

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

Resolution Number 23-088

SUBDIVISION APPROVAL

**CASE NUMBERS PLN-2023-18247, FMS-14-001
ASSESSOR PARCEL NUMBER 510-121-026**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY
APPROVING THE BRIGHTVIEW FINAL MAP SUBDIVISION**

WHEREAS, the owner submitted an application and evidence in support of approving the Major Subdivision and Planned Development; and

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

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to Section 15074 of the Public Resources Code, the County Planning Division prepared a Mitigated Negative Declaration for the project, which was adopted by the Planning Commission on December 3, 2015 during original approval of the project; and

WHEREAS, the Commission's approval of the subdivision expired before the applicant could file the final map; and

WHEREAS, the proposed subdivision is identical to the design and configuration previously approved by the Planning Commission in 2015; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on October 5, 2023.

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

PROJECT DESCRIPTION

FINDING: A Major Subdivision of an approximately 1.58-acre parcel into seven residential lots utilizing a Planned Unit Development. The Planned Unit Development requests reduced front yard setbacks on proposed Lot 7, a reduced right of way width and a reduced minimum lot width on proposed Lots 1, 2 and 3. The parcel is currently vacant and will be served with community water and sewer by the McKinleyville Community Services District. The project includes an exception to various road standards including the right-of-way width, and the requirement for a landscaping strip, parking lane and sidewalk.

EVIDENCE: a) Project File: PLN-2023-18247

CEQA

FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds that approval of the proposed subdivision does not require further environmental review.

EVIDENCE: a) On December 3, 2015, during original approval of the project, the Humboldt County Planning Commission adopted a Mitigated Negative Declaration (SCH# 2015112019).

b) The previously adopted Mitigated Negative Declaration and approved Addendum evaluates the potential for environmental effects from the project. No changes to the previously approved project are proposed. Therefore, further environmental review is not warranted.

SUBDIVISION FINDINGS

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

FINDING All lots shall be suitable for their intended uses.

EVIDENCE: a) The applicant has submitted information demonstrating that the seven proposed lots will be suitable for single family residential development.

FINDING Improvements shall be required for the safe and orderly movement of people and vehicles.

EVIDENCE: a) The applicant has submitted an exception request to allow the parcels to be served by a reduced right of way. The right of way that will serve the parcels will come off of Railroad Drive, a County maintained road with a 50 foot right of way. The private road will have a right of way width of between 30 and 35 feet wide. The applicant has also asked for an exception to the requirement for an on-street parking lane, a landscaping strip and sidewalk along the roadway. The Department of Public Works has reviewed this request and supports it.

FINDING Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.

EVIDENCE: a) Per the Department of Public Works Exhibit A, dated September 6, 2023 they reviewed a preliminary drainage study and placed a condition on the project that a complete hydraulic report and drainage plan be approved by their department. Drainage improvements were installed with the previous subdivision to accommodate this subdivision.

FINDING Sewer and water systems shall be constructed to appropriate standards.

EVIDENCE: a) The parcels will be served by community water and sewer provided by the McKinleyville Community Services District. Project approval is conditioned upon satisfaction of the requirements of MCSD.

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 Planned Development Permit proposes a reduced front yard setback on Parcel 7. The setback will be reduced to 18 feet to the garage where the code requires a 20-foot setback. This is due to the narrow shape of the lot in this location. The code does allow residences to be constructed with a 10-foot setback, however, the garage is required to adhere to the 20-foot standard. On this parcel, the garage is not accessed directly off of the access road and tandem parking is proposed such that all parking will remain outside of the front yard setback. Also, included in the Planned Development Permit is a reduced right of way width that varies between 30 and 35 feet. This request is due to the physical configuration of the existing parcel and will provide two, 10-foot travel lanes consistent with the recommendation of the Arcata Fire Department. Finally, the Planned Development Permit proposes three lots below the minimum 50-foot requirement. Lots 1, 2, 3 and 7 will have a lot width of between 25 and 40 feet measured at the front yard setback (definition of lot width). These lots will have an average lot width of between 45 and 65 feet, just below or exceeding the minimum width. The Department of Public Works has indicated that they can support the three exception requests.

Govt. Code §66474.02 Structural Fire Protection

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 (County, City, Special District, or other political subdivision or 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 not located in a State Responsibility Area for Fire Protection and is located in an area of Low Fire Hazard Severity and is within the boundaries of the Arcata Fire Protection District, who provide structural fire protection. The project was referred to the district for review and did not result in an comments or issues being raised with the proposal.

