

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

Resolution Number: 23-045

Record Number: PLN-2022-17879

Assessor's Parcel Number: 500-091-047

Resolution by the Planning Commission the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Hornstein Final Map Subdivision Extension.

WHEREAS, John Hornstein submitted an application and evidence in support of approving a two-year extension of the Hornstein Final Map Subdivision, Record No. PLN-2022-17879; and

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

WHEREAS, the County Planning Commission at their January 24, 2019, hearing considered and adopted a Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed two-year extension of the previously approved Hornstein Final Map Subdivision; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on May 4, 2023, and reviewed, considered, and discussed the application for the two-year extension of the previously approved Hornstein Final Map Subdivision, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description.** A two-year extension to the Hornstein Final Map Subdivision.

EVIDENCE: a) Project File: PLN-2022-17879

- 2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been complied with. A Mitigated Negative Declaration was adopted for this project and no changes have occurred to the project since adoption.

EVIDENCE: a) Notice of Determination filed for Mitigated Negative Declaration (MND) (SCH# 2018-122048) considered and adopted by Humboldt County Planning Commission January 24, 2019.

FINDINGS FOR EXTENSION OF FINAL MAP SUBDIVISION

3. FINDING The parcel's General Plan designation, for which conformance findings were made, has not changed.

EVIDENCE a) The property is designated Residential Agriculture (RA) in the Jacoby Creek Community Plan area of the Humboldt County General Plan. The parcel was reviewed for conformance with these standards during approval of the subdivision in 2019 and this designation has not changed.

4. FINDING The proposed development is consistent with the purposes of the existing zone in which the site is located. No changes to the parcel's zoning or changes to the project have occurred.

EVIDENCE a) The subject property is zoned Unclassified (U). The originally approved project and subsequent statutory extension has not changed, nor has the zoning designation.

5. FINDING The applicable development standards, for which the original project was evaluated, have not changed.

EVIDENCE a) The originally approved Final Map Subdivision was reviewed for consistency with all applicable development standards of the California Subdivision Map Act and the Humboldt County Code, including the Humboldt County Subdivision Ordinance. No applicable provisions of these standards have changed.

6. FINDING The applicable design standards, for which the project was evaluated, have not changed.

EVIDENCE a) The originally approved Final Map Subdivision was reviewed for consistency with all applicable design standards of the California Subdivision Map Act and the Humboldt County Code, including the Humboldt County Subdivision Ordinance. No applicable provisions of these standards have changed.

7. **FINDING** All other standards and requirements to which the project is subject and as administered by other departments or agencies have not change.

EVIDENCE a) The project was referred to all applicable county departments and state agencies and all either did not respond or responded with recommendations for approval. There is no evidence indicating that any applicable standards or requirements have changed in any manner which would impact the project.

DECISION

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

- Approves the Hornstein Final Map Subdivision Extension.

Adopted after review and consideration of all the evidence on May 4, 2023

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

AYES: COMMISSIONERS: Iver Scavdal, Thomas Mulder, Noah Levy,
Lonyx Landry, Peggy O’Neill, Brian Mitchell,
Sarah West

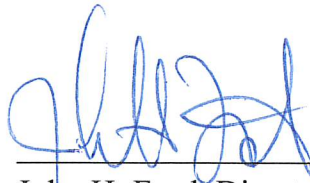
~~NOES: COMMISSIONERS:~~

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 7/0

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



John H. Ford, Director
Planning and Building Department

ATTACHMENT 1A

Conditions of Approval

The Revised Conditions of Approval for the Hornstein Final Map Subdivision, revised per Planning Commission Meeting of January 24, 2019, effective February 5, 2019, 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.

