

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

Resolution Number 23-017

SUBDIVISION APPROVAL

**CASE NUMBERS PLN-2022-17840, FMS-04-06M/CDP-04-17M/SP-11-20
ASSESSOR PARCEL NUMBER 508-391-045**

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

WHEREAS, the owner submitted an application and evidence in support of approving the Major Subdivision; 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 March 6, 2008 during original approval of the project; and

WHEREAS, pursuant to Section 15164 of the Public Resources Code, the County Planning Division prepared an Addendum to the previously adopted Mitigated Negative Declaration, which was approved by the Planning Commission on September 1, 2011 during approval of a modification to the project; and

WHEREAS, the Commission's approval of the subdivision expired before the applicant could completed the remaining phases; and

WHEREAS, the proposed subdivision is identical to the design and configuration previously approved by the Planning Commission in 2008 and 2011; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on Ferbruary 16, 2023.

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

PROJECT DESCRIPTION

FINDING: A Final Map Subdivision of an approximately 10.51-acre parcel into 45 residential lots ranging in size between approximately 5,000 square feet to 7,800 square feet in size, including a proposed 11,850 square foot parcel (Lot "B") for park purposes. An exception to the solar shading requirements has been requested for Lots 36 and 40. The project will be served with community water and sewer provided by the McKinleyville Community Services District. This project proposes re-approval of the remaining phases of a major subdivision that expired (FMS-04-06M/CDP-04-17M/SP-11-20). The subdivision was first approved by the Planning Commission in 2004 and authorized the creation of 88 residential lots. In 2011 the project was modified and re-approved by the Planning Commission to allow buildout in five (5) phases. The first two phases have since been completed resulting in the creation of 43 residential parcels, however the map expired before the remaining three phases were completed. The owner is now seeking re-approval of the map to enable creation of the 45 additional lots that were planned for and previously approved under these phases. Re-approval of the Coastal Development Permit is also being sought.

EVIDENCE: Project File: PLN-2022-17846

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 March 6, 2008, during original approval of the project, the Humboldt County Planning Commission adopted a Mitigated Negative Declaration (SCH# 2008012016).
- b) On September 1, 2011, the Planning Commission approved an Addendum to the MND and modification of the project.
- c) 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 project will result in a total of two (2) parcels. Parcel 1 will be

11,322 square feet (net) in size and parcel 2 will be 15,373 square feet (net) in size. Both parcels comply with the minimum parcel size of the zone (6,000 ft.²) and will be suitable for single-family residential development as both proposed parcels already currently host a residence.

The subdivision creates 45 residential lots. Staff site inspections and referral agency comments indicate that the proposed parcels are suitable for residential purposes. An R-1 Geologic Hazards and Soils Engineering Report and a Fault Evaluation Report have been prepared. Project approval is conditioned upon incorporation of recommendations, including a zone of building exclusion, as set forth in the reports.

FINDING

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

EVIDENCE: a)

The subdivision is accessed from Windsor Avenue, the westerly extension of Duchess Road and the southerly extension of McKinleyville Avenue to School Road. A Traffic Impact Study was prepared by Spencer Engineering. The Arcata Fire Protection District (AFPD) has recommended conditional approval. The Land Use Division of Public Works (LUD) has provided Subdivision Requirements (see Exhibit A of Attachment 1) that address access, including improvements to School Road. Project approval is conditioned upon satisfaction of the requirements set forth by LUD and AFPD. A Preliminary Drainage Report was prepared by in 2007 by Spencer Engineering. In July of 2022, a subsequent preliminary hydraulic / drainage study was prepared by Jake Schillinger for the remaining subdivision phases. Parcel K will be used for the stormwater detention basin for the subdivision. Stormwater runoff will be handled by the basin as well as the proposed School Ridge Subdivision to the east. The applicant will utilize a portion of Windsor Avenue for stormwater detention basin purposes. LUD has provided Subdivision Requirements that address drainage and grading, and project approval is conditioned upon satisfaction of the requirements set by LUD and the McKinleyville Community Services District.

