



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: January 24, 2019

To: Humboldt County Planning Commission

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

Subject: **DePeel Parcel Map Subdivision Extension**
Application Number 14304
Case Number PMS-15-003X
Assessor Parcel Number (APN) 312-131-017
821 and 825 Blue Lake Blvd., Blue Lake

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Please contact Trevor Estlow at (707) 268-3740, or by email at testlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date January 24, 2019	Subject Parcel Map Subdivision Extension	Contact Trevor Estlow
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Project: A two-year extension of a Parcel Map Subdivision (PMS-15-003) originally approved August 4, 2016. The project consisted of a Parcel Map subdivision to divide an approximately 2.55 acre parcel into two parcels of approximately 1.0 and 1.55 acres each. The parcel is currently developed with two single family residences which will each be sited on their own parcels. The parcels are served with community water provided by the City of Blue Lake and on-site wastewater treatment systems. **No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on August 16, 2020.**

Project Location: The project site is located in the Blue Lake area, on the north side of the easterly extension of Blue Lake Boulevard, approximately 200 feet east of the intersection of Blue Lake Boulevard and Buckley Road, on the properties known as 821 and 825 Blue Lake Boulevard.

Present Plan Designation: Residential Estates (RE), Humboldt County General Plan. Density: one dwelling unit per 1 – 5 acres. Slope Stability: High Instability.

Present Zoning: Unclassified (U).

Case Numbers: PMS-15-003X

Application Number: 14304

Assessor Parcel Number: 312-131-017

Applicant

Lawrence, Joan and Michael DePeel
c/o Julia Row
PO Box 143
Blue Lake, CA 95525

Owner(s)

same as applicant

Agent

Points West Surveying Co.
Michael Pulley
5201 Carlson Park Dr., Ste. 3
Arcata, CA 95521

Environmental Review: Project is statutorily exempt per Section 15061(b)(3) of the California Environmental Quality Act.

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

DEPEEL PARCEL MAP SUBDIVISION EXTENSION

Case Number PMS-15-003X

Assessor Parcel Number 312-131-017

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 two-year extension of a Parcel Map Subdivision (PMS-15-003) originally approved August 4, 2016. The project consisted of a subdivision of an approximately 2.55 acre parcel into two parcels of approximately 1.0 and 1.55 acres each. The parcel is currently developed with two single family residences which will each be sited on their own parcels. The parcels are served with community water provided by the City of Blue Lake and on-site wastewater treatment systems. **No change to the original project is proposed.**

The applicant states that the conditions of the property have not changed since the original application/approval of PMS-15-003. This is the first applicant requested extension and, if approved, the tentative map will expire on August 16, 2020.

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 August 16, 2016, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Unclassified (U), for which a conformance finding was made, has not changed.
2. The General Plan Land Use designation, Residential Estates (RE), for which a consistency finding was made, has not changed.

3. The applicable development standards, for which the original project was evaluated, have not changed. It should be noted that although the Streamside Management Area definition has changed since the project was originally approved, the standards in effect at the time the application was deemed complete apply pursuant to §66474.2 of the Subdivision Map Act.
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. The original project was found to be exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Referral agencies have recommended approval of the extension.

ALTERNATIVES: The Planning Commission could elect not to approve the extension. 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 DEPEEL PARCEL MAP
SUBDIVISION EXTENSION APPLICATION.**

CASE NUMBER: PMS-15-003X; ASSESSOR PARCEL NUMBER: 312-131-017

WHEREAS, Michael Pulley, on behalf of the owner, submitted an application and evidence in support of approving the Parcel Map Subdivision Extension; 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 on August 4, 2016 found the project to be exempt from environmental review pursuant to Section 15061(b)(3) of 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 Parcel Map Subdivision Extension request;

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

1. The project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines and finds that there is no substantial evidence that the proposed project extension will have a significant effect on the environment;
2. Makes the findings in H.C.C. [§ 326-21] in the Planning Division staff report for Case Number: PMS-15-003X based on the submitted evidence.
3. Approves the proposed Parcel Map Subdivision Extension as recommended and conditioned in the Planning Division staff report for Case Number: PMS-15-003X.