Applicable General Plan and Community Plan Findings

Humboldt County General Plan - McKinleyville Community Plan (MCCP) - McK Area Plan (MCAP)

- FINDING** The proposed development is consistent with Urban Land Use policies for the McKinleyville Community Planning Area which require that development be served by urban services and adequate circulation systems (MCCP 2600).

- EVIDENCE** a) The subdivision creates 7 residential lots. The subdivision is served by community water and sewer provided by the McKinleyville Community Services District (MCSD). The subdivision will be accessible from Railroad Drive, a publicly maintained roadway developed to a road category 4 standard.

- FINDING** The proposed development is consistent with the residential planned land use designations applied to this parcel by the General Plan, Community Plan, and Area Plan; which include Residential Low Density (RL).

- EVIDENCE** a) The proposal results in seven lots (parcels) for residential development. The mid-point density for the RL designation is 4 dwellings per acre. Seven units on approximately 1.58 acres results in a density of 4.4 dwellings per acre, just above the midpoint density.

- FINDING** The proposed development will not pose a hazard to proposed structures and their occupants (MCCP 3211)

- EVIDENCE** a) The area of the proposed building site is within Geologic Hazard Rating 0 - "Relatively Stable" and is not within the Alquist-Priolo Fault Hazard Area. A Soils Report was prepared for this subdivision and was reviewed and approved by the Building Division.

The proposed subdivision site is in an area of low fire hazard.

FINDING

The proposed development will conform with the County Flood Insurance Program (MCCP 3220).

EVIDENCE

- a) According to FIRM Map #625, the parcel is within Flood Zone c, areas outside the 100-year flood.

FINDING

The project is consistent with Section 4420 of the McKinleyville Community Plan that requires subdivisions to establish recreational facilities to meet the needs of McKinleyville residents.

EVIDENCE

- a) Condition of Approval #8 requires payment of parkland dedication in-lieu fees per the required policy.

FINDING

The proposed development will be developed so that downstream peak flows will not be increased (GP 5.4, MCCP 3301).

EVIDENCE

- a) Per the Department of Public Works Exhibit A, dated September 6, 2023 they reviewed a preliminary drainage study and placed a condition on the project that a complete hydraulic report and drainage plan be approved by their department. Drainage improvements were installed with the previous subdivision to accommodate this subdivision.

FINDING

The proposed development is designed to protect sensitive and critical habitats, including migratory deer winter range, Roosevelt elk range, sensitive avian species rookery and nest sites, streams and streamside areas, wetlands, and habitat necessary for the protection of rare, threatened, and endangered species (GP 10.3, MCCP 3420).

EVIDENCE

- a) Based on the California Natural Diversity Database, the site is not in an area of sensitive resources. Additionally, the California Department of Fish and Wildlife did not respond with any concerns.

FINDING

The proposed development is consistent with the goals and policies relating to public services and facilities, including the requirement that subdivisions provide road access to County maintained roads (MCCP 4100).

EVIDENCE

- a) The subdivision will be served by community water and sewer provided by MCSD. The subdivision is accessed from Railroad Drive, a publicly maintained County road.

FINDING

The proposed development is consistent with the goals and policies designed to focus, time, and facilitate growth in the urban development areas with public service capacity, including connection to public water and wastewater systems (GP 5.4, MCCP 2630).

EVIDENCE a) The parcels will be served by community water and sewer provided by the McKinleyville Community Services District. Project approval includes Conditions requiring that the subdivision improvements and lot development be performed to the satisfaction of MCSD.

FINDING The proposed development is consistent with the goals and policies of relating to Airport Safety, including applicable density restrictions, and noise and land use criteria (MCCP 3250, ALUCP)

EVIDENCE a) The parcel being divided is located at the very southern edge of Airport Safety Zone 6, which has no restrictions on the maximum residential density permissible.