FINDING

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

EVIDENCE: a)

A Preliminary Drainage Report was prepared by in 2007 by Spencer Engineering. In July of 2022, a subsequent preliminary hydraulic / drainage study was prepared by Jake Schillinger for the remaining subdivision phases. Parcel O will be used for the stormwater detention basin for the subdivision. Stormwater runoff will be handled by the basin as well as the proposed School Ridge Subdivision to the east. The applicant will utilize a portion of Windsor Avenue for stormwater

detention basin purposes. the Land Use Division of Public Works (LUD) has provided Subdivision Requirements that address drainage and grading, and project approval is conditioned upon satisfaction of the requirements set by LUD and MCSD. Satisfaction of the requirements found in the LUD Memo is required by the project Conditions of Approval. Section 3.1 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of LUD and requires that a hydraulic report and drainage plan for the subdivision be submitted to them for review and approval.

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: The size and configuration of the proposed parcels complies with width, depth, and minimum lot size requirements of the R-1 zone. Lot 20 utilizes a Flag Lot design, consistent with the exception provided in Section 7-2 of the County subdivision regulations.

§322.5-8 & 5-9 Solar Shading Exemption

FINDING It is appropriate to grant an exemption to the solar access requirements for lots 36 and 40, as compliance is not feasible without reducing density. Reductions in density are sufficient grounds for approval of the requested exemption.

EVIDENCE: a) A Solar Shading Plan has been prepared by Spencer Engineering that shows solar access for one- and two-story residences. The Plan indicates the majority of the lots can meet solar access requirements, and an exception request has been submitted for two lots that cannot meet the standards based on: *“The configuration, size and minimum lot area of this subdivision makes the adequate solar access requirement difficult to obtain without reducing the number of lots within the subdivision. Solar access for all other lots within this project meets or exceeds adequate solar access.”* The applicant has demonstrated that it will be difficult to provide adequate solar access to all proposed lots at the current density. As the first two phases of subdivision have already been completed, it becomes increasingly difficult to reconfigure the design to better provide for solar access. The requested

exemption has twice been previously granted.

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 45 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 Windsor Avenue, a westerly extension of Duchess Road and a southerly extension of McKinleyville Avenue to School Road.

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) and Residential Estates (RE) (GP 4.8, MCCP 2732, MCAP 5.20).

EVIDENCE a) The project subdivides 10.5 acres into 45 residential lots. The subdivision is consistent with the planned density of the area and the residential development of the area.

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

EVIDENCE a) The project site is in an area rated relative stability. An R-1 Geologic Hazards and Soils Engineering Report was prepared by SHN Consulting Engineers. The parcel is located within the Alquist-Priolo Special Studies Fault Zone. A Fault Evaluation Report was prepared by SHN Consulting Engineers and reviewed by Giblin Associates, the County's reviewing geologist. Project approval is conditioned upon incorporation of recommendations, including a zone of building exclusion, as set forth in the reports.

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

EVIDENCE a) The project site is not located in an area of flooding. The Building Inspection Division did not identify any site concerns relating to site suitability for residential development. Future development must meet County Building regulations.

FINDING The proposed development will be consistent with the Land Use/Noise Compatibility Standards, including those applicable to those specific noise impact areas identified in Figure 8 of the plan (MCCP 3240).

EVIDENCE a) Portions of the site are expected to exceed the 60 CNEL noise standard for residential land uses by year 2020 per Figure 8 of the MCCP due to the site proximity to School Road. The project includes a noise barrier (i.e., a 6-foot high fencing/sound wall and berm) to be constructed along the School Road frontage to mitigate for noise.

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

EVIDENCE a) A Preliminary Drainage Report was prepared by in 2007 by Spencer Engineering. In July of 2022, a subsequent preliminary hydraulic / drainage study was prepared by Jake Schillinger for the remaining subdivision phases. Parcel K will be used for the stormwater detention basin for the subdivision. Stormwater runoff will be handled by the basin as well as the proposed School Ridge Subdivision to the east. The applicant will utilize a portion of Windsor Avenue for stormwater detention basin purposes. LUD has provided Subdivision Requirements that address drainage and grading, and project approval is conditioned upon satisfaction of the requirements set by LUD and MCSD.

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, MCCC 3420).

EVIDENCE a) Review of County resource maps indicate there are no watercourses or other biological resources within or adjacent to the project site. The California Department of Fish and Game made no comments on the project.

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 (MCCC 4100).

