

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

Resolution Number 23-077

PARCEL MAP SUBDIVISION APPROVAL

CASE NUMBER PLN-2022-17660

ASSESSOR PARCEL NUMBER 511-191-003

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE BLAIR TENTATIVE MAP SUBDIVISION

WHEREAS, the owner submitted an application and evidence in support of approving a proposed Minor Subdivision of one parcel into four parcels; and

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

WHEREAS, the Planning Division, the lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts of the project were analyzed and addressed during preparation of Environmental Impact Reports (EIR) for the 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for re-approving the proposed Tentative Parcel Map Subdivision (Case Number PLN-2022-17660); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on August 17, 2023.

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

PROJECT DESCRIPTION

FINDING: A Minor Subdivision of an approximately 10-acre parcel into two 5-acre parcels. The parcel is currently developed with a residence, garage/shop, and on-site wastewater treatment system that will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. There is an existing groundwater well on the developed parcel that both parcels will use for domestic purposes and an on-site wastewater treatment system will serve the vacant parcel. CALFIRE has approved an exception request for the road width and length of the dead-end road. An exception to the minimum required road easement width is also requested, to allow for the existing 20-foot wide road access easement to be utilized.

EVIDENCE: Project File: PLN-2022-17660

FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed subdivision is exempt from the

provisions of CEQA per Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

- EVIDENCE:**
- a) Section 15183 of the CEQA Guidelines notes CEQA's mandate that projects be exempt from additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified. 15183 notes that subsequent environmental review is only necessary where the Lead Agency determines any of the following applies:
- project-specific environmental effects:
- are peculiar to the project or the parcel on which it is located
 - are significant and were not analyzed as such in a prior EIR
 - are off-site and/or cumulative and were not discussed in the prior EIR
 - were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR was certified) are determined to have a more severe adverse impact than what was disclosed.
- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. The parcel being divided is already host to residential development, adjacent lands in the vicinity are similarly planned and zoned and are also developed and sized consistent with the applicable planned density and minimum lot size.
- c) Potential Impacts such as those common to the project were analyzed and addressed during preparation of the Programmatic Environmental Impact Report (SCH #2007012089) certified during adoption of the 2017 General Plan.
- d) There are no potentially significant environmental effects which were not analyzed in the above referenced EIR's. The proposed subdivision would enable future build-out to the currently planned density for the area, which was confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above referenced EIR (SCH #2007012089). The proposed subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the recently adopted General Plan.
- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified.
- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment, as proposed.
- h) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed minor subdivision will create three additional parcels that can accommodate future residential development consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than

significant impact to aesthetics.

- i) Native American Tribes with ancestral territory that includes the parcel were consulted and determined that it was unlikely the site would contain important cultural resources.
- j) A biological assessment was prepared by Cynthia LeDoux Bloom, PhD. which identifies no sensitive species or habitats on the site. A site visit conducted on July 31, 2023 with the California Department of Fish and Wildlife who determined that the proposed development site of the future parcel would be unlikely to impact sensitive plant and animal species.
- k) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is located in an Airport Review Area and is consistent with all airport safety requirements with the exception of building height, for which the project is consistent with the terms of a blanket variance approved by the Humboldt County Board of Supervisors.
- l) The site is located in a high fire hazard severity zone and will be required to maintain 30-foot minimum setbacks from all property lines to provide for defensible space pursuant to the State Fire Safe requirements. The site is also within the district boundaries of the Arcata Fire Protection District which provides fire response service. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.
- m) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. The parcels will be served by an existing, permitted groundwater well that appears to be isolated from any adjacent surface water features
- n) A Drainage Report is required to be prepared by a Civil Engineer registered within the State of California, and will be submitted for review and approval prior to commencement of the project.
- o) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. While the length of the access road exceeds the dead-end road length under the State Fire Safe requirements, Cal-FIRE has approved an exception request and the parcel and proposed parcels will have fire protection services by Humboldt #1 Fire Protection District.

SUBDIVISION FINDINGS

(Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code)

FINDING

All lots shall be suitable for their intended uses.

EVIDENCE:

- a) The project will result in a total of two parcels, each of which will be 5 acres in size.

FINDING Improvements shall be required for the safe and orderly movement of people and vehicles.