FINDINGS APPLICABLE TO ALL PERMITS			
	FINDING		The proposed development is in conformance with the County General Plan.
	EVIDENCE	a)	The proposal results in seven lots (parcels) for residential development. The mid-point density for the RL designation is 4 dwellings per acre. Seven units on approximately 1.58 acres results in a density of 4.4 dwellings per acre, just above the midpoint density.
	FINDING		The proposed development is consistent with the purposes of the existing Residential Single-Family (R-1) in which the site is located.
	EVIDENCE	a)	All parcels will be over the 5,000 square foot minimum parcel size required by the R-1 zone. The project proposes exceptions to setback and lot width requirements as allowable under the Planned Unit Development Regulations.
	FINDING		The proposed development conforms with all applicable standards and requirements of these regulations.
		a)	The Planned Development ordinance allows for variations to the lot size, lot width and lot depth where the application of such variations would provide a better means of carrying out the intent of the General Plan.
		b)	The variations in setbacks and lot width requirements allows for the subdivision to maximize the number of residential lots to be created, which carries out Guiding Principal #3 of the Humboldt County General Plan which is to facilitate the creation of affordable housing opportunities to meet current and future demands for all income levels.
	FINDING		The proposed development complies with the Parkland Dedication requirements of the zoning regulations.
	EVIDENCE	a)	Condition of Approval #8 requires payment of a parkland dedication in-lieu fee of \$15,680, or \$7840 with the conveyance of secondary or accessory dwelling unit rights.
	FINDING		The proposed subdivision will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
	EVIDENCE	a)	All development will be served by public water and sewer service provided by the McKinleyville Community Services District. All reviewing referral agencies have approved or conditionally approved the proposed project design. The project as proposed and conditioned is consistent with the general plan, community plan, and zoning ordinance; and the proposed project is designed to avoid causing significant environmental damage.

	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)	The parcel was included in the County's most recent housing inventory and utilized in the Regional Housing Needs Assessment data. Under this assessment, the parcel was identified as reasonably providing 4 additional residential units. The proposal to divide the parcel into 7 parcels exceeds the residential density that was utilized for determining compliance with housing element law.

DECISION

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

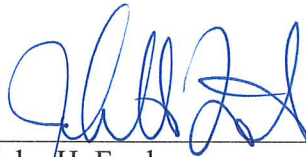
1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Final Map Subdivision (Record Number: PLN-2023-18247) based on the approved tentative map on file for the project dated April 2015 and dated as received by the Humboldt County Planning on June 27, 2023, subject to the conditions of approval.

Adopted after review and consideration of all the evidence on **October 5, 2023**.

The motion was made by Commissioner Thomas Mulder and seconded by Commissioner Iver Skavdal, and the following ROLL CALL vote:

AYES:	Commissioners:	Iver Skavdal, Noah Levy, Lonyx Landry, Thomas Mulder, Sarah West
NOES:	Commissioners:	
ABSTAIN:	Commissioners:	
ABSENT:	Commissioners:	Brian Mitchell, Peggy O'Neill
DECISION:		Motion carries 5/0

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

Conditions of Approval

Approval of the Tentative Map and Planned Development Permit is conditioned on the following terms and requirements which must be satisfied before the final map may be recorded.

Conditions of Approval:

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 dated **September 6, 2023**, included herein as Attachment 1B, as may be modified by the decision maker, 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 Final Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. Prior to filing of the Final Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. Prior to filing of the Final Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. 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 \$129.00 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.
7. A Condition & Mitigation Monitoring deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00) 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 reduce the cost for this review.
8. Parkland dedication fees of \$15,680 shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$7,840 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Lots 1 - 7. Release from the Conveyance and Agreement may be pursued upon payment of the \$7,840 parkland dedication fee balance. A copy of the Conveyance and Agreement

form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Department upon the election of this option by the applicant once the Final Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a *pro-rata* basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required for each parcel.

Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$160,000/acre. The dedication fee calculation per Section 314-110 of the Humboldt County Code is as follows: $7(2(130 \times 2.57/43,560)) \times \$160,000 = \$15,680$ without the conveyance of secondary dwelling unit rights; or \$7,840 with the conveyance of secondary dwelling unit rights on all parcels.

9. 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 contour intervals;
- (2) Proposed access, parking lanes and pedestrian ways;
- (3) Building envelopes and easements consistent with the submitted tentative map;
- (4) The location of all drainage improvements and related easements;
- (5) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;
- (6) Height limits, plan-, sectional-view and/or elevation details to demonstrate conformance with the Solar Access requirements of HCC Section 322.5. The Solar Shade Study dated November 13, 2007 (received) illustrates that adequate solar access can be provided by limiting the height of the residences to 16 feet (one story). Development, including second dwelling units, additions at a greater height or different footprint, other than that specified in the Solar Shade Study, requires a site-specific solar shading analysis to show conformance.