Revised* Conditions of Approval for the Hornstein Final Map Subdivision
***Revised per Planning Commission meeting of January 24, 2019**

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

Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral dated November 15, 2017 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.
3. The Planning Division requires that two (2) copies of the Final Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. 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.
5. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:
 - A. Mapping
 - (1) Topography of the land in 10-foot contour intervals;
 - (2) Details showing conformance with provisions of the County's Fire Safe Regulations (Section 3111-1 et seq. H.C.C.), including but not limited to:
 - a. Road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500 gallon individual emergency water supply, etc.)
 - d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

- (3) The location of all necessary easements, including water line and other utility easements as necessary;
- (4) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;
- (5) Proposed building sites and leachfield areas for all parcels.
- (6) The 50-foot Streamside Management Area (SMA) for the unnamed intermittent stream labeled as "non-buildable ".
- (7) Location of forested buffer and fire break along the easterly boundary of Parcel 1.

B. Notes to be placed on the Development Plan:

- (1) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:
 - If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
 - Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."
- (2) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(2) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (3) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
 - Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."

- (4) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 4:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (5) "Any brush clearing or tree removal must be conducted outside of the bird breeding season (March 1 – August 15) in order to avoid a "take" as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 *et seq.*). If any brush or trees must be removed within the breeding season, the Project proponent shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests."
- (6) "Development within Streamside Management Areas shall be limited to the following uses:
- a. Development permitted within stream channels pursuant to Standard BR-S6 of the Humboldt County General Plan.
 - b. Timber management and harvests not otherwise excluded by Applicability Section as well as noncommercial cutting of firewood and clearing for pasturage, provided that cottonwoods are retained and remaining willows and alders, as well as other unmerchantable hardwoods or shrubs should be protected from unreasonable damage.
 - c. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.
 - d. Removal of vegetation for disease control or public safety purposes.
- Note: A Special Permit is required for all new development in Streamside Management Areas not exempt per Section 314-61.1(d)(1-7) of the Humboldt County Zoning Regulations."**
- (7) "The area along the easterly parcel boundary of Parcel 1 shall be maintained as a forested buffer and fire break."
- (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
- (9)* **"Because of slope instability and unstable soils in the area, prior to any development of Parcel 3, a geologic engineer shall prepare an analysis to determine the suitability of development at the site and identify design requirements to ensure the structural stability of any proposed development.**

6. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$415.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
7. **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 \$2,404.75. 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, 2019 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 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 \$2,354.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
8. The owners of the subject parcel shall execute and file the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. A copy of the required form will be provided in the final approval packet.
9. The applicant must record a Notice of Lot Line Adjustment prior to the recordation of the Final Map.
- 10.* ~~Permanent, irreversible water rights and easement shall be shown on the subdivision map and referenced by any deed conveying the parcels shown on the Final Map.~~ **All parcels shall be part of the small water system and easements shall be provided to each parcel to allow conveyance of water from the well to each parcel.**
11. 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.
12. Proposed Parcel 1 lies adjacent to managed timberlands and is subject to standards for fire protection within the Wildland Urban Interface (WUI) zone. The applicant shall develop a plan for fuel treatment in consultation with Calfire in order to maintain the eastern parcel boundary as a forested buffer and shaded fire break consistent with the Humboldt County Community Wildfire Protection Plan. The plan's fuel treatment recommendations shall be incorporated into the Development Plan.

Informational Notes:

1. To reduce costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: Condition(s) 3-15). The applicant should submit the listed

item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (currently \$95.00). Copies of all required forms and written instructions are included in the final approval packet.

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

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

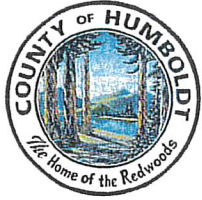
2. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might be encountered during construction activities, the following mitigation measures are required under state and federal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

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205



LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF HORNSTEIN, APN 500-091-047, FMS16-006 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 85 ACRES INTO 3 LOTS

DATE: 11/15/2017

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 John Hornstein dated Sept. 2016, and dated as received by the Humboldt County Planning Division on December 1, 2016.

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 326-15. 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.

If the project includes a lot line adjustment with adjacent parcel(s), the lot line adjustment shall be recorded prior to the filing of the subdivision map. The subdivision map may show the lot line adjustment parcel(s) outside of the subdivision map's distinctive border.

- 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 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 50 feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance]
- 1.5 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.
- 1.6 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.