Adopted after review and consideration of all the evidence on January 24, 2019.

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:

NOES: Commissioners:

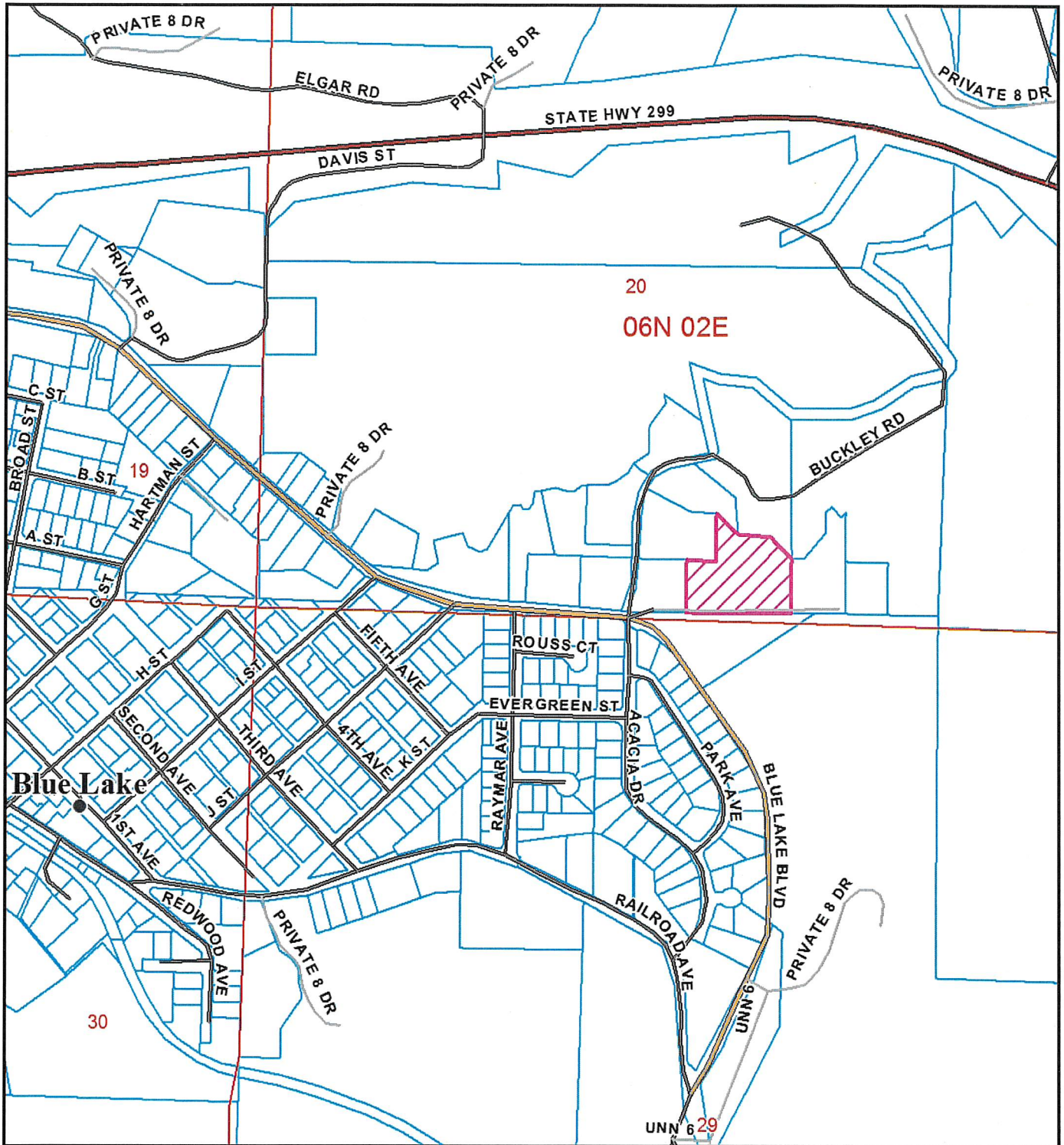
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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