B. Notes to be placed on the Development Plan:

- (1) "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 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 §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."
- (2) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
- Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (3) "Hours of construction activity shall be limited to Monday through Friday from 7:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday."
- (4) (If applicable) "Development rights for secondary dwelling units have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (5) "One- and two-story residential structures up to a maximum height of 35 feet are normally permitted in the R-1 zone. However, State and local subdivision requirements require that, to the greatest extent feasible, adequate solar access be provided to new building sites. Specifically, sunlight must reach at least 80% of the south-facing wall of a primary building between the hours of 10:00 am and 2:00 pm on December 21st. A Solar Shading Plat dated October 6, 2015 (received) was submitted to illustrate solar exposure. The Solar Shade Study illustrates that adequate solar access consistent with HCC Section 322.5 is possible by limiting these residences to a ridge height of 16 feet. Development, including second dwelling units, detached accessory buildings and/or additions, at a height, different footprint or location other than that specified in the Solar Shade Plat, shall require a site-specific solar shading analysis to demonstrate conformance with this standard."
- (6) "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."

10. The applicant shall cause to be recorded a "Notice of Development Plan and Geologic Report" 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 will be required. The Development Plan shall also be noticed on the Parcel Map.
12. Prior to the Final Map recordation, the applicant shall submit a letter from the United States Postal Service stating that the project meets their requirements for mailbox units. This condition shall be administered by the Department of Public Works.
13. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka.

Informational Notes:

1. To reduce 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 (Namely: Condition(s) 3-12). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges. Copies of all required forms and written instructions are included in the final approval packet.

* Each item evidencing compliance should note in the upper right hand corner:

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

2. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner

determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

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

3. 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.
4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. The Planned Development 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.

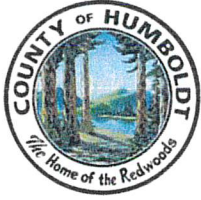


EXHIBIT A

DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707


ON-LINE
WEB: CO.HUMBOLDT.CA.US

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Cliff Johnson, Supervising Planner

FROM: Ken Freed, Assistant Engineer 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF BRIGHT VIEW HOMES LLC, APN 510-121-026, PLN-
2023-18247 FMS APPROVAL OF A TENTATIVE MAP, CONSISTING OF 1.6
ACRES INTO 7 LOTS

DATE: 08/08/2014
10/08/2015 revised
12/03/2015 revised by Planning Commission
09/06/2023 revised by Public Works

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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 Points West Surveying dated April 2015, and received by Humboldt County Planning Division on June 27, 2023.

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 the Planning & Building Department 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 the Planning & Building Department.

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 the processing of the project.

- 1.2 **MAP TYPE:** Applicant must cause to be filed a subdivision map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. 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 Humboldt County Code Section 326-13 prior to review of the improvement plans, 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) **Railroad Drive (County Road No. 4M020):**

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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 the County road. The 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.

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 the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

(b) Midtown Court (Not County Maintained):

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 lots within the subdivision in a manner approved by this Department. The easement is variable in width and ranges from 30 to 35 feet in width.

A turn-around area shall be provided at the end of road.

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 the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

The applicant shall cause to be dedicated to the County of Humboldt a PUE over the entire area of the access easement for the road.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map a non-exclusive 10 foot wide easement for sidewalk purposes lying adjacent to the right of way of the access roads within the subdivision. Said easement shall be for the benefit of the lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department. This easement may overlap a public utility easement.

- (c) NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the post office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

1.6 PRIVATE ROAD: Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road".

Pursuant to County Code Section 323-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

[County Code Section 323-2 appears after Section 324-1 in County Code]

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

- 2.4 **ROAD NAMES:** The access road(s)/street(s) shall be named as approved by the Planning & Building Department - Planning Division.

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

A stop sign will be required on Midtown Court at its intersection with Railroad Drive.

In addition, pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation.

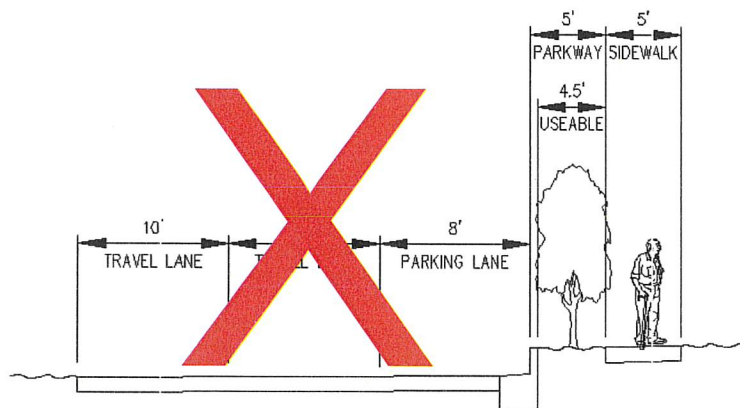
2.6 **ACCESS ROADS:** The surface of the access road(s) shall conform to the *Structural Section* requirements within this document. The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

