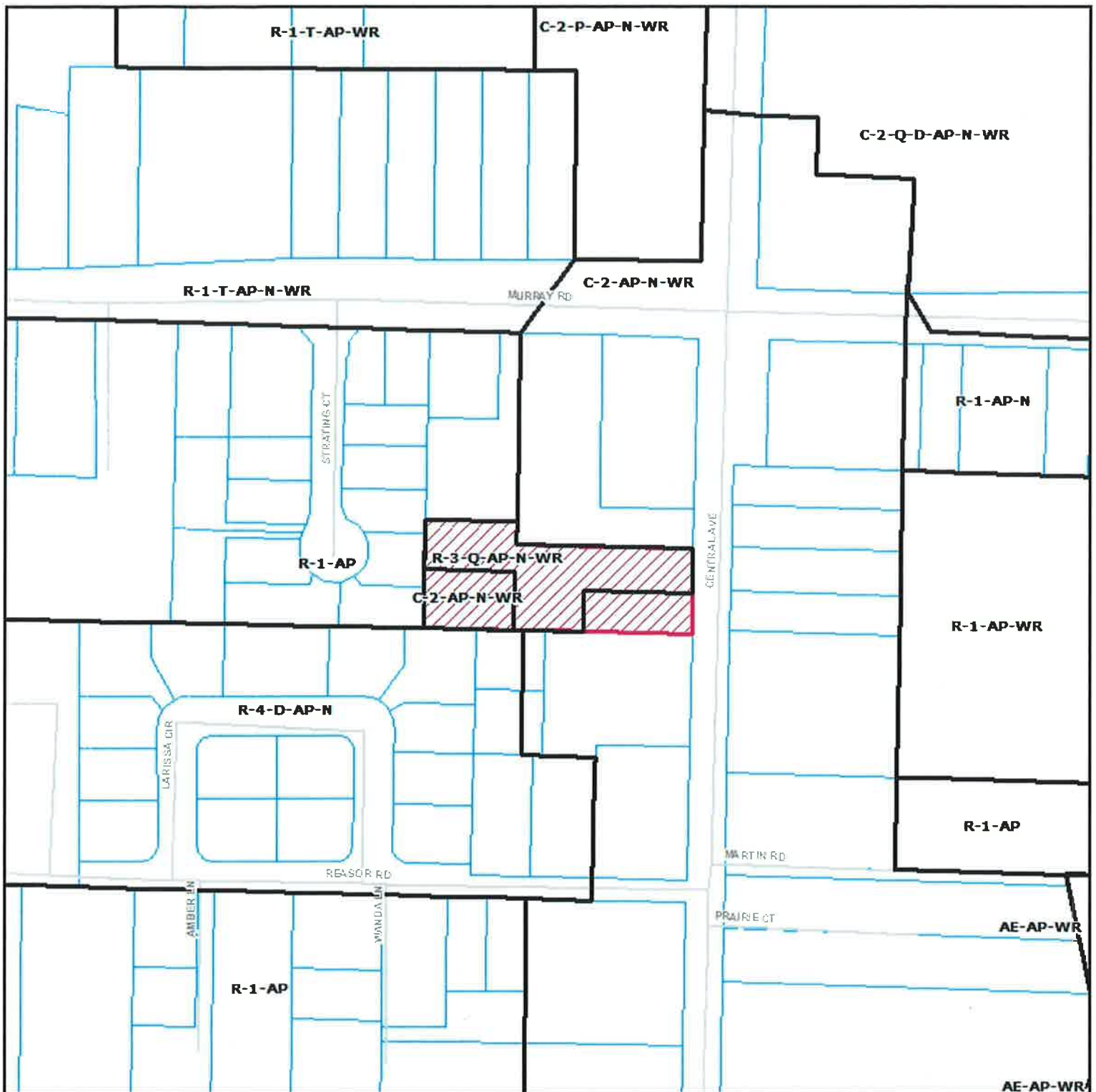
APN: 510-091-074

T07N R01E S31 HB&M (Arcata North)

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.