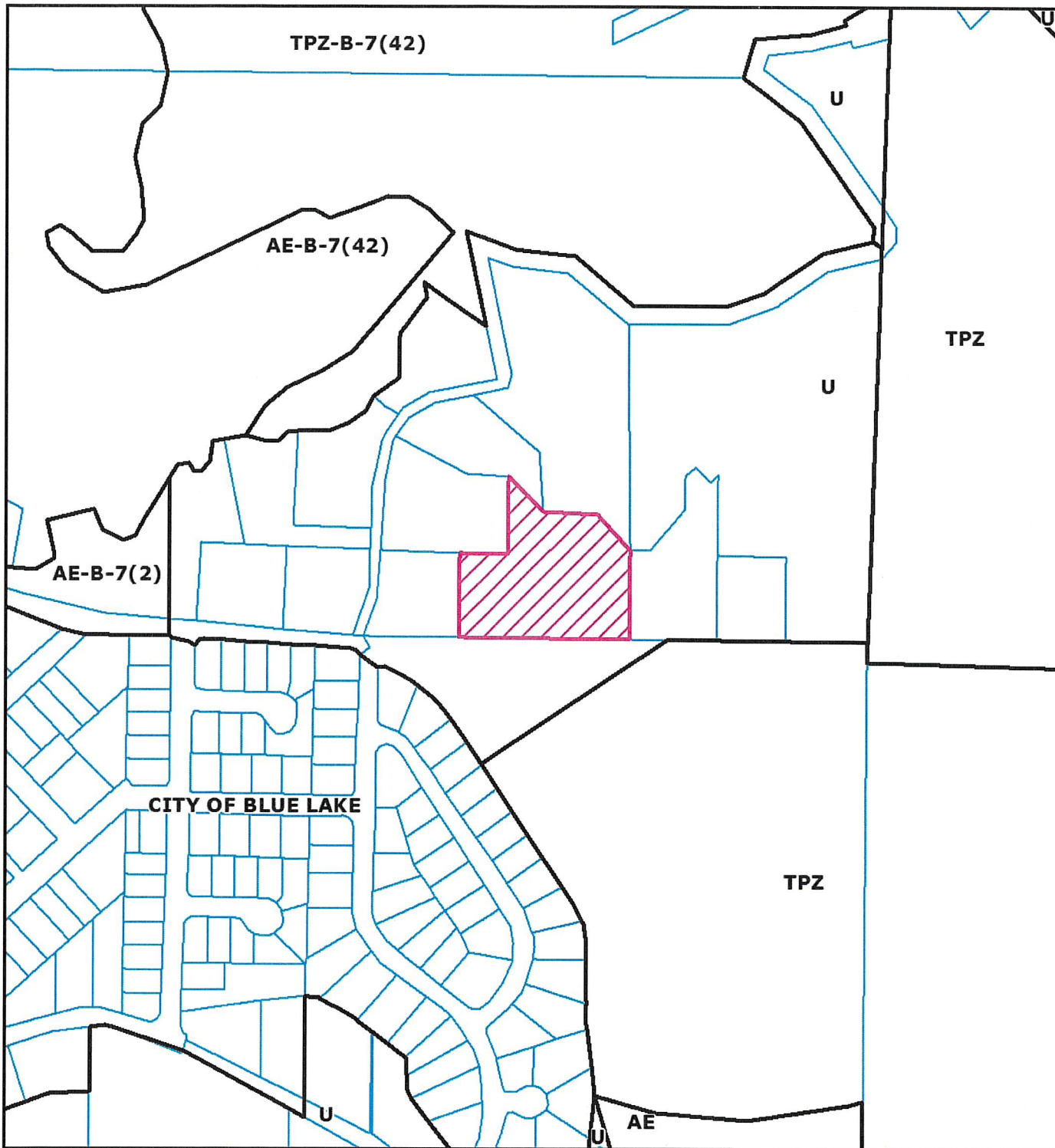
LOCATION MAP

**PROPOSED DePEEL & ROW
 PARCEL MAP SUBDIVISION EXTENSION
 BLUE LAKE AREA
 PMS-15-003X
 APN: 312-131-017
 T06N R02E S20 HB&M (Blue Lake)**

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.





ZONING MAP