- (a) The intersection of Midtown Court and the Railroad Drive (County Road No. 4M020) shall be constructed in conformance with the standards for a private road intersection as illustrated in Caltrans standards; and shall have 20 foot radius curb returns due to the narrow lanes on Midtown Court. The access opening must conform to Humboldt County Code Section 341 regarding visibility.

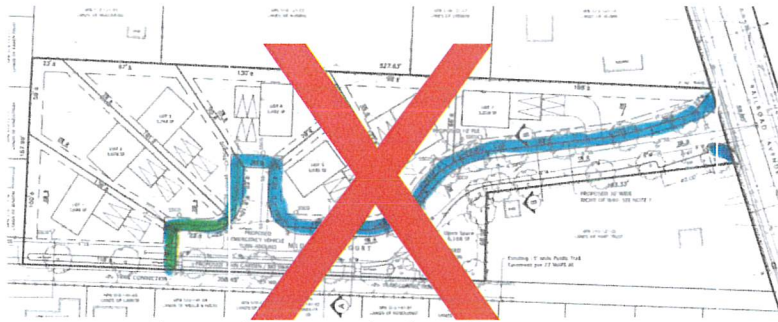
Curb ramps shall be provided at the intersection of Midtown Court and Railroad Drive.

- ~~(b) **MIDTOWN COURT (Not County Maintained):** Midtown Court shall be constructed having a typical section comprised of two 10 foot wide travel lanes, an eight foot wide parking lane, a PCC Caltrans Type A1-6 curb [or APWA A3-150(6) curb], a 5 foot wide landscape strip (4.5 feet useable); and a 5 foot wide PCC sidewalk. The parking lane, landscape strip and sidewalk shall be located on the east side of the road. The sidewalk shall be constructed along the east side of the road from as shown on the tentative map ends at Lot 2; the sidewalk shall be extended to the southwest to connect to the Midtown Trail. The turn around and west side of the road shall be signed/stripped for "no parking".~~

~~The road is proposed to be cross-sloped to the west to drain to the storm water detention basin. A Caltrans Type A2-6 PCC curb and gutter may be needed along the west side of the road from Railroad Drive (County Road No. 4M020) to the storm water detention basin.~~



~~Above: Typical Section for Midtown Court~~



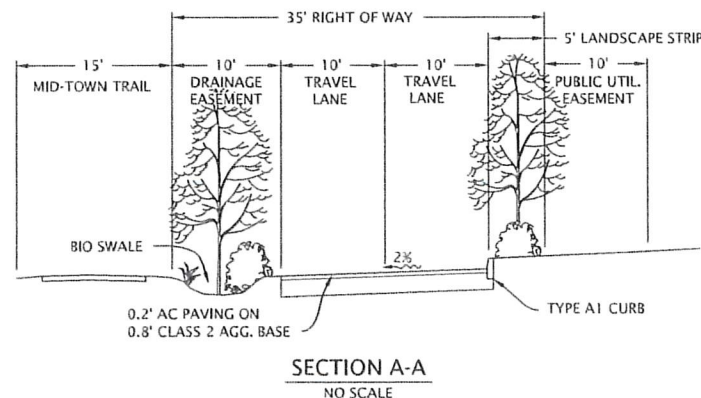
Above: location of sidewalk improvements

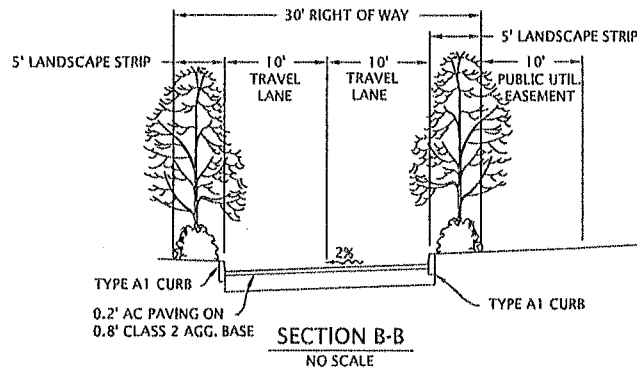
A turnaround area as approved by this Department shall be constructed at the end of the access road serving the subdivision. It shall have the same structural section as the roadway serving the parcels/lots. If the turnaround area does not include a parking lane, then the turnaround area shall be signed/stripped for "no parking".

