



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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

Hearing Date: May 2, 2019

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Furber Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit Extension**  
Application Number 15511  
Case Numbers PMS-02-026XXX, CDP-02-104XXX, CUP-02-037XXX,  
SP-02-110XXX  
Assessor Parcel Number (APN) 511-021-003  
1050 Gassaway Road, Mckinleyville Area

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Please contact Tricia Shortridge at (707) 268-3704, or by email at [tshortridge@co.humboldt.ca.us](mailto:tshortridge@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> May 2, 2019	<b>Subject</b> Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit, and a Special Permit Extension	<b>Contact</b> Tricia Shortridge
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**Project:** A third, two-year extension in addition to Four automatic extensions as allowed by Senate Bill 1185 and State Assembly Bills 333, 208 and 116, of a Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit (PMS-02-026XX, CDP-02-104XX, CUP-02-037XX, SP-02-110XX), originally approved February 2, 2006. The original project consisted of the subdivision of an approximately one acre parcel into three (3) parcels ranging in size from 6,000 square feet (net) to ± 21,400 square feet (net). A Coastal Development Permit is required for both the subdivision and to bring the existing secondary dwelling unit (SDU) into compliance. Because the SDU is over 1,000 square feet in size, a Conditional Use Permit is also required. Besides the residences, proposed Parcel 1 is developed with two (2) 64 square foot movable sheds. The remaining proposed parcels are vacant. An exception to the required road width and lot frontage standards is requested pursuant to H.C.C. Section 325-9. An exception to the 100 foot riparian corridor buffer setback from Widow White Creek is also requested based on a Biological Report prepared for the project and approved by the Department of Fish and Game. Water and sewer services are to be provided by the McKinleyville Community Services District. **No change to the original project is proposed. This is the third extension requested by the applicant, and if approved, the extension will expire on March 2, 2021.**

**Project Location:** The project site is located in Humboldt County, in the McKinleyville area, at the southwest corner of the intersection of Gassaway Road with Halfway Avenue, on the property known as 1050 Gassaway Road.

**Present Plan Designation:** Residential Low Density (RL). McKinleyville Community Plan/McKinleyville Area Plan (MCCP/MCAP). Densities: 1 to 7 units per acre RL (MCCP). 3 to 7 units per acre (MCAP). Slope Stability: D<sub>o</sub>: Relatively Stable.

**Present Zoning:** Inland: Residential One Family in addition to the Manufactured Home and Airport Safety Review combining zones (R-1-T-AP). Coastal: Residential Single-Family specifying a 5,000 square foot minimum parcel size in addition to the Airport Safety Review and Noise Impact combining zones (RS-5/AP, N).

**Case Numbers:** PMS-02-026XXX, CDP-02-104XXX, CUP-02-037XXX, SP-02-110XXX

**Application Number:** 15511

**Assessor Parcel Number:** 511-021-003

<b>Applicant</b>	<b>Owner(s)</b>	<b>Agent</b>
Don Furber 1945 Golf Course Road Bayside, CA 95524	Same as Applicant	

**Environmental Review:** A Mitigated Negative Declaration of Environmental Impact (SCH# 2005122125) was adopted February 2, 2006.

**Major Issues:** Streamside Management Area, Noise Impact.

**State Appeal Status:** Project is appealable to the California Coastal Commission.

**FURBER EXTENSIONS FOR PARCEL MAP SUBDIVISION,  
COASTAL DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT, AND SPECIAL PERMIT**  
Case Numbers PMS-02-026XXX, CDP-02-104XXX, CUP-02-037XXX, SP-02-110XXX  
Assessor Parcel Number 511-021-003

**RECOMMENDED COMMISSION ACTION:**

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

*"I move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval."*

**Staff Analysis of the Evidence Supporting the Required Findings**

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly.

Recommendation:

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

Staff Analysis:

A third, two-year extension in addition to Four automatic extensions as allowed by Senate Bill 1185 and State Assembly Bills 333, 208 and 116, of a Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit (PMS-02-026XX, CDP-02-104XX, CUP-02-037XX, SP-02-110XX), originally approved February 2, 2006.

The original project involved the subdivision of an approximately one acre parcel into three (3) parcels ranging in size from 6,000 sf (net) to ± 21,400 sf (net). A Coastal Development Permit is required for both the subdivision and to bring the existing second unit into compliance. Because the SDU is > 1,000 sf in size, Conditional Use Permit is also required. Besides the residences, proposed Parcel 1 is developed with two (2) 64 sq. ft. movable sheds. The remaining proposed parcels are vacant. An exception to the required road width and lot frontage standards is requested pursuant to H.C.C. Section 325-9. An exception to the 100 foot riparian corridor buffer setback from Widow White Creek is also requested based on a Biological Report prepared for the project and approved by the Department of Fish and Game. Water and sewer services are to be provided by the McKinleyville Community Services District. **No change to the original project is proposed.**