EVIDENCE a) The subdivision will be served by community water and sewer provided by MCSD. The subdivision is accessed from McKinleyville Avenue, Duchess Road and Windsor Avenue. Project approval is conditioned upon satisfaction of the requirements set by LUD, AFPD, MCSD and other utility companies.

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, MCCC 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 (MCCC 3250, ALUCP)

EVIDENCE a) The parcel being divided is located nearly $\frac{3}{4}$ of a mile southwest of the nearest safety zone of the Arcata-Eureka Airport (ACV). Therefore, there are no specialized density restrictions applicable to residential development nor restrictions on the range of uses permitted. The parcel is located over 1.5 miles from the nearest Airport Noise Impact Combining Zone area. The parcel is located within a Noise Impact Area for highway related noise and the project includes conditions requiring development of a noise barrier along the project's southern boundary.

FINDINGS APPLICABLE TO ALL PERMITS

FINDING The proposed development is in conformance with the County General Plan.

EVIDENCE a) The proposal divides a 10.51-acre parcel into 45 residential lots. The subdivision is served by community water and sewer provided by the McKinleyville Community Services District (MCSD). The subdivision is accessed from Windsor Avenue, the northerly extension of Duchess Road and the westerly extension of McKinleyville Avenue off School Road. Staff site inspections and referral agency comments indicate that the proposed parcels are suitable for residential purposes. The Density Range is 1-7 units per acre and the proposal is consistent with the planned density of the area and the residential development of the area.

FINDING The proposed development is consistent with the purposes of the existing Residential Single-Family (R-1) and Residential Single Family (RS-5) zone in which the site is located.

EVIDENCE a) The property zoning designation of Residential Single-Family (R-1) and (RS-5) includes single-family residential and accessory dwelling units as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 5,000 square feet as well as the minimum width and depth requirements for the zone. The proposal includes one flag-shaped parcel (lot 20) that complies with Section 7-1 of the Appendix to the Subdivision Regulations, which includes provisions for parcels of this sort.

FINDING The proposed development complies with the Parkland Dedication requirements of the zoning regulations.

EVIDENCE a) Parkland dedication in-lieu fees shall be paid in accordance with the provisions of the parkland dedication ordinance. Parkland dedication in-lieu fees shall be paid: $(45)(2)(1)(130 \times 2.6/43,560) \times \$100,000 = \$69,834.71$ or $\$34,917.35$ with the conveyance of second dwelling units on the 45 residential lots.

Alternatively, if Lots A and B are created for park use and are dedicated to, and maintained by the McKinleyville Community Services District, parkland in-lieu fees are not required. Lot A will be developed with picnic benches and an 8' wide trail. Lot B will be improved with a fenced tot lot and an 4' wide trail. These parks fulfill the requirement for useable open space for public use. A minimum of 1.4 acres of parkland is required for all phases of the subdivision, and the creation of a total of 1.4 acres is proposed. Windsor Avenue is identified as Trail No.38 and Public Works Subdivision Requirements specifies construction details for a Caltrans Class 1 trail.

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.
- b) It is important to ensure the maintenance of the exterior boundary fences and maintain the exterior fencing wall on School Road. A condition has been added to ensure that funding will be provided for this by requiring that language be included in the landscape or open space maintenance zone agreement providing for the maintenance and repair of "back-on" fencing, berms, and similar features sited along the rear of lots 4-16, which abut School Road.

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.

- a) Though the parcel is not included in the most recent housing inventory from 2019, the residential low-density (RL) plan designation sets a density of 1-7 dwelling units per acre; the residential estates (RE) plan designation sets a density of 3-7 dwelling units per acre. The proposal would result in the creation of 45 lots for residential development from a parcel that is currently 10.51 acres in size. This would result in a density of 4.28 dwelling units per acre, exceeding the median density requirement under the Housing Element. Additionally, the parcels could be developed with secondary dwelling units, thereby achieving even greater overall density.

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-2022-17846) based on the approved tentative map on file for the project dated July 8, 2022 and dated as received by the Humboldt County Planning Division on July 13, 2022, subject to the conditions of approval.

