

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

Resolution Number 25-014

**PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT AND SPECIAL PERMIT
PROJECT NUMBER PLN-2024-19119
ASSESSOR PARCEL NUMBER 508-121-055**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE FISCHER PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT AND SPECIAL PERMIT

WHEREAS, the owner submitted an application and evidence in support of approving a Parcel Map Subdivision, Coastal Development Permit and Special Permit; 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 Planning Division, the lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts of the project were analyzed and addressed during preparation of Environmental Impact Reports (EIR) for the 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Parcel Map Subdivision, Coastal Development Permit and Special Permit (Case Number PLN-2024-19119); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on April 3, 2025

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

PROJECT DESCRIPTION

1. FINDING:

A Parcel Map Subdivision to divide an approximately 49,000 square foot parcel into two parcels of approximately 35,960 square feet (Parcel 1) and 13,300 square feet (Parcel 2). Pursuant to Section 313-99.1.1.2 of Humboldt County Code, a Special Permit (SP) is required to utilize Lot Size Modification to allow one parcel to be less than the required 20,000 square foot minimum parcel size. The parcel is currently developed with a single-family residence that will remain on proposed Parcel 1 and a detached Accessory Dwelling Unit that will remain on proposed Parcel 2. The parcel is currently served with community water and sewer provided by the McKinleyville Community Services District. The parcel is within the Coastal Zone, therefore a Coastal Development Permit (CDP) is required.

EVIDENCE: a) Project File: PLN-2024-19119

CALIFORNIA ENVIRONMENTAL QUALITY ACT

2. FINDING:

CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has determined the project is not subject to further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

EVIDENCE: a) Section 15183 of the CEQA Guidelines acknowledges CEQA's mandate that projects not be subject to additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:

Project-specific environmental effects:

- are peculiar to the project or the parcel on which it is located
- are significant and were not analyzed as such in a prior EIR
- are off-site and/or cumulative and were not discussed in the prior EIR
- were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR

was certified) are determined to have a more severe adverse impact than what was disclosed.

The residential density specified in the McKinleyville Area Plan (McKAP) was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017.

- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. The parcel being divided was previously host to residential development, adjacent lands in the vicinity are similarly planned and zoned and are also developed and sized consistent with the applicable planned density and minimum lot size. The development pattern and design included in the concept provided by the applicant has been found to be acceptable by the Land Use Division of Public Works and Planning Division.
- c) Potential Impacts such as those common to the project were analyzed and addressed during preparation of the Programmatic Environmental Impact Report (SCH #2007012089) certified during adoption of the 2017 General Plan.
- d) There are no potentially significant environmental effects which were not analyzed in the 2017 General Plan EIR. The proposed subdivision would enable future build-out to the currently planned density for the area, which was confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above referenced EIR (SCH #2007012089). The proposed subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the most recently adopted General Plan.
- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was

certified.

- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment as conditioned.
- h) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed minor subdivision will create one new parcel to accommodate an existing residential unit consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than significant impact on aesthetics.
- i) To date no cultural resources have been documented on the project site or its vicinity. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by Tribal agencies. Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe, Blue Laker Rancheria, and Bear River Band of the Rohnerville Rancheria. Per referral comments, recommended conditions include adherence to standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance.
- j) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is located in Airport Review Area 2, the area in which airspace protection and overflight notification policies are applicable. The California Redwood Coast-Humboldt County Airport serves as the closest airport, located approximately 2.5 miles northwest of the project site. There are no safety concerns associated with the airport, however overflight notification policies shall be recorded on the development plan as well as submitted on a Recorded Deed Notice, as conditioned in Attachment 1A.
- k) The subject parcel is located within a Local Responsibility Area for fire protection and is served by the Arcata Fire Protection District, who provides structural fire protection as well as responding to medical emergencies. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere

with, an adopted emergency response plan.

- l) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Water and sewer services are provided to the existing residence (Parcel 1) and ADU (Parcel 2) via McKinleyville Community Services District.

A hydraulic report and drainage plan are required to be prepared by a Civil Engineer registered within the State of California and will be submitted to the Land Use Division of Public Works (PW) for review and approval prior to commencement of the project. The project will be required to detain stormwater such that no additional water will leave the site at a rate greater than the pre-development 2-year (Q2) storm flows. Lastly, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated February 13, 2025 (Attachment 1C).

- m) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access and there is no evidence that the proposed subdivision will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns and will not result in vehicle miles traveled beyond that anticipated.
- n) The project is consistent with the development density of 0-2 units per acre of the Residential Estates (RE) land use designation established during adoption of the McKAP and upheld in 2017 following adoption of the General Plan update (GPU). The establishment and future development of one additional parcel is consistent with mitigations for induced population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR) to reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA) using alternative

subdivision standards and the facilitation of opportunities for second residential units. The growth impacts of this project are not anticipated to create peculiar, specific, or more severe impacts effects which the GPU EIR failed to analyze as significant effects or failed to evaluate.

- o) The California Natural Diversity Database indicates that the parcel is within the territory of the western snowy plover but given the developed nature of the parcel and distance from the beach, there is little concern for impacts. There are no wetlands or coastal natural resources on the project site as depicted on the County's natural resources GIS database, nor any natural features of concern or that might be at risk. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project and no response was received.

LEGAL LOT REQUIREMENT – SECTION 312-1.1.2

- 3. FINDING:** The lot was created in compliance with all applicable state and local subdivision regulations.

EVIDENCE: a) The subject parcel has been determined to be one legal parcel as shown on Recorded Map in Book 508 of Maps page 12.

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

- 4. FINDING:** All lots are suitable for their intended uses.

EVIDENCE: a) The project will result in a total of two (2) parcels. Parcel 1 will be 35,960 sq. ft., larger than the minimum requirement of 20,000 sq. ft. but a Special Permit is required as Parcel 2 will be 13,300 sq. ft., below the minimum requirement. Per Section 313-99.1.1.2, minimum lot size may be modified down to a minimum of 50% of the required lot size. A Special Permit will place the subdivision and resultant Parcel 2 in conformance with zoning regulations.

- 5. FINDING:** Improvements shall be required for the safe and orderly movement of people and vehicles.

EVIDENCE: a) Both proposed parcels will utilize frontage on Fischer Avenue, a County maintained road. The Draft Conditions provided by the Land Use Division of Public Works include a request that

easements for public road, sidewalk, slope maintenance, and public utility purposes be granted as part of the filing of the map. The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated February 13, 2025, found in Attachment 1A.

