



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: March 19, 2020
To: Humboldt County Planning Commission
From: John H. Ford, Director of Planning and Building Department
Subject: **Derek and Jeanette Ford Parcel Map Subdivision Extension**
Case Number PLN-2019-15744
Assessor Parcel Number 510-142-031
2241 McKinleyville Avenue, McKinleyville area

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

AGENDA ITEM TRANSMITTAL

Hearing Date March 19, 2020	Subject Parcel Map Subdivision Extension	Contact Trevor Estlow
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Project: A two-year extension to a previously approved subdivision. The original project included a Minor Subdivision of a 22,370 square foot parcel into two parcels of 14,290 square feet (net) and 8,080 square feet (net). The parcel is developed with a single-family residence that will remain on proposed Parcel 1. Water and sewer are 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 August 15, 2021.**

Project Location: The project site is located in the McKinleyville area, on the southeast corner of the intersection of McKinleyville Avenue and Labrador Lane on the property known as 2241 McKinleyville Avenue.

Present Plan Designation: Residential Low Density (RL). McKinleyville Community Plan) (MCCP); Humboldt County General Plan. Density: 1-7 dwelling units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential One-Family with a combining zone for Noise Impact (R-1-N).

Case Number: PLN-2019-15744

Assessor Parcel Number: 510-142-031

Applicant
Derek and Jeanette Ford
95 Anker Lane
McKinleyville, CA 95519

Owner(s)
same as applicant

Agent
Points West Surveying Co.
Michael Pulley
5201 Carlson Park Dr., Ste. 3
Arcata, CA 95521

Environmental Review: Project requires environmental review.

Major Issues: None

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

FORD PARCEL MAP SUBDIVISION EXTENSION

Case Number PLN-2019-15744

Assessor Parcel Number 510-142-031

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 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.

Recommendation:

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

Staff Analysis:

A two-year extension of a Parcel Map Subdivision (PMS-17-003) originally approved August 3, 2017. The project consisted of a Minor Subdivision of a 22,370 square foot parcel into two parcels of 14,290 square feet (net) and 8,080 square feet (net). The parcel is developed with a single-family residence that will remain on proposed Parcel 1. Water and sewer are 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-17-003. This is the first applicant requested extension and, if approved, the tentative map will expire on August 15, 2021.

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 August 15, 2017, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Residential, One-Family with a combining zone for Noise Impact (R-1-N), for which a conformance finding was made, has not changed.
2. The General Plan Land Use designation, Residential, Low Density (RL), for which a consistency finding was made, has not changed.

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 (SCH# 2017052075) 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 20-

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE FORD PARCEL MAP
SUBDIVISION EXTENSION APPLICATION.**

CASE NUMBER: PLN-2019-15744; ASSESSOR PARCEL NUMBER: 510-142-031

WHEREAS, the owner submitted an application and evidence in support of approving the Parcel Map Subdivision Extension; and

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

WHEREAS, at their August 3, 2017 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 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;
2. The findings in H.C.C. [§ 326-21] in the Planning Division staff report supports approval of Case Number: PLN-2019-15744 based on the submitted evidence.
3. Parcel Map Subdivision Extension Case Number PLN-2019-15744 is approved as recommended and conditioned in the Planning Division staff report and Attachment 1.

Adopted after review and consideration of all the evidence on March 19, 2020.

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

AYES: Commissioners:

NOES: Commissioners:

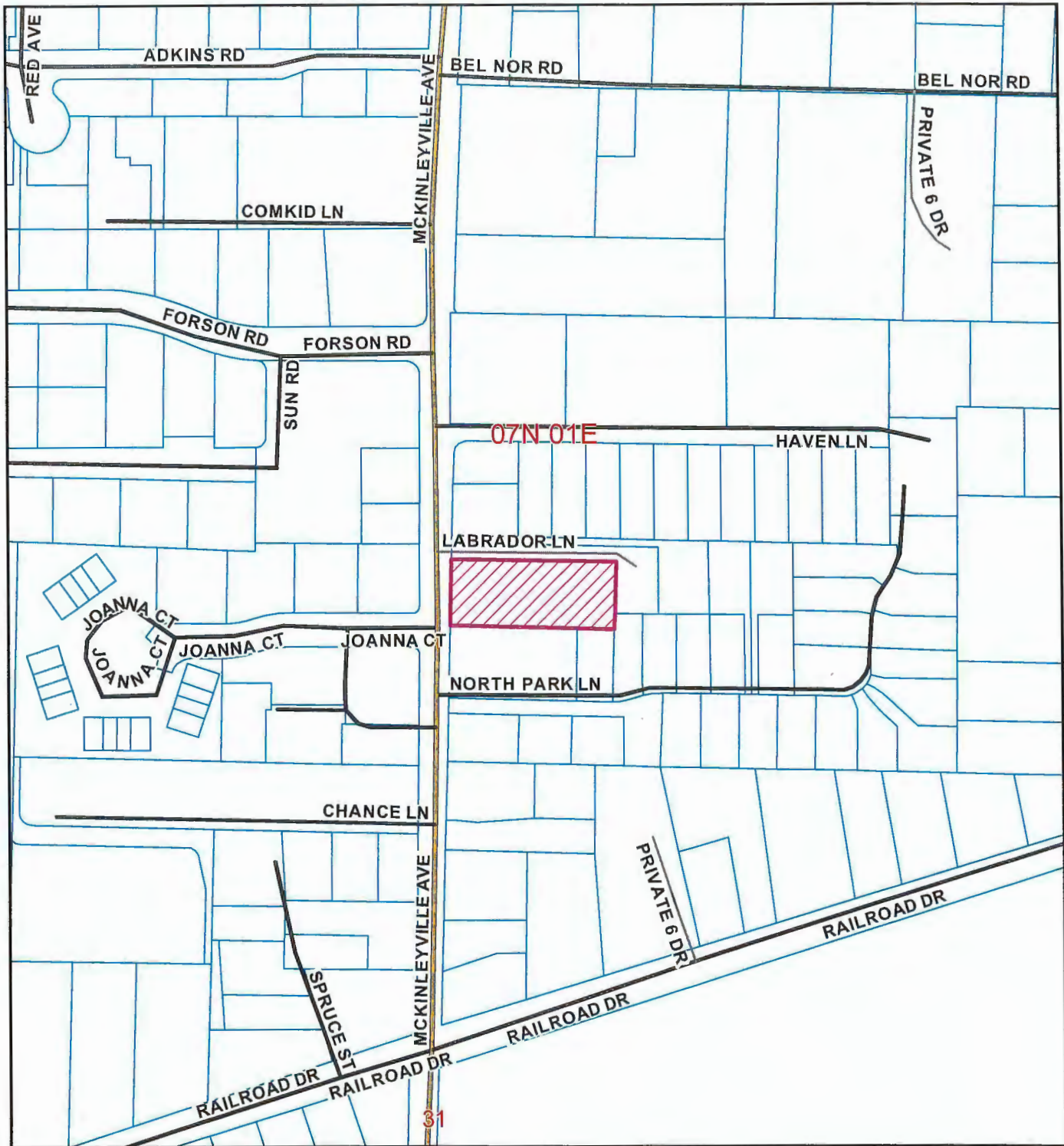
ABSTAIN: Commissioners:

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 FORD
PARCEL MAP SUBDIVISION &
EXTENSION**