The Applicant states the conditions of the property have not changed since the original application/approval of PMS-02-26/CDP-02-104/CUP-02-37/SP-02-110. This is the third extension requested by the applicant and if approved, the extension will expire on March 2, 2021. **This is the last extension available for the approved tentative parcel map.**



The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that **the findings and conditions of the original project, effective March 2, 2006, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:**

1. The parcel's zoning, Residential One Family in addition to the Manufactured Home and Airport Safety Review combining zones (R-1-T-AP) and Residential Single-Family specifying a 5,000 square foot minimum parcel size in addition to the Airport Safety Review and Noise Impact combining zones (RS-5/AP, N), for which conformance findings were made, have not changed.
2. The General Plan Land Use designation, Residential Low Density (RL), for which consistency findings were made, have not changed.
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. A Mitigated Negative Declaration of Environmental Impact (SCH# 2005122125) was adopted effective with the approval of the original project. No new evidence has arisen to indicate that additional review under the California Environmental Quality Act (CEQA) is necessary.

Referral agencies have recommended approval of the extension.

**ALTERNATIVES:** The Planning Commission could elect not to approve the extensions. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Note: If the extension is denied, a fifteen calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors. There is no appeal period for approved map extensions.



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

**Resolution Number 19-**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE FURBER PARCEL MAP  
SUBDIVISION, COASTAL DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT AND SPECIAL PERMIT  
EXTENSION APPLICATION**

**CASE NUMBERS: PMS-02-026XXX/CDP-02-104XXX/CUP-02-037XXX/SP-02-110XXX;  
ASSESSOR PARCEL NUMBER: 511-021-003**

**WHEREAS**, Don Furber, submitted an application and evidence in support of approving the Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit Extension; and

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

**WHEREAS**, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

**WHEREAS**, the County Planning Commission on February 2, 2006 adopted a Mitigated Negative Declaration; and

**WHEREAS**, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit Extension request;

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

1. A Mitigated Negative Declaration for the original project was adopted on February 2, 2006 pursuant to CEQA and finds that there is no substantial evidence that the proposed project extension will have a significant effect on the environment.
2. The findings in the Planning Division staff report support approval for Case Numbers: PMS-02-026XXX/CDP-02-104XXX/CUP-02-037XXX/SP-02-110XXX based on the submitted evidence.
3. Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit Extension Case Numbers: PMS-02-026XXX/CDP-02-104XXX/CUP-02-037XXX/SP-02-110XXX is approved as recommended and conditioned in the Planning Division staff report.

Adopted after review and consideration of all the evidence on May 2, 2019.

The motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

AYES: Commissioners:

NOES: Commissioners:

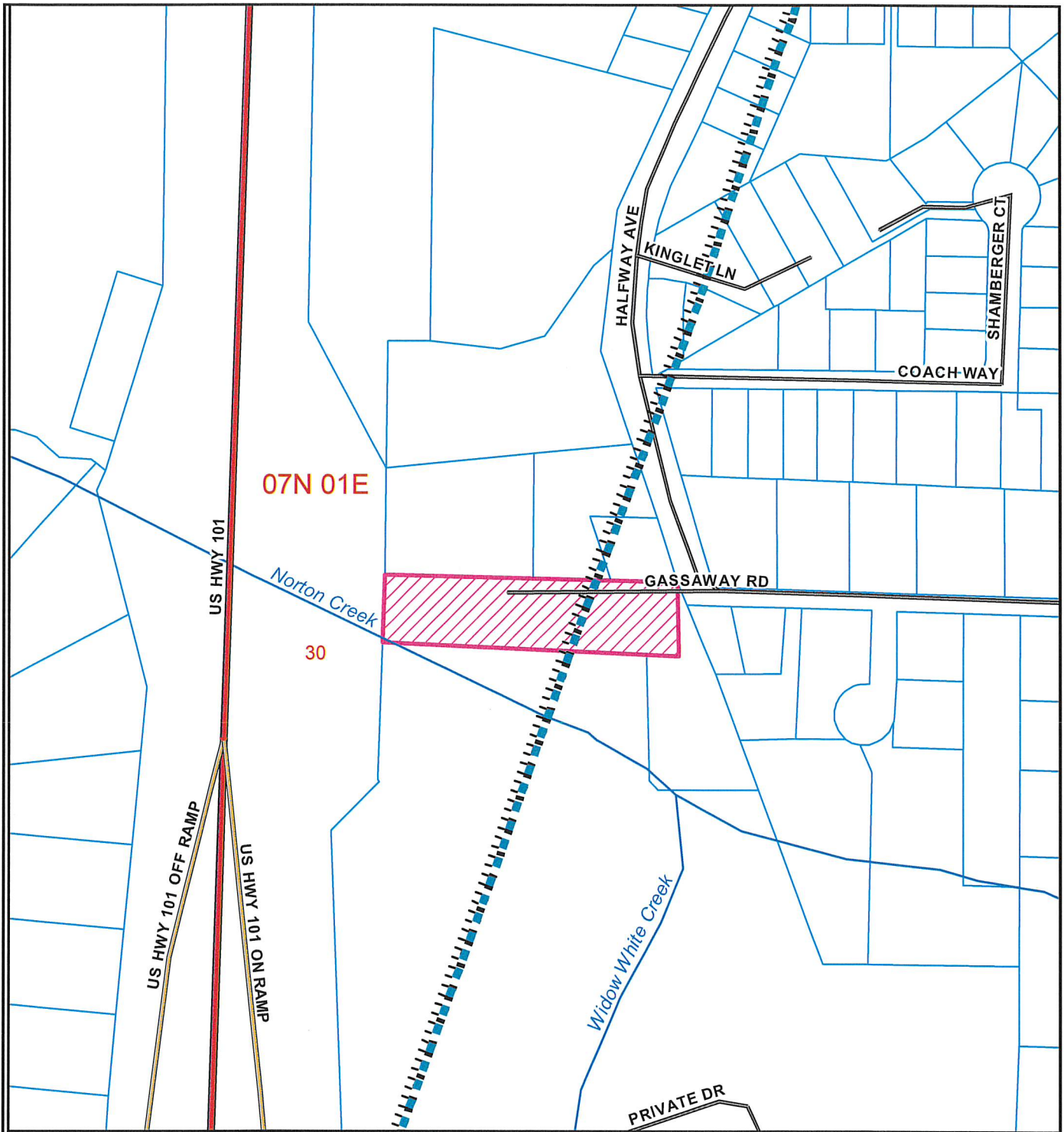
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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