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

EVIDENCE: a) Satisfaction of the requirements found in the 2/13/2025 memo from the Land Use Division of Public Works (PW) is required by the project Conditions of Approval. PW requires that a hydraulic report and drainage plan for the subdivision be submitted to PW for review and approval and requires the applicant to correct any drainage problems associated with subdivision to the satisfaction of PW. Additionally, the project will be required to detain stormwater such that no additional water will leave the site at a rate greater than the pre-development 2-year (Q2) storm flows. This will likely be achieved by the construction of retention or detention facilities. Lastly, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

7. FINDING: Sewer and water systems are constructed to appropriate standards.

EVIDENCE: a) The residential unit on Parcel 1 and ADU on resultant Parcel 2 already receive water and sewer service provided by the McKinleyville Community Services District.

8. FINDING: The size and shape of lots are proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.

EVIDENCE: a) The size and configuration of the proposed parcels complies with width requirements of the RS-20-M zone.

b) The project will result in a total of two (2) parcels. Parcel 1 will be 35,960 sq. ft., larger than the minimum requirement of 20,000 sq. ft., but a Special Permit is required as Parcel 2 will be 13,300 sq. ft., below the minimum requirement. Per Section 313-99.1.1.2, minimum lot size may be modified down to a minimum of 50% of the required lot size. A Special Permit will place the subdivision

and resultant Parcel 2 in conformance with zoning regulations.

COMMUNITY PLAN FINDINGS – MCKINLEYVILLE AREA PLAN

9. FINDING: The proposed development is consistent with the McKinleyville Area Plan

EVIDENCE: a) §3.21 Urban Limit - The proposed project will create two parcels within the urban limit and will allow for development at a density of 0-2 units per acre and will not have significant effects on coastal resources. McKinleyville Community Services District provides community water and sewer, and Fischer Road is County maintained and is sufficient to support the existing dwellings.

Sidewalks, curbs and gutters... as conditioned in Attachment 1A.

b) §3.24 Recreational and Visitor Serving Uses – Parkland Dedication: Within areas planned for residential development, new subdivisions containing less than fifty (50) parcels shall provide an in-lieu fee at a level determined by the County to be sufficient to provide an appropriate contribution to public parks or recreation and at a level that is economically feasible for small projects. The fee is calculated below, and payment is conditioned in Attachment 1A.

130 Sq. ft. of dedication per person for new subdivision
X 2.578 Avg. persons in McKinleyville household (2020 Census)
= 335.14 Sq. ft. of parkland dedication per average household
/ 43,560 Sq. ft. per acre
= .0077 Acres of parkland dedication per average household
X 2 Number of new units created by the subdivision
X 100% (1) Percentage of parcels in McKinleyville Area Plan
= .0154 Acres of parkland for subdivision
X \$160,000 Value of 1 acre of land in vicinity of subdivision
= \$2,462.86 In-lieu fee for the Fischer minor subdivision

c) §3.25 Housing - The proposed project is a Parcel Map Subdivision and will create an additional parcel with existing housing that was

developed in conformity with the goals, policies, standards, and programs of the County Housing Element.

- d) §3.28 Hazards - The subject parcel is located in an area of relative stability, site is not located within an Alquist-Priolo Fault Hazard Zone, nor is it within an area of potential liquefaction.

The project site is not located in a tsunami hazard zone and does not reside within an area susceptible to coastal inundation related to sea level rise (1 meter).

The parcel is not located within a FEMA 100-year Flood Zone.

The subject parcel is located within a Local Responsibility Area for fire protection and is served by the Arcata Fire Protection District, who provides structural fire protection as well as responding to medical emergencies.

- e) §3.29 Archaeological and Paleontological Resources - The project was referred to NWIC, the Wiyot Tribe, Bear River Band of the Rohnerville Rancheria and the Blue Lake Rancheria. There were no concerns with the project details, however, inadvertent archaeological discovery protocols were requested to be in place for any ground-disturbing activities that may take place.

- f) §3.40 Resource Protection - There are no wetlands or coastal natural resources on the project site as depicted on the County's natural resources GIS database, nor any natural features of concern or that might be at risk. The parcel is within the range of the snowy plover but given the developed nature of the parcel and distance from the beach, there is little concern. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project, but no response was received.

- g) §3.42 Visual Resource Protection - The proposed project is not within a Coastal Zone Scenic View Area, nor within a Coastal Zone Scenic Area, as depicted on the County's GIS database. The project conforms to all setbacks and building height requirements. The project is located across the street (Fischer Road) from the Hammond Coastal Trail but will have no direct impact.

- h) §3.50 Access - The proposed project will not interfere with right of access to the sea, as there are no coastal access points on the subject parcel.

- i) §5.20 Urban Plan Designations - The proposed project conforms with the Residential Estates designation which allows for the development of detached single-family residences with a gross density of 0-2 units per acre.

FINDINGS APPLICABLE TO ALL PERMITS

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

EVIDENCE: a) The property is planned and zoned for residential development at a density of 0-2 units per acre and is consistent with the Residential Estates (RE) land use designation.

b) The proposed subdivision would result in the creation of one new parcel which contains sufficient area outside the setbacks for residential development and outside of any potential sensitive wetland or riparian zones. The existing ADU will become the primary residence on Parcel 2 and is in conformance with the General Plan.

11. FINDING: The proposed development is consistent with the purposes of the existing zone (RS-20-M) and combining zone overlays in which the site is located and conforms with all applicable standards and requirements of the zoning regulations.

EVIDENCE: a) Residential Single-Family is a principally permitted use within the RS-20 zone; The proposed project meets the density requirements of one unit per lawfully created lot; All buildings on the existing property (Parcel 1) are compliant with setbacks and the proposed subdivision will establish a suitable property (Parcel B) and residential unit that complies with all required setbacks; The proposed project would not increase ground coverage exceeding the maximum coverage allowed on the lot.

b) "M" combining zone provides for manufactured homes as a permitted building type – a manufactured home is not proposed as part of this project.

12. FINDING: The proposed parcel map subdivision of an approximately 49,000 sq. ft. parcel into two parcels of approximately 35,960 sq. ft. (Parcel 1) and 13,300 sq. ft. (Parcel 2) will not be detrimental to the public health, safety, or welfare or materially injurious to

properties or improvements in the vicinity.