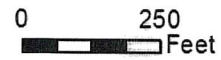
**PROPOSED DePEEL & ROW
PARCEL MAP SUBDIVISION EXTENSION
BLUE LAKE AREA
PMS-15-003X**

APN: 312-131-017

T06N R02E S20 HB&M (Blue Lake)

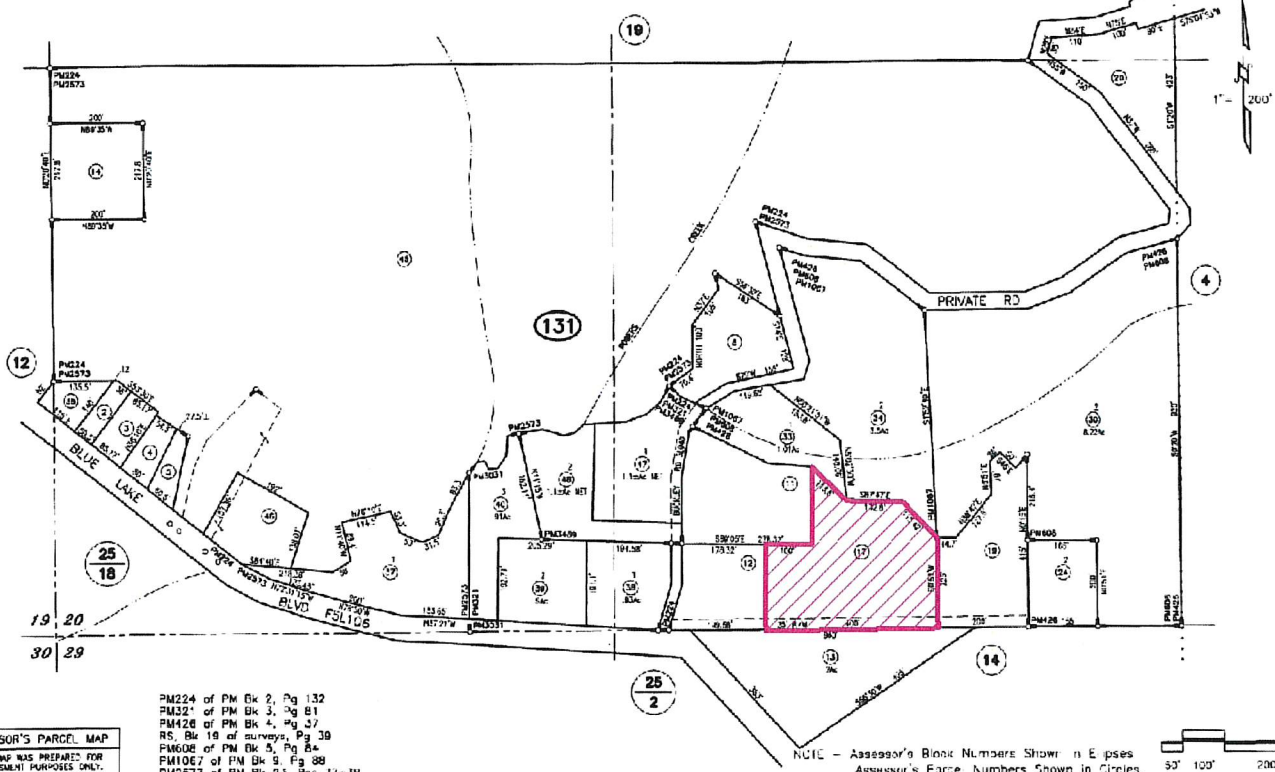
Project Area = 

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.