\_\_\_\_\_  
John Ford,  
Director, Planning and Building Department



**LOCATION MAP**

**PROPOSED FURBER  
COASTAL DEVELOPMENT PERMIT &  
PARCEL MAP SUBDIVISION &  
CONDITIONAL USE PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

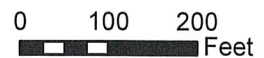
**PLN-2019-13467  
APN: 511-021-003**

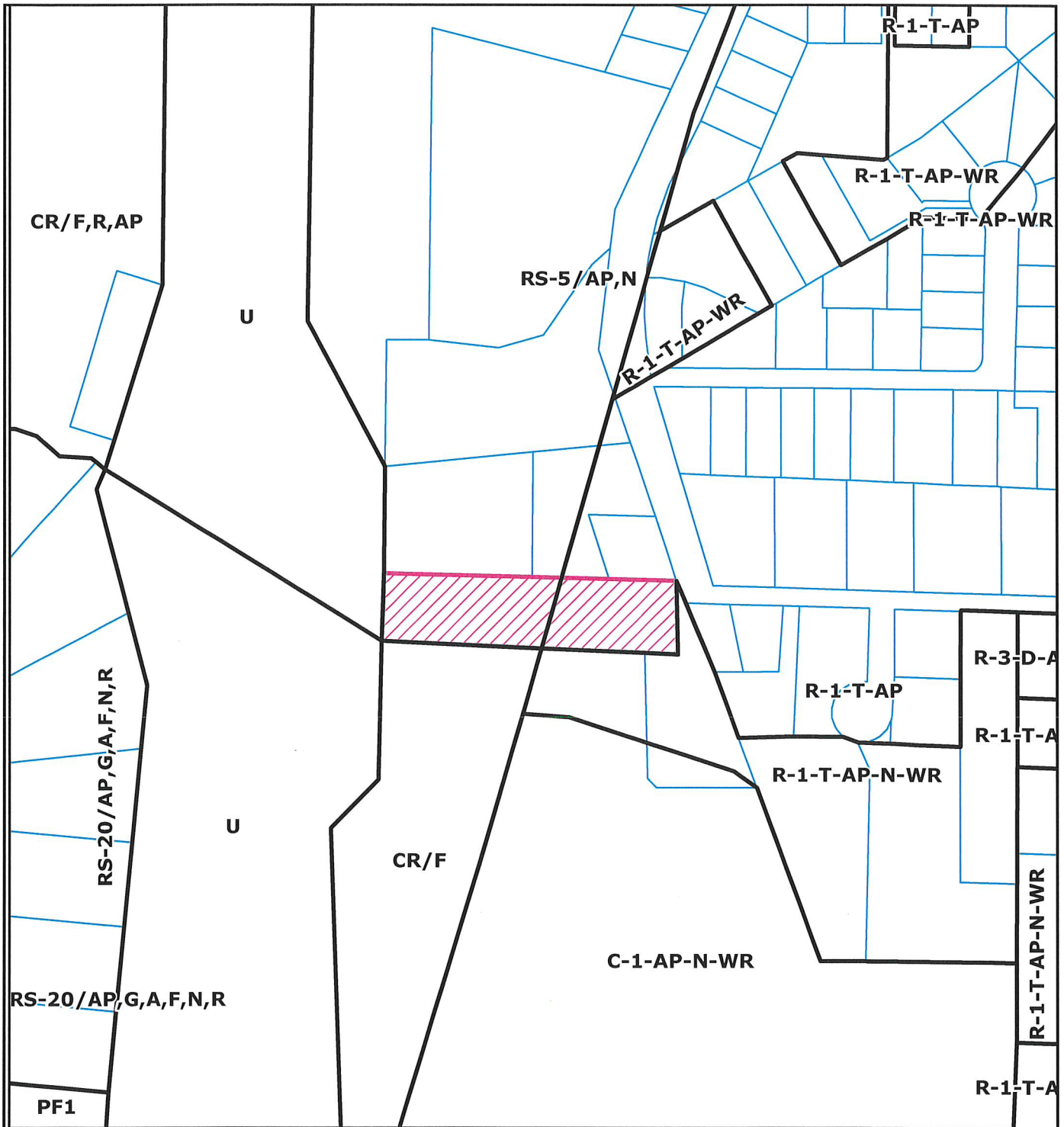
**T07N R01E S30 HB&M (Arcata North)**

**Project Area =** 

**Coastal Zone Boundary** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





**ZONING MAP**

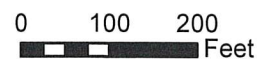
**PROPOSED FURBER  
COASTAL DEVELOPMENT PERMIT &  
PARCEL MAP SUBDIVISION &  
CONDITIONAL USE PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

**PLN-2019-13467  
APN: 511-021-003**

