



COUNTY OF HUMBOLDT PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: February 4, 2021

To: Humboldt County Planning Commission

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

Subject: **The George Steven Lewis Trust Parcel Map Subdivision Extension**
Case Number PLN-2020-16413
Assessor Parcel Number 511-031-036
1161 Gassaway Road, McKinleyville area

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Please contact Kathleen Franklin at (916) 642-5505, or by email at kathleen@landlogistics.com if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
February 4, 2021	Parcel Map Subdivision Extension	Kathleen Franklin

Project: A two-year extension to a previously approved subdivision. The original project, approved on June 21, 2018, included a Minor Subdivision of a 21,977 square foot parcel into two parcels of 10,110 square feet (net) and 7,420 square feet (net). The parcel is developed with a single-family residence that will remain on proposed Parcel 1. Pursuant to County Code Section 325-9, the applicant has submitted an exception request for a reduced right-of-way width for Hazel Avenue. Water and sewer are provided by the McKinleyville Community Services District. **No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on July 3, 2022.**

Project Location: The project site is located in the McKinleyville area, on the north side of Gassaway Road, at the intersection of Gassaway Road and Hazel Avenue, on the property known as 1161 Gassaway Road.

Present Plan Designation: Residential Medium Density (RM). McKinleyville Community Plan (MCCP); Humboldt County General Plan. Density: 7 - 30 dwelling units per acre. Airport Safety Review (AP), Airport Land Use Compatibility Plan (ALCUP), 2017 General Plan, Slope Stability: Relatively Stable (O).

Present Zoning: Residential Multiple Family (R-3), Design Review (D), Airport Safety Review (AP).

Case Number: PLN-2020-16413

Assessor Parcel Number: 511-031-036

Applicant	Owner(s)	Agent
The George Steven Lewis Trust George Lewis 1001 Walker St Orland, CA 95963	same as applicant	Points West Surveying Co. Michael Pulley 5201 Carlson Park Dr., Ste. 3 Arcata, CA 95521

Environmental Review: The original project was subject to environmental review and a Mitigated Negative Declaration was adopted by the Planning Commission. No new environmental review is required.

Major Issues: None

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

GEORGE STEVEN LEWIS TRUST PARCEL MAP SUBDIVISION EXTENSION

Case Number PLN-2020-16413

Assessor Parcel Number 511-031-036

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 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-17-017) originally approved by the Planning Commission on June 21, 2018, followed by the appeal period resulting in an effective date for the map of July 3, 2018. The project consisted of a Minor Subdivision of a 21,977 square foot parcel into two parcels of 10,110 square feet (net) and 7,420 square feet (net). The subject property is developed with a single-family residence that will remain on proposed Parcel 1. Water and sewer are provided by the McKinleyville Community Services District. **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-17-017. This is the first applicant requested extension and, if approved, the tentative map will expire on July 3, 2022.

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 July 3, 2018, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Residential, Multiple Family with a combining zone for Design Review (D) and Airport Safety Review (AP) for which conformance findings were made, has not changed.

2. The General Plan Land Use designation, Residential Medium Density, 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.
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 subject to environmental review and a Mitigated Negative Declaration (SCH# 2015042013) was adopted by the Planning Commission as required by Section 15074 (b) of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Public Works responded to the referral and recommended approval of the extension. No other responses were received.

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 21-

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE GEORGE STEVEN LEWIS
TRUST PARCEL MAP SUBDIVISION EXTENSION APPLICATION.**

CASE NUMBER: PLN-2020-16413; ASSESSOR PARCEL NUMBER: 511-031-036

WHEREAS, 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, at their May 7, 2015 hearing, the County Planning Commission adopted a Mitigated Negative Declaration for the subject project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision Extension request;

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

1. The Planning Commission considered the previously adopted Mitigated Negative Declaration;
2. The findings in H.C.C. [§ 326-21] in the Planning Division staff report supports approval of Case Number: PLN-2020-16413 based on the submitted evidence.
3. Parcel Map Subdivision Extension Case Number PLN-2020-16413 is approved as recommended and conditioned in the Planning Division staff report and Attachment 1.

Adopted after review and consideration of all the evidence on February 4, 2021.