0 250 500 750 1,000
Feet



ZONING MAP

**PROPOSED LAKE
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT EXTENSIONS
MCKINLEYVILLE AREA
PMS-08-014X/SP-08-107X
APN: 510-091-074**

T07N R01E S31 HB&M (Arcata North)

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.



0 250 Feet

510-09

PROJECT SITE =

ASSESSOR PARCEL MAP

**PROPOSED LAKE
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT EXTENSIONS
MCKINLEYVILLE AREA
PMS-08-014X/SP-08-107X
APN: 510-091-074
T07N R01E S31 HB&M (Arcata North)**

MAP NOT TO SCALE



AERIAL MAP

PROPOSED LAKE PARCEL MAP SUBDIVISION & SPECIAL PERMIT EXTENSIONS MCKINLEYVILLE AREA

PMS-08-014X/SP-08-107X

APN: 510-091-074

T07N R01E S31 HB&M (Arcata North)

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.



0 250 Feet



ATTACHMENT 1

Conditions of Approval

The conditions of approval effective December 18, 2009, shall remain in full force and effect and are not affected by this extension.

NOTE: THE ORIGINAL STAFF REPORT AND SUPPORTING DOCUMENTATION IS ON FILE WITH THE PLANNING DIVISION AND AVAILABLE FOR PUBLIC INSPECTION.

ATTACHMENT 2

Original Conditions of Approval

**ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL**

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS THAT MUST BE SATISFIED BEFORE THE PARCEL MAP MAY BE RECORDED.

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral, herein as Exhibit A of Attachment 1A, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map, identifying both net and gross parcel areas, be submitted for review and approval.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
6. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements per their letter dated. This requirement shall be administered by the Department of Public Works.
7. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contours.
- (2) Development standards for parcels: building "envelopes" (building site locations with applicable yard setbacks, maximum lot coverage, maximum building height), and parking area detail and improvements showing conformance with Section 314-109.1 HCC and as specified by LUD Subdivision Requirements.
- (3) Proposed improvements including streets, sidewalks, driveways, drainage facilities, community services corridors, access easements, recreational trails, and emergency access and vehicle turn-around, as applicable.
- (4) Location of waterline, sewer and drainage easements in favor of the McKinleyville Community Services District (MCSD) or the County of Humboldt.
- (5) Location of hydrants as required by the Arcata Fire Protection District.

B. Notation

- (1) "The site of the subdivision is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation

measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code Section 7050.5, if human remains are encountered, all work must cease and the County Coroner contacted.

The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition.

- (2) "Hours of construction activity shall be limited to Monday through Friday from 8:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday."
 - (3) "Utilities associated with the subdivision shall be placed underground, where feasible."
 - (4) "Water and sewer connection fees are due and payable to the MCSD upon a request for services."
 - (5) "If a building permit is requested for construction of a residential structure or structures on any proposed parcels within four (4) years of the recordation of the Parcel Map, the fee in-lieu of parkland dedication required pursuant to H.C.C. §314-110.1 shall be paid by the then record owner of the parcel or parcels being developed for residential use as a condition to the issuance of the Building Permit for such development. The amount of the fee in-lieu of dedication shall be determined by the Planning Division in the manner provided by the regulations. (see condition #11)"
 - (6) "Development shall be consistent with the provisions of Section 2650 of the McKinleyville Community Plan, Landscaping. A landscaping plan prepared pursuant to Section 2652.2 shall be a condition of Building Permit issuance."
 - (7) "A Planned Development Permit (PDP) has been issued for a proposed mixed-use residential and commercial development project. The PDP extends flexibility in lot coverage and parking accommodations consistent with the approved Site Plan. Note: Residential development is not authorized on Parcels 2, 3 and 4 until and unless a change to the land use designation and zoning is approved by the Humboldt County Board of Supervisors."
 - (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
8. The applicant shall cause to be recorded a "Notice of Development Plan" 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 \$187.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
 9. 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 \$99.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
 10. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.