- EVIDENCE:**
- a) The property is planned and zoned for residential use.
 - b) The parcel is currently developed with an existing single-family residence (SFR) and an accessory dwelling unit (ADU). The SFR will remain on Parcel A, with the ADU to become the primary residence on Parcel B. The proposed subdivision will be consistent with the surrounding parcels (primarily residential estates, RE, with RS-20-M zoning).
 - c) The project has been conditioned to adhere to all recommendations found in the Public Works referral response dated February 13, 2025. Other reviewing referral agencies have approved, conditionally approved or not responded to the proposed development, with conditions listed in Attachment 1A. There is no evidence that the project will be detrimental to public health, safety or welfare.

- 13. FINDING:** The proposed project does not reduce the residential density for the parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

- EVIDENCE:**
- a) The property being divided was not targeted for residential development in the current Housing Inventory and therefore has no targeted density for development.
 - b) The project is proposing a subdivision which will establish a new residential parcel, with the existing residence remaining unchanged. The resultant subdivision will create a net benefit to the local housing stock.

- 14. FINDING:** The proposed exception request to the Public Works memo dated 2/13/2025, requiring a landscaping stripe as part of the conditions for approval, is an appropriate modification to said conditions.

- EVIDENCE:**
- a) Per the Public Works memo dated 2/21/25, providing comments to the applicant's exception request, removal of the landscaping stripe requirement is acceptable. The revised language has been provided in the conditions document, Attachment 1E.

- b) Removal of the landscaping stripe aligns with neighboring properties and the associated placement of curbs/gutter/sidewalks. Additionally, as the applicant has already received a permit for the fence along the frontage of Fischer Avenue, as part of BLD-2024-59702, there is no additional room for the addition of a landscaping stripe.

15. FINDING:

The proposed exception request to the Public Works memo dated 2/13/2025, requiring a drainage inlet across Fischer Avenue as part of the conditions for approval, is NOT an appropriate modification to said conditions.

EVIDENCE:

- a) Per the Public Works memo dated 2/21/25, providing comments to the applicant's exception request, removal of the drainage condition is NOT supported by the department
- b) No drainage report prepared by a Civil Engineer registered by the State of California has been submitted for this project. The Department has not received any survey showing the topography or drainage watershed area from an appropriate licensed professional. The applicant's alternative would require the applicant to provide a public drainage easement on the property, sign a right to discharge agreement with the County to accept the stormwater road drainage, and construct and privately maintain an approved appropriately sized drainage system on the property. It is not in the best interest of the applicant or the neighbor(s) to accept stormwater runoff from the public road. Although, the wording in the exception makes it sound like it would just be the drainage fronting the subject property and the neighbors, there are currently no facilities to separate out the road drainage on the west side of Fischer Road.

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 Parcel Map Subdivision, Coastal Development Permit and Special Permit (Record Number: PLN-2024-19119) based on the application materials on file for the project received November 20, 2024, and subject to the conditions of approval.

Adopted after review and consideration of all the evidence on **April 3, 2025**.

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Lorna McFarlane and the following vote:

AYES: COMMISSIONERS: Thomas Mulder, Lorna McFarlane, Iver Skavdal, Jerome Qiriaz, Peggy O'Neill, Sarah West

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 6/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL
PLN-2024-19119

APPROVAL OF THE PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT AND SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PARCEL MAP MAY BE FILED WITH THE COUNTY 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. All conditions on the Department of Public Works referral dated **2/13/2025**, included herein as Attachment 1C, as may be modified by the decision maker, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.

Per the decision of the Planning Commission on 4/3/25, Condition 2(a) shall be replaced with, "To construct a Caltrans A2-6 curb and gutter with adjacent five foot useable sidewalk," and Condition 2.5(c), installation of a landscape strip, shall be removed from the Public Works Conditions of Approval.

3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. To better accommodate circulation and siting of future building sites, minor adjustments to the design of the tentative map (parcel boundaries, driveway & road locations, etc.) may be performed, subject to review and approval by the Planning Division and Public Works Land Use Division.
5. Prior to filing of the Parcel Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.

6. Prior to filing of the Parcel Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
7. Prior to filing of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements, including appropriate labeling and description of Public Utility Easements. This requirement shall be administered by the Department of Public Works.
8. Prior to filing of the Parcel Map, the applicant shall submit a letter from the United States Postal Service stating that the project meets their requirements for mailbox units. This condition shall be administered by the Department of Public Works.
9. Prior to filing of the Final Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. A Cost report will be made available at the Humboldt County Planning Department.
10. 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 as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
11. Parkland dedication fees of \$2,462.86 shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$1,231.43 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,231.43 parkland dedication fee balance per parcel. A copy of the Conveyance and Agreement form with pro-rata dedication payments amounts for each lot calculated will be provided by the Planning Department upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a pro-rata basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$160,000/acre. The dedication fee calculation per Section 314-110 of the Humboldt County Code is as follows: $2(130 \times 2.578/43,560) \times \$160,000 = \$2,462.86$

12. Any vegetation removal shall be done outside of the nesting bird season (generally March 15 August 15). Alternatively, although discouraged due to the potential for project delays and associated costs, a qualified biologist shall survey for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee shall consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.
13. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contour intervals; and
- (2) Proposed access, parking lanes and pedestrian ways; and
- (3) Building envelopes and easements consistent with the submitted tentative map; and
- (4) The location of all drainage improvements and related easements; and
- (5) Off-street parking spaces consistent with Section 314-109.1 of the Humboldt County Code.

B. Notes to be placed on the Development Plan:

- (1) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:
 - If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

- The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at (916)653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at (707)445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

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

- (2) “The project is located in a designated non-attainment area for the state’s health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
 - Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction.”
- (3) “Hours of construction activity shall be limited to Monday through Friday from 7:00 am to 6:00 pm.”
- (4) “Any vegetation removal shall be done outside of the nesting bird season (generally March 15 August 15). Alternatively, although discouraged due to the potential for project delays and associated costs, a qualified biologist shall survey for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee shall consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.”

(5) NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(6) "Landscaping shall utilize native plants appropriate to coastal northern California. At minimum, the planting palette shall avoid invasive species listed in the California Invasive Plant Council Inventory."

(7) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

(8) "Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Attachment 1B for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.10 of the above-mentioned Subdivision Requirements."