EVIDENCE: a) The majority of the access to the parcel is a private road that is developed with a 14-foot wide to 18-foot wide traveled lane with good visibility and the applicant will be required to add turnouts as specified in the Fire Safe standards so that vehicles can pass as necessary. Given the low volume of traffic on the roadway this is the functional equivalent of a Road Category 4 Standard and both CALFIRE and the Department of Public Works has recommended approval of the proposed subdivision.

FINDING Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.

EVIDENCE: a) Satisfaction of the requirements found in the Memo from the Land Use Division of Public Works (DPW) is required by the project Conditions of Approval. Section 3.0 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of DPW and requires that a hydraulic report and drainage plan for the subdivision be submitted to DPW for review and approval.

FINDING Sewer and water systems shall be constructed to appropriate standards.

EVIDENCE: a) Water is provided by a permitted groundwater well and septic systems shall be developed consistent with county and state health standards.

FINDING The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.

EVIDENCE: The size and configuration of the proposed parcels complies with width, depth, and minimum lot size requirements of the AG zone.

Govt. Code §66474.02 Structural Fire Protection

FINDING Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

EVIDENCE: a) The property is located in a State Responsibility Area for Fire Protection and is located in an area of High Fire Hazard Severity and is within the boundaries of Arcata Fire Protection District, who provide structural fire protection. The project was referred to the district for review and did not result in comments or issues being raised with the proposal.

Community Plan Findings - McKinleyville Community Plan

FINDING The proposed development is consistent with the McKinleyville Community Planning (MCCP).

EVIDENCE a) The subdivision is consistent with Section 3310.5 of the McKinleyville Community Plan which states that "Development shall only be allowed in such a manner that the downstream peak flows will not be increased" because it is conditioned to require a drainage plan that demonstrates this requirement can be met, prior to filing the map.

b) The subdivision is consistent with Section 4320 of the McKinleyville Community Plan which requires the establishment of recreational facilities to meet the needs of McKinleyville residents because parkland dedication in-lieu fees will be required prior to filing of the map. Parkland dedication fees are required based on the requirement for 130 square feet of parkland dedication per person multiplied by the average number of persons per household (2.54 per 2020 Census). There is an existing residence on the parcel and after approval of the subdivision there will be the potential for three additional households, meaning that there is a requirement for 990.6 square feet of parkland dedication $[(3 \times 2.54) \times 130]$. At an assessed value of approximately \$160,000 per acre, this results in parkland in-lieu fees of \$3,652.89. A condition of approval requires payment of the in-lieu fee, with the allowance that the applicant can record a conveyance of development rights for second or accessory dwelling units on each parcel and provide only a \$1,217.63 in-lieu fee.

c) The subdivision is consistent with Section 3422 of the McKinleyville Community Plan which requires setbacks from streams and wetlands, and which identifies a wetland as an area having at least one of the three wetland parameters. There are no streams or other watercourses within 200 feet of the proposed development footprint. A potential single parameter wetland is located along the northern property line but was measured by County Planning and CDFW staff to be more than the 50 foot required setback away from the proposed building envelope.

FINDINGS APPLICABLE TO ALL PERMITS

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

EVIDENCE a) The proposed development is consistent with the Residential Agriculture land use designation. The project maintains existing residential development. The RA designation (Chapter 4.8, Land Use Designations) is used for areas suitable for large lot residential uses where urban services may not be available. Per the General Plan a density of RA5-20 is appropriate for areas with slopes generally less than 30% and with good road access. The subject property is generally 30% slopes or less and has good road access to serve lower density development such as the proposed project. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).

FINDING The proposed development is consistent with the purposes of the existing Agriculture General (AG) zone in which the site is located.

EVIDENCE a) The property zoning designation of AG includes single-family residential as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 5 acres established in the B5 combining zone as well as the minimum width and depth requirements for the zone. All parcels are over 100 feet in width which exceed the 60-foot minimum found in the AG zone. No maximum lot depth is specified in the AG zone.

FINDING The proposed subdivision will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE a) The proposed subdivision will divide a 10-acre parcel into 2 parcels, each suitable for residential development. The proposed parcel sizes and resulting density is consistent with that planned for the area.

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

a) The parcel's General Plan land use designation (RA) and zoning (AG) allow residential development. The project will positively impact compliance with Housing Element law by dividing the property to its maximum density allowable under the land use designation and zoning restrictions.

DECISION

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

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Minor Subdivision (Record Number: PLN-2022-17660) based on the approved tentative map on file, subject to the conditions of approval.