**T07N R01E S30 HB&M (Arcata North)**

**Project Area =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



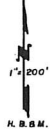


POR. SW1/4, SEC. 30, T.7N., R.1E.

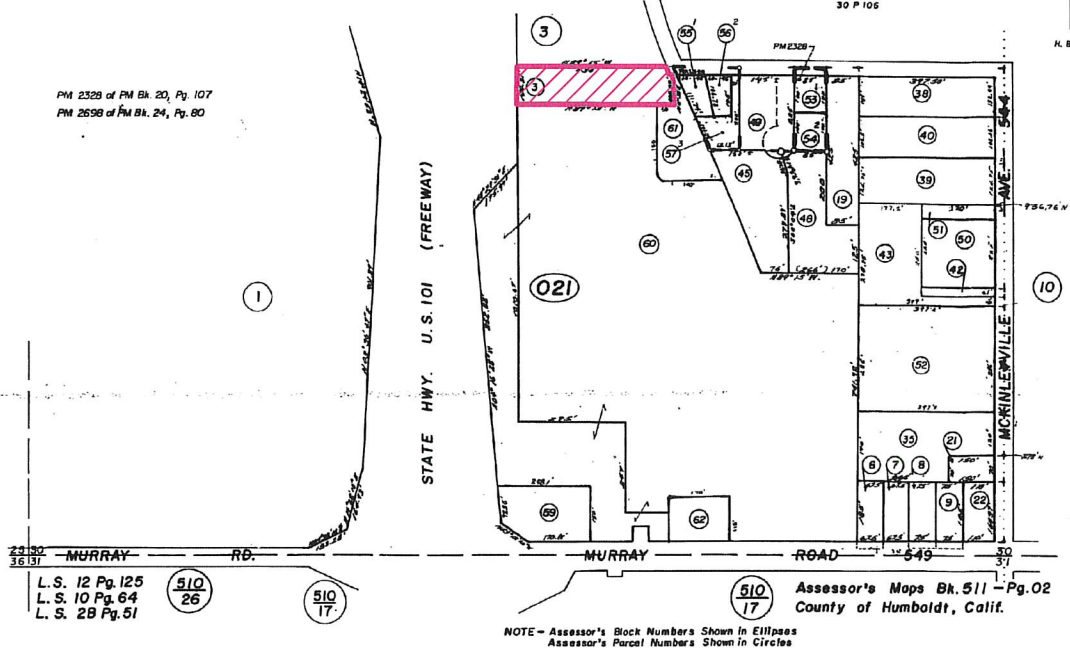
Tax Area Code 511-02

RS Bk. 59, Pgs. 102-103

LS 24 P. 75  
26 83  
30 P. 98  
30 P. 106



PM 2329 of PM Bk. 20, Pg. 107  
PM 2698 of PM Bk. 24, Pg. 80



### ASSESSOR PARCEL MAP

### PROPOSED FURBER COASTAL DEVELOPMENT PERMIT & PARCEL MAP SUBDIVISION & CONDITIONAL USE PERMIT & SPECIAL PERMIT MCKINLEYVILLE AREA

PLN-2019-13467

APN: 511-021-003

T07N R01E S30 HB&M (Arcata North)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



MAP NOT TO SCALE





**AERIAL MAP**

**PROPOSED FURBER  
COASTAL DEVELOPMENT PERMIT &  
PARCEL MAP SUBDIVISION &  
CONDITIONAL USE PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

