

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

**Resolution Number 22-068**

**Case Numbers PLN-2018-15039  
Assessor Parcel Numbers 015-152-028**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Holgersen Tentative Map Subdivision and Coastal Development Permit.**

**WHEREAS**, Atlas Engineering, on behalf of the owners, submitted an application and evidence in support of approving the Minor Subdivision (Tentative Map) and Coastal Development 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 County, as Lead Agency pursuant to Section 202 of Resolution No. 77-29, has prepared an Initial Study and Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on **June 2, 2022**.

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

**FINDING:**

**Project Description:** The application is a Minor Subdivision and Coastal Development Permit of an approximately 1.10-acre parcel into four parcels and one Remainder. Parcels 1-2 will be 0.16-acre in size, Parcels 3-4 will be 0.19-acre in size, and the Remainder will be 0.33-acre in size. The existing parcel is currently developed with a single-family residence that will remain on the Remainder parcel. The parcels will be served with community water and sewer by the Humboldt Community Services District. The project is located in the Coastal Zone, therefore a Coastal Development Permit (CDP) for the minor subdivision is required. Duplexes (two dwelling units) are proposed on Parcels 1 – 4. On proposed Parcels 1 and 2, each unit will be 1,120 square feet, 22 feet and 5 inches in height, with an attached 240 square foot one-car garage. On proposed Parcels 3 and 4, each unit will be 1,320 square feet, 23 feet and 5 inches in height, with an attached 276 square foot one-car garage. The CDP also includes the construction of these units and the removal of four structures and one spruce tree with a 24-inch DBH. The applicant has submitted exception request letters for the following requirements: The installation of a paved access road, concrete sidewalk, curb, and gutter along the proposed access road, and the minimum right-of-way width of 40 feet to be reduced to 30 feet for the access road that will serve the subject properties.

**EVIDENCE:**

a) Project File: PLN-2018-15039

- b) Exception requests letters for the installation of a paved access road, concrete sidewalk, curb, and gutter along the proposed access road, and the minimum right-of-way width of 40 feet to be reduced to 30 feet for the access road that will serve the subject properties.

**2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met.

- EVIDENCE:**
- a) The Humboldt County Planning Commission has considered the Initial Study and Mitigated Negative Declaration prepared for the Minor Subdivision and Coastal Development Permit and finds that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the County's independent judgement and analysis.
  - b) The Initial Study and Mitigated Negative Declaration was circulated from April 15, 2022 to May 15, 2022 at the State Clearinghouse (SCH#2022040247).
  - c) No significant impacts were identified in the following resource areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and housing, Public Services, Recreation, Transportation, Utilities/Service, Wildfire and Mandatory Findings of Significance.
  - d) Less than significant impacts with mitigation were identified for Cultural Resources and Tribal Cultural Resources. Mitigation Measure CU-1 requires an inadvertent discovery protocol to be placed on the Subdivision Map and to be followed during all project construction.
  - e) 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 approximately one mile from Murray Field Airport and is within Review Area 2 of the Airport Influence Area, as shown in the 2021 Airport Land Use Compatibility Plan. There are no private airstrips within the vicinity of the project site.
  - f) According to the Humboldt County Fire Hazard Severity map, the parcel is located in the outside the fire hazard severity areas. The site is within the Humboldt Fire Protection District for fire protection. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. 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.

- g) The County finds there is no evidence that the project will be inconsistent with the planned build-out of the area nor will it result in a significant adverse effect to utilities and service systems. The project proposal includes a retention system that would capture and retain storm water to prevent an increase in storm water runoff sheet flowing onto nearby properties, it will require regular monitoring and maintenance by lot owners. The Preliminary Drainage Report completed by Atlas Engineering states that the storm water retention system can be designed and installed to accommodate storm water runoff from the proposed development; the proposed system will retain runoff in excess of the 2-year pre-development peak flow rate for storm return periods of 100 years or less. Exception Request Letters have been submitted for an exception to the requirements for a paved access road and concrete sidewalk, which would reduce additional hardscape infrastructure that can increase stormwater runoff. The County finds the project to have no impact on the existing utilities and service systems.
  
- h) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. With an approved Exception Request, the Department of Public Works and the Planning Division will support a 30-foot-wide right-of-way. With an approved Exception Request, the Department of Public Works has provided Unnamed Access Road standards for the proposed roadway improvements. The Department finds there is no evidence that the proposed subdivision and Coastal Development Permit will negatively impact the level of service standards, as there will be a minimal increase in vehicle trips generated per day when future development is proposed, given the nature of the residential use. The proposed project will not result in a change in air traffic patterns, will not result in vehicle miles traveled beyond that anticipated, and has adequate on-site circulation and parking capacity.