A minimum of one street tree shall be planted in front of each lot, spaced approximately 50 feet apart. It is noted that it may be impractical to plant a street tree in front of lots 1, 2 and 3 due to narrow lot width and utility conflicts at the turn around. It is noted that Lot 7 has sufficient frontage for approximately 4 street trees. [12/03/2015 revised by Planning Commission.]

- (b) **MIDTOWN COURT (Not County Maintained):** Midtown Court shall be constructed having a typical section comprised of two 10 foot wide travel lanes. The road shall be widened to be 26 feet in width for the first 50 feet; then taper down to 20 feet. The road (including the turn around area) shall be signed/stripped for "no parking". The road is proposed to have a tilt section.

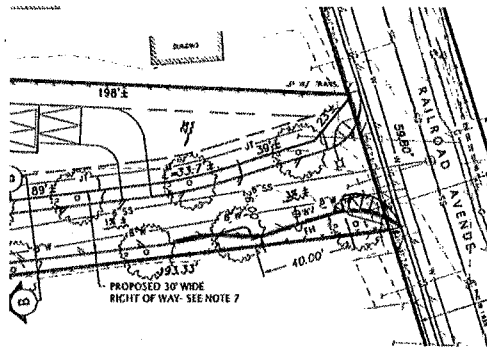
The road is proposed to be cross sloped to the west to drain to the storm water detention basin. A Caltrans Type A2-6 PCC curb and gutter may be needed along the west side of the road from Railroad Drive (County Road No. 4M020) to the storm water detention basin.





Above: Typical sections for Midtown Court (Alternate)

The applicant's agent has advised the Department that since no parking is to be provided, the A1 curb shown on the uphill side of the road may not be necessary.



Above: diagram showing the 26' wide road at the intersection of Railroad Drive

[revised by the Planning Commission on 12/03/2015]

- (c) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (d) 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.
- (e) 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.
- (f) All road intersections shall conform to Humboldt County Code Section 341 regarding visibility.

- 2.7 **DRIVEWAYS:** All access openings (existing and proposed) shall conform to Humboldt County Code Section 341 regarding visibility. All access openings (existing and proposed) shall intersect the road at a 90° angle, unless otherwise approved by this Department.

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 25 feet from the edge of the road.

That portion of a structure used for the parking of vehicles must be setback a minimum of 20 feet from easements created as a condition of tentative map approval for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. A development plan must be created as a condition of approval of the tentative map. The development plan must note this minimum setback condition and indicate graphically the location of the setback line on the lots.

All access openings (existing and proposed) shall be shown on the improvement plans.

- 2.8 **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 hot mix ("asphalt") over 0.67 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural section 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, this Department may also require a geotextile fabric to be placed on top of the sub grade.

When widening hot mix ("asphalt") roads, the widened road shall be paved with hot mix. A sawcut is 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.
- 2.9 **UNKNOWN IMPROVEMENTS:** Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.
- 2.10 **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, 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 this Department.

- 2.11 **PERMITS:** An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.
- 2.12 **NEIGHBORHOOD BOX UNIT (NBU) 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 easement or other easement, as approved by this Department.
- 2.13 **GATES:** 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.
- 2.14 **COMPLETION OF SIDEWALK IMPROVEMENTS:** Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit.
- 2.15 **FENCING:** Applicant shall replace the existing fence along the north line of the subdivision. The replacement fence shall be constructed one a lot-by-lot basis as each lot is developed. The fence shall be completed prior to building "final". This requirement shall be noted on the development plan. [Added by the Planning Commission on 12/03/2015]

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.
- 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.

- 3.4 **DETENTION FACILITIES:** Pursuant to McKinleyville Community Plan Policy 3310(5), this project is required to construct detention facilities in a manner and location approved by this Department. In general, storm flows from the 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.

If the site conditions do not allow for detention, then infiltration may be considered by the Department as an alternative.

- 3.5 **DRAINAGE FEES:** Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

3.6 **LOW IMPACT DEVELOPMENT (LID):**

The subdivision is required to comply with County Code § 337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual lot may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a lot are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

Each lot in the subdivision is considered a regulated project.