MCKINLEYVILLE AREA

PLN-2019-15744

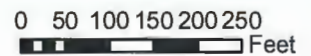
APN: 510-142-031

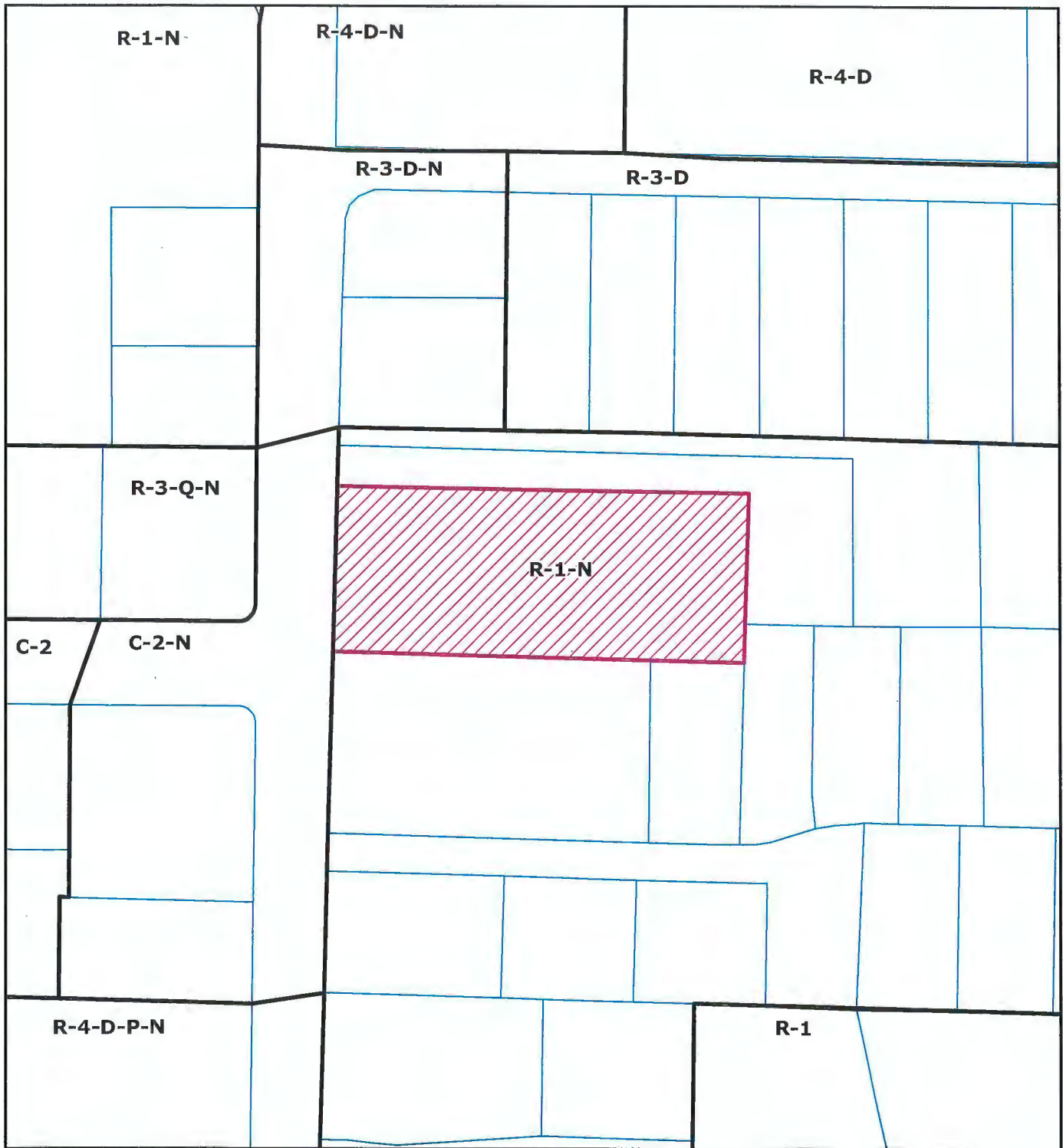
T07N R01E S31 HB&M (Arcata North)



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.