Adopted after review and consideration of all the evidence on **August 17, 2023**

The motion was made by Commissioner Thomas Mulder and seconded by Commissioner Lonyx Landry.

AYES: Commissioners: Iver Skavdal, Thomas Mulder, Noah Levy, Lonyx Landry, Peggy O'Neill, Sarah West

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Brian Mitchell

DECISION: Motion carries 6/0

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 1

Exhibit 1A

Recommended Conditions of Approval

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

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 enclosed Department of Public Works referral dated **February 2, 2023**, shall be completed or secured to the satisfaction of that department, with the exception of requirements 2.4(b)(1) and 2.4(b)(2) for Fire Safe road width and turnarounds as an exception to these standards was approved by CALFIRE. 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, said map to identify net and gross acreage for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Arcata Fire District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. 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 shall include the following site development details:
 - A. Mapping
 - (1) Topography of the land in 2-foot contours.
 - (2) Proposed access, parking lanes and pedestrian ways
 - (3) Two (2) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.
 - (4) Building locations and easements.
 - (5) Development envelope for 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 suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call a professional archaeologist, the representatives from the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, and the County Planning and Building Department; 3. The professional archaeologist, Tribes and County officials 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. 4. 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.
- (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 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) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (4) "Setbacks from all property lines shall be a minimum of 30 feet as required by the state Fire Safe requirements."
- (5) "All development on Parcel 1 shall occur within the identified development envelope unless a seasonally appropriate botanical survey has been completed which identifies that proposed development will not adversely impact sensitive species."
- (6) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
7. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Community Development Services—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 **\$446.00** plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.

8. Parkland dedication fees of \$3,652.89. shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$1,217.63 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,217.63 parkland dedication fee balance per parcel. A copy of the Conveyance and Agreement form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Department upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a *pro-rata* basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
9. 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 shall be paid to the Humboldt County Community Development Services—Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
10. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.

Informational Notes:

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

- Each item evidencing compliance except legal documents to be recorded should note in the upper right-hand corner:

Assessor's Parcel No. _____ Condition _____
(Specify) (Specify)

2. 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.

3. The PMS shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see Effective Date). This approval may be extended in accordance with the Humboldt County Code.

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ON-LINE
WEB: CO.HUMBOLDT.CA.US

	PUBLIC WORKS BUILDING		
	SECOND & L ST., EUREKA		
	FAX 445-7409		
ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

	CLARK COMPLEX
	HARRIS & H ST., EUREKA
	FAX 445-7388
LAND USE	445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Rodney Yandell, Senior Planner

FROM: Brenda Howell, Associate Civil Engineer BH 02/24/2023

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE HOOVEN, APPLICATION # PLN-2022-17660 PMS, APN 511-191-003, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 10 ACRES INTO 2 PARCELS

DATE: 02/24/2023

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 Kelly-O’Hern dated February 2022 and dated as received by the Humboldt County Planning Division on March 2, 2022.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

1.1 EXPIRATION OF TENTATIVE MAP: Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision

requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

- 1.2 MAP TYPE:** Applicant must cause to be filed a subdivision map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code §326-31. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department an electronic copy of the subdivision map, in pdf format, as filed by the County Recorder. [Reference: Government Code §66466(f)]

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

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code §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] A reduced right of way as proposed (from Dows Prairie Road to subject parcel) on the tentative map can be used if an exception request is approved by the Planning Commission.
- 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 PRIVATE ROADS:** Pursuant to County Code §324-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code §324-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be

improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

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

(a) HOOVEN ROAD (PRIVATE ROAD):

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 50 feet in width.

PUE: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10-foot-wide public utility easement (PUE) adjacent to the right of way for the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

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

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

1.8 LINES OF OCCUPATION: Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.

2.0 IMPROVEMENTS

2.1 CONSTRUCTION PLANS: Pursuant to County Code §326-3, 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. (See County Code §326-3)

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. Projects located within McKinleyville Community Services District (MCSD) area shall be tied to MCSD elevation datum unless waived 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 TRAFFIC CONTROL DEVICES & SIGNS: Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- (a) A stop sign shall be installed on Hooven Road at its intersection with Dows Prairie Road. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- (b) Pursuant to County Code §324-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation.
- (c) Street name signs shall be provided at all road intersections. In State Responsibility Areas, street name signs shall also comply with State Minimum Fire Safe Regulations CCR §1274.02.
- (d) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with State Minimum Fire Safe Regulations CCR §1275.04.
- (e) Additional signing and striping may be required by the Department upon review of the improvement plans. This includes, but is not limited to, centerline striping, two way left turn lane striping, bicycle lane striping, edge lines, dead end road signs, no outlet signs, speed limit signs, warning signs, etc....