11. Prior to development of residential structures on proposed Parcels 2 – 4, parkland dedication in-lieu fees shall be paid in accordance with the provisions of the parkland dedication ordinance. Parkland dedication in-lieu fees shall be paid: **\$9,203.76**.
12. **Within five (5) working days of the effective date of this permit approval**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,043.00. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Game (DFG) fee plus a \$50 document handling fee. This fee is effective through December 31, 2009 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFG by phone at (916) 651-0603 or through the DFG website at www.dfg.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFG concurs, a form will be provided exempting the project from the \$1,993.00 fee payment requirement. In this instance, only a copy of the DFG form and the \$50.00 handling fee is required.

Note: If a required filing fee is not paid for the project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the State Fish and Game Code).

Informational Notes:

1. To minimize costs the applicant is encouraged to bring in written evidence^{*} of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division. The applicant should submit the listed item(s) for review **as a package** as early as possible before the desired date for final map checking and recordation. Post application assistance by the Assigned Planner, with prior appointment, will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. Copies of all required forms and written instructions are included in the final approval packet.

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

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

2. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
3. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

ATTACHMENT 1B
Conditions of Approval (Planned Development Permit and Special Permit)

APPROVAL OF THE PLANNED DEVELOPMENT PERMIT AND SPECIAL PERMIT IS CONDITIONED UPON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE FULFILLED BEFORE A BUILDING PERMIT MAY BE ISSUED:

Conditions of Approval:

1. This permit shall apply to Parcels 1, 2, 3 and 4 of Parcel Map Subdivision Case No. PMS-08-04 (Lake).
2. This permit authorizes, subject to a change in the land use designation and zoning to multi-family residential, the construction of a 4-plex on each of Parcels 2, 3 and 4 (12 units total) in the location generally depicted in the approved project site plan.
3. Prior to issuance of the Building Permit, the design of the future buildings on the proposed parcels must be reviewed and approved by the Planning Director for conformance with the design guidelines specified in the Planned Development Regulations, Section 314-31.1 et seq.
4. A total of 39 parking spaces shall be developed on-site and within the reciprocal parking easement prior to the issuance of the "final" for the Building Permit or occupancy, whichever event occurs first. The required parking spaces shall be independently accessible with a parking surface gravel or better. **The location of these spaces shall be identified on the Building Permit Plot Plan.**
5. Future changes in commercial use not consistent with the approved exception to the loading space requirements shall require a modification of this permit. Deliveries under the approved exception are limited to UPS delivery truck or similar sized vehicle.
6. Development shall be consistent with the provisions of Section 2650 of the McKinleyville Community Plan, Landscaping. A landscaping plan prepared pursuant to Section 2652.2 shall be provided to the satisfaction of the Planning Division. At a minimum, the landscaping plan shall include native tree species, which are non-pyrophitic, and identify the location, type (by species and common name), size, method for irrigation, and maintenance program, including replacement of plantings over time. Landscaping shall not affect visibility and shall conform to the visibility ordinance as required by the Department of Public Works.

On-going Requirements/Development Restrictions Which Must Continue to be Satisfied for the Life of the Project:

1. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
2. The landscaping shall be maintained for the life of the project.
3. The Planned Development shall be developed and maintained in accordance with the Project Description and Site Plan. Minor deviations shall be permitted as provided by Humboldt County Code Section 312-11; however, all other changes shall require modification of this permit

Informational Notes:

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is 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.

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. This Planned Development Permit and Special Permit shall be effective for 24 months to coincide with the term of the approved Tentative Map. Extensions of this term may be requested in conformance with provisions of the Humboldt County Code.