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

AYES: Commissioners:

NOES: Commissioners:

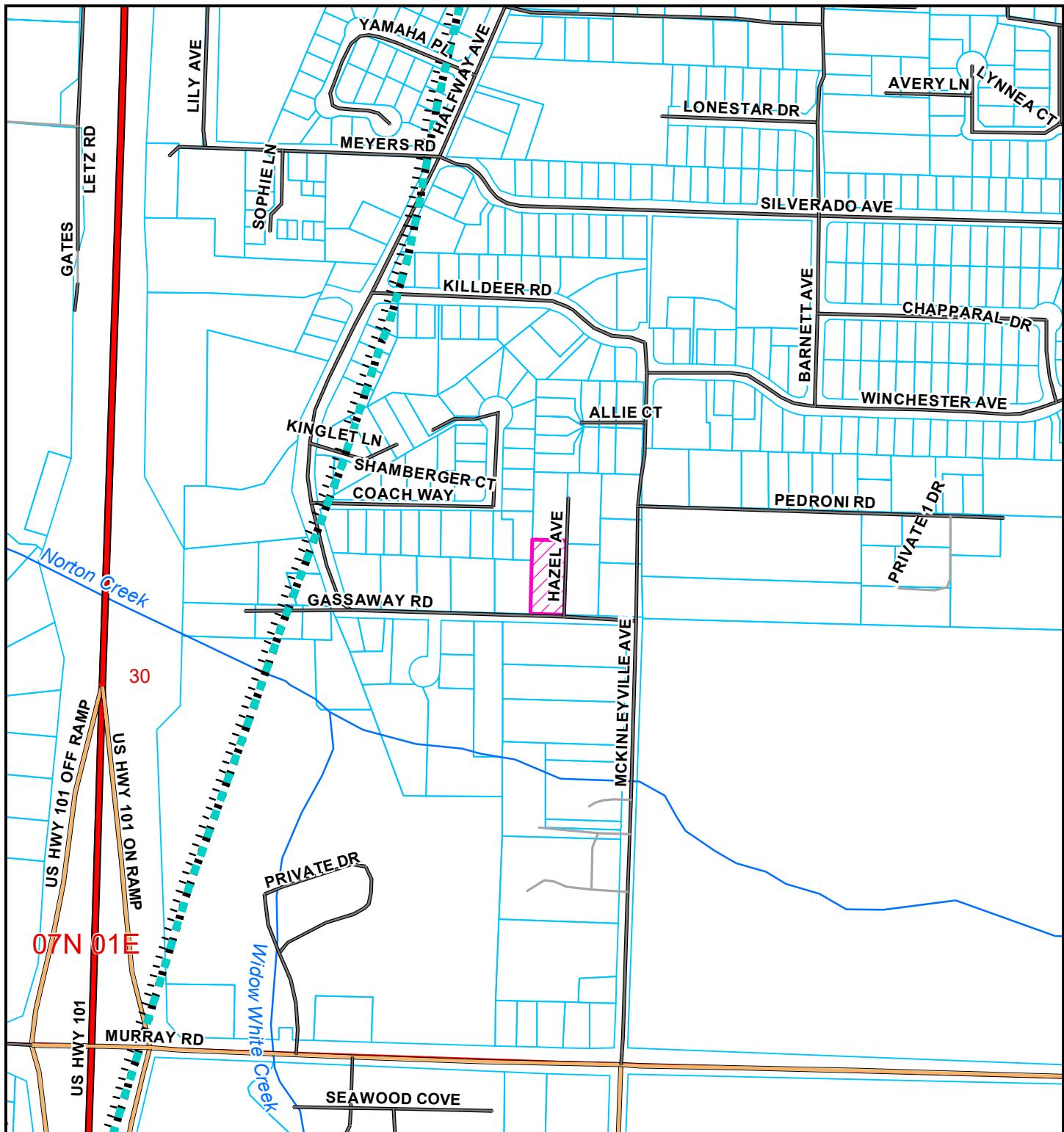
ABSTAIN: Commissioners:

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 LEWIS TRUST
PARCEL MAP SUBDIVISION &
EXTENSION
MCKINLEYVILLE AREA**

PLN-2020-16413

APN: 511-031-036

T07N R01E S30 HB&M (Arcata North)