PTN SW1/4 SEC 20 T6N R2E H.B.& M.

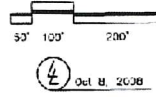
312-13



ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSIGNED FOR THE ACCURACY OF THE DATA HEREIN.
 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR ZONING SITE REQUIREMENTS.

PM224 of PM Bk 2, Pg 132
 PM321 of PM Bk 3, Pg 81
 PM426 of PM Bk 4, Pg 37
 RS, Bk 16 of surveys, Pg 39
 PM606 of PM Bk 5, Pg 84
 PM1067 of PM Bk 6, Pg 89
 PM2573 of PM Bk 23, Pgs 37-38
 RS, Bk 52 of surveys, Pg 24
 PM3051 of PM Bk 25, Pg 18
 PM3469 of PM Bk 33, Pgs 74-142

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.
Assessor's Map Bk. 312, Pg.13
 County of Humboldt, CA.



ASSESSOR PARCEL MAP
PROPOSED DePEEL & ROW
PARCEL MAP SUBDIVISION EXTENSION
BLUE LAKE AREA
PMS-15-003X
APN: 312-131-017
T06N R02E S20 HB&M (Blue Lake)

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.





AERIAL MAP


**PROPOSED DePEEL & ROW
PARCEL MAP SUBDIVISION EXTENSION**