EXHIBIT A
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707 / FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
AVIATION 839-5401

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MANAGEMENT 445-7493
NATURAL RESOURCES 445-7741
PARKS 445-7651
ROADS & EQUIP MAINT. 445-7421

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

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Associate Engineer *RB*

**RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF LAKE, APN 510-091-074, PMS-08-14/SP 08-107
FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF
0.9 ACRE INTO 4 LOTS**

**DATE: April 28, 2009
September 21, 2009 Revised
October 9, 2009 Revised**



The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Kelly-O'Hern Associates dated August 2008, and dated as received by the Humboldt County Planning Commission on August 6, 2009. [Revised 09/21/2009 by RWB]

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

- 1.1 EXPIRATION OF TENTATIVE MAP:** Applicant is advised to contact Community Development Services to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to Community Development Services.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for processing of the project.

- 1.2 **MAP TYPE:** Applicant must cause to be filed a **parcel map** showing monumentation of all property corners to the satisfaction of this Department in compliance with Section 326-15 of the Humboldt County Code. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

- 1.3 **DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Section 326-13, Improvement Review and Inspection Fees, of the Humboldt County Code prior to review of the construction plan, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 **EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 **DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:
- (a) **ROADS:** Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 50 feet of the center line of Central Avenue (County Road A4L800). Applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.
 - (b) **SIDEWALKS:** Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of Central Avenue. Applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

- (c) **NON-VEHICULAR ACCESS:** Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 1 foot wide non-vehicular access strip adjacent to Central Avenue along the frontage of Parcel 1, except at the proposed driveway. Said easement shall be dedicated in a manner and location as approved by this Department. [Revised 09/21/2009 by RWB]

- (d) **PUE:** Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way for Central Avenue, or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

Applicant shall cause to be dedicated to the benefit of the lots within the subdivision a PUE over the entire area of the access easements.

- (e) **ACCESS:** Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The widths of the easements shall be as shown on the tentative map or as otherwise approved by this Department.

- (f) **DEED NOTICE:** The Airport Land Use Compatibility Plan (ALUCP) identifies that the subject property is within the D zone of the Arcata-Eureka Airport. The ALUCP requires that a deed notice be recorded as part of the subdivision. The ALUCP also contains the specific language that is required to be used in the deed notice.

Applicant shall cause a Deed Notice to be recorded in the office of the County Recorder.

- (g) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the parcel map, provide a sign-off from the Post Office on the location of the NBU. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

2.0 IMPROVEMENTS

- 2.1 **CONSTRUCTION PLANS:** Construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work.

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the local fire response agency and public utility companies having any facilities within the subdivision prior to construction authorization by this Department.

Construction plans shall be tied into elevation datum approved by this Department. Projects located within McKinleyville Community Services District (MCSD) area shall be tied to MCSD elevation datum unless waived by this Department.

Unless otherwise waived by this Department, record drawing (“As-Built”) plans shall be submitted for any road, drainage, landscaping, and pedestrian improvements that are constructed as part of this project. Record drawing plans must be prepared by a Civil Engineer registered by the State of California. Once approved by this Department, one (1) set of “wet stamped” record drawings on 22” x 34” mylar sheets shall be filed with this Department.

2.2 **CONSTRUCTION PERIOD:** Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

2.3 **ADA FACILITIES:** All pedestrian facilities shall be ADA complaint. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).

Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

The proposed project is the subdivision of a parcel into 4 commercial use lots. The proposed project must provide ADA accessible paths of travel to serve all of the lots. Applicant will need to work closely with the Building Division in developing on-site ADA paths of travel.

The construction of curb ramps also requires the upgrade of non-ADA compliant companion curb ramps that may be off-site.

2.4 **TURNAROUND AREA:** A turnaround area to the satisfaction of this Department is required. This may be waived if a looped road is provided.

2.5 **TRAFFIC CONTROL DEVICES:** Street name and traffic control devices may need to be placed as required and approved by this Department.

