

ATTACHMENT 1A

CONDITIONS OF APPROVAL FOR THE OZANIAN PARCEL MAP SUBDIVISION AND SPECIAL PERMIT

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PARCEL 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 August 27, 2018 (Attachment 1D) 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.
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 \$116.00 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 40-foot contour intervals; and
 - (2) Details showing conformance with provisions of the State Fire Safe Regulations, including but not limited to:

- a. Road and driveway access standards including emergency access road (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; and
 - (4) Four (4) off-street parking spaces on both parcels consistent with Section 314-109.1 Humboldt County Code; and
 - (5) Location of Streamside Management Area (SMA) labeled “unbuildable”; and
 - (6) Location of fire break along southerly boundary of Parcel 3.

B. Notes to be placed on the Development Plan:

- (1) “If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the project representative, a professional archaeologist and representatives from the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant and Tribes will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods.

The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

The applicant is ultimately responsible for ensuring compliance with this condition.”

- (2) “In the event that paleontological resources are discovered, work shall be stopped within 100 feet of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

The applicant is ultimately responsible for ensuring compliance with this condition.”

- (3) "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."

- (4) “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.”

- (5) “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 Table 13-C of the General Plan.”

- (6) “Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season for raptors is generally January 1 to July 15 and the nesting season for migratory birds is generally February 1 to September 15) in order to avoid ‘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 work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. The survey area shall include the area of disturbance and a 300-foot buffer. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take.”
- (7) “Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Attachment 1D for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.13 of the above-mentioned Subdivision Requirements.”
- (8) “Development within Streamside Management Areas shall be limited to the following uses:
 - a. Development permitted within stream channels pursuant to Section BR-S6 of the 2017 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.
- (9) “The area along the southerly parcel boundary of Parcel 3 shall be maintained as a fire break.”
- (10) “Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development

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

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 \$458.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel 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 \$2,814.00. 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, 2023, 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 \$2,814.00 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
8. 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.
9. Unless subdivision improvements in Attachment 1D are completed or a Subdivision Agreement is entered into prior to filing of the Parcel 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.
10. All parcels shall be part of the shared water system and easements shall be provided to each parcel to allow conveyance of water from the well to each parcel.
12. Proposed Parcel 3 lies adjacent to lands zoned TPZ 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 southern 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. 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. 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 and Special Permit 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.