The motion was made by COMMISSIONER Peggy O'Neill and second by COMMISSIONER Brian Mitchell and the following ROLL CALL vote:

AYES: COMMISSIONERS: Peggy O'Neill, Brian Mitchell, Iver Skavdal, Noah Levy,
Lonyx Landry

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Thomas Mulder

ABSTAIN: COMMISSIONERS:

DECISION: Motion Carries 5/0/1

I, John 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 Ford, Director
Planning and Building Department

ATTACHMENT 1A

Conditions of Approval

APPROVAL OF THE FINAL MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE TRACT MAP MAY BE FILED WITH THE RECORDER:

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 enclosed Department of Public Works referral dated **November 28, 2022**, 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, said map to identify net and gross acreage for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
6. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
7. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include Development Plan items of the Public Works Subdivision Requirements, included herein as Exhibit A of Attachment 1, and the following site development details:
 - A. Mapping
 - (1) Topography of the land in 1-foot contours.
 - (2) Development standards for parcels: building "envelopes" (dwelling site locations with

applicable yard setbacks, maximum lot coverage, maximum building height), including parking area detail and improvements showing conformance with Section 314-109.1 HCC, County Subdivision Regulations and as restricted by LUD Subdivision Requirements.

- (3) Proposed improvements including streets, sidewalks, driveways, drainage facilities, community services corridors, access easements, recreational trails, parks, and emergency access and vehicle turn-around, as applicable.
- (4) Location of waterline, sewer, and drainage easements in favor of the McKinleyville Community Services District (MCSD) or the County of Humboldt.
- (5) Street lighting if required by MCSD.
- (6) Location of hydrants as required by the Arcata Fire Protection District.
- (7) Height limits, plan-, sectional-view and/or elevation details to demonstrate conformance with the Solar Access requirements of HCC Section 322.5. The Solar Shading Plan prepared by Spencer Engineering illustrates that, with the exception of Lots 75 and 85, the subdivision can meet solar access standards for one- and two-story lots. Refer to the Plan for height restrictions. A site-specific solar shading analysis shall be prepared for all development not specified in the Solar Shading Plan to show consistency with this standard.
- (8) Location of proposed 6-foot high solid fencing (or equivalent)/sound wall and berm to mitigate noise along School Road, along the School Road frontage and as required to meet noise standards.
- (9) Location of the USPS Neighborhood Box Unit (NBU), if applicable.
- (10) Location of zone of building exclusion identified within the Fault Evaluation Report prepared by SHN Consulting Engineers.
- (11) Stormwater detention basin identified on Parcel O.
- (12) Lots A and B dedicated for park use and Trail No. 38 on Windsor Avenue
- (13) Existing residences and structures on developed lots, including 64, 66, 70, 72, and 74.

B. Notation

- (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 suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call a professional archaeologist, the Tribal Historic Preservation Officers from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria, and the Wiyot Tribe, as well as the County Planning and Building Department; 3. The professional archaeologist, Tribes and County officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.
 - If human remains are encountered: 1. All work shall stop and per CA Health and

Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 4. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

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

- (2) "Hours of construction activity shall be limited to Monday through Friday from 8:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday."
- (3) "Utilities associated with the subdivision shall be placed underground, where feasible."
- (4) "Water and sewer connection fees are due and payable to the MCSD upon a request for services."
- (5) "The subdivision is subject to payment of parkland dedication in-lieu fees of \$69,834 or \$34,917.35, half the parkland dedication fee for all lots, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on all lots. Release of the conveyance is contingent upon payment of the balance of the parkland fees. Alternatively, acceptance by the McKinleyville Community Services District of Lots A and B for park use satisfies the parkland requirements."
- (6) "A 6-foot high, solid fencing or sound wall with berm shall be installed along the School Road frontage and as required to mitigate for noise impact. These fences/sound walls/berms shall be maintained for the life of the project."
- (7) "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 Plan has been prepared by Spencer Engineering, and development shall be consistent with the Plan to provide adequate solar access consistent with HCC Section 322.5. Development, including second dwelling units, detached accessory buildings and/or additions, at a height, footprint or location other than that specified in the Solar Shading Plan, shall require a site-specific solar shading analysis to demonstrate conformance with this standard."
- (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before

commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed.”