(9) "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 superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

(10) "Lots in this subdivision were created utilizing Lot Size Modification."

14. The applicant shall submit a recorded deed notice pertaining to the Airport Influence Area, as outlined in the Humboldt County Airport Land Use Compatibility Plan, Sections 3.5.2 OP-1 and OP-2, Real Estate Disclosure and Overflight Notification.

15. 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 \$445.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.

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

Informational Notes:

1. To reduce costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Attachment that are administered by the Planning Division (Namely: Conditions 3-11). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges. Copies of all required forms and written instructions are included in the final approval packet.

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

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

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

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

contacted by the coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

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

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.
5. The term of the approved Tentative Parcel 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.
6. The Parcel Map Subdivision, Coastal Development Permit and Special Permit shall be effective for 24 months to coincide with the term of the approved Tentative Map. Extensions of this term may be requested in conformance with the provisions of the Humboldt County Code.



TENTATIVE MAP – TWO PARCEL SUBDIVISION
1664/1662 FISCHER AVE., MCKINLEYVILLE – AP# 508-121-055

DAVID MESERVE
ENGINEERING & DESIGN
OFFICE & MAP PREPARATION
910 GRANT AVE.
ARCATA, CA 95521
707-834-3812

1664/1662 FISCHER AVE. 2 PARCEL SUBDIVISION
1664/1662 FISCHER AVE., MCKINLEYVILLE
AP# 508-121-055

TENTATIVE MAP

SCALE: 1"=25'

DRAWN BY: DM

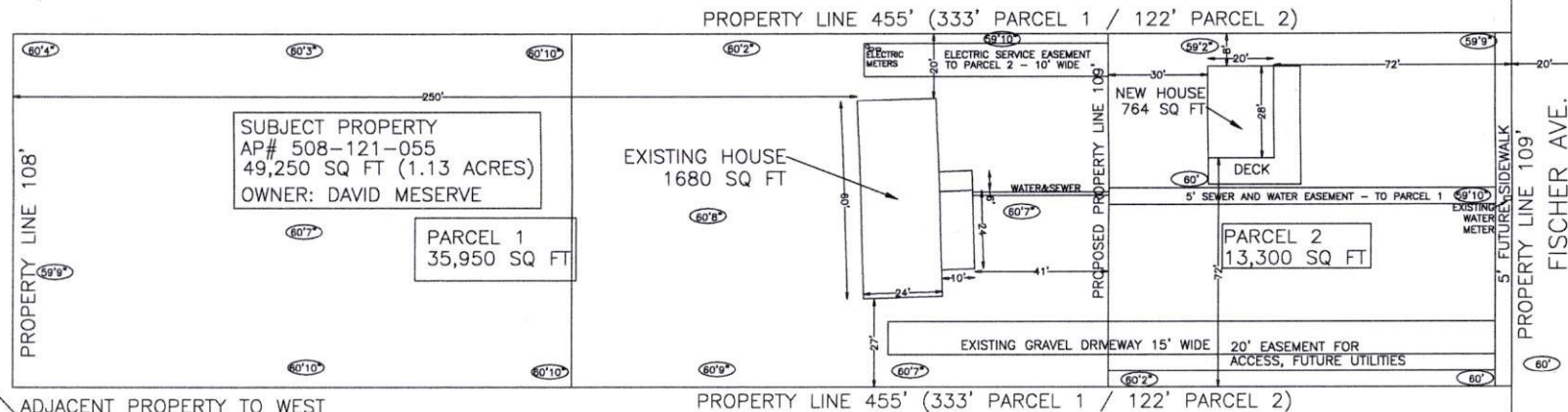
DATE: 10/25/24

SHEET:

A-1

ADJACENT PROPERTY TO NORTH
AP# 508-121-044
OWNER: JEREMY MCKENNA

SCALE: 1"=25'
N



ADJACENT PROPERTY TO WEST
AP# 508-121-045
OWNER: ?

ADJACENT PROPERTY TO SOUTH
AP# 508-121-056
OWNER: ELLA HOLIDAY

NOTES:
PROPERTY IS RESIDENTIAL
SUBDIVIDED PARCELS ARE RESIDENTIAL
PUBLIC WATER AND SEWER – ON FISCHER
EASEMENTS SHOWN ARE PROPOSED
THERE ARE NO EASEMENTS OF RECORD
NO KNOWN SURVEY MONUMENTS
NO WATER COURSES OR WETLANDS
NOT WITHIN SRA
ELEVATIONS – BASED ON 60'@FISCHER AVE CENTER
ELEVATION RANGE: 59'2"–60'10"
LESS THAN 1% SLOPE THROUGHOUT PARCEL



EXHIBIT A

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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



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

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


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

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

LAND USE	445-7205
----------	----------

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Chris Lohofener, Associate Planner

FROM: Kenneth Freed, Assistant Engineer 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE MESERVE,
APPLICATION # PLN-2024-19119 PMS, APN 508-121-055, FOR APPROVAL
OF A TENTATIVE MAP, CONSISTING OF 1.13 ACRES INTO 2 PARCELS

DATE: 02/13/2025

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 Dave Meserve dated 10/25/2024 and dated as received by the Humboldt County Planning Division on November 20, 2024.

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 County Code §326-31. 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 an electronic copy of the subdivision map, in pdf format, as filed by the County Recorder. [Reference: Government Code §66466(f)]

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 County Code §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 EASEMENT COORDINATION AND SIGN-OFF

Provide sign-off from all utility companies that existing and proposed public utility easements shown on the subdivision map are adequate for their needs.

1.6 FURTHER SUBDIVISION

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

1.7 DEDICATIONS

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

(a) PUBLIC ROAD: (FISCHER AVENUE County Road. No. 4L830)

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

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

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

(b) CLUSTER BOX UNIT (CBU) MAILBOXES

Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the cluster box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the CBU.

Note: The Post Office may not require an CBU for this project.

(c) MCKINLEYVILLE ODOR EASEMENT

Pursuant to County Code §329.1-4 applicant shall cause to be dedicated to McKinleyville Community Services District an odor easement consist with County Code Section §329.1-3.

1.8 LINES OF OCCUPATION

Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.

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.

The construction plans shall show the location of all sensitive areas and required mitigation measures.

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

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

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

2.2 CONSTRUCTION PERIOD

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

2.3 ADA FACILITIES

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

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

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

2.4 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) No parking signs and/or red painted curb shall be installed along (west side) of Fisher Avenue fronting the parcel. The County sign shop shall specify what preference they require to be constructed.
- (b) 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....