2.6 **ROADS:** The County roads and access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

(a) **CENTRAL AVENUE:** Along the frontage of the subject property, Central Avenue shall be widened on the west side to provide a curb face in line with the typical section of Central Avenue north of the subdivision at APN 510-091-075 and APN 510-091-076 (paved shoulder, Caltrans Type A2-6 PCC curb and gutter, and a 5 foot wide PCC sidewalk).

Applicant shall be required to construct the improvements along the frontage of the subdivision in a manner satisfactory to this Department, including transition areas beyond the frontage of the proposed subdivision.

Note: The intent is to widen the road to accommodate the future striping of multiple travel lanes. The project will not result in any additional travel lanes at this time. As proposed, the road will still function as a 2 lane road with continuous left turn lane.

- (b) The widening of Central Avenue may require the reconstruction of the existing road to provide a uniform centerline grade compatible with the proposed curb grade. This is necessary in order to provide an adequate cross slope to the proposed gutter. Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross sections will be necessary to ensure proper drainage. In addition, existing utilities may need to be adjusted and/or relocated at the expense of the applicant.
- (c) Applicant shall construct driveway apron (Urban Driveway No. 1 Standard Plan) at the driveway location. The access opening must conform to Humboldt County Code Section 341 regarding visibility.

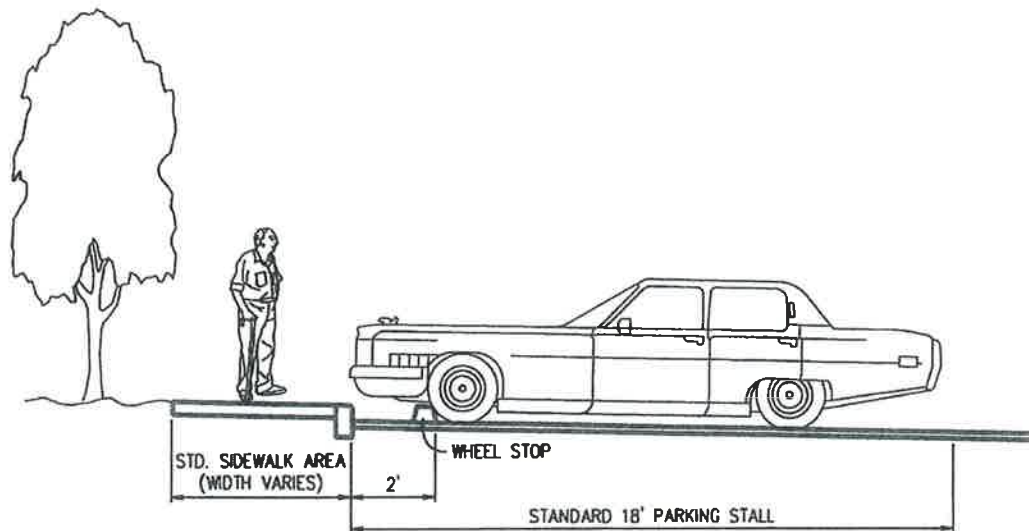
Existing and proposed driveways shall intersect the road at a 90° angle, unless otherwise approved by this Department.

The width of the driveway shall be as approved by the Department.