2.4 ACCESS ROADS: The access road serving the subdivision shall be constructed to the satisfaction of this Department as follows:

(a) The intersection of the subdivision access road and the County road shall be in conformance with the standards for a private road intersection as illustrated in Caltrans standards. The access opening must conform to Humboldt County Code § 341 regarding visibility.

(b) **Hooven Road:**

- (1) Construct a 20 foot wide road per State Minimum Fire Safe Regulations CCR §1273.01 from intersection of Dows Prairie Road to east property line of subject parcel.
 - (2) Construct turnaround at a maximum distance of 1,320 feet from the intersection of Hooven Road and Dows Prairie Road per State Minimum Fire Safe Regulations CCR §1273.05(d).
 - (3) Construct a turnout in accordance with State Minimum Fire Safe Regulations CCR §1273.06 approximately one eighth of a mile from the intersection of Hooven Road and Dows Prairie Road per the County Roadway Design Manual.
- (c) The access road from the 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 State Minimum Fire Safe Regulations; 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.
- (d) 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.
- (e) 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.
- (f) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (g) 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.
- (h) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

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

- (a) **For paved road surfaces**, the structural section shall include a minimum of 0.2 feet of Caltrans Type A 1/2" hot mix ("asphalt") over 0.67 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural section of all roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by this Department. Based upon soil conditions, this Department may also require a geotextile fabric to be placed on top of the sub grade.
- (b) 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.
- (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%.

2.6 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.

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

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

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

2.8 PERMITS: Pursuant to County Code §411-11 (a)&(b), an encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.9 NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES: When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Postmaster. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk easement or other easement, as approved by this Department. If the NBUs will not be installed by the Post Office, the subdivider shall install the NBUs as part of the subdivision.

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

2.10 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION: When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- a. Pursuant to Government Code §66411.1 (improvement timing), fulfillment of reasonable on-site and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or orderly development of the area. The following improvements are necessary for the public health or safety or orderly development of the area and shall be completed: (1) within twenty-four (24) months after the filing date of the Parcel Map, or (2) prior to issuance of a building permit on any property subject to this notice, or (3) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

<NONE>

- b. The following improvements shall be completed: (1) prior to issuance of a building permit on any property subject to this notice, or (2) prior to any other grant of approval for any property subject to this notice, whichever occurs first:

Item 2.3 and Item 2.4

- c. The following improvements shall be completed: (1) within twenty-four (24) months after the issuance of a Building Permit on any property subject to this notice, or (2) prior to issuance of an Occupancy Permit for any property subject to this notice, whichever occurs first:

<NONE>

2.11 The following note shall be placed on the development plan:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

3.0 DRAINAGE

3.1 PRELIMINARY DRAINAGE REPORTS: Any submitted reports have not been through a thorough engineering review. Detailed review and approval will be provided after the tentative map has been approved. This also applies to low impact development submittals.

- 3.2 **DRAINAGE ISSUES:** Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.
- 3.3 **DRAINAGE REPORT:** Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. The report and plan must be prepared by a Civil Engineer registered by the State of California. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.
- 3.4 **LOW IMPACT DEVELOPMENT (LID):** The subdivision is required to comply with County Code §337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual lot may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a lot are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

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 §324-2 (b) regarding Private Lanes, the Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department. More than one maintenance plan may be required.

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

- A maintenance plan for the non-county maintained road known as Hooven Road.