**FINDINGS FOR THE MINOR SUBDIVISION & COASTAL DEVELOPMENT PERMIT**

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

**EVIDENCE:** a) The proposed development is consistent with the Residential Low Density (RL) land use designation. The project includes the construction of new residential development and maintains existing residential development. The RL designation (Chapter 4.8, Land Use Designations) is intended for areas suitable for residential use where urban services are available or are anticipated to be available. Single family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types including townhouses and common-wall clustered units. The Density Range is 1-8 units per acre and the maximum floor area ratio is 0.40. The proposed development will increase the number of units in the area, will meet the maximum floor area ratio and will be served with

community water and sewer by the Humboldt Community Services District. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).

**4. FINDING:** The proposed development is consistent with the Humboldt Bay Area Plan (HBAP)

- EVIDENCE:**
- a) The land use designation for the parcel within the HBAP conforms with the General Plan land use designation.
  - b) The HBAP Section 4.10 (A) Residential/Low Density (RL) states that the purpose of the zone is to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available. Detached single-family residences are a principally permitted use, the proposed project is consistent. The project proposes new residential development and maintains existing residential development.
  - c) The project site is not located within a scenic vista area and will not impact coastal visual resources within the County. The proposed dwelling units on Parcels 1 and 2 each unit will be 22 feet and 5 inches in height, with an attached one-car garage. The proposed dwelling units on Parcels 3 and 4 will be 23 feet and 5 inches in height, with an attached one-car garage. The Coastal Development Permit also includes the removal of four structures.
  - d) The site is developed with a residence and does not provide habitat for biological resources within the project area. The property is developed with a single-family residence that will remain on the proposed Remainder and four structures are proposed for removal. There are no significant areas of natural habitat or vegetation on the site, it is primary vegetated with grasses and shrub species. As such, a review of the project site has determined that the site is not located within a riparian habitat or other sensitive natural community, nor is located within or near any known wetland areas.
  - e) No cultural resources have been documented on the project site. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by Tribal agencies.

**5. FINDING:** The proposed development is consistent with the purposes of the existing Residential Single Family (RS-5) zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone.

- EVIDENCE:**
- a) The property zoning designation of Residential Single Family (RS-5) includes single-family residential as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 5,000 square feet. The proposed parcels' width, approximately 58 feet, for Parcels 1-4 and 100 feet for the Remainder, also complies with the required minimum lot width of 50 feet (HCC 313-6.1). The maximum lot depth (three times the lot width) is proposed to be 124 feet for Parcels 1-2 and 146 feet for Parcels 3-4 and the Remainder, which complies with the maximum lot depth standard.



- b) A condition of approval has been included to address the inadvertent discovery of cultural resources during construction of the proposed development.
- c) The proposed development as shown on the Tentative Map with the minor redesign as amended in the Staff Alternative Tentative Map is consistent with the maximum density requirements of the RS-5 zone. The proposed subdivision with existing and proposed development is consistent with the minimum required development standards of the RS-5 zone, including building height (35 feet maximum), maximum ground coverage (35%), property line setbacks, and parking availability.

**6. FINDING:** The minor subdivision of an approximately 1.10-acre parcel into four parcels, two parcels 0.16-acres in size, two parcels 0.19 acres in size, one Remainder of 0.33 acres, and the development of four duplexes on Parcels 1-4, 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 currently developed with an existing single-family residence to remain on the Remainder. The proposed parcels will be developed with duplexes with a one-car garage for each unit. The proposed subdivision will be consistent with the surrounding existing development. Continuing an existing residential use and developing new housing consistent with the RS-5 zone and RL land use designation as part of this project, is not anticipated to have negative impacts on the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.