**PLN-2019-13467**

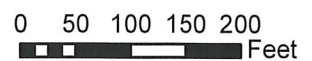
**APN: 511-021-003**

**T07N R01E S30 HB&M (Arcata North)**

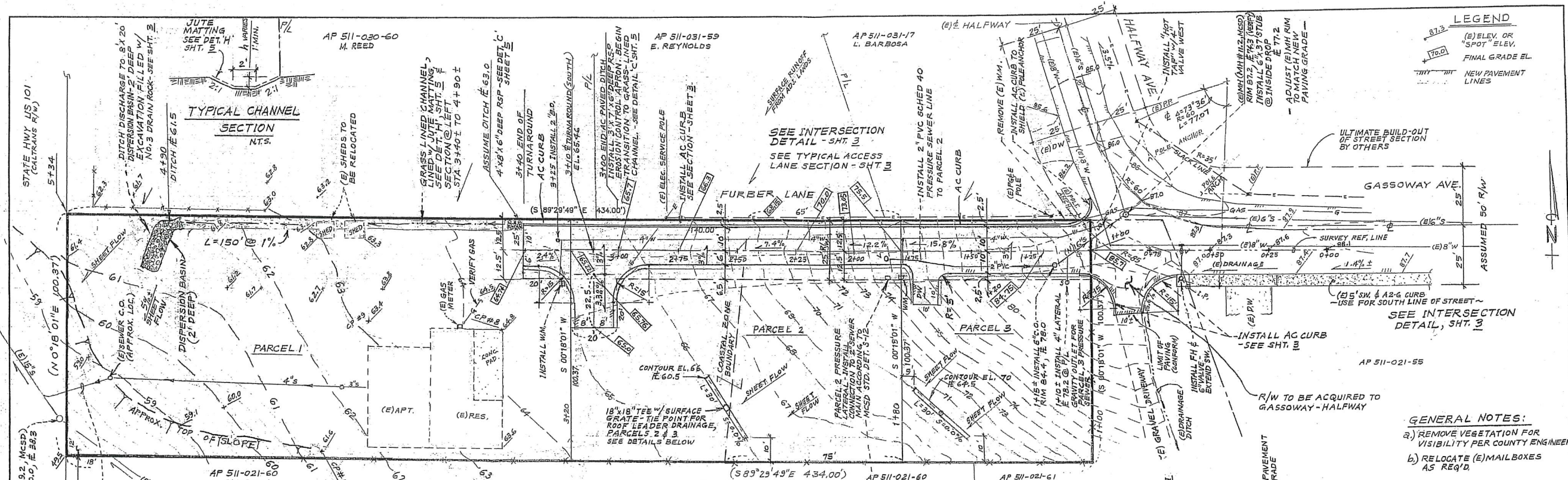
**Project Area =** 

**Coastal Zone Boundary** 

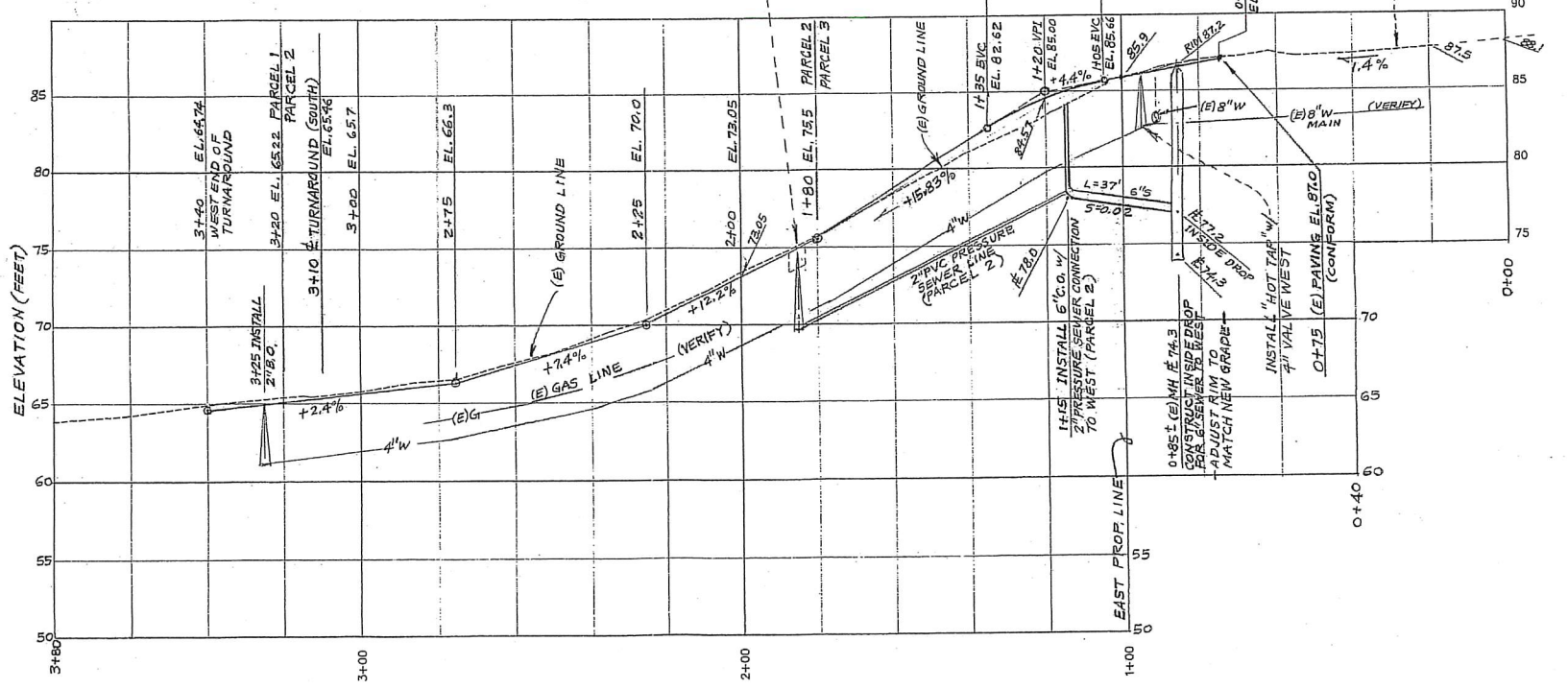
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.