4.0 **GRADING**

- 4.1 **SOILS REPORT:** Pursuant to Humboldt County Code Section 331-14 (E)(5), applicant shall provide a soils engineering report that addresses the entire subdivision. The report shall include sufficient detail to enable the Building Official to issue building permits for each lot within the subdivision.

Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(3), the Applicant shall file a copy of the soils engineering report with the Chief Building Official.

- 4.2 **GRADING PLAN:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(1), the applicant shall submit an engineered preliminary (rough) grading plan addressing the entire project construction area to this 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.

- 4.3 **GRADING CRITERIA:** Each lot shall have a building pad graded to a maximum of 2% per Humboldt County Code Section 331-14 (H)(3)(d), unless waived by this 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 16%.

If sidewalk is not required, then the driveway slope will be measured to the back of driveway apron.

- 4.4 **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.

- 4.5 **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.

- 4.6 **EROSION CONTROL:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1), 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 equal to or greater than one (1) acre, a Notice of Intent (NOI) and permit registration documents are required to be filed with the State Water Quality Control Board. A copy of the State's receipt of the approved NOI 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. Pursuant to Humboldt County Code Section 323-2 (b) regarding Private Lanes, the 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. More than one maintenance plan may be needed

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

- A maintenance plan for all facilities within the proposed subdivision.
- A maintenance plan for the non-county maintained road known as Midtown Court.
- A maintenance plan for the storm water detention basin.

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 is not required for driveways; as driveways serve only one parcel. A maintenance plan is *optional* for roads that serve only two parcels. A maintenance plan is required for roads serving three or more parcels.

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.
- (f) For infiltration basins, wet weather testing of the percolation rate of the basin consistent with Department of Environmental Health standards for determining the percolation rates for septic systems. Percolation rate testing shall be done every five (5) years.

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:** The following are required for all development plans:

- 6.1 The development plan shall be legibly drawn to a convenient scale on 22"x34" (or 24"x36") mylar, in black ink, unless approved otherwise by this Department.
- 6.2 The development plan shall include a note substantially similar to the following: "See the subdivision map on file with the County Recorder for easements that existed at the time the map was filed. Additional easements may have been established after the map was filed. Refer to a current title report for all easements. Refer to the filed subdivision map for exact lot dimensions."
- 6.3 The development plan shall include the following to the satisfaction of this Department:
 - (a) When roads or drainage facilities are not to be maintained by the County, then clearly state next to the facility "NOT COUNTY MAINTAINED".

- (b) When minimum finished floor elevations must be adhered to, the plan shall state the minimum elevation and the referenced benchmark.
- (c) If prepared for the project, reference the soils report; including a statement substantially similar to: "See soils report prepared by _____, Project No. _____, dated _____, for recommendations, inspections, and special requirements required for development of this subdivision."
- (d) A statement substantially similar to: "All pedestrian facilities must be ADA compliant."
- (e) When improvement plans have been prepared in conjunction with proposed subdivision, include a statement substantially similar to: "Improvement plans for roads, driveways, and drainage, etc. are on file with the Department of Public Works".
- (f) For parcels that could be further subdivided: Provide information on the development plan to assist future owners in developing the parcels in a manner that preserves the maximum, future subdivision potential. This may include showing "potential" building setbacks for ultimate development. It is the intent of this condition that any "potential" setbacks are for information only and are not actual setback requirements to be adhered to.
- (g) Show a minimum setback of 20 feet from garage entrances for vehicles from easements created as a condition of tentative map approval or existing for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. Typically, this is 29 feet from the curb.
- (h) Provide a note identifying the maximum finished floor elevations for garage slabs based upon holding minimum setback of 20 feet to the garage door from back of sidewalk. The slab elevation should be relative to the flowline of the street at the centerline of the driveway. The maximum elevation is typically around 2.5 feet.
- (i) A typical section showing the location of the curbs and sidewalks with respect to the right of way lines.
- (j) Place the following note when landscaping is required along the frontage of lots within street rights of way: "Landscaping within the street right of way along the frontage of a lot shall be the maintenance responsibility of the individual lot owner. The landscaping was required as a condition of the approval of the subdivision and must not be removed without approval of the Planning & Building Department of the County of Humboldt or their successor."
- (k) For projects with a subdivision agreement, include the following note: "This subdivision was approved with requirements to construct improvements. At the time the subdivision map was filed, the improvements were not completed. The developer has entered into a subdivision agreement with the County to defer construction of these improvements. **Subdivision improvements must be completed within the timelines specified in the agreement. In general, building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision agreement are shown on the improvement plans prepared by

_____, dated _____, and are signed as approved by the County on _____.

_____.

Contact the Land Use Division of the Department of Public Works for details."