**7. FINDING:** An exception request for the installation of a paved access road was submitted and evidence was provided to show compliance with the three (3) conditions that must be met for an exception to be granted pursuant to HCC 325-9, including: 1) there are special circumstances or conditions affecting said property, 2) the exception is necessary for the preservation and enjoyment of a substantial property right of the owner, and 3) 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. will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:**

- a) The County's Land Use Division has already recommended the installation of a Category II road to serve the properties, mainly due to the low amount of vehicular traffic anticipated within the minor subdivision. A Category II road is approvable with gravel construction, and has no mandatory requirement for paving. Also, there is no requirement for a formal fire turn-around at the end of the access road, which further negates the need for paving. Furthermore, the subdivision Owner is attempting to build to a "Net-Zero" energy standard, with minimal petroleum products (paving) and maximum green space and pervious surfaces for runoff and infiltration.
- b) The added cost of paving is significant and could make the development of the minor subdivision infeasible. The current design of the subdivision is similar to that of a flag lot, with one access road branching off to driveways at each of the proposed lots. Normally a flag lot driveway is not required to be paved. The access road is currently gravel and adequately serves two (2) existing lots to the east of the proposed subdivision. The Owner is also trying to avoid unnecessary hardscapes within the subdivision in an effort to build in a "green"/environmentally friendly manner.
- c) Granting the exception will have no negative effect on public welfare or adjacent properties. As part of the proposal, the Applicant is going to construct a new sidewalk, curb and gutter, as well as a 50' long paved entry to the access road, along the frontage of the subdivision at Edgewood Road, which will improve the general welfare of the area and help prevent sediment from leaving the subdivision. The existing lots currently utilize a gravel finish on the access road, and this access road will never connect to any other streets beyond the access road. There currently exist several flag lot driveways/access roads within close proximity of the proposed subdivision that do not conform to the request for paving. Furthermore, the requirement of additional hardscape would increase the amount of stormwater runoff and possible flooding, which is already a concern of the neighboring properties to the north.
- d) The Planning Commission finds that road paving on the main drive is necessary to protect the public welfare and to protect any improvements in the vicinity. Paving shall not, however, be required on-site. All parking is to be located on-site on permeable surfaces.

**8. FINDING:**

An exception request for the installation of a concrete sidewalk, curb, and gutter improvements was submitted and evidence was provided to show compliance with the three (3) conditions that must be met for an exception to be granted pursuant to HCC 325-9, including: 1) there are special circumstances or conditions affecting said property, 2) the exception is necessary for the preservation and enjoyment of a substantial property right of the owner, and 3) 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. will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:**

- a) The County's Land Use Division has already recommended the installation of a Category II road to serve the properties within this minor subdivision. A Category II road has no requirement for a sidewalk, curb and gutter. Furthermore, the subdivision Owner is attempting to build to a "Net-Zero" energy standard, with minimal petroleum products (paving) and maximum green space for runoff and infiltration.
- b) The added cost of the sidewalk, curb and gutter are significant and could make the development of the minor subdivision infeasible. The current design of the subdivision is similar to that of a flag lot, with one access road branching off to driveways at each of the proposed lots. Normally a sidewalk is located within the street right-of-way and is not required for access to flag lots. The Owner is also trying to avoid unnecessary hardscapes within the subdivision in an effort to build in a "green"/environmentally friendly manner.
- c) As part of the proposal, the Applicant is going to construct a new sidewalk, curb and gutter along the frontage of the subdivision at Edgewood Road, which will improve the general welfare of the area and connect to an existing sidewalk to the east. Adding a sidewalk along the access road does not improve connectivity within the larger neighborhood, as this sidewalk would never connect to any other sidewalks or streets beyond the access road. There are currently multiple subdivision roads within close proximity of the proposed subdivision, such as Teal Lane and Bass Lane, that do not have sidewalk, curb and gutter. Furthermore, the requirement of additional hardscapes would increase the amount of stormwater runoff and possible flooding, which is already a concern of the neighboring properties to the north.
- d) Installation of a concrete sidewalk, curb, and gutter along the proposed access road is not necessary to serve the proposed parcels. A 4-foot access lane has been provided to allow for foot traffic, to be distinguished by a fog line. Drainage will be engineered to be maintained on-site.

**9. FINDING:**

An exception request to reduce the minimum easement dedication width of 40 feet to 30 feet for the access road, drainage, and utilities that will serve the subject properties was submitted and evidence was provided to show compliance with the three (3) conditions that must be met for an exception to be granted pursuant to HCC 325-9, including: 1) there are special circumstances or conditions affecting said property, 2) the exception is necessary for the preservation and enjoyment of a substantial property right of the owner, and 3) 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. will not be detrimental to the public health,

safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:**

- a) A thirty-foot (30') access and utilities easement already exists on the east side of the property. This easement is sufficient for all existing and proposed utilities and can comfortably contain the proposed twelve-foot (12') Category II access road with adjacent eight foot (8') parking lane. There is also a concern regarding costs for the necessary relocation of an existing utility pole along Edgewood Road if a fifty foot right-of-way is required.
- b) Any increase in the right-of-way that is larger than the existing 30 foot access/utilities easement would only further reduce the usable land of the Applicant, and hinder development of the minor subdivision. Increasing the right-of-way to 50' would reduce the lot size of the front three (3) parcels by almost 20%.
- c) Granting the exception will have no effect on public welfare or adjacent properties. The improved access road will provide adequate access to the four (4) proposed minor subdivision lots as well as the two (2) existing adjacent lots to the east. Anticipated traffic volumes and safety measures will not change as a result of the reduced right-of-way.
- d) An exception for a reduced right of way width of 30 feet is necessary to accommodate the proposed housing development and would not be detrimental to the public welfare or injurious to other property in the area. The County Public Works Department believes that a 30-foot right-of-way is appropriate for the access needs of the small-scale project as well as for emergency vehicle ingress and egress.

**10. FINDING:**

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

**EVIDENCE:**

- a) The parcel's General Plan land use designation (RL) and zoning (RS-5) allow residential development. The project will positively impact compliance with Housing Element law. The project will increase the available housing in the Myrtle town area and will comply with the density range of the RL land use designation, with a maximum density of 3-7 dwelling units per acre. The proposed development is consistent with the Humboldt Bay Area Plan (Section 4.10(A), RESIDENTIAL/LOW DENSITY (RL)).

**11. FINDING:**

Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.

**EVIDENCE:**

- a) The Parcel has been determined to be a legal parcel. 015-152-028 contains (2) individual parcels; each created prior to October 8, 1964 (pre-dates regulations for minor subdivisions).

## DECISION

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

1. Adopts the Mitigated Negative Declaration/Initial Study and Mitigation Monitoring and Reporting Program for the Holgersen Minor Subdivision and Coastal Development Permit Project; and
2. Makes the findings in support of approving the Minor Subdivision and Coastal Development Permit; and
3. Approves the exception request for a 30-foot access right-of-way; and
4. Approves the exception requests for paving, curb, gutter, and sidewalks, as modified by the Planning Commission; and
5. Approves the Minor Subdivision and Coastal Development Permit (Record Number: PLN-2018-15039) based on the tentative map prepared by Atlas Engineering dated May 20, 2022, and subject to the conditions of approval which include a new map to be provided.

Adopted after review and consideration of all the evidence on **June 2, 2022**.

The motion was made by Commissioner Brian Mitchell and seconded by Commissioner Melanie McCavour.

AYES: COMMISSIONERS: Alan Bongio, Noah Levy, Mike Newman, Melanie McCavour,  
Peggy O'Neill, Thomas Mulder  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS: Brian Mitchell  
ABSTAIN: COMMISSIONERS:  
DECISION: Motion Carries 6/0/1

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.



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John H. Ford, Director,  
Planning and Building Department

## ATTACHMENT 1

### CONDITIONS OF APPROVAL

**APPROVAL OF THE TENTATIVE MAP AND COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE TENTATIVE MAP MAY BE FILED:**

**Conditions of Approval:**

1. All development shall conform to the project description and approved Tentative Map.
2. 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 tentative or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
3. The conditions on the Department of Public Works memorandum dated December 9, 2020 and revised on October 12, 2021, included herein as Exhibit A, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
4. A Conditional Certificate of Compliance (CCOC) must be completed and returned to the Planning and Building Department prior to filing of the subdivision map. The improvements conditioned by Public Works in their memorandum revised on June 10, 2022 shall be included in the Conditional Certificate of Compliance to ensure that the owner is responsible for the necessary improvements to the proposed parcels and access roads. These items must be completed prior to the owner selling, leasing, or financing the Remainder Parcel.
5. The Planning Division requires that two (2) copies of the Tentative Map be submitted for review and approval. Plans must incorporate all added conditions of approval per the Planning Commission hearing dated June 2<sup>nd</sup>, 2022. Plans should reflect Public Works memo dated June 3<sup>rd</sup>, 2022, to incorporate road improvements and updated parking requirements.
6. Prior to filing of the Parcel Map, the applicant shall submit a letter from the Humboldt Bay Fire Protection District stating that the project meets their requirements. This requirement 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 per their letter dated. This requirement shall be administered by the Department of Public Works.
8. Prior to submittal of the Parcel Map, the applicant shall provide a sign-off from the Post Office on the location of the NBU. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU. This requirement shall be administered by the Department of Public Works.