ZONING MAP

**PROPOSED FORD
PARCEL MAP SUBDIVISION &
EXTENSION**

MCKINLEYVILLE AREA

PLN-2019-15744

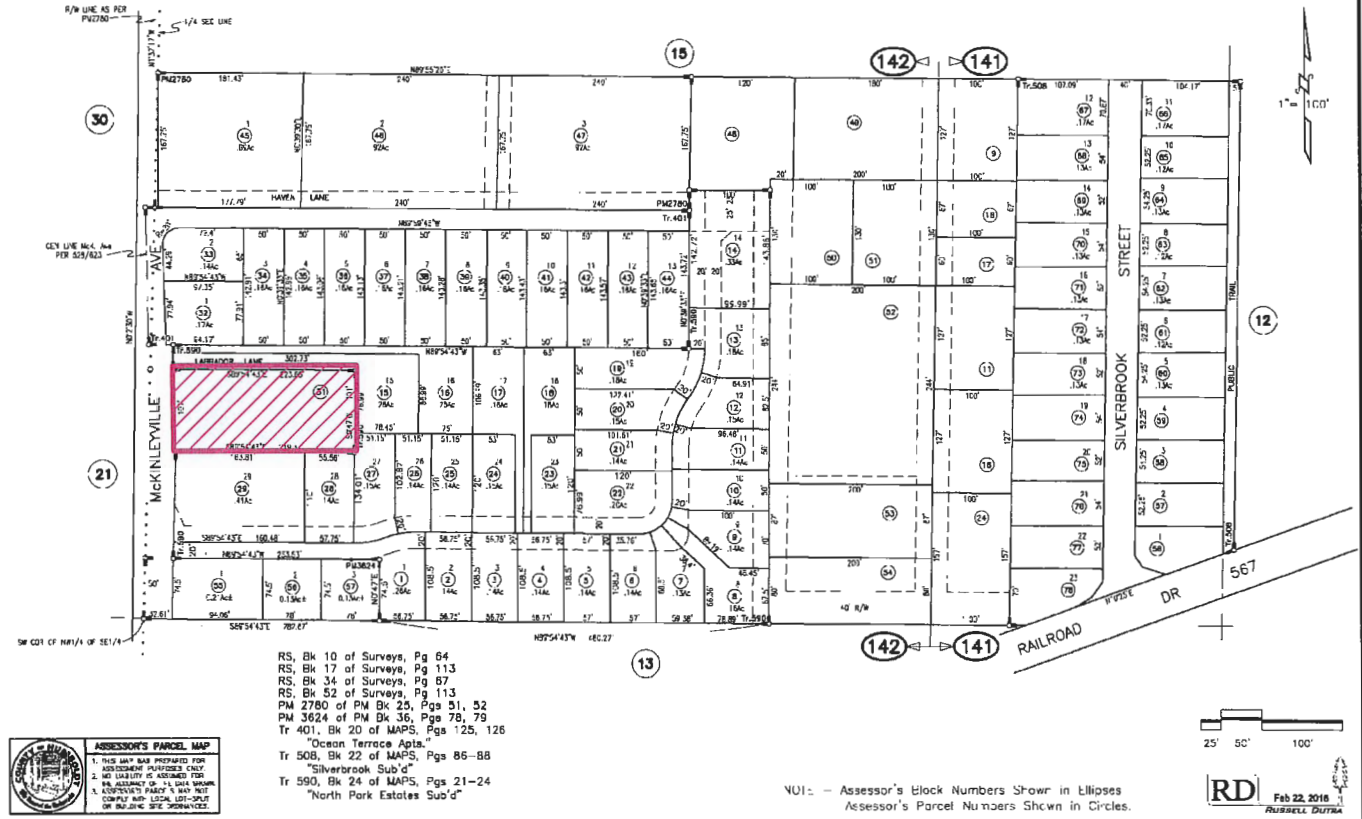
APN: 510-142-031

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.





ASSESSOR PARCEL MAP

**PROPOSED FORD
PARCEL MAP SUBDIVISION &
EXTENSION**

MCKINLEYVILLE AREA

PLN-2019-15744

APN: 510-142-031

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.