2.5 ACCESS ROADS

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

- (a) Along the frontage of the subdivision, **FISCHER AVENUE** shall be widened with CalTrans Type A2-6 Portland cement concrete (PCC) curb and gutter, 5 foot wide landscape strip (4.5 foot useable), and five foot (5') useable curb adjacent PCC sidewalk. All driveways shall be constructed to Urban Driveway No. 1 standards.
- (b) Install one Caltrans Type G0 drainage inlet and 18" diameter storm drainpipe near the proposed driveway entrance at the low spot to connect to the existing storm drain inlet on the east side of the County Road.
- (c) Within the landscape strip, install one (1) street tree per lot. This requirement is based upon the recommendation of the Planning Commission.
- (d) The widening of Fisher Road may require the reconstruction of the existing road to provide a uniform centerline grade compatible with the proposed curb grade. This is necessary in order to provide an adequate cross slope to the proposed gutter. Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross sections will be necessary to ensure proper drainage. In addition, existing utilities may need to be adjusted and/or relocated at the expense of the applicant.
- (e) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (f) 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.
- (g) 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.
- (h) An encroachment permit is required for all work performed within the County road right of way.
- (i) All road intersections shall conform to Humboldt County Code § 341 regarding visibility.
- (j) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

2.6 DRIVEWAY(S)

The location of existing and proposed driveway apron(s) (access opening) shall be shown on the construction plans. Existing driveway(s) 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%.

When concrete curb is not present, the maximum grade within the right of way shall be 2%. Outside of the right of way, maximum grade shall be 16%

- (c) **VISIBILITY:** All driveways shall conform to Humboldt County Code § 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 surfaced for the entire width of the driveway. The driveway shall be surfaced 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'
Non-Residential	12'	24	29'

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

2.7 STRUCTURAL SECTION

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

- (a) **For paved road surfaces**, the structural section shall include a minimum of 0.2 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.

2.8 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.

2.9 UTILITIES

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

If any utilities are required to be installed as a condition of tentative map, 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.

2.10 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.

2.11 CLUSTER BOX UNIT (CBU) MAILBOXES

When clustered mailboxes 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 CBUs will not be installed by the Post Office, the subdivider shall install the CBUs as part of the subdivision.

Note: The Post Office may not require a CBU for this project. (Use this note when it is questionable whether or not an CBU will be required by the post office.)

2.12 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.

2.13 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION

When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- (a) Pursuant to Government Code § 66411.1 (improvement timing), fulfillment of reasonable on-site and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for (1) public health and safety, or (2) orderly development of the area. The following improvements are necessary for the public health and safety, or orderly development of the area and shall be completed: (1) within two (2) years after the filing date of the Parcel Map, or (2) prior to issuance of a building permit on any property subject to this notice, or (3) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

Items 2.4, 2.5, 2.11, and 3.5

- (b) The following improvements shall be completed: (1) prior to issuance of a building permit on any property subject to this notice, or (2) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

None.

- (c) The following improvements shall be completed: (1) within two (2) years after the issuance of a Building Permit on any property subject to this notice, or (2) prior to issuance of an Occupancy Permit for any property subject to this notice, whichever occurs first:

None.

2.14 DEVELOPMENT PLAN

The following note shall be placed on the development plan:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

3.0 DRAINAGE

3.1 PRELIMINARY DRAINAGE REPORTS

Any submitted reports have not been through a thorough engineering review. Detailed review and approval will be provided after the tentative map has been approved. This also applies to low impact development submittals.

3.2 DRAINAGE ISSUES

Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.

3.3 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. See current Version 3 dated Aug 2021.

3.4 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.

3.5 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.

In McKinleyville, the drainage report shall address increased runoff from all development that occurred after 12/10/2002.

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

Applicant may construct individual facilities on each lot or may provide a consolidated facility to serve the entire subdivision.

3.6 DRAINAGE FEES

Applicant must conform to Humboldt County Code § 328.1-16 regarding McKinleyville Drainage Area Fees.

3.0 GRADING

<NONE>

5.0 MAINTENANCE

<NONE>

3.0 DEVELOPMENT PLAN

<NONE>

4.0 LANDSCAPING)

4.1 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.

4.2 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.

4.3 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.

4.4 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.

4.5 WATER EFFICIENT LANDSCAPE GOALS

For projects with an aggregate landscape area equal to or greater than 500 square feet, landscaping design and documentation shall be completed in accordance with County Code §331-11(o).

After approval, the applicant shall submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

// END //

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

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

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

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Chris L, Senior Planner

FROM: Kenneth Freed, Assistant Engineer

DATE: 02-13-2025

RE: MESERVE PLN-2024-19119

IMPROVEMENT ALTERNATIVE: The department has conditioned the project frontage improvements to include standard road and pedestrian improvements. The requirement is to construct a CalTrans A2-6 curb and gutter, 4.5 foot landscape stripe, and five foot useable sidewalk. Alternatively, the Commission can request that the 4.5 landscape stripe be omitted to match the existing road conditions to the south. This would change the condition #2.5 (a) to read "construct a Caltrans A2-6 curb and gutter with a curb adjacent five foot (5') useable sidewalk. This would be supported by the Public Works Department as the existing configuration of the adjacent property to the south is constructed as such. Hammond Trail is on the right side of roadway.

The condition to require the installation of a drainage inlet is due to the drainage deficiency called out in the McKinleyville Drainage Study (Chapter VI Section C, Item 5a.) which specifically calls out ponding at this location. Site visit confirmed that the ponding is present (See attached photo below). No Drainage report has been submitted.