9. 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. This requirement shall be administered by the Department of Public Works.
10. When designing the appropriate engineered retention basin to collect stormwater, the owner must ensure that all net increase in stormwater is collected on-site within the retention basin and percolates within 48 hours.
11. Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit. This requirement shall be administered by the Department of Public Works.
12. An encroachment permit is required to be obtained prior to construction from the Department of Public Works for all work within the right of way of a County maintained road. This requirement shall be administered by the Department of Public Works.
13. Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by the Department of Public Works. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of the Department of Public Works. Construction dates and times should be included in a submitted development plan to the Planning Division.
14. 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 the 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. This requirement shall be administered by the Department of Public Works.
15. 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 of Public Works prior to installation. (Last paragraph for private roads).
16. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$110.00 per parcel) as required by the County Assessor's Office shall be paid to the 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.

17. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,548. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2022 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov) for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,548 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
18. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission and/or Board decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
19. Unless subdivision improvements in Attachment 1, Exhibit A, are completed or a Subdivision Agreement is entered into prior to filing of the Tentative Map, a Notice of Subdivision Improvement Requirements shall be recorded for the subdivision pursuant to Government Code Section 66411.1. The Notice shall be on forms provided by the Planning Division and all applicable recording fees shall apply.
20. Pursuant to the referral comments provided by the Humboldt Community Services District (HCSD), the applicant shall comply with HCSD's conditions in their letter dated September 25, 2020 regarding water and sewer line installation.
21. All required parking pursuant to County Code Section 313-109, must be developed on-site with permeable surfaces.

**Informational Notes:**

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

Assessor's Parcel No . \_\_\_\_\_ . Condition \_\_\_\_\_  
(Specify) (Specify)

2. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

3. 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.



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
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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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**TO:** Trevor Estlow, Senior Planner

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

**RE:** SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE  
HOLGERSEN SUBDIVISION, APPLICATION #PLN-2018-15039,  
APN 015-152-028, PMS FOR APPROVAL OF A TENTATIVE MAP,  
CONSISTING OF 1.07 ACRES INTO 4 PARCELS AND REMAINDER

**DATE:** 12/09/2020  
07/23/2021 *revised*  
10/12/2021 *revised*  
05/26/2022 *revised*  
06/02/2022 *revised by Planning Commission*  
06/15/2022 *revised to clarify Planning Commission requirements.*

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*The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.*

**These recommendations are based on the revised tentative map prepared by Atlas Engineering dated May 20, 2022 and dated as received by the Humboldt County Planning Division on May 20, 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 326-31. 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 four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 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) PUBLIC ROAD: EDGEWOOD ROAD (County Road No. F3K300)**

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 30 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) PRIVATE ROAD: UNNAMED ACCESS ROAD**

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels within the subdivision in a manner approved by this Department. The easement shall be 40 feet in width.

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

PUE: Applicant shall cause to be dedicated on the subdivision map for benefit of the parcels within the subdivision 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 on the subdivision map for benefit of the parcels within the subdivision a public utility easement 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.



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

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

- 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:** 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 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.

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.

- 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.

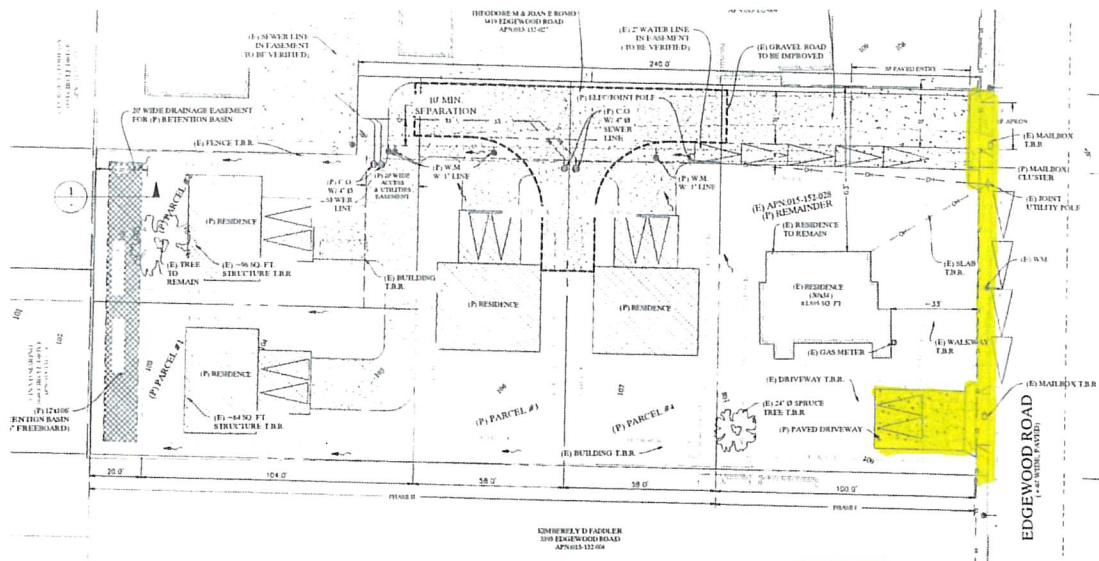
- (a) A stop sign shall be installed on Unnamed Access Road at its intersection with Edgewood Road. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- (b) Pursuant to County Code Section 324-2(c)(4), non-county maintained roads shall be posted with a sign of at least 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) Street name signs shall be provided at all road intersections. For streets that will not be named, address signs shall be posted at the intersection
- (d) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker.
- (e) 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 (including driveways) must conform to Humboldt County Code Section 341 regarding visibility.

