

Revised* CONDITIONS OF APPROVAL
***Revised per Planning Commission meeting of January 24, 2019**

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

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral, herein as Exhibit A of Attachment 1 (dated ~~October 19, 2018~~ January 24, 2019 Revised), shall be completed or secured to the satisfaction of that department.
3. The Planning Division requires that two (2) copies of the Final Map, identifying both net and gross parcel areas, be submitted for review and approval.
4. 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 shall the following site development details:
 - A. Mapping
 - (1) Topography of the land in 5-foot contour intervals;
 - (2) Proposed access, parking lanes and pedestrian ways;
 - (3) Building envelopes and easements, including reciprocal parking easements;
 - (4) The location of all drainage improvements and related easements;
 - (5) The location of the fault zone prohibiting structures intended for human habitation.
 - (6) Proposed improvements including streets, sidewalks, driveways, drainage and storm water detention facilities, community services facilities, access easements, and emergency access and vehicle turn-around, as applicable, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program.
 - 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 (construction potential of six (6) single family residences) 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) "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 4:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan."
- (4) "Development rights for residential development has 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 residential development on any of the involved parcels. In order to develop residential units, parkland in-lieu fees will be required. The amount of the fee in-lieu of dedication shall be determined by the Planning Division in the manner provided by the regulations."
- (5) "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."
- (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."

5. 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 \$415.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
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 \$110.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt 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. The provisions of H.C.C. §314-110.1.3 pertaining to payment of fees in-lieu of parkland dedication shall be binding on the future development of the subject parcels and the following note shall appear on the Development Plan:

"Development rights for residential development has 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 residential development on any of the involved parcels. In order to develop residential units, parkland in-lieu fees will be required. The amount of the fee in-lieu of dedication shall be determined by the Planning Division in the manner provided by the regulations."
8. A noise study shall be required for any residential development proposed to demonstrate that interior and exterior noise levels are within the limits identified in the McKinleyville Community Plan.
9. The applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. (Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.)
10. All development within the Airport Business Park is subject to the Mitigation and Monitoring Plan adopted as part of the Final Program Environmental Impact Report. A copy of the Mitigation and Monitoring Plan is on file with the Planning Division of the Humboldt County Planning and Building Department.
11. The recommendations set forth in the Fault Evaluation Report (FER) and preliminary "R-1" geologic and geotechnical report prepared by SHN shall be implemented as a condition to the issuance of permits or other grants of approval for the development or improvement of the site(s).
12. All development shall comply with the Landscape and Design combining zone regulations. The following standards are applied to the Airport Business Park site through the adoption and application of the combining zone:
 - a. All lot areas not covered by structures, parking lots or walkways shall be permanently landscaped. Such landscaped areas (including landscaping within parking areas) shall occupy not less than twenty percent (20%) of the net site area. "Landscaping" shall be construed to mean decorative plazas, pools, or the planting of grass, shrubs or trees or other comparable surface covers. All landscaped areas shall be provided with an irrigation system.

- b. Landscaping shall include at least one tree installed per fifty (50) feet of frontage on public streets.
- c. Required landscaping area may be combined with pedestrian walks, ornamental masonry, stone, gravel or other similar hard surface area provided that such area does not cover more than thirty percent (30%) of the required landscaping area.
- d. Exterior walls shall be constructed of wood, brick, stone, masonry or concrete; painted walls shall be predominantly finished in "earth" tones. Unpainted concrete walls shall be textured. Other materials or surfaces for exterior walls which are consistent with these specifications may be approved including metal siding materials of architectural value.
- e. Walls or fences of sheet or corrugated iron, steel, aluminum or asbestos are otherwise prohibited except as incidental architectural treatments, integrated with building materials composed primarily of those elements specified in "d" above.
- f. Security chain link fencing is permitted provided it is screened with wood slats (or equivalent) and exterior shrubbery.
- g. All permitted uses and accessory activities shall be conducted within completely enclosed buildings, excepting off-street parking and loading berths. The temporary outdoor storage of materials, equipment or vehicles in an orderly manner is permitted in any areas other than required front yards provided that such outdoor storage does not exceed ten feet in height, does not occupy more than ten percent of the lot area and is effectively screened from any adjacent residential district boundary.
- h. Reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, signs and parking and loading areas on any site provided they are equipped with lenses or other devices which concentrate the illumination within the site boundaries. No unshielded lights, reflectors, or spotlights shall be so located and directed that they shine toward or are directly visible from adjacent properties or streets.
- i. In addition to the Industrial Performance Standards, no land or building in this zone shall be used or occupied in any manner which may create any dangerous, injurious, noxious or otherwise objectionable or hazardous condition. Generations or emissions of smoke, dust, odor or any form of air pollution, glare or heat, liquid or solid refuse or wastes or other substance, conditions or elements in any manner or amount which may adversely affect surrounding areas is prohibited.

Prior to issuing a Building Permit, a Landscaping and Parking Plan and Architectural Elevations shall be submitted to the Planning Division for review. The Planning Director or his designee shall review the plans for conformance with the above standards, including parking requirements. The Planning Director in consultation with the Department of Public Works shall be authorized to grant parking exceptions. Exceptions may be granted based upon consideration of the following factors:

- Geographic location of the site.

- Site-specific topographic constraints.
- Historically designated structures.
- Proximity to urban built-up areas.
- Levels of anticipated use.

All required landscaping and parking shall be in place prior to the issuance of any final occupancy permits.

13. All parking requirements shall be consistent with the approved Development Plan for the Airport Business Park.

Informational Notes:

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

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

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

2. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
3. Site preparation and grading work for subdivision improvements will require a Grading Plan from the Land Use Division of Public Works. Please contact the Land Use Division at 445-7205 for more information concerning permit requirements and processing.
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.