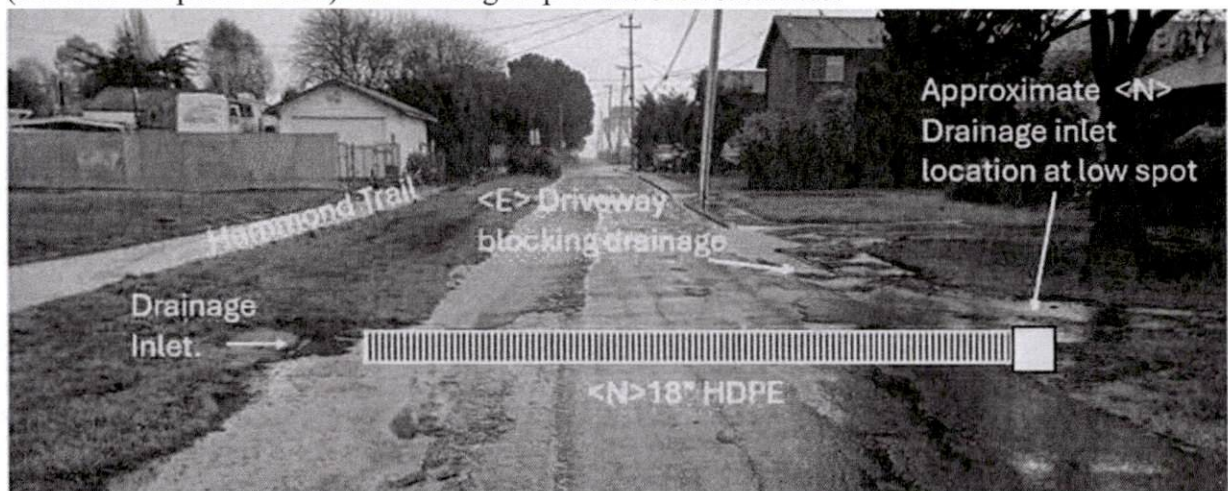


Photo: Fischer Road looking southerly.

PARCEL MAP IMPROVEMENT NOTE: Frontage improvements to Parcel 2 (an existing developed parcel) must be constructed per the Department's subdivision requirements. Pursuant to Government Code § 66411.1 (b), the Department recommends that the frontage improvements on Parcel 2 be completed within twenty-four (24) months from the date that the subdivision map is filed with the County Recorder; or prior to issuance of a development permit (or building permit) for Parcels 1 or 2, whichever occurs first. This is based upon the need for orderly development of the surrounding area.

DEFERRED IMPROVEMENTS: The Planning Commission needs to make findings pursuant to Government Code § 66411.1 (improvement timing) requiring the fulfillment of reasonable on-site and off-site construction requirements that are being imposed prior to Parcel Map filing with the County Recorder due to (1) public health and safety, and/or (2) orderly development of the area.

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



Response from David Meserve, owner, to the Public Works Subdivision Requirements, as filed on Feb. 13, 2025.

Application #PLN-2024-19119 PMS - APN 508-121-055

Regarding Section 2.5 (a), requiring Sidewalk and Gutter, with a 5' Landscape Strip:

I see that Public Works, in their Improvement Alternative section, is willing to support removing this requirement. I am happy to have that support and hope that the Planning Commission will agree.

There are currently no other "landscape strips" on the west side of Fisher, either to the south of me, where there are three parcels with sidewalks, or to the north of me, where there are currently no sidewalks, and many fences built up to the edge of where a standard sidewalk would be.

I have no problem with the requirement to build a sidewalk and gutter and driveway apron, and I was always planning on doing so when I began the subdivision process. But the landscape strip makes no sense at this location.

This requirement came as a total surprise to me. I just built an ADU on the east end of my property, and when I submitted the plans, the Site Plan included a wooden and wire fence that I carefully built a little over five feet back from the west side of Fischer to allow room for the future sidewalk and gutter. The fence was shown on the plans at this location, and the plans were approved. Subsequently, fruit trees and other plants were planted just behind the fence, most of which is see-through wire mesh. If a landscape strip were required, I would have to tear down the existing fence and move it back five feet, along with many of my plantings. With a conventional sidewalk, I plan on maintaining a vibrant landscape strip on my side of the wire fence.

In addition, if I were to build the sidewalk between five and ten feet back from Fischer, it would not be in line with the existing sidewalk to the south of me, and it would dead end at the north directly into an array of about 20 USPS Cluster Block Unit mailboxes, and then into my neighbor's fence.

Also, looking north on Fischer Avenue, almost all of the fences are in line with my recently built fence, which is one reason I felt confident about its location.

This portion of Fischer Avenue is unique, in that the east side of the road includes a 10 foot wide grassy area, and the 10 foot wide Hammond Trail. This provides ample green space and ample space for pedestrians and bicyclists.

I believe that my request for an exception includes all three requirements for the exception, as cited in section 325-9:

(1) That there are special circumstances or conditions affecting said property.

(2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

(3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

Regarding Section 2.5 (b), the 18"runoff drain under Fischer Avenue:

The lowest point on Fischer Avenue, between School Road to the south and Montana Road to the north is the portion in front of my property. The elevation there is 59', with School Road at 62' and Montana Road at 65'.

Because of this dip, the County has a storm drain on the east side of Fischer, across from my property. Fischer is crowned in the middle, so this drain handles all rainwater that runs down between the center of the road and the Hammond Trail. Whenever this drain was built, it is clear that the County failed to consider the need for a drain on the west side of the road. This was probably because the whole west side of the road to the north is currently green, grassy area, on soil with very good drainage, and no sidewalks, and when it was built, there was no sidewalk directly to the south of me on the west side of the road.

It should also be clear that my entire property is almost flat, with a maximum slope of 0.25% (one foot in 400 feet) so there is no possibility of there being any storm water runoff onto Fischer Avenue. The soil is also very permeable, and even in very heavy rains, almost no puddles appear. The only impermeable areas are the two existing houses, which make up less than 5% of the total land area. Nothing in my subdivision plan will cause any storm water to impact Fischer Avenue, except, of course, the minor impermeable areas of a new sidewalk and driveway apron.

To the south of me, there is sidewalk and gutter, and when my neighbor to the south built her sidewalk a few years ago, it now causes a large puddle to form where her sidewalk and gutter end up against my gravel driveway. However, this puddle never gets high enough to crest my driveway, and because the ground below is very porous, the puddle soaks in to the grassy area on the south side of my driveway when it is diverted over the packed gravel apron.

When I build my sidewalk and gutter and driveway apron, I would be happy to provide a drain to the west, onto my property, that would go to an underground gravel bed adequate to take all of the water that currently puddles at the north end of her sidewalk, as well as any water that accumulates in my new gutter area.

I do not think it is fair for me to absorb all of the cost for the future draining of the west side of Fischer Avenue to the north of me, all the way to Montana Road. Whenever the storm drain on the East side of Montana was built to handle the runoff from the road crown and the Hammond Trail, the County must have foreseen that, at some time in the future, a drain would be necessary on the west side of the road. They could have built it then, at a fraction of the cost, while excavating for the eastern drain.