When the County road is paved, the access road shall be paved for a minimum of 50 feet from the edge of the County road.

- (b) Along the frontage of the subdivision, **Edgewood Road** shall be widened with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter and 5 foot wide curb adjacent PCC sidewalk. Urban Driveway No. 1 shall be provided for the Remainder parcel. Sidewalk bump arounds are required at all utility poles, mailboxes, and other objects that obstruct or partially obstruct the pedestrian path of travel.



Above: required improvements highlighted in yellow

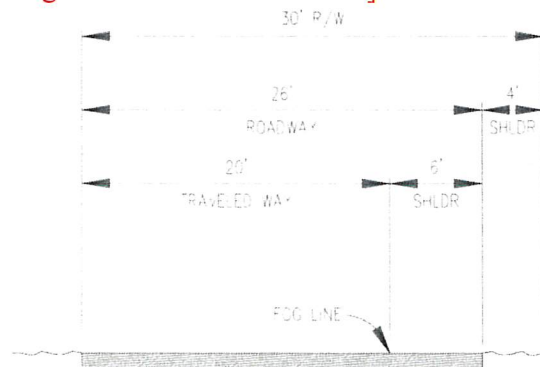
(c) **Unnamed Access Road** shall be constructed as follows:

Along the frontage of the Remainder parcel, the road shall be paved 20 feet wide (20 foot wide travel lane; with an 8 foot wide parking lane) with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter and a 5 foot wide PCC sidewalk on the south side.

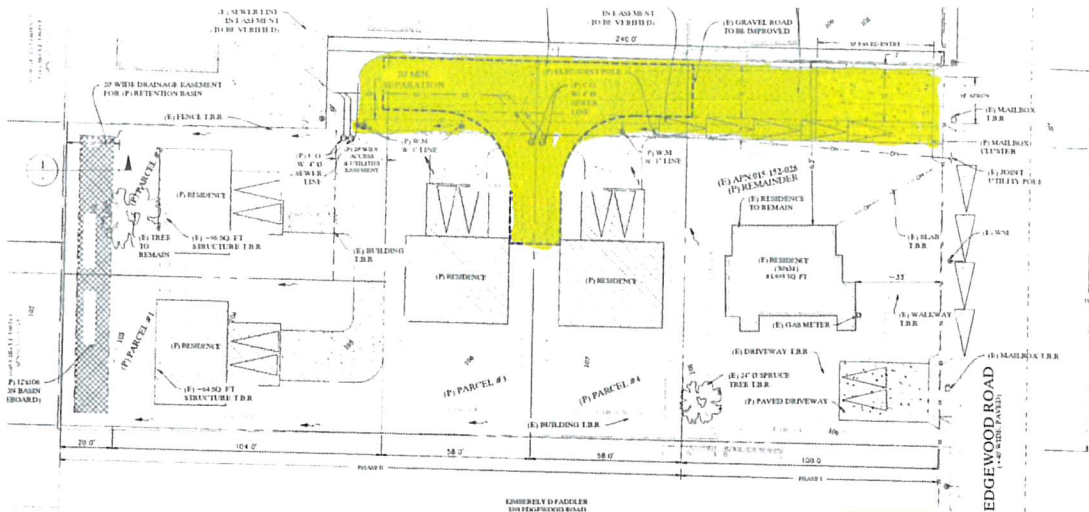
From the Remainder parcel to APN 015-152-013, the road shall be paved 20 feet wide (12 foot wide travel lane with an 8 foot wide parking lane) with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter and a 5 foot wide PCC sidewalk on the south side. The parking lane may be extended into the remainder parcel.