- 6.4 Applicant shall cause a "Notice of Development Plan" to be recorded in the Office of the County Recorder.
- 6.5 The development plan shall be signed off by this Department prior to official filing with the Planning Division. The plan shall include a signoff block for this Department to sign substantially similar to:

Reviewed by:

Department of Public Works

Date

- 6.6 Typical precise grading/lot drainage details for the lots shall be shown or a reference shall be made to the approved grading plan on file with the Department of Public Works.

7.0 LANDSCAPING

- 7.1 **LANDSCAPING PLAN:** A landscape plan is required for all landscaping within the right of way. The plans must show the proposed irrigation facilities. The plan shall be prepared by a landscape architect or other qualified professional as approved by this Department. Monument signs, if proposed, and landscaping shall be shown on the plan and shall conform with Humboldt County Code Section 341 regarding visibility. All work and materials shall be warranted for a minimum of 1 year from filing of the subdivision map, unless otherwise approved by this Department. The landscape plan shall be approved by this Department. It must include a minimum of the following:

- (a) List of species to be planted (common name and scientific name)
- (b) An irrigation system. All landscaping that is not drought tolerant shall be maintained by a permanent automatic irrigation system.
- (c) Planting and fertilization method
- (d) Maintenance manual
- (e) Staking method for trees
- (f) The plant types must be approved by this Department
- (g) Landscaping within the right of way shall consider appropriate screening for utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, etc.

- 7.2 **SPECIES:** A list of approved trees and shrubs shall be shown on the development plan as the only trees and shrubs permitted in the parkway area, unless otherwise approved by this Department. Utilize native species when appropriate.

- 7.3 **MAINTENANCE:** Landscaping along the frontage of public streets is the responsibility of the adjacent lot owner. Landscaping along the frontage of private roads is the responsibility of the road maintenance association for the private road or is the responsibility of the adjacent lot owner.

This Department may maintain landscaping along collector or arterial roads when permanent funding source is made available.

- 7.4 **LANDSCAPING GOALS:** When on-site landscaping is required, any unimproved county right of way contiguous with the property shall be incorporated into the landscaping plan. Any landscaping shown within the County right of way shall be in addition to any required landscaping areas and shall not be counted towards meeting a landscaping goal.

- 7.5 **WATER EFFICIENT LANDSCAPE GOALS:**

For projects with an aggregate landscape area equal to or greater than 500 square feet, landscaping design and documentation shall be completed in accordance with County Code §331-11(o). After approval, the applicant shall submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

// END //

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ON-LINE
WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Cliff Johnson, Supervising Planner

FROM: Ken Freed, Assistant Engineer

DATE: 09/06/2023

RE: **BRIGHT VIEW HOMES LLC, APN 510-121-026, PLN-2023-18247 FMS**

This tentative map is the re-application of an expired tentative map. The 09/05/2023 conditions of approval shown reflect what the Planning Commission previously approved on 12/03/2015 with the exception of Item 3.6 regarding low impact development requirements which came into effect after the expired tentative map was approved. And in addition, Item 7.5 regarding water efficient landscape goals which came into effect after the expired tentative map was approved.

APPROVED IMPROVEMENT PLANS: Prior to the expiration of the tentative map, Public Works approved the subdivision improvement plans and the applicant began construction. Construction ceased when the tentative map expired.

These subdivision improvements plans can be utilized for the proposed subdivision. Changes to the plans can be shown as "delta change" revisions. This allows the existing approved subdivision improvement plans to be updated at minimal time and expense to the applicant.

LID: At the time that the prior tentative map was submitted, the entire subdivision did not need to comply with LID; only development on the new lots was required to comply with LID. Because the tentative map has expired, the entirety of the new tentative map is considered regulated and is subject to LID. The improvement plans need to be modified to address LID.

SIDEWALKS: The Planning Commission approved the project eliminating sidewalks along Midtown Court. If the Planning Commission determines that sidewalks are now warranted for the project, sidewalks can easily be added as a "delta change" on the approved improvement plans. More specifically, Section B on sheet 6 can have the sidewalk added on the east side in the PUE area. The construction note would read: Construct 5 foot wide PCC sidewalk including curb ramps at the turn around.

// END //