- (9) “Lots A and B for park use are to be dedicated to, and maintained by, the McKinleyville Community Services District. Lot A will be developed with picnic benches and an 8’ wide trail. Lot B will be improved with a fenced tot lot and an 8’ wide trail.”
8. The applicant shall cause to be recorded a combined “Notice of Development Plan and Notice of 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 (currently \$445.00 plus applicable recordation fees) will be required. The Development Plan and Geologic Report shall also be noticed on the Final Map.
9. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$116.00 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.
11. Parkland dedication fees of \$69,834.71 shall be paid to the Humboldt County Community Development Services, 3015 H Street, Eureka. Alternately, \$34,917.35, half the parkland dedication fee for the 45 residential lots, 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. Release from the Conveyance and Agreement may be pursued upon payment of the 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 (currently \$445.00) will be required.

Or, the application of a \$69,734.71 credit shall be deemed to meet the required Parkland Dedication Fee requirements, upon acceptance of the dedication and improvements by the McKinleyville Community Services District (MCSD).

12. The applicant shall initiate action on a “Conveyance and Agreement” on forms provided by Humboldt County Community Development Services (Planning Division). Please contact the Planning Division regarding the preparation and scheduling of the necessary agreement. Document review fees will be required.
13. Sound barrier, i.e. 6-foot high fencing/sound wall and berm shall be installed along the School Road frontage and as required to reduce the outdoor noise level to a tolerable consistent with noise standards. These barriers shall be maintained for the life of the project.

14. All proposed residential development shall be consistent with the requirements/recommendations set forth in the R-1 Geologic Hazard Evaluation and Soils Report and the Fault Rupture Hazard Evaluation, including the zone of building exclusion, as approved by Giblin Associates.
15. **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 \$50.00. This is a document handling fee in order to file a Notice of Determination.
16. Prior to recordation of the Final Map, the applicant shall submit a letter from the Regional Water Quality Control Board stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
17. Applicant shall pay to the Humboldt County Planning & Building Department any unpaid balance associated with the processing of this application. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.
18. The above conditions shall be separately satisfied for the Final Map to be recorded for each phase. This shall include the phasing requirements of the Department of Public Works, Land Use Division, in the Memorandum dated March 21, 2011.

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.

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. The term of any associated permit or variance (e.g., Coastal Development, Special Permit, Planned Development Permit) shall coincide with the term of the approved Tentative Map. If necessary, an extension of the permit or variance may be requested in accordance with the provisions of Section 312-11.3 of the Humboldt County Code.

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
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CLARK COMPLEX	
HARRIS & H ST., EUREKA	
FAX 445-7388	
LAND USE	445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director *FOR* 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE SANTOS, APPLICATION # PLN-2022-17486 FMS, APN 508-391-045, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 10.51 ACRES INTO 45 LOTS

DATE: 11/28/2022

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 Schillinger Engineering dated July 8, 2022 and dated as received by the Humboldt County Planning Division on July 13, 2022.

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 326-21. 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 a “.pdf” scan 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 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.
- 1.6 PRIVATE ROADS:** Pursuant to County Code Section 324-2(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 324-2(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."

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

- (a) **MCKINLEYVILLE AVENUE** shall have a right of way width of 50 feet plus a 10 foot wide public utility easement along both sides of the right of way. McKinleyville Avenue rights of way shall be dedicated for public road purposes to the County of Humboldt in a manner approved by this Department. Additional right of way may be required at the roundabout.

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.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated to the County of Humboldt a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes in a manner approved by this Department. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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.

Non-vehicular access: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 1-foot wide non-vehicular access strip adjacent to McKinleyville Avenue and School Road. The location shall be as shown on the tentative map, or as otherwise approved by this Department. Said easement shall be dedicated in a manner and location as approved by this Department.

Curb Returns: Additional areas may be required for accessible curb returns.

Abandonment: The County may require the abandonment and re-dedication of the right of way for McKinleyville Avenue.

- (b) **INTERNAL SUBDIVISION ROADS:**

CAITLIN PLACE and **DUCHESS ROAD** shall have a right of way width of 40 feet for ingress, egress, and public utilities plus a 10 foot wide easement for public utility and sidewalk purposes along both sides of the right of way.

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. Easements shall include additional right of way for curb returns and knuckles as determined by this Department.