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

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

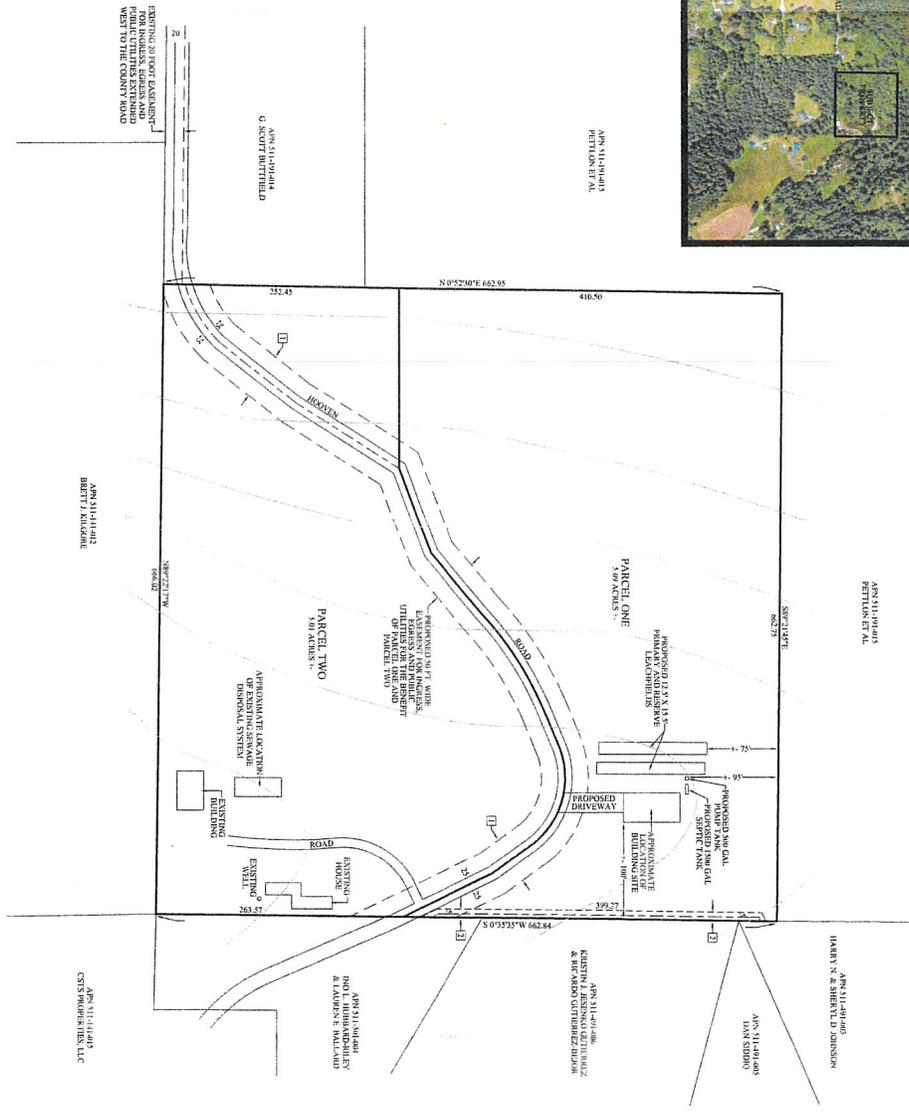
6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //



NOTES

1. THIS TENTATIVE PARCEL MAP IS THE SUBMISSION OF AN EXISTING PARCEL ONE, IMPROVED ON-SITE SEWAGE DISPOSAL, AND SHARING THE WITH AN EXISTING PARCEL TWO, A SHOWN AS WILL HAVE PARCEL TWO EXISTING ON-SITE SEWAGE DISPOSAL, AND WILL CONTAINS SHOWN HEREIN AS THE COUNTY OF HUMBOLDT OR, HUMBOLDT COUNTY, CALIFORNIA, AND THE APPLICANT, KATHY L. SHERRILL-SHOWN, HEREIN, HAS APPLIED FOR APPROVATION OF THIS TENTATIVE PARCEL MAP FOR THE FOLLOWING REASONS:
2. THIS PROPERTY MAY BE DEVELOPED BY THE FOLLOWING REASONS:
3. THIS PROPERTY MAY BE DEVELOPED BY THE FOLLOWING REASONS:
4. THIS PROPERTY MAY BE DEVELOPED BY THE FOLLOWING REASONS:
5. THIS PROPERTY MAY BE DEVELOPED BY THE FOLLOWING REASONS:
6. THIS PROPERTY MAY BE DEVELOPED BY THE FOLLOWING REASONS:

TENTATIVE PARCEL MAP
FOR
ARTHUR HOOVEN, KAREN HOOVEN,
ELIZABETH HOOVEN AND SUSAN CROSSBY

APN 511-191-003

AGENT/REVIEWER: _____ OWNER/APPLICANT:
 NATHANIEL HOOVEN KATHY L. SHERRILL-SHOWN
 2003 ELBERT TOWN CO. ART HOVEN
 2003 ELBERT TOWN CO. ART HOVEN
 4427263 (709)949097 (709)949097

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 AUG 18 2023
 Humboldt County
 Planning