- 1.7 PRIVATE ROADS:** Pursuant to County Code Section 323-2(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 323-2(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."

[County Code Section 323-2 appears after Section 324-1 in County Code]

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

(a) IDYLBEAR LANE (NOT COUNTY MAINTAINED:

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/lots within the subdivision in a manner approved by this Department.

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

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.

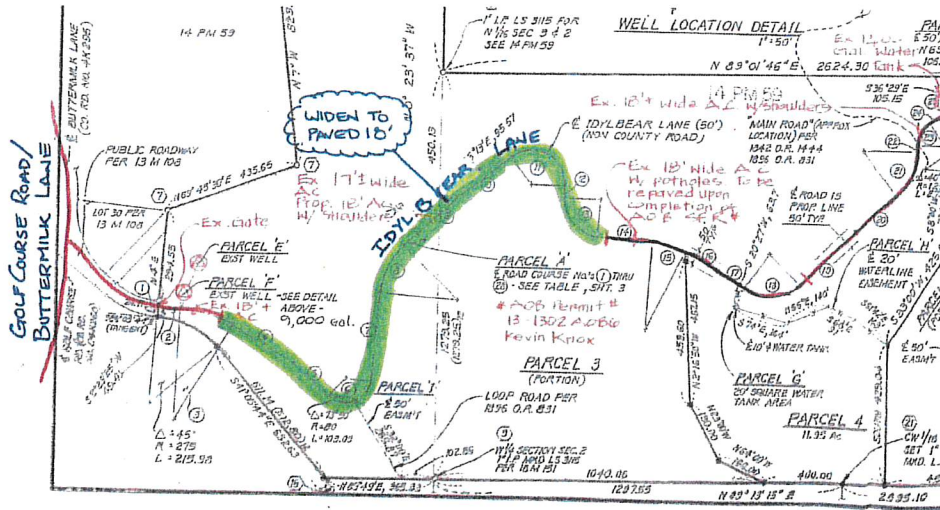
2.3 **ROAD NAMES:** The access road(s)/street(s) shall be named as approved by the Planning & Building Department - Planning Division.

2.4 **TRAFFIC CONTROL DEVICES:** Street name and traffic control devices may need to be placed as required and approved by this Department.

In addition, pursuant to County Code Section 323-2(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)

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

(a) **IDYLBEAR LANE (NOT COUNTY MAINTAINED):** Widen approximately 2,000 feet of Idylbear Lane to 18 feet wide, paved. The approximate location of the widening is shown in the diagram below.



Above: diagram showing the approximate locations of the road widening
Highlighted green = widen to 18 feet paved

(b) **SPLINTER LANE (NOT COUNTY MAINTAINED):** Splinter Lane shall be constructed to the minimum standards in the Fire Safe Regulations (and any approved exception) and the Subdivision Ordinance based upon the total number of parcels using the road, both within and outside of the subject property.

Total number of parcels to use the road	Fire Safe Regulations Minimum Road Requirements
up to 2	Category 2: 12' wide gravel road with inter-visible turnouts
up to 8	Category 3: 16' wide gravel road with 2' wide bladed shoulders on each side
up to 80	Category 4: 18' wide gravel road with 2' wide bladed shoulders on each side
up to 120	Category 4: 20' wide gravel road with 5' wide bladed shoulders on each side (18' wide

	gravel with 2' bladed shoulders may be permitted on local roads in mountainous terrain)
dup to 300	Category 4: 20' wide gravel road with 5' bladed shoulders on each side
up to 400	Category 4: 22' wide gravel road with 6' bladed shoulders on each side
no limit	Category 4: 24' wide gravel road with 8' bladed shoulders on each side
Note: Recommendations are based upon County Fire Safe Regulations (Humboldt County Code Section 3111-1, et seq), the 1973 County Road Design Manual and supplemented by 2004 AASHTO "Green Book" Exhibits 5-5 & 6-5. Both the County Road Design Manual and AASHTO "Green Book" use ADT. County Subdivision Ordinance (Humboldt County Code Section 321-1, et seq.), Appendix 4-2 states that each rural parcel has an ADT of 5 trips per day. For uniformity, ADTs were converted to parcels to match County Fire Safe Regulations.	