MAP NOT TO SCALE



AERIAL MAP

**PROPOSED FORD
PARCEL MAP SUBDIVISION &
EXTENSION**

MCKINLEYVILLE AREA

PLN-2019-15744

APN: 510-142-031

T07N R01E S31 HB&M (Arcata North)

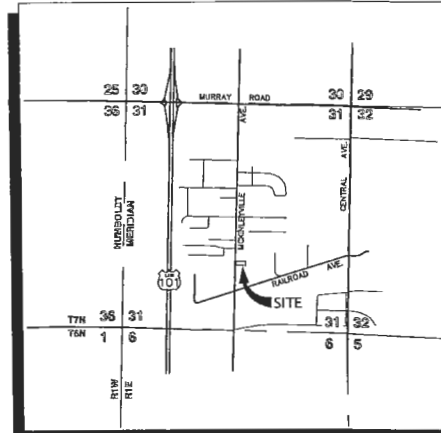
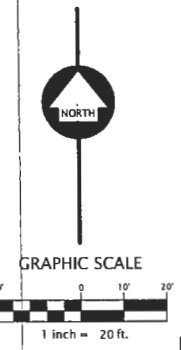
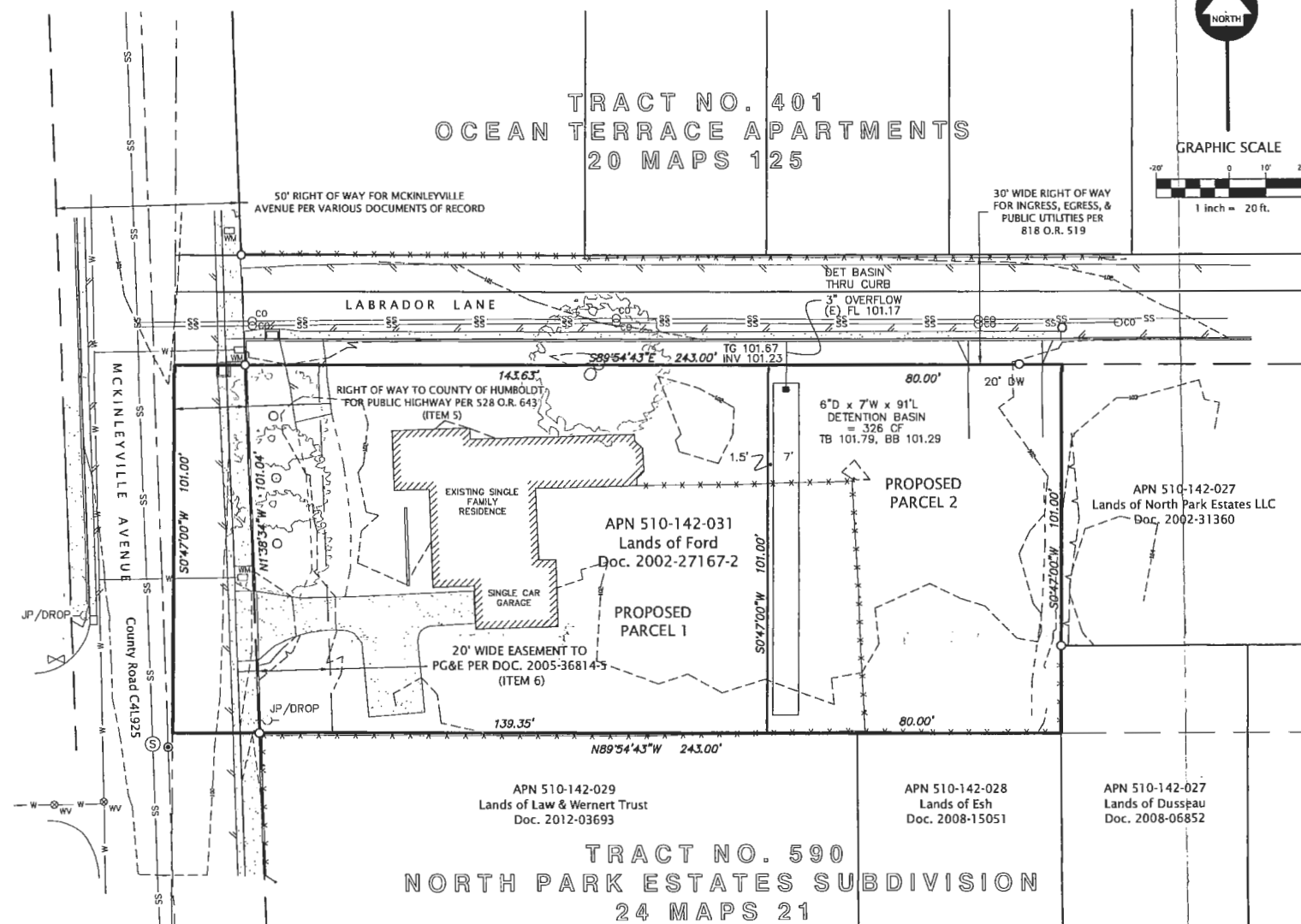
Project Area = 