BLUE LAKE AREA

PMS-15-003X

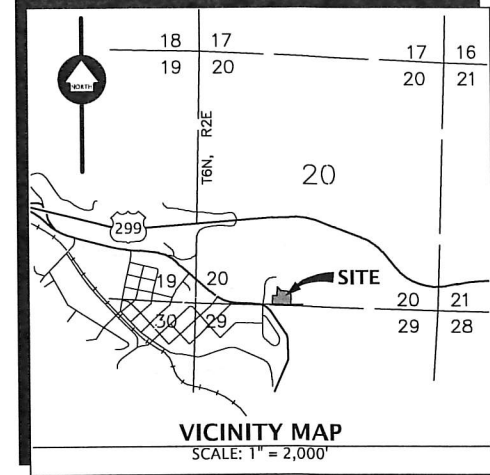
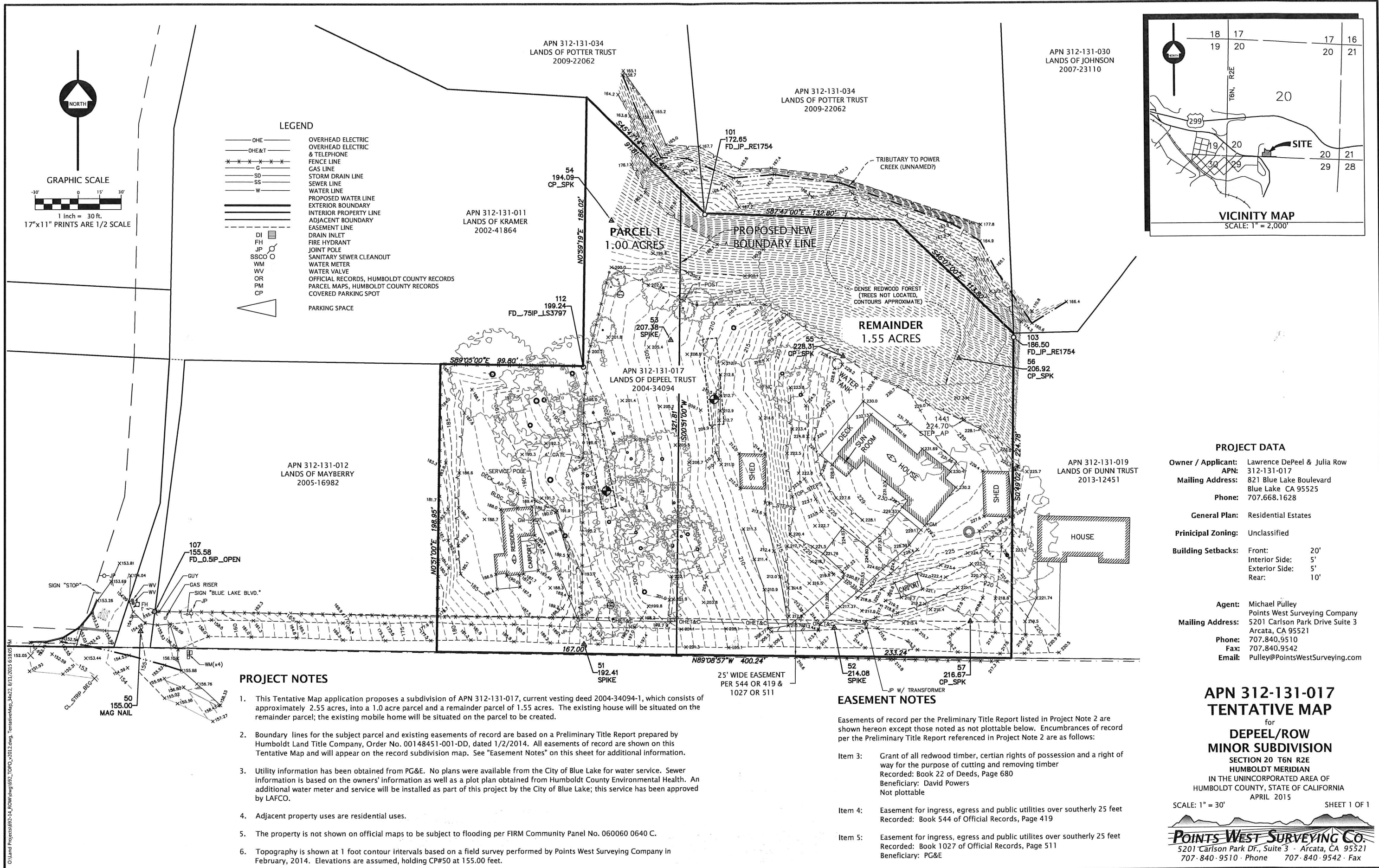
APN: 312-131-017

T06N R02E S20 HB&M (Blue Lake)

Project Area = 

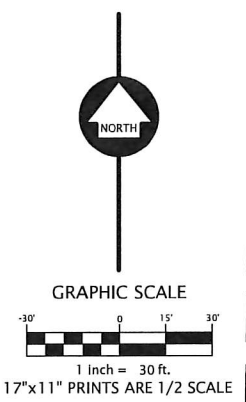
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





LEGEND

— OHE —	OVERHEAD ELECTRIC
— OHE&T —	OVERHEAD ELECTRIC & TELEPHONE
— X — X — X — X — X —	FENCE LINE
— G —	GAS LINE
— SD —	STORM DRAIN LINE
— SS —	SEWER LINE
— W —	WATER LINE
— — — — —	PROPOSED WATER LINE
— — — — —	EXTERIOR BOUNDARY
— — — — —	INTERIOR PROPERTY LINE
— — — — —	ADJACENT BOUNDARY
— — — — —	EASEMENT LINE
— — — — —	DRAIN INLET
— — — — —	FIRE HYDRANT
— — — — —	JOINT POLE
— — — — —	SANITARY SEWER CLEANOUT
— — — — —	WATER METER
— — — — —	WATER VALVE
— — — — —	OFFICIAL RECORDS, HUMBOLDT COUNTY RECORDS
— — — — —	PARCEL MAPS, HUMBOLDT COUNTY RECORDS
— — — — —	COVERED PARKING SPOT
— — — — —	PARKING SPACE