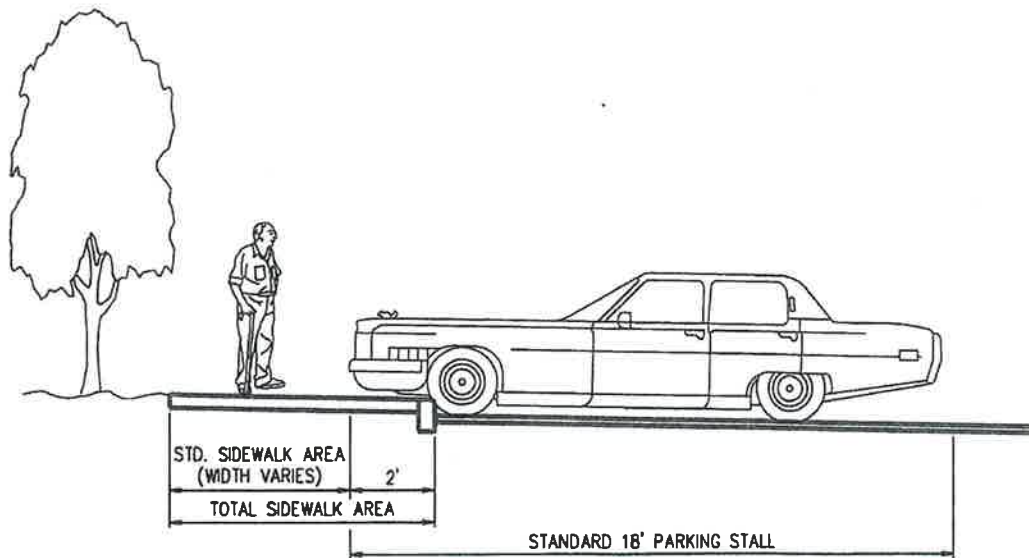
- (d) **UNNAMED ACCESS ROAD:** The unnamed access road shall be constructed as being 26 feet wide with 16 foot deep parking stalls with Caltrans Type A1-6 curbs and a 7 foot wide PCC sidewalk. The sidewalk shall provide a continuous path of travel and shall be placed where parking stalls are provided. (Note: A 7 foot sidewalk and 16 foot parking stalls are equivalent to 5 foot sidewalk and 18 foot parking stalls; the curb acts as a wheel stop. See the diagram below.)

The access road shall include a paved turnaround at the end of the road.

Caltrans Type A2-6 curb and gutter shall be used when storm water is concentrated against the curb. [revised 09/21/2009 by RWB]



STANDARD PARKING STALL WITH WHEEL STOP



STANDARD PARKING STALL WITH WIDE SIDEWALK

- (e) Any improvements not permitted within the 25 foot building setback (198 Deeds 281) as shown on the tentative map shall be removed or relocated.
- (f) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (g) Nothing is intended to prevent this Department from approving alternate typical sections, structural sections, drainage systems, and road geometrics based upon sound engineering principals as contained in, but not limited to, the Humboldt County Roadway Design Manual, Caltrans Highway Design Manual, Caltrans Local Programs Manual, Caltrans Traffic Manual, California Manual on Uniform Traffic Control Devices (MUTCD), and AASHTO's A Policy of Geometric Design of Highways and Streets (AKA "The Green Book"). Engineering must not be in conflict with Humboldt County Code or County adopted guidelines and policies.

- (h) Applicant shall remove and replace any public curb, gutter, sidewalk, flowline drain, or pavement found by this Department to be broken, uplifted, or damaged that fronts or is within the subdivision.

2.7 **STRUCTURAL SECTION:** The access road(s) shall be constructed to a structural section recommended in the soils report and as approved by this Department.

- (a) **For paved road surfaces**, the structural section shall include a minimum of 0.2 foot of Caltrans Type B asphalt concrete (AC) over 0.67 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural sections of all roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by this Department. Based upon soil conditions, the Department may also require a geotextile fabric to be placed on top of the sub grade.

When widening asphalt concrete (AC) roads, the widened road shall be paved with AC. A sawcut is typically required to ensure a uniform joint between the existing and new pavements. The location of the sawcut shall be approved by this Department based upon the condition of the existing road surface.

- (b) Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way**, unless approved in writing by this Department.

2.8 **UNKNOWN IMPROVEMENTS:** Other on-site and/or off-site improvements may be required which cannot be determined from tentative map and/or preliminary improvement plans at this time. These improvements will be determined after a review of more complete improvement plans and profiles have been submitted to the County.

2.9 **UTILITIES:** The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities, relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.

If any utilities are required to be installed as a condition of tentative map approval by the Community Development Services Department - Planning Division, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at the subdivider's expense.