Parkway drains shall be provided as necessary to facilitate drainage.

The unnamed access road shall be paved 26 feet wide; the turnaround shall also be paved; a fog line shall be added to provide a 6 foot shoulder on the east side of the road. The road is not designed for on-street parking; therefore all parking must be provided on-site. [Revised by Planning Commission 06/02/2022]

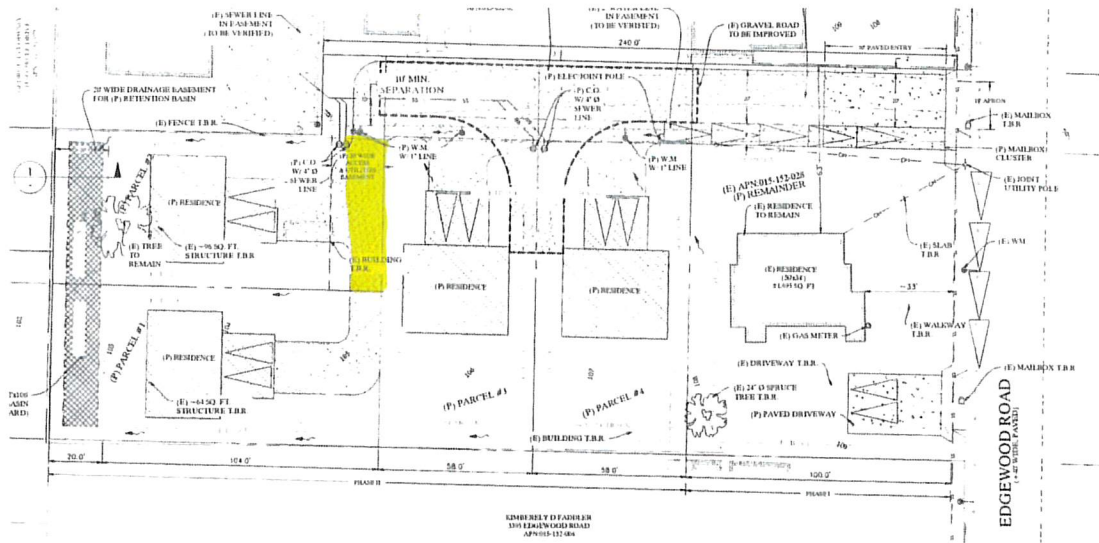


ABOVE: typical section (looking north)



Above: required improvements highlighted in yellow

- (d) Unnamed Access Road serving Parcels 1 and 2 shall be constructed as paved, Category 2 road 12 feet wide along the frontage of Parcel 2. [Revised by Planning Commission on 06/02/2022]



Above: required improvements highlighted in yellow

- (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.



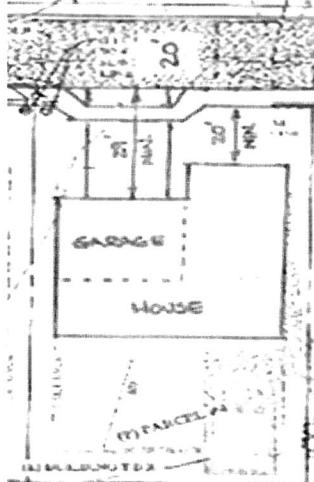
- (g) Applicant shall remove and replace any public curb, gutter, sidewalk, flowline drain, or pavement found by this Department to be broken, uplifted, or damaged that fronts or is within the subdivision.
- (h) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

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

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

Any proposed access openings to the County road will require encroachment permits from this Department. The proposed access openings will be evaluated after application is received.

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. If a development plan is prepared for this project, the development plan shall note this minimum setback condition and indicate graphically the location of the setback line on the lots.



*Above: diagram showing house and garage setbacks.*

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

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

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

When widening hot mix ("asphalt") roads, the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavements. The location of the sawcut shall be approved by this Department based upon the condition of the existing road surface.

- (b) Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way**, unless approved in writing by this Department.

**2.9 UNKNOWN IMPROVEMENTS:** Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.

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

If any utilities are required to be installed as a condition of tentative map, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at the subdivider's expense.

Applicant shall remove any abandoned utilities (natural gas, electrical, cable tv, etc.) within the public right of way fronting the subdivision or within the subdivision as directed by this Department.