PROJECT DATA

Owner / Applicant: Lawrence DePeel & Julia Row
 APN: 312-131-017
 Mailing Address: 821 Blue Lake Boulevard
 Blue Lake CA 95525
 Phone: 707.668.1628

General Plan: Residential Estates
 Principal Zoning: Unclassified

Building Setbacks: Front: 20'
 Interior Side: 5'
 Exterior Side: 5'
 Rear: 10'

Agent: Michael Pulley
 Points West Surveying Company
 Mailing Address: 5201 Carlson Park Drive Suite 3
 Arcata, CA 95521
 Phone: 707.840.9510
 Fax: 707.840.9542
 Email: Pulley@PointsWestSurveying.com

- PROJECT NOTES**
- This Tentative Map application proposes a subdivision of APN 312-131-017, current vesting deed 2004-34094-1, which consists of approximately 2.55 acres, into a 1.0 acre parcel and a remainder parcel of 1.55 acres. The existing house will be situated on the remainder parcel; the existing mobile home will be situated on the parcel to be created.
 - Boundary lines for the subject parcel and existing easements of record are based on a Preliminary Title Report prepared by Humboldt Land Title Company, Order No. 00148451-001-DD, dated 1/2/2014. All easements of record are shown on this Tentative Map and will appear on the record subdivision map. See "Easement Notes" on this sheet for additional information.
 - Utility information has been obtained from PG&E. No plans were available from the City of Blue Lake for water service. Sewer information is based on the owners' information as well as a plot plan obtained from Humboldt County Environmental Health. An additional water meter and service will be installed as part of this project by the City of Blue Lake; this service has been approved by LAFCO.
 - Adjacent property uses are residential uses.
 - The property is not shown on official maps to be subject to flooding per FIRM Community Panel No. 060060 0640 C.
 - Topography is shown at 1 foot contour intervals based on a field survey performed by Points West Surveying Company in February, 2014. Elevations are assumed, holding CP#50 at 155.00 feet.

- EASEMENT NOTES**
- Easements of record per the Preliminary Title Report listed in Project Note 2 are shown hereon except those noted as not plottable below. Encumbrances of record per the Preliminary Title Report referenced in Project Note 2 are as follows:
- Item 3: Grant of all redwood timber, certain rights of possession and a right of way for the purpose of cutting and removing timber
 Recorded: Book 22 of Deeds, Page 680
 Beneficiary: David Powers
 Not plottable
 - Item 4: Easement for ingress, egress and public utilities over southerly 25 feet
 Recorded: Book 544 of Official Records, Page 419
 - Item 5: Easement for ingress, egress and public utilities over southerly 25 feet
 Recorded: Book 1027 of Official Records, Page 511
 Beneficiary: PG&E

**APN 312-131-017
 TENTATIVE MAP**
 for
**DEPEEL/ROW
 MINOR SUBDIVISION**
 SECTION 20 T6N R2E
 HUMBOLDT MERIDIAN
 IN THE UNINCORPORATED AREA OF
 HUMBOLDT COUNTY, STATE OF CALIFORNIA
 APRIL 2015

SCALE: 1" = 30' SHEET 1 OF 1

POINTS WEST SURVEYING CO.
 5201 Carlson Park Dr., Suite 3 - Arcata, CA 95521
 707-840-9510 - Phone 707-840-9542 - Fax

ATTACHMENT 1

Conditions of Approval

The conditions of approval effective August 16, 2016, 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 for DePeel Parcel Map Subdivision

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 **October 28, 2015** 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 Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Blue Lake Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. 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 \$103.00 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.
6. 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 \$125.00) 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 reduce the cost for this review.
7. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and the following site development details:
 - A. Mapping
 - (1) Topography of the land in 1-foot contour intervals.
 - (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.), including on-going provisions

as set forth in Exception Request for road width reduction as approved by Cal Fire and the County.