Applicant shall remove any abandoned utilities (natural gas, electrical, cable tv, etc.,) within the public right of way fronting the subdivision or within the subdivision as directed by the Department of Public Works.

- 2.10 **PERMITS:** An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of Central Avenue (County Road A4L800).
- 2.11 **MAILBOXES.** When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Post Master. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk or other easement, as approved by this Department.
- 2.12 **GATES:** Gates across private access roads and driveways are not permitted without review and approval by the Department. Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

3.0 DRAINAGE

- 3.1 **DRAINAGE ISSUES:** Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.
- 3.2 **DRAINAGE REPORT:** Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department. In the preparation of drainage plans, applicant shall comply with the Community of McKinleyville County Storm Water Management Program.
- 3.3 **STORM WATER QUALITY:** Applicant shall include within the project site the implementation of best management practices (BMPs) to prevent storm water pollution. BMPs include, but are not limited to, stenciling drainage inlets.

A storm water filtration system shall be constructed to the satisfaction of the Department.

- 3.4 **DETENTION FACILITIES:** This project is required to construct detention facilities in a manner and location approved by this Department. In general, storm flows from a 100-year (Q_{100}) storm shall be detained so as to release water from the site at a rate no greater than the predevelopment 2-year (Q_2) storm flows. Contact this Department regarding any questions.
- 3.5 **DRAINAGE FEES:** Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

4.0 GRADING

4.1 **GRADING PLAN:** Applicant shall submit an engineered preliminary (rough) grading plan addressing the entire project construction area to the Department for review and approval. The purpose of the grading plan is to establish building pads that will drain to the roads (or other approved drainage course) without creating lot drainage from one lot to flow across the buildable area of adjacent lots.

4.2 **GRADING CRITERIA:** Each lot shall have a building pad graded to a maximum of 2% per Section 331-12 (H)(3)(d) Humboldt County Code, unless waived by the Department. Building pads shall be of a sufficient size to accommodate anticipated future structures.

The elevation of the building pad shall be established so that a driveway from the building pad to the back of sidewalk will have a minimum slope of 1% and a maximum slope of 2%.

4.3 **CONSTRUCTION TIMING:** Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by this Department. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

4.4 **DATUM:** Grading plans shall be tied into elevation datum approved by this Department. Projects located within McKinleyville Community Services District (MCSD) area shall be tied to MCSD elevation datum unless waived by this Department.

4.5 **EROSION CONTROL:** An erosion control plan (aka, sediment control plan, Storm Water Pollution Prevention Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

For construction sites larger than one (1) acre, a Notice of Intent (NOI) may be required to be filed with the California Regional Water Quality Control Board. A copy of the NOI, if submitted, shall be provided to this Department **prior** to the start of construction.

5.0 MAINTENANCE

5.1 **MAINTENANCE OF IMPROVEMENTS:** The improvements to be constructed as part of this subdivision will not be maintained by the County. Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department.

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

A maintenance plan for projects that contain detention facilities shall include, but is not limited to, the following:

- (a) A schedule for the periodic monitoring of the detention facilities. At a minimum, the detention facilities shall be monitored at least once each year between April 15 and October 15.
- (b) A system to monitor the basins in a timely manner after significant rain fall events.
- (c) Monitoring shall be done by a qualified professional as approved by this Department.
- (d) Monitoring shall include an annual written report identifying (1) the condition of the facilities; (2) the recommended maintenance needed for the facilities to function as originally constructed or as required by subsequent regulation; and (3) certification that the maintenance was completed to the satisfaction of a qualified professional. The report shall be submitted no later than October 31 of each year to this Department.
- (e) A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.

5.2 MAINTENANCE AGREEMENTS: Any agreements regarding the maintenance of the detention facilities between the applicant and a public entity or Homeowners Association may be required to be approved by County Counsel and the County Risk Manager.

6.0 DEVELOPMENT PLAN:

<NONE>

// END //