PLAN: 1"=20'





**ATTACHMENT 1**

**Conditions of Approval**

The conditions of approval effective March 6, 2006, shall remain in full force and effect and are not affected by this extension.

***NOTE: THE ORIGINAL STAFF REPORT AND SUPPORTING DOCUMENTATION IS ON FILE WITH THE PLANNING DIVISION AND AVAILABLE FOR PUBLIC INSPECTION.***

**ATTACHMENT 2**

Original Conditions of Approval

ATTACHMENT 1  
RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PARCEL MAP MAY BE RECORDED:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral dated December 8, 2005, included herein as Exhibit A of Attachment 1, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Net and gross lot area shall be shown for each parcel or lot.
4. Water and sewer services shall be extended onto each lot to the specifications of the McKinleyville Community Services District (MCSD) and to the satisfaction of the Department of Public Works (DPW).
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements.
6. The applicant shall submit at least three (3) copies of a Development Plan for all parcels to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include Items 6(a) through 6(f) of the Public Works Memorandum dated December 8, 2005, included herein as Exhibit A of Attachment 1, and the following site development details:
  - A. Mapping:
    - (1) Topography of the land in 1-foot contours.
    - (2) Development standards for Lots 2 and 3: setbacks, maximum lot coverage, maximum height, and four (4) independently accessible parking spaces outside the front yard setback.
    - (3) Development standards for Lot 1: setbacks, maximum lot coverage, maximum height, and a total of six (6) parking spaces, of which four are independently accessible and are outside the front yard setback.
    - (4) The location of the 50' SMA setback with the portions within the SMA labeled "non-buildable".
    - (5) The location of the fence at the south side of each parcel located at least 50' from the stream transition line of Norton Creek. This permanent fence can be split-rail or more decorative in nature as its purpose is to delineate the setback, not for privacy. Evidence shall be provided to the Planning Division that MRB or another qualified biologist staked the setback and marked appropriately so that the location of the fence is precise.
    - (6) The location of the solid wood plank (no gaps between boards) or block wall 6' in height between the <e> residence on Lot 1 and the western property line. For more information on building materials and federal noise attenuation standards, please visit the EPA's website at: <http://www.epa.gov/history/noise.htm>.



## B. Notes to be placed on the Development Plan:

- (1) "The project site is located within an area where known cultural resources have been located. As there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:
    - If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
    - Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted.

"The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition."
    - Prior to any ground disturbing activities, the owner/applicant/contractor shall contact the Table Bluff Wiyot Tribe (707-733-5055) to coordinate the presence of an approved monitor. Should any cultural or archaeological artifacts or remains be unearthed during these activities, the monitor shall intervene appropriately. In the event that human remains are discovered, all work shall stop and the Humboldt County Coroner shall be contacted immediately.
  - (2) "Hours of construction for on- and off-site improvements shall be restricted to Monday thru Friday from 8:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm, with no construction activity on Sunday."
  - (3) "No development shall occur within the 50' SMA/riparian corridor setback unless approved by the Planning Division."
  - (4) "All development shall adhere to the findings and recommendations in the adopted Mitigated Negative Declaration."
  - (5) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
7. The applicant shall cause to be recorded a "Notice of Development Plan" 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 \$146.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
8. Parkland dedication fees of \$4,602.00 (total) shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$3,068.00 (total) 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 2 and 3. Release from the Conveyance and Agreement may be pursued upon payment of the \$3,068.00 parkland dedication fee balance. A copy of the Conveyance and Agreement form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Division upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a *pro-rata* basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by

ordinance of the Humboldt County Board of Supervisors (currently \$146.00 plus applicable recordation fees) will be required. (\$80 LUD review, \$55 Planning review, \$11 Planning Notary)

9. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$77.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
10. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
11. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Pacific Gas and Electric Company stating that the project meets their requirements.
12. The applicant shall dedicate an overflight easement to the County of Humboldt. Contact the Land Use Division of the Department of Public Works for the required form and instructions.
13. A building permit for the conversion of the residence into a single family dwelling with attached secondary dwelling unit shall be secured from the Building Division. Contact the Building Division at (707) 445-7245 for further information regarding this requirement.
14. Prior to the recordation of the Parcel Map, the fencing required for delineation of the SMA buffer and the sound wall on Parcel 1 shall be completed to the satisfaction of the Planning Division. SMA buffer fencing on Parcels 2 and 3 may be deferred to the time a building permit is requested for development on these lots.
15. Within five (5) days of the effective date of the approval of this permit, the applicant shall submit a check to the Planning Division, made out to the Humboldt County Recorder, in the amount of \$25 pursuant to Section 7.11.4 of the Fish & Game Code.