The cost of draining 1350 feet of the west side of Fischer Avenue should not fall entirely on me, just because I am the first to subdivide in this area. It is not as if this is a major subdivision that will greatly increase runoff by the construction of additional impermeable area. I am totally willing to take responsibility for any runoff that I cause by building a sidewalk and for the runoff from my neighbor's gutter, by draining it into a small leach field on the south side of my property. But I do not think I should have to pay for building the infrastructure to drain the whole west side of the road, especially when there is currently no drainage issue to the north of me.

I believe that my request for an exception includes all three requirements for the exception, as cited in section 325-9:

- (1) That there are special circumstances or conditions affecting said property.
- (2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- (3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

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

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

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Chris Lohofener, Associate Planner

FROM: Ken Freed, Assistant Engineer

DATE: 2/21/2025

RE: MESERVE SUBDIVISION, APN 508-121-055, PLN-2024-19119



RE: EXCEPTION REQUEST FOR REMOVAL OF LANDSCAPE STRIPE AND DRAINAGE FACILITIES:

- 1) **EXCEPTION REQUEST FOR REMOVAL OF LANDSCAPE STRIPE:** The Department can support the exception to remove the landscape stripe and construct a curb adjacent sidewalk.. This would be consistent with the current easterly configuration of Fischer Road.

If the Planning Commission approves the exception request, Item No. 2.5(a) in the Public Works Conditions of Approval it should be replaced with, "To construct a Caltrans A2-6 curb and gutter with adjacent five foot (5') useable sidewalk.

If the Planning Commission approves the exception request, Item No. 2.5(c) shall be removed in the Public Works Conditions of Approval:

2. **EXCEPTION REQUEST FOR REMOVAL OF THE DRAINAGE INLET AND STORM DRAINPIPE:** The Department does not support the removal of Item 2.5(b) to install one Caltrans Type G0 drainage inlet and 18" diameter storm drainpipe near the proposed driveway entrance at the low spot to connect to the existing storm drain inlet on the east side of the County Road.

The condition to require the installation of a drainage inlet is due to the drainage deficiency called out in the McKinleyville Drainage Study (Chapter VI Section C, Item 5a.) which specifically calls out ponding at this location. Site visit confirmed that the ponding is present.

As develop occurs the County typically requires the road system to be built out to County standards. In this case, a drainage inlet is required to capture the road drainage from the west side of Fischer Road. Once connected to the east side the drainage system flows south to the outfall at the southern end of Fischer Road near the MCSD property at the pasture lands.

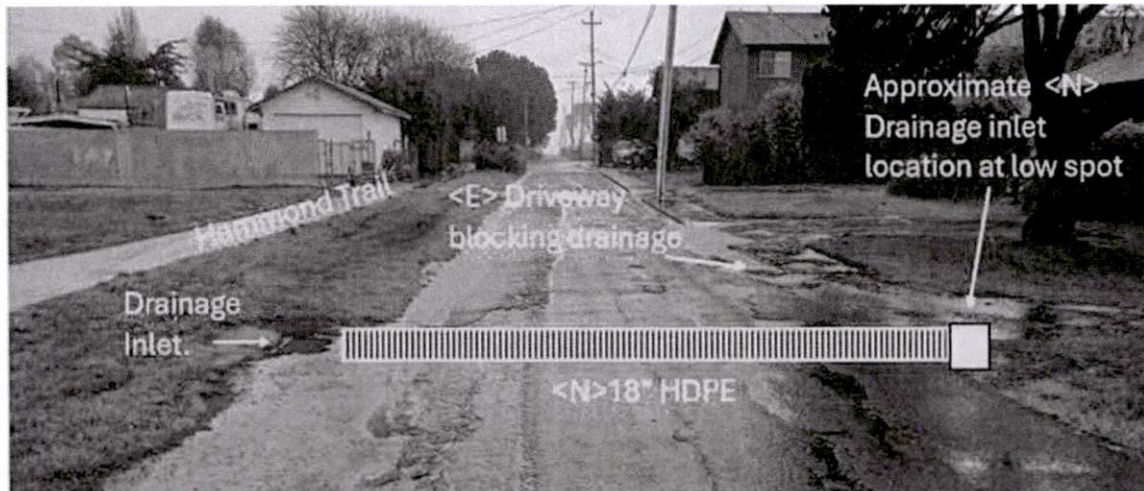


Photo: Fischer Road looking southerly.

The applicant is stating that he would like to place an inlet to allow the Fischer Road drainage to discharge onto the subject property. The applicant states that he is willing to take responsibility for any runoff that the project sidewalk causes along with the neighbors.

No drainage report prepared by a Civil Engineer registered by the State of California has been submitted for this project. The Department has not received any survey showing the topography or drainage watershed area from an appropriate licensed professional. The applicant's alternative would require the applicant to provide a public drainage easement on the property, sign a right to discharge agreement with the County to accept the stormwater road drainage, and construct and privately maintain an approved appropriately sized drainage system on the property. It is not in the best interest of the applicant or the neighbor(s) to accept stormwater runoff from the public road. Although, the wording in the exception makes it sound like it would just be the drainage fronting the subject property and the neighbors, there is currently no facilities to separate out the road drainage on the west side of Fischer Road.

The Department does not have an alternative condition for removal of required drainage infrastructure, if the Planning Commission makes the findings to approve the exception request.

If the Planning Commission makes the findings and approves the exception request, Item No. 2.4(b) shall be removed in the Public Works Conditions of Approval:

// END //

SEE Engineering

P.O. Box 308 ~ Arcata, CA. 95518
Phone (707) 498-6315 Fax (707) 822-8703
www.seeengineering.com

PLANS * CONSTRUCTION * SPECIAL PROJECTS * SHORING * TEMPORARY SYSTEMS
Stanley Elcock, P.E. C41457

September 20, 2024

Client: Dave Meserve
Project: Lot Split
Location: APN 508-121-055
#PLN 2024-19119 PMS
MCKinleyville, CA.

County of Humboldt
3015 H St.
Eureka, CA. 95501

Attn: Public Works Department – Land Use

Re: Site Drainage



I have personally inspected the subject property. There are no existing or proposed culverts on the subject property. There are no existing or proposed storm drain systems on the subject property. There are no on-site drainage issues/problems that need to be addressed. There are no drainage impacts to adjoining properties resulting from the lot split. Storm water detention or retention is not needed to address capacity limitations in any downstream storm water conveyance system in order to pass Q100 storm flows."