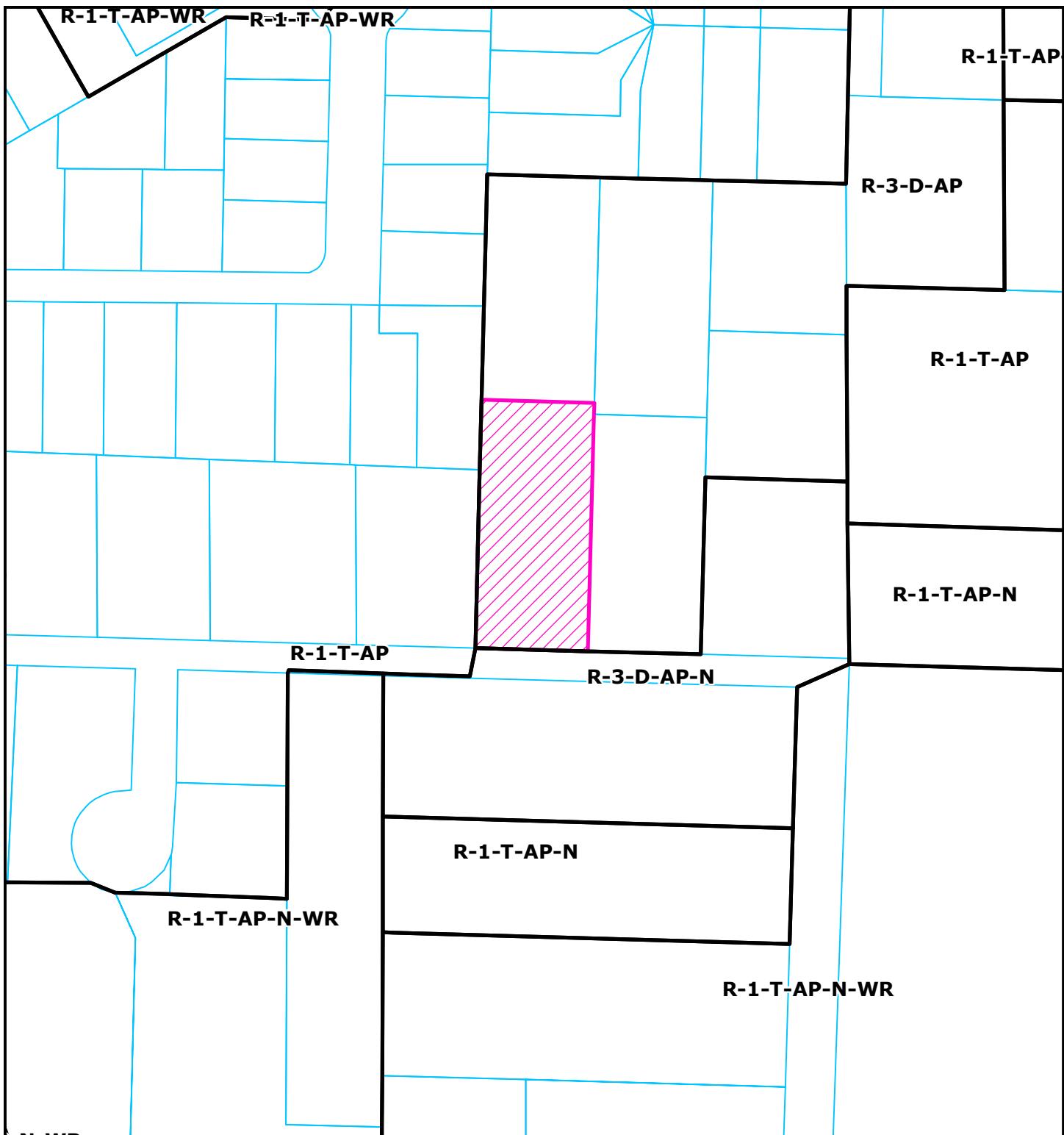
Project Area =

Coastal Zone Boundary

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



0 100 200 300 400 500
Feet



ZONING MAP

PROPOSED LEWIS TRUST PARCEL MAP SUBDIVISION & EXTENSION MCKINLEYVILLE AREA

PLN-2020-16413

APN: 511-031-036

T07N R01E S30 HB&M (Arcata North)