**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. Contact the Planning Division for copies of all required forms and written instructions.

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. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The term of the Coastal Development Permit and Conditional Use Permit shall be for 24 months from the effective date of approval, to coincide with the approved tentative map. Extensions may be permitted consistent with the provisions of the Humboldt County Code.



**MEMO**  
**HUMBOLDT COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**  
**LAND USE DIVISION**

TO: Alyson Hunter, Planner II

FROM: Robert W. Bronkall, Associate Engineer *RB*

DATE: December 8, 2005

RE: **FURBER TENTATIVE MAP, APN 511-021-03**

**RECEIVED**

DEC 12 2005

HUMBOLDT COUNTY  
PLANNING COMMISSION

The project lies below the elevation of the County road. The entrance of the access road off of the County road may require fill to provide the correct visibility and to conform to the ultimate design of the County road. It may also require the vegetation to be removed at the north property line. (See attached photos).

The Department is supportive of reducing the right of way as requested. We are supportive of the request because the road does not appear to be needed to serve additional property and the road shall only serve a small number of lots. The right of way proposed, however, may not be wide enough to accommodate the access road. The tentative map does not provide sufficient information to allow the Department to determine the exact width of right of way needed for the access road. The conditions of approval have been modified to provide flexibility in right-of way width. The width of the right of way must encompass the entire roadbed. The edge of the roadbed must be located a minimum of one foot from the north property line to reduce the effects on the adjacent property.

This may have an effect on the agreement for acquisition of off-site right of way at the entrance of the road. The width of right of way probably needs to be wider. The exact width is unknown until such time as construction plans are submitted for approval.

The proposed access road is not wide enough to accommodate on-street parking. The applicant may widen the road or must be conditioned to require all parking to be developed on-site (not on the access road). The project is currently conditioned for the parking to be located on-site; and also requires that a note concerning parking be shown on the development plan.

Attachments:

- Photos
- Subdivision Requirements

*Photos:*

*see  
original*

c Don Furber, 1945 Golf Course Rd, Bayside CA 95524  
John Murray, 850 Warren Creek Rd, Arcata CA 95521

// END //



EXHIBIT A

DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707/FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE

AVIATION 839-5401

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7651
ENGINEERING	445-7377	ROADS & EQUIPMENT MAINT.	445-7421
	ARCHITECT	445-7493	

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

**TO:** Alyson Hunter, Planner II

**FROM:** Robert W. Bronkall, Associate Engineer *RB*

**RE:** SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE  
APPLICATION OF FURBER, APN 511-021-03, PMS-02-26  
FOR APPROVAL OF A TENTATIVE MAP

**DATE:** December 8, 2005

*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 (not identified) dated August 1, 2005. The project proposes to create 3 residential lots. It proposes an exception to the right of way width for access from the required 40-foot minimum to 20 feet.

**READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT**

**1. MAPPING**

(a) Applicant must cause to be filed a parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Section 326-15 of the Humboldt County Code. 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.



(b) DEPOSIT: Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Section 326-13, Improvement Review and Inspection Fees, of the Humboldt County Code prior to review of the construction plan, review of the subdivision map, or the construction of improvements, whichever occurs first.

(c) PROOF OF LEGAL ACCESS: Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 25 feet but must be sufficient in width to encompass the traveled way and the fill slopes. The easement must be shown on the subdivision map.

(d) ENCUMBRANCES: All easements that encumber 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.

(e) 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.

(f) DEDICATIONS: The following shall be dedicated on the subdivision map or as approved by this Department:

(1) Applicant shall cause to be dedicated on the subdivision map an easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be a minimum of 20 feet in width but must be sufficient in width to encompass the required access road improvements. Right of way for the turnaround shall be dedicated and shown on the subdivision map near the end of the access road in a manner approved by this Department.

(2) Applicant shall dedicate to the County of Humboldt an Overflight Easement for the benefit of the Arcata-Eureka Airport in a manner satisfactory to this Department.

## 2. IMPROVEMENTS

(a) The intersection of the access road to the subdivision with the County road shall be constructed in conformance with the standards for a private road intersection. The road shall be paved with asphalt concrete (AC) for the first 50 feet from the edge of the County road. The access opening must conform to Humboldt County Code Section 341 regarding visibility.

(b) 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 of the improvements shall not commence until authorized by this Department.

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 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) shall be tied to MCSD elevation datum unless waived by this Department.