Street Name	Typical Right of Way Width	Cul-de-sac Right of way Radius
Caitlin Place	40'	45'
Duchess Road	40'	NA

A cul-de-sac shall be provided at the end of road Caitlin Place. The cul-de-sac shall have a radius of 45 feet as measured to the top of curb, unless otherwise approved by this Department (with on-street parking in the cul-de-sac).

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 parcels/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.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department.

Irrevocable dedication: Applicant shall cause to be irrevocably dedicated on the subdivision map to the County of Humboldt any access, PUE, sidewalk, and/or slope easements created on the subdivision map. The dedication shall be made in a manner approved by this Department. The County will most likely reject this offer of dedication at this time.

Curb Returns: Additional areas may be required for accessible curb returns.

- (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.

- 1.8 LINES OF OCCUPATION:** Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.
- 1.9 ABANDONMENT:** Windsor Avenue between Duchess Road (County Road No. 4L920) and School Road (County Road No. A3L070) shall be abandoned with a reservation for non-vehicular public access, storm drain, and public utilities.

Windsor Avenue shall not be abandoned until access to School Road is provided along Duchess Road and McKinleyville Avenue.

2.0 IMPROVEMENTS

- 2.1 CONSTRUCTION PLANS:** Pursuant to County Code §326-3, construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work. (See County code Section 326-3)

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), streetlights, 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.

This includes, but is not limited to, the existing curb ramps at the northeast and northwest corners of McKinleyville Avenue and School Road.

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 & SIGNS: Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- a) Stop signs shall be installed on Duchess Road and Caitlin Place at its intersection with McKinleyville Avenue. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- b) Pursuant to County Code Section 324-2(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. (last paragraph for private roads)
- c) No parking signs shall be installed along both sides of McKinleyville Avenue from Chelsea Way to School Road.
- d) In the event that addresses are not available at the time that the subdivision map is filed with the County Recorder, then a note shall be added to the development plan indicating that street address signs shall be posted prior to issuance of a building permit.
- e) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker.
- f) Additional signing and striping may be required by the Department upon review of the improvement plans. This includes, but is not limited to, centerline striping, two way left turn lane striping, bicycle lane striping, edge lines, dead end road signs, no outlet signs, speed limit signs, warning signs, etc....

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

- a) All intersections shall conform to Humboldt County Code Section 341 regarding visibility.

McKinleyville Avenue shall have a posted speed limit of 30 MPH. When roadways curve, line of sight is a common issue on the inside of a curve due to development blocking sight lines. Development adjacent to McKinleyville Avenue will negatively affect sight distance at the road intersections. Special conditions of visibility maintenance are required per County Code Section 341-1 and Humboldt County Road Design Manual Section 2-231 including a 300 foot line of sight. Fences along **McKinleyville Avenue** shall be setback to comply with line of sight requirements for intersections. This shall be noted on the development plan.

- b) **Windsor Avenue** (to be abandoned): A paved, 10 foot wide trail shall be constructed between School Road (County Road No. A3L070) and Duchess Road (County Road No. 4L920). Any existing pavement that is no longer necessary shall be removed and the area revegetated.

This work shall not commence until access to School Road is provided along Duchess Road and McKinleyville Avenue. This includes the construction of the storm water detention basin.

- c) **McKinleyville Avenue** shall be constructed to the cross section shown on the tentative map. The road shall be signed and striped for bike lanes; and shall be striped with a centerline stripe. The curb shall be painted red for no parking on both sides of the road.

Install street trees symmetrically along the road (i.e., trees on left and right sides of the road at same Station); roughly, one (1) tree per lot.

- d) **McKinleyville Avenue (Offsite)** (County Road No. 4L925) from the south line of Lot 69 of Tract No. 644 to Washington Avenue shall be constructed as follows:

- From the south line of Lot 69 of Tract No. 644 to the north line of Lot 59 of Tract No. 644, the road shall be widened to the typical section shown on the tentative map. The road shall be signed and striped for bike lanes; and shall be striped with a centerline stripe. The curb shall be painted red for no parking on both sides of the road.

Install street trees symmetrically along the road (i.e., trees on left and right sides of the road at same Station); roughly, one (1) tree per lot.

Most of the improvements in this segment were constructed by Tract No. 644.