Project Area =

Coastal Zone Boundary

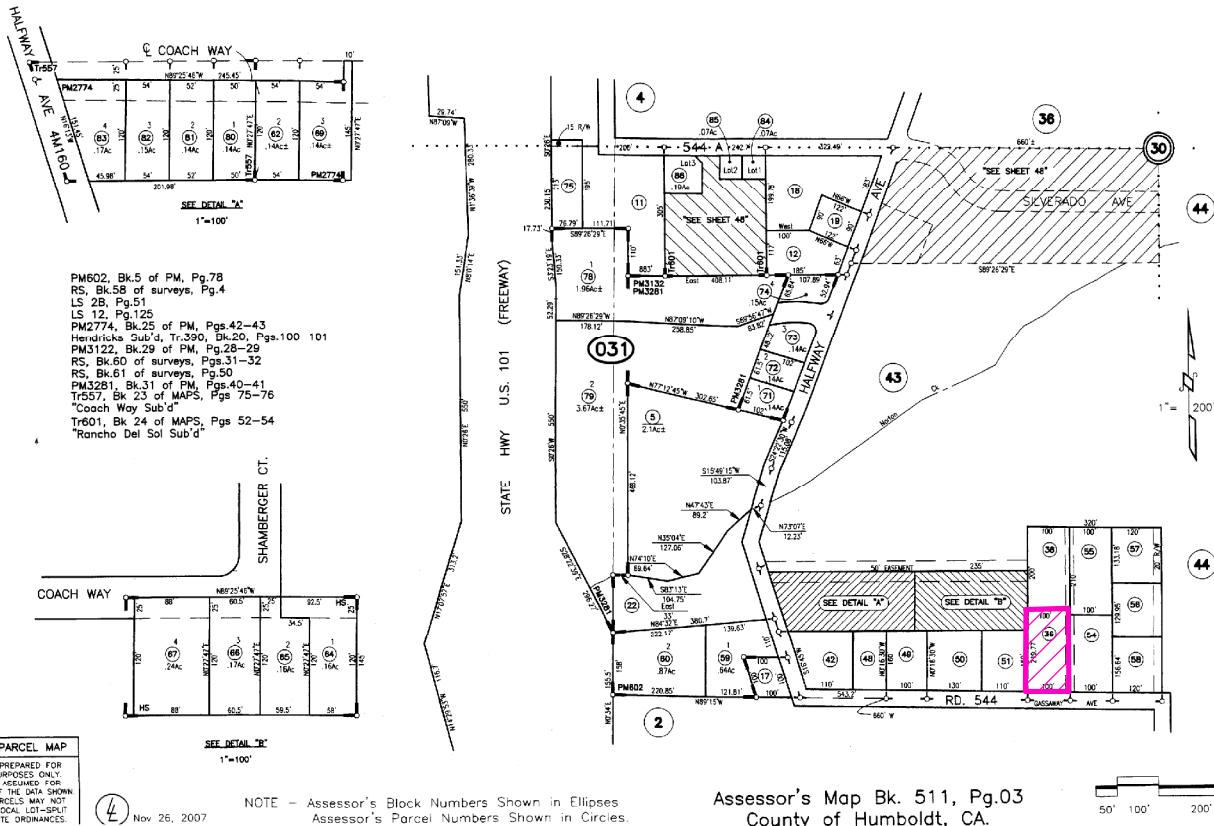
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 50 100 150
Feet

PTN. W1/2, SEC.30, T7N, R1E H.B.& M.

511-03



ASSESSOR PARCEL MAP

PROPOSED LEWIS TRUST PARCEL MAP SUBDIVISION & EXTENSION MCKINLEYVILLE AREA

PLN-2020-16413

APN: 511-031-036

T07N R01E S30 HB&M (Arcata North)



Project Area =

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

MAP NOT TO SCALE



AERIAL MAP

PROPOSED LEWIS TRUST PARCEL MAP SUBDIVISION & EXTENSION MCKINLEYVILLE AREA

PLN-2020-16413

APN: 511-031-036

T07N R01E S30 HB&M (Arcata North)