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.



PROJECT NOTES

- 1) The map illustrates a proposed subdivision of APN 510-142-031 into two parcels. The subdivision of the 22,370 net sq. ft. (24,540 gross sq. ft.) / 0.51 acre parcel will result in proposed Parcel 1 of 14,290 sq. ft. net sq. ft. / 0.33 acres and proposed Parcel 2 of 8,080 net sq. ft. / 0.18 acres. Proposed Parcel 1 is developed with a single family residence and attached single car garage. Proposed Parcel 2 is currently vacant. Access to the proposed vacant parcel is via the existing 30' wide ingress and egress easement per Book 818 of Official Records, Page 519, known as Labrador Lane. Labrador Lane also serves two flag lots easterly of the subject parcel, created by the North Park Estates Subdivision. The first 224'± of the subject road is a.c. paved to a width of approximately 20 feet, to the easterly end of the parcel. No road improvements are proposed. No trees are proposed to be removed. No grading is proposed.
- 2) The parcel is zoned Residential Single Family with a combining zone identifying potential noise impacts (R-1-N)* and has a general plan designation of Residential Low Density (RL1) in the McKinleyville Community Plan. Adjacent properties south and east are similarly zoned and planned. Parcels due westerly, across McKinleyville Avenue, are zoned C-2-N and R-1-N. Parcels to the north are zoned R-3-D-N and R-3-D.
 *(Per the Draft Program EIR prepared for the McKinleyville Community Plan, in the project area noise level is at 60 Ldn at 20 feet from the centerline of the nearest travel way. Therefore, noise is not an issue for this proposed subdivision.)
- 3) The property is shown on official maps as Zone C, areas of minimal flooding (Firm Community Panel No. 060060 0625). No hazardous areas, historic buildings, or archaeological sites are known to exist on or immediately adjacent to the property.
- 4) Parcel creation: Residual parcel leftover from Grant Deed recorded December 17, 1964 in Vol. 818 O.R., pg. 519; current vesting deed Doc. 2002-27168-2.
- 5) Boundary lines and existing easements of record are based on a Preliminary Title Report prepared by Fidelity National Title Company, Order No. Boundary lines are based on ties to monuments shown per the North Park Estates Subdivision Tract Map, recorded in Book 24 of Maps, Pages 21-24. All easements of record are shown on this Tentative Map and will appear on the recorded subdivision map.
- 6) Topography is shown at 1 foot intervals based on a field survey performed by Points West Surveying in March 2016. Elevations are assumed.
- 7) The parcels are/will be served by community water and sewer by McKinleyville Community Services District. PG&E provides electricity and gas and AT&T provides telephone services. The nearest fire hydrant is located 70'± southwesterly of the parcel at the southwest corner of the Joanna Court / McKinleyville Avenue intersection.
- 8) No drainage courses, creeks, or other wet areas are known to exist on the property.
- 9) This project falls within the MS4 jurisdiction area of McKinleyville. A Preliminary Drainage Report has been prepared by Stephen Davidson, PE, of Bayside Civil Consultants. Proposed detention basin is shown hereon based on said report.