- From the north line of Lot 59 of Tract No. 644 to the north line of Lot 56 of Tract No. 644, the road shall be signed and striped for bike lanes; and shall be striped with a centerline stripe. The curb shall be painted red for no parking on the west side of the road; a parking lane shall be provided on the east side of the road.

Install street trees symmetrically along the road (i.e., trees on left and right sides of the road at same Station); roughly, one (1) tree per lot. Applies only to the lots in Tract No. 644 that abut McKinleyville Avenue. Note: Lot 59 is developed with curb adjacent sidewalk; no landscape strip or trees will be planted along the frontage of Lot 59.

- From the north line of Lot 56 of Tract No. 644 to Washington Avenue shall be widened to provide two 11 foot wide travel lanes; and one 8 foot wide parking lane on the east side. The road shall be posted with no parking signs along the west side.
- Construct a temporary chicane at the existing utility pole north of Ian Lane. The road shall be widened at the chicane to provide a 2 foot wide paved shoulder on the west side. Along the chicane, construct an AC dike on the west side of the road.

Along the east side of the chicane, a no parking zone shall be painted on the existing curb; the AC dike shall also be painted red.

The chicane is to be removed when APN 508-232-004 or APN 508-341-050 constructs their frontage improvements, and the utility pole is removed.

- Install a stop sign, limit line, and stop pavement marking on west bound Ian Lane at its intersection with McKinleyville Avenue.
- Install a three way stop (including stop signs, limit lines and stop pavement markings) at the intersection of Washington Avenue and McKinleyville Avenue. Remove conflicting signing and striping as necessary.
- The barricade located at the northerly line of Lot 59 (on the east) [APN 508-391-029-000] of Tract No. 644 shall be removed at the time that McKinleyville is constructed between School Road and Washington Avenue.



Above: google aerial image with proposed improvements to McKinleyville Avenue shown in red

- e) **Duchess Road and Caitlin Place** shall be constructed to the cross section shown on the tentative map.

Install a stop sign, limit line, and stop pavement marking at all intersections with McKinleyville Avenue.

Intersection corner radii of twenty (20) feet shall be required at the curb face, unless otherwise approved by this Department.

Within the front landscape strip, install one (1) street tree per lot.

- f) **School Road** (County Road No. A3L070) shall have standard 6 foot tall fence along School Road. The fence line may be straight or may periodically jog in/out of the subject lot to provide a varying site line. At no time shall the fence be constructed within the County road right of way.

Provide landscaping and screening for the storm water detention basin.

Install street trees symmetrically along the road (i.e., trees on left and right sides of the road at same Station); roughly, one (1) tree per lot.

- g) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- h) 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.
- i) 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.
- j) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

2.7 DRIVEWAYS: The location of existing and proposed driveway aprons (access openings) shall be shown on the construction plans. Existing driveways shall be relocated/ retrofitted/ improved as necessary to meet the following:

- a) **GEOMETRY:** Existing and proposed driveways shall intersect the road at a 90° angle, unless otherwise approved by this Department.
- b) **GRADE:** Driveway grades shall conform to the following: When concrete curb is present, the maximum grade of the driveway shall be 16%.
- c) **VISIBILITY:** All driveways shall conform to Humboldt County Code Section 341 regarding visibility.
- d) **DRIVEWAY SURFACE:** The surface of the driveway shall conform to the *Structural Section* requirements within this document.

Driveways connecting to paved roads: Existing and proposed driveways shall be paved for the entire width of the driveway. The driveway shall be paved for a minimum length of 25 feet. For uphill driveways where the grade of the driveway exceeds 16%, the driveway shall be paved to a grade break as determined by this Department.

When a concrete curb is present, a portland cement concrete driveway apron (Urban Driveway No. 1 Standard Plan) shall be constructed.

- e) **DRIVEWAY WIDTHS:** The width of the driveway shall be as approved by this Department.

Driveway Widths (W)			
Type	Minimum	Recommended	Maximum
Residential	10'	18'	20'

- f) **SETBACK TO GARAGES:** 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.
- g) **ENCROACHMENT PERMIT:** Any new driveways (access openings) from the County road will require encroachment permit from this Department.

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 feet of Caltrans Type A 1/2" 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.
- b) 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.