In addition, roadside ditches shall be constructed when required by this Department.

- (c) The access road(s) from a County maintained road to the subject property; and all access road(s) (including driveways) within the subject property shall be certified by a Civil Engineer registered by the State of California to be in conformance with SRA Fire Safe Regulations as adopted by the County of Humboldt; in conformance with any exceptions approved by the Director of Planning & Building of the County of Humboldt; and in conformance with any exceptions approved by Cal Fire. Conformance shall include, but is not limited to: width of traveled way; roadway grade; curve radius; roadway surface; turnouts; turnaround areas; and maximum length of dead-end road. Certification shall be made in a manner approved by this Department.

In the event that the Civil Engineer is unable to certify that the road(s) are in conformance, the applicant shall cause construction plans to be prepared by a Civil Engineer that show what improvements need to be constructed to bring the road(s) into conformance. The plans shall be submitted for review by this Department. Once the construction plans are authorized for construction by this Department and the applicant constructs the improvements, the engineer shall certify that the road(s) are in conformance.

Note: Off-site improvements to access roads (such as curve realignments, grade realignments, and turnouts) may require acquisition of easement(s) to construct the proposed road improvements. The applicant is responsible for acquiring any easements and permits that may be necessary to construct the improvements.

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

2.6 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 foot of Caltrans Type B 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.
- (c) **For unpaved road surfaces**, the structural section shall include a minimum, of 0.5 foot of Caltrans Class 2 aggregate base. Paved surfaces are required for grades in excess of 16%.

2.7 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.

2.8 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.

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. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.

4.0 GRADING

<NONE>

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 323-2* (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. [*Section 323-2 is listed in County Code after Section 324-1]

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

A maintenance plan for the non-county maintained roads known as Idylbear Lane and Splinter Lane.

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.

6.0 DEVELOPMENT PLAN: The following are required for all development plans:

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

SUPPLEMENTAL INFORMATION

No. 1

For Planning Commission Agenda of:
January 24, 2019

Re: Applicant: John Hornstein
Case Numbers: FMS-16-006, LLA-16-030
APNs: 500-091-047, 500-091-052

Attached is a letter received from James Able regarding concerns with any development in the northwest portion of proposed Parcel 3 due to historic slope instability. Proposed Parcel 3 is currently developed with a single family residence and no development is proposed in this location. Building sites for proposed Parcels 1 and 2 are much farther east.

In order to address these concerns, a note will be placed on the Development Plan that states:

"Any new development on Parcel 3 north of Idylbear Lane that requires a Building Permit shall require evaluation by a Building Inspector to determine whether site specific soils evaluation is required."

James L. Able
500 Crestwood Drive
Arcata, California 95221

Mr. John Ford
Director of Planning and building
3015 H. Street,
Eureka, California 99901



Re: Application No. 11586; Case Nos. FMS-16-006; Assessor Parcel Numbers (APN'S) 500-091-047, 50-091-052.

Dear Mr. Ford,

I am an adjacent landowner to existing APN 500-091-047. My parcel is APN 500-091-024 also known as 500 Crestwood Drive, Arcata, owned by James and Kay Able.

The Northwest portion of the proposed "parcel 3" shown on Application No. 11586 and a portion of APN 500-091-047 is a steep, erosive, and unstable area of about 12 – 16 acres. This area is adjacent to and upslope from our property and several other neighbors. We have lived on our parcel since the early 1980's. During this time we and our neighbors have witness and experienced numerous slides, erosion events, and slope failures on this property.

We and our neighbors are very concerned with any development activity on this area. Our neighbors are the residences of Crestwood Drive which intersects with Buttermilk Drive in Sunny Brea.

We would like to insure that sufficient restrictions are placed upon this area so as to prohibit any sort of residential development on this portion of the proposed "parcel 3".

Yours truly

James L. Able

CC Bob Morris