PARCEL INFORMATION

Current Parcel Area: 0.51± acres (Gross)
 Proposed Parcel One: 0.33± acres (Gross)
 Proposed Parcel Two: 0.18± acres
 8080 square feet

Agent: Michael Pulley
 Points West Surveying Company
 Mailing Address: 5201 Carlson Park Drive Suite 3
 Arcata CA 95521
 Phone: 707.840.9510
 Fax: 707.840.9542
 Email: Pulley@PointsWestSurveying.com

Owner / Applicant: Derek & Jeanette Ford
 Contact Person: Jeanette Ford
 APN: 510-042-031
 Site Address: 2241 McKinleyville Avenue
 McKinleyville, CA 95519
 Mailing Address: 95 Anker Lane
 McKinleyville, CA 95519
 Phone: 707.840.0613

General Plan: RL1 (Residential Low Density)
 Zoning: R-1-N

Building Setbacks: Front: 20'
 Interior Side: 5'
 Exterior Side: Varies
 Rear: 10'



**APN 510-142-031
 TENTATIVE MAP**

for
DEREK & JEANETTE FORD
 SECTION 31, T 7 N, R 1 E,
 HUMBOLDT MERIDIAN

IN THE UNINCORPORATED AREA OF
 HUMBOLDT COUNTY, STATE OF CALIFORNIA
 FEBRUARY 2017

SCALE: 1" = 100' SHEET 1 OF 1
POINTS WEST SURVEYING CO.
 5201 Carlson Park Dr., Suite 3 - Arcata, CA 95521
 707-840-9510 - Phone 707-840-9542 - Fax

SURVEYOR'S STATEMENT

This map was prepared by me, or under my direction, and is based upon a field survey.

SIGNED Michael D. Pulley
 DATED 1/21/2017

Michael D. Pulley
 L.S. No. 7793
 Expiration: 12/31/2017



LEGEND

- OVERHEAD ELECTRIC
- OVERHEAD ELECTRIC & TELEPHONE
- FENCE LINE
- GAS LINE
- STORM DRAIN LINE
- SEWER LINE
- WATER LINE
- PROPOSED WATER LINE
- EXTERIOR BOUNDARY
- INTERIOR PROPERTY LINE
- ADJACENT BOUNDARY
- EASEMENT LINE
- DRAIN INLET
- FIRE HYDRANT
- JOINT POLE
- SANITARY SEWER CLEANOUT
- WATER METER
- WATER VALVE
- OFFICIAL RECORDS, HUMBOLDT COUNTY RECORDS
- PARCEL MAPS, HUMBOLDT COUNTY RECORDS
- FOUND MONUMENTS PER 24 MAPS 21-24

D:\Land Project\15744-16 Ford_McKinleyville\BDS-Base.dwg 2/1/2017 4:30:28 PM PST

ATTACHMENT 1

Conditions of Approval

The conditions of approval effective August 15, 2017 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

CONDITIONS OF APPROVAL

Approval of the tentative map is conditioned on the following terms and requirements which 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 dated February 28, 2017 included herein as Exhibit A 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 be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. 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 \$102.00 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.
6. 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 \$125.00) 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.
7. Parkland dedication fees of \$3,067.92 shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$1,533.96 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 Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,533.96 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 Parcel 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 (currently \$322.00) will be required.

8. 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) The location of all drainage improvements and related easements, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program;
- (3) Development standards including setbacks, maximum lot coverage, maximum height and two (2) parking spaces on Parcel 1 and four (4) parking spaces on Parcel 2 consistent with Section 314-109.1 Humboldt County Code;

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 archaeological 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 and successors are ultimately responsible for ensuring compliance with this condition."