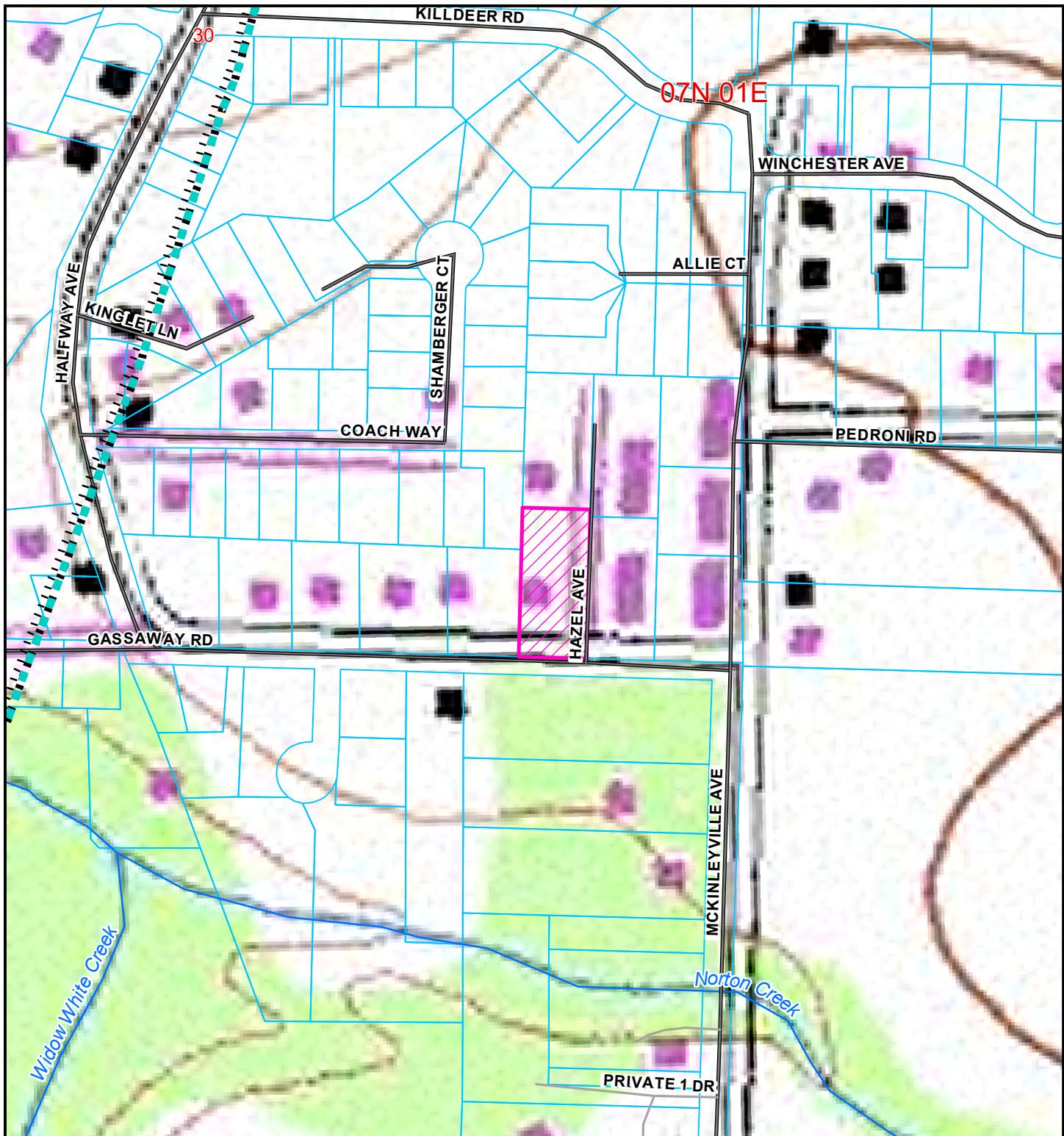
Project Area =

Coastal Zone Boundary

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



0 10 20 30 40 50 60
 Feet



TOPO MAP

PROPOSED LEWIS TRUST PARCEL MAP SUBDIVISION & EXTENSION MCKINLEYVILLE AREA

PLN-2020-16413

APN: 511-031-036

T07N R01E S30 HB&M (Arcata North)