If you have any questions, please do not hesitate to call or e-mail: stanelcock@gmail.com
Ph. (707) 498-6315

Sincerely,

Stanley Elcock, P.E.





To Humboldt County Planning Commission Board Members:

Response from David Meserve, owner, to the Public Works Subdivision Requirements, as filed on Feb 13, 2025. Application #PLN-2024-19119 PMS - APN 508-121-055

Regarding Section 2.5 (a), requiring Sidewalk and Gutter, with a 5' Landscape Strip:

I see that Public Works, in their Improvement Alternative section, will support removing this requirement. I am happy to have that support and hope that the Planning Commission will agree.

Regarding Section 2.5 (b), the 18"runoff drain under Fischer Avenue requested by Public Works:

The lowest point on Fischer Avenue, between School Road to the south and Montana Road to the north is the portion in front of my property and that of my neighbor to the south. The elevation there is 59', with School Road at 62' and Montana Road at 65'. Because of this dip, the County has a storm drain on the east side of Fischer, across from my property. Fischer is crowned in the middle, so this drain handles all rainwater that runs down between the center of the road and the Hammond Trail. Whenever this drain was built, the County failed to consider the need for a drain on the west side of the road. This was probably because the whole west side of the road to the north is currently green, grassy area, on soil with very good drainage, with no sidewalks and no visible runoff. When the drain was built, there was also no sidewalk directly to the south of me on the west side of the road.

My entire property is almost flat, with a maximum slope of 0.5% (one foot in 200 feet) so there is no possibility of there being any storm water runoff onto Fischer Avenue. The soil is also very permeable, as shown by the perc test I recently did, and even in very heavy rains, almost no puddles appear. The only impermeable areas are the two existing houses, which make up less than 5% of the total land area. Nothing in my subdivision plan will cause any storm water to impact Fischer Avenue, except, of course, the minor impermeable areas of a new sidewalk and driveway apron.

To the south of me, there is sidewalk and gutter, which causes ponding in my neighbor's gutter, as mentioned by Public Works, where the sidewalk ends up against my packed gravel driveway. However, this puddle never gets high enough to crest my driveway, and because the ground below is very porous, the water soaks into the grassy area on the south side of my driveway soon after heavy rains let up.

I have always known that when I subdivided, I would be required to build a sidewalk and gutter, and I have no problem with that requirement. When I do build it, I would be happy to provide a drain to the west, onto my property, that would go to a small underground gravel bed adequate to take all of the water that currently ponds at the north end of my neighbor's sidewalk, as well as any water that accumulates in my new gutter area. This will take care of any drainage requirement that I cause by building the sidewalk and will solve the current ponding problem. It would therefore meet the requirements of the County Code. I am not offering it as a long term solution to drain all of Fischer Ave., once parcels to the north of me start to be developed. But it should not be my responsibility to provide drainage for the whole street.

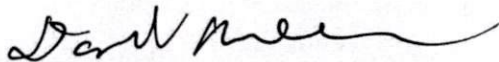
If future development to the north causes increased runoff on the west side of Fischer, a drain under the road may become necessary. I can only offer drainage onto my property for my own sidewalk and gutter and the current ponding to the south. If a fund could be set up, I would be glad to pay a fair share into a County account to build that drainage across the road.

The cost of draining 1350 feet to the north, on the west side of Fischer Avenue, should not fall entirely on me, just because I am the first to subdivide in this area. This is a very minor subdivision, on flat porous land, and there will be zero drainage from my property onto the street, except from the sidewalk itself, which I am happy to take care of.

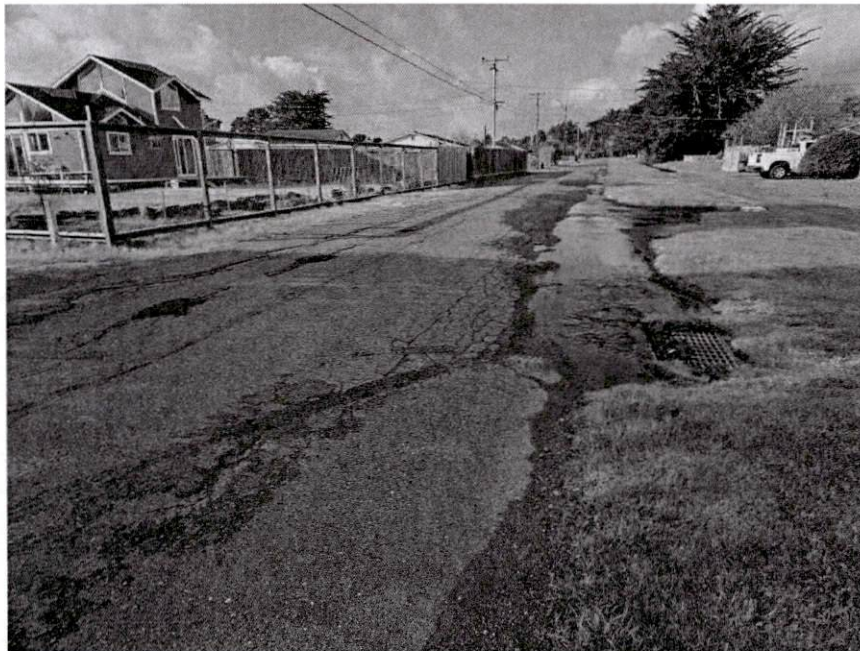
According to the County Code, the owner of a property who develops it is responsible for taking care of any drainage that is caused by their development. The owner is not responsible for drainage issues on public roads that are in no way caused by the proposed development.

Thank you for considering my request for an exception to the Public Works requirements.

David Meserve



Looking north on Fischer Ave. My property is on the left with wire fence and blue house. Shows existing drain on east side of road, one day after a heavy rain. Note that there is no water on west side of Fischer, to the north.



Looking south on Fischer Ave. One day after heavy rain. Ponding has mostly perked into my driveway and existing grassy area. To eliminate ponding, when I build my sidewalk and driveway apron, I will place a drain in the gutter, leading to a 6" pipe under sidewalk, with a small leach area on southeast corner of my property.



West side of Fischer Ave. Looking north, during heavy rain. Note ponding in gutter coming from School Rd. Also note no additional water from north, on west side of road.