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

(d) A turnaround area as approved by this Department shall be constructed at the end of the access road. It shall have the same structural section as the roadway serving the parcels/lots.

(e) The access road(s) shall be named as approved by Community Development Services Department - Planning Division.

(f) Street name and traffic control devices may need to be placed as required and approved by this Department.

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

(1) The access road serving the subdivision off of the intersection of Halfway Avenue and Gassaway Road shall be constructed having a width of 20 feet for a length of 50 feet; the remainder of the access road shall be 16 feet wide plus 4 feet to accommodate drainage and an AC dike as shown on the tentative or as otherwise approved by this Department. At a minimum the entire road shall be constructed with 0.2 foot of Caltrans Type B asphalt concrete (AC) over of 0.5 foot of Caltrans Class 2 aggregate base. The access road shall be centered in the right of way for the road or as otherwise approved by this Department. The first 35 feet of the road from the edge of the paved surface of the County road shall not exceed a grade of -2% unless waived by this Department. This shall allow for future development of the County road and proper visibility for the access road onto the County road. This may require significant fill near the intersection.

(2) 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.

(3) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.

(h) **UTILITIES:** If any utilities are required to be installed as a condition of tentative map approval by the Community Development Services Department - Planning Division, 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 applicant's expense.



### 3. DRAINAGE

(a) Applicant must submit a complete hydraulic report and drainage plan for approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.

(b) Applicant shall be responsible to correct any involved drainage problems to the satisfaction of this Department.

(c) 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.

(d) Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

(e) Applicant may be required to provide evidence acceptable to this Department of rights to discharge storm water runoff from the subdivision onto APN 511-031-26.

### 4. GRADING

(a) Applicant shall submit an engineered grading plan addressing the entire project site, including the off-site improvements of the access road, to this Department for review and approval. The purpose of the grading plan is to assure all lot drainage can be detained on-site and/or transmitted to an approved drainage facility without affecting the buildable areas of each of the proposed parcels/lots, the adjacent streets, and the adjacent property owners. The criteria will be to have the buildable portion of all parcels/lots drain to a street or an approved watercourse at a grade of 2% without crossing the buildable area of the adjacent parcel/lot. Maximum grade from the street to the 20 foot setback line shall not exceed 10%. The grading plan shall show, at a minimum, the existing grades and proposed grades at the corners of each lot and building pad.

(b) Applicant shall submit an engineered grading plan to this Department for approval addressing the entire project construction areas. No grading within the subdivision or off-site rights of way shall occur prior to approval of the plan by this Department.

(c) An erosion control plan (aka, sediment control plan, Storm Water Pollution Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

(d) 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.

### 5. MAINTENANCE

The improvements to be constructed as part of this subdivision will not be maintained by the County. 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.

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

- 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.

## 6. DEVELOPMENT PLAN

(a) The development plan shall be legibly drawn to a convenient scale on 24"x36" mylar, in black ink, unless approved otherwise by this Department.

(b) The development plan shall include all encumbrances of record as shown on a current title report as well as those created on the subdivision map.

(c) The development plan shall include the following to the satisfaction of this Department:

- When roads or drainage facilities are not to be maintained by the County, then clearly state next to the facility "NOT COUNTY MAINTAINED".
- When minimum finished floor elevations must be adhered to, the plan shall state the minimum elevation and the referenced benchmark.
- Reference the soils report prepared for the project; including a statement substantially similar to: "See soils report prepared by \_\_\_\_\_, Project No. \_\_\_\_\_, dated \_\_\_\_\_, for recommendations, inspections, and special requirements required for development of this subdivision."
- A statement indicating that all required parking must be located on site in conformance with the standards of the County of Humboldt zoning Code.
- When improvement plans have been prepared in conjunction with proposed subdivision, include a statement substantially similar to: "Improvement plans for roads, driveways, and drainage, etc. are on file with the Department of Public Works".
- Building setbacks to allow for the ultimate development of parcels that could be further subdivided.
- A typical section showing the location of the curbs and sidewalks with respect to the right of way lines.

(d) The development plan shall include a statement signed by the Surveyor (or Civil Engineer) who signed the subdivision map. The statement shall be substantially similar to the following: "All encumbrances of record as of the date of the referenced title report are correctly shown on this plan; that all encumbrances created on the filed subdivision map are correctly shown on this plan; that approximate distances from existing fence corners to the actual property corners, if not the same, are shown on this plan. Title report prepared by \_\_\_\_\_, Order No. \_\_\_\_\_, dated \_\_\_\_\_."

(e) Applicant shall cause a "Notice of Development Plan" to be recorded in the Office of the County Recorder.

(f) The development plan shall be signed off by this Department prior to official filing with the Planning Division. The plan shall include a signoff block for this Department to sign substantially similar to:

Reviewed by:

\_\_\_\_\_  
Department of Public Works

\_\_\_\_\_  
Date

c Don Furber, 1945 Golf Course Rd, Bayside CA 95524  
John Murray, 850 Warren Creek Rd, Arcata CA 95521

// END //