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:** Pursuant to County Code §411-11 (a)&(b), 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 Postmaster. 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. If the NBUs will not be installed by the Post Office, the subdivider shall install the NBUs as part of the subdivision.
- 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 on vacant lots 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.

Sidewalks on lots with multiple road frontages can only defer the sidewalk frontage where the driveway is proposed.

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. The report and plan must be prepared by a Civil Engineer registered by the State of California. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department. In the preparation of drainage plans, applicant shall comply with the Community of McKinleyville County Storm Water Management Program.

3.3 STORM WATER QUALITY: Applicant shall include within the project site the implementation of Best Management Practices (BMPs) to prevent storm water pollution. BMPs include, but are not limited to, stenciling drainage inlets.

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 Section 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 ENGINEERING 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 ENGINEERING GEOLOGY REPORT: Pursuant to Humboldt County Code Section 331-14 (E)(6), applicant shall provide an engineering geology 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 engineering geology report with the Chief Building Official.

4.3 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.

4.4 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.

4.5 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.

4.6 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.

4.7 SLOPES: Benches/terraces when required by Humboldt County Code Section 331-14 (H)(3)(b) shall also include interceptor drains when required by this Department.

Interceptor drains when required by this Department or per Humboldt County Code Section 331-14 (H)(3)(e) shall be sized per the drainage study to pass a Q₁₀₀ storm event with at least 0.5-foot freeboard.

Proposed lot lines shall be situated at the top of slopes between lots, unless otherwise approved by this Department.

4.8 EROSION CONTROL: Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1) and 337-13(c), 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 of ground disturbance, 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 324-2 (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.

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 roads known as Caitlin Place and Duchess Road.
- A maintenance plan for the landscaping along McKinleyville Avenue between School Road at the northerly line of Lot 56 (on the west) [APN 508-391-026] and the northerly line of Lot 59 (on the east) [APN 508-391-029-000] of Tract No. 644
- A maintenance plan for the landscaping along School Road (including the medians and central island) fronting the subdivision.

An assessment district may be formed to maintain landscaping.

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) The following note shall be added to the development plan: "Fences along McKinleyville Avenue shall be setback to comply with Caltrans line of sight requirements for intersections. This shall be noted on the development plan. At the time of lot development of Lot 3, 4, 20, 26, 27, 30, 31, 44 and 45, the Department shall evaluate fence locations for line of sight."
- l) 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.
- m) The following note shall be placed on the development plan: "**LOW IMPACT DEVELOPMENT (LID) NOTE:** This subdivision is approved as a regulated project and is required to comply with County Code Section 337-13. Each lot within the subdivision is considered a regulated project. The improvement plans prepared for this subdivision show a conceptual plan to address LID for the lots. It is intended that the LID strategies shown on the improvement plans are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for."

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

7.0 **LANDSCAPING**

7.1 LANDSCAPING PLAN: A landscape plan is required for all landscaping within the public right of way pursuant to Section 13 of the Appendix to Title III, Division 2, Humboldt County Code. 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 LANDSCAPING: Landscaping shall be provided on McKinleyville Avenue between School Road at the northerly line of Lot 56 (on the west) [APN 508-391-026] and the northerly line of Lot 59 (on the east) [APN 508-391-029-000] of Tract No. 644. Landscaping shall be provided along School Road, including the medians and central island, fronting the subdivision.

// END //



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

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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 INTER OFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director

FOR

DATE: 11/28/2022

RE: SANTOS PHASE 3, PLN-2022-17846 FMS, APN 508-391-045

PRELIMINARY SUBDIVISION REPORT: A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code Section 323-6(c).

SIGHT VISIBILITY: Additional setbacks to protect intersection sight visibility at Lots 4, 26 and 44 are required. This will be shown on the development plan.

OFFSITE IMPROVEMENTS: The project has been conditioned to construct offsite improvements on McKinleyville Avenue to Washington Avenue.

The removal of the barricade located at the northerly line of Lot 59 (on the east) [APN 508-391-029-000] of Tract No. 644 shall be removed at the time that McKinleyville is constructed between School Road and Washington Avenue.

ABANDONMENT OF WINDSOR: Windsor Avenue shall not be abandoned until access to School Road is provided along Duchess Road and McKinleyville Avenue.

// END //