- 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) Existing access, parking lanes and pedestrian ways.
 - (4) Existing buildings envelopes and easements.
 - (5) The location of all drainage improvements and related easements.
 - (6) Four (4) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.
 - (7) The 50 foot Streamside Management Area (SMA) for the tributary to Powers Creek labeled as "non-buildable".

B. Notes to be Placed on the Development Plan:

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

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

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

- (2) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project (construction potential of six (6) single family residences) could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
- Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (3) "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 Humboldt County Fire Safe Ordinance (Section 3111-1 *et seq.*) establishes development standards for minimizing wildfire danger in "state responsibility" designated areas. Exceptions to the 30-foot setback requirement may be pursued upon demonstration of providing the "same practical effect" of the setback through a combination of construction material choices, non-flammable vegetative buffers, and other design features. Contact the Planning and Building Department for further information.
- (5) "Notice is given pursuant to Government Code Section 66411.1 that:
- (a) The County will withhold approval of permits for the development of Parcel 1 or the Remainder until the construction requirements in Exhibit A have been fulfilled to the satisfaction of the Department of Public Works; and
 - (b) Notwithstanding 4(a) above, the completion of improvement requirements shall be completed within 24 months of the filing of the Parcel Map." (This note shall appear on the Development Plan unless a Subdivision Agreement is voluntarily entered into between the subdivider and the County prior to filing of the Parcel Map.)
- (6) (If applicable) "Development rights for secondary dwelling units on Parcels 1 and the Remainder have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (7) "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 5:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (8) Development within Streamside Management Areas shall be limited to the following uses:

- a. Development permitted within stream channels pursuant to Section 3432.6 of the General Plan (Volume I, Framework).
- 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."

(9) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be 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."

8. 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 \$295.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
9. **Prior to hearing**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. (Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.)
10. The applicant shall convey to the County of Humboldt the rights for secondary dwelling units of Parcels 1 and 2 created by this subdivision. Release from this conveyance shall be given at such time as the access road is improved to Road Category 4 standard. The applicant shall initiate action on a "Conveyance and Agreement" 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 \$295.00) will be required.
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.

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) 3-11). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (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 _____.

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 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.

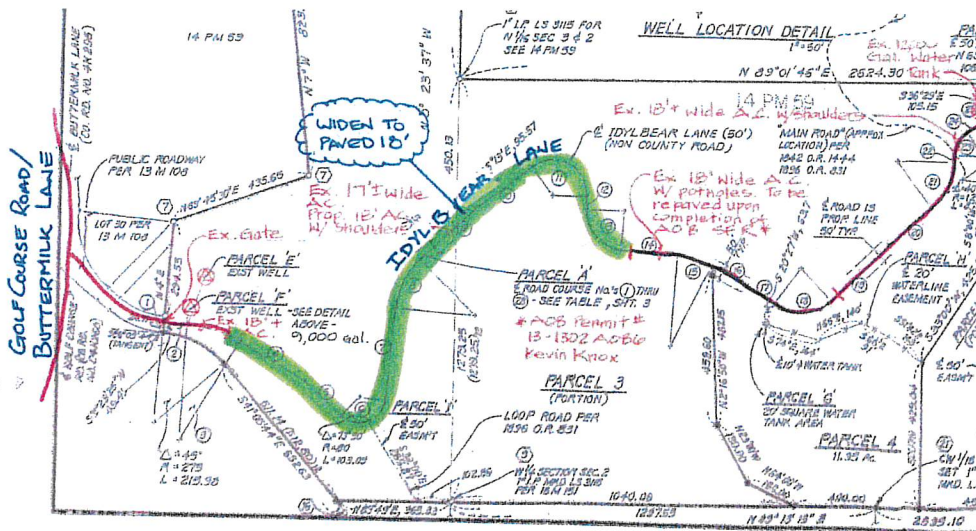
2.3 ROAD NAMES: The access road(s)/street(s) shall be named as approved by the Planning & Building Department - Planning Division.

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
<p>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.</p>	

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 //