- (3) "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."
- (4) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 5:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (5) 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."
- (6) "The subdivision is considered a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. Development of low impact development techniques other than those included on the improvement plans shall require a site-specific analysis to demonstrate conformance with this standard."
- (7) "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."

9. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.

10. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,266.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2017 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,216.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.

11. This project 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. Any and all outstanding Planning fees to cover the processing of the subdivision shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.

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 Department. 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. 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 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) is 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.

- 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 term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.

ATTACHMENT 1 – EXHIBIT A
PUBLIC WORKS SUBDIVISION REQUIREMENTS



EXHIBIT A

**DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF FORD, APN 510-142-031, PMS 17-003 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 0.33 ACRES INTO 2 PARCELS

**DATE: 02/28/2017
07/10/2017 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 Points West Surveying Co. dated February 2017, and dated as received by the Humboldt County Planning Division on February 3, 2017.

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 parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. Parcel map checking fees shall be paid in full at the time the parcel map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The parcel 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 parcel map being submitted to the County Recorder for filing.

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

Prior to submitting the parcel map to the County Surveyor for map check, applicant shall submit the parcel 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 parcel 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 **PROOF OF LEGAL ACCESS:** Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of (40) feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance]

- 1.5 **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.

- 1.6 **FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.

- 1.7 **PRIVATE ROADS:** 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]

1.8 **DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) **MCKINLEYVILLE AVENUE (COUNTY ROAD No. A4L925)**

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) **LABRADOR LANE (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 parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 40 feet in width. [Revised 07/10/2017 by RWB]~~

Sidewalks: Applicant shall cause to be dedicated on the subdivision map a non-exclusive sidewalk easement as may be necessary for ADA compliance. Said easement shall be for the benefit of the parcels 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.

Note: The Post Office may not require a NBU for this project.

2.0 IMPROVEMENTS

- 2.1 **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.

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

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

- 2.3 **ACCESS ROADS:** The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

- (a) The intersection of Labrador Lane and McKinleyville Avenue must conform to Humboldt County Code Section 341 regarding visibility.
- (b) **Labrador Lane (Not County Maintained):** A 5 foot wide sidewalk shall be constructed along the south side of Labrador Lane. The existing driveway onto Labrador Lane (Parcel 1) shall be retrofitted for ADA compliance.
- (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.

- 2.4 **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.

- 2.5 **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.

Note: The Post Office may not require a NBU for this project.

- 2.6 **GATES:** Gates are not permitted on the 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.
- 2.7 **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.
- 2.8 **PARCEL MAP IMPROVEMENT NOTE:** Frontage improvements to Parcel 1 (an existing developed parcel) must be constructed per the Department's subdivision requirements. Pursuant to Government Code Section 66411.1 (b), the Department recommends that the frontage improvements on Parcel 1 be completed within twenty-four (24) months from the date that the subdivision map is filed with the County Recorder; or prior to issuance of a development permit (or building permit) for Parcels 1 or 2, whichever occurs first. This is based upon the need for orderly development of the surrounding area.

The construction of the subdivision improvements for Parcel 2 may be deferred to the time that a development permit (or building permit) is issued.

The improvements required for Parcel 1 are as follows: Sidewalks improvements on Labrador Lane fronting Parcel 1 and retrofitting the existing driveway onto Labrador Lane for ADA compliance.

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. [Available from Environmental Services Division- note document name to change in near future with new MS4 permit]

- 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 as proposed is a small project and is required to comply with County Code Section 337-13. At the time of issuance of a building permit, the applicant must comply with County Code Section 337-13.

Note: At time of issuance of a building permit for the vacant parcel, if the total proposed impervious area exceeds 5,000 SF, then that parcel shall be developed as a regulated project.

4.0 GRADING

<NONE>

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 required. [*Section 323-2 is listed in County Code after Section 324-1]

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 Labrador Lane.

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

<NONE>

7.0 LANDSCAPING

<NONE>

// END //