**2.11 PERMITS:** An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

**2.12 NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the 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.

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

**2.13 GATES:** Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

**2.14 COMPLETION OF SIDEWALK IMPROVEMENTS:** Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require

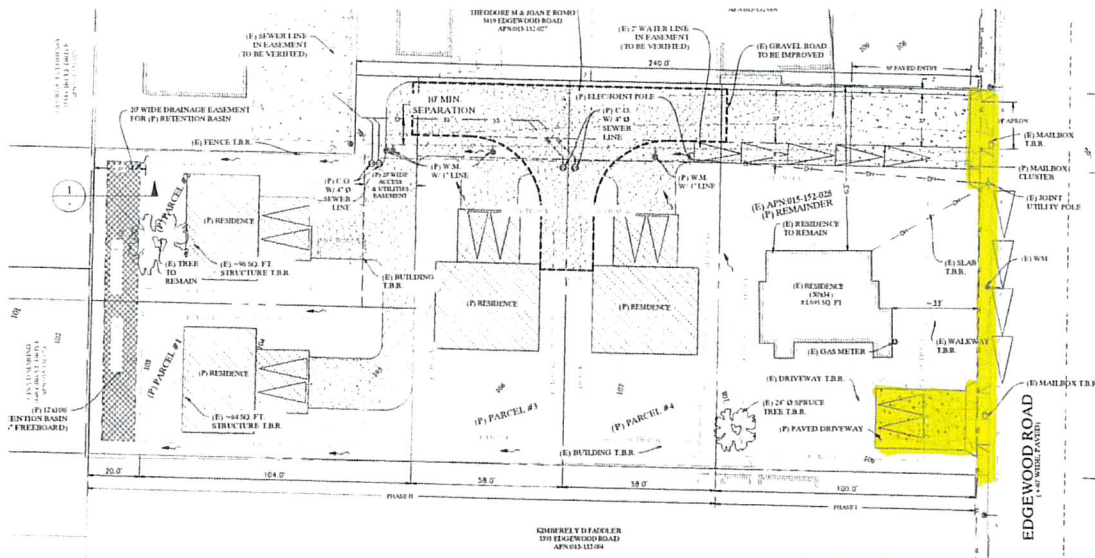


that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the “final” of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the “final” of the building permit.

**2.15 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: [revised 06/02/2022 by Planning Commission action]

(a) Pursuant to Government Code section 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 the public health or safety or orderly development of the area. The following improvements are necessary for the public health or safety or orderly development of the area and shall be completed: (1) within twenty-four (24) months 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:

- Complete all frontage improvements along Edgewood Road, including a paved driveway for the Remainder parcel.



Above: required improvements highlighted in yellow

(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:

- Complete the improvements to the Edgewood Street and both unnamed access roads; complete the storm water retention system.



Above: required improvements highlighted in yellow

- (c) The following improvements shall be completed: (1) within twenty-four (24) months 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>

- (d) 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."

- (e) 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 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.

**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:** 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.

If the site conditions do not allow for detention (or if the applicant is unable to secure a drainage easement from downstream property owners that would allow for detention), then infiltration may be considered by the Department as an alternative.

**3.5 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 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.

**4.2 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.

**4.3 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.

**4.4 DATUM:** Grading plans shall be tied into elevation datum approved by this Department.

**4.5 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  $Q_{100}$  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.

**4.6 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 road known as the Unnamed Access Road.

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

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

A maintenance plan for projects that contain detention facilities shall include, but is not limited to, the following:

- (a) A schedule for the periodic monitoring of the detention facilities. At a minimum, the detention facilities shall be monitored at least once each year between April 15 and October 15.
- (b) A system to monitor the basins in a timely manner after significant rain fall events.
- (c) Monitoring shall be done by a qualified professional as approved by this Department.
- (d) Monitoring shall include an annual written report identifying (1) the condition of the facilities; (2) the recommended maintenance needed for the facilities to function as originally constructed or as required by subsequent regulation; and (3) certification that the maintenance was completed to the satisfaction of a qualified professional. The report shall be submitted no later than October 31 of each year to this Department.
- (e) A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.
- (f) For infiltration basins, wet weather testing of the percolation rate of the basin consistent with Department of Environmental Health standards for determining the percolation rates for septic systems. Percolation rate testing shall be done every five (5) years.

**5.2 MAINTENANCE AGREEMENTS:** Any agreements regarding the maintenance of the detention facilities between the applicant and a public entity or Homeowners Association may be required to be approved by County Counsel and the County Risk Manager.

## **6.0 DEVELOPMENT PLAN**

<NONE>

## **7.0 LANDSCAPING**

<NONE>

// END //