Project Area =

Coastal Zone Boundary

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



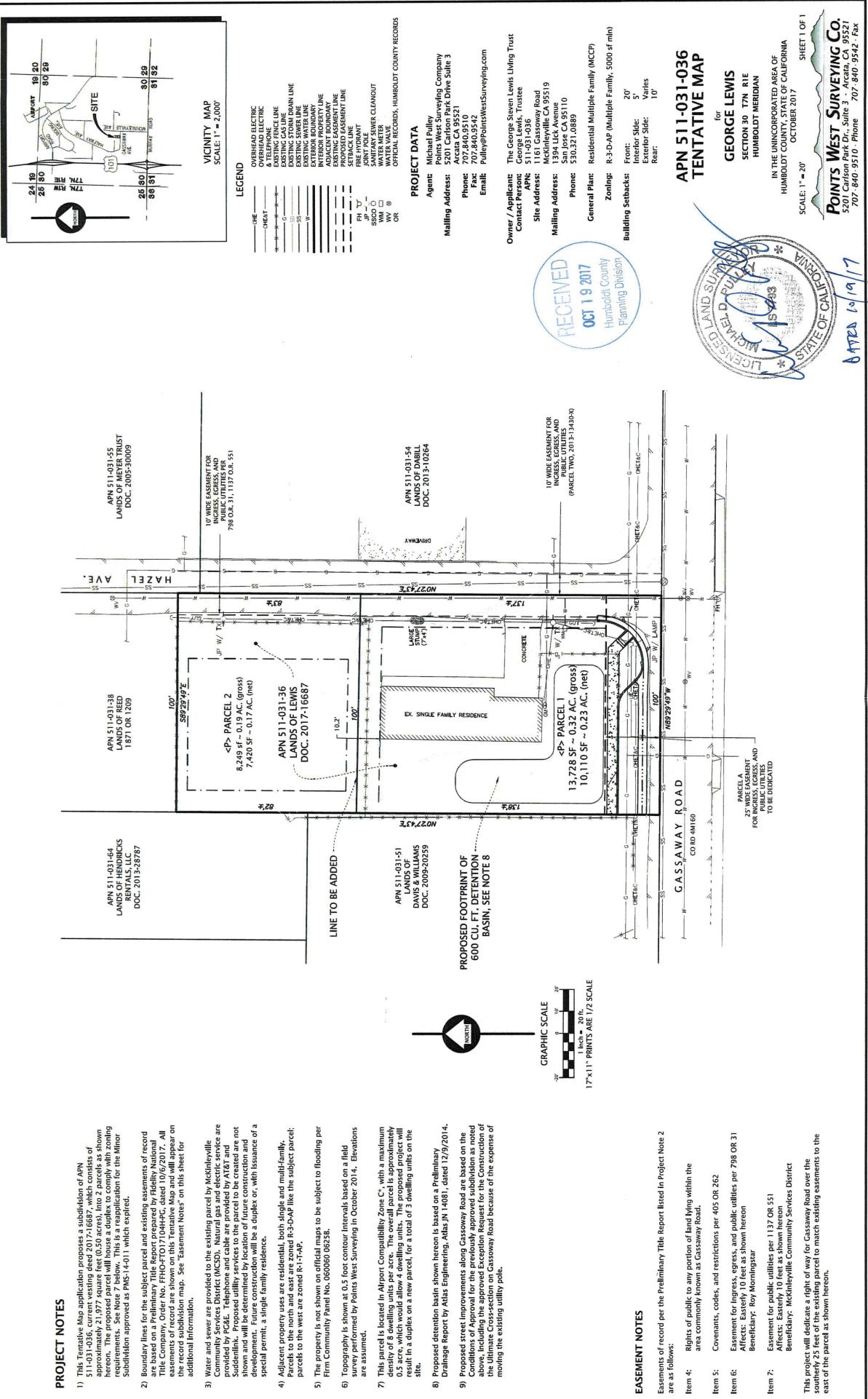
0 50 100 150 200 250
Feet

PROJECT NOTES

- This Tentative Map application proposes a subdivision of APN 511-031-036, current vesting deed 2017-16867, which consists of approximately 2,977 square feet (0.50 acres), into 2 parcels as shown hereon. The proposed parcel will house a duplex to comply with zoning requirements. See Note "B" below. This map application for the Minor Subdivision approved as MSL-1-01, which expired.
- Boundary lines for the subject parcel and existing easements of record are based on a Preliminary Title Report prepared by Fidelity National Title Company, Order No. FFFHO-FOT17104HPC, dated 10/6/2017. 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.
- Water and sewer are provided to the subject parcel by McKinleyville Community Services District (MCSD). Natural gas and electric service are provided by AT&T and Suddenlink. Proposed utility services to the parcel to be created are not shown and will be determined by location of future construction and development. Future construction will be a duplex or, with issuance of a special permit, a single family residence.
- Adjacent property uses are residential, both single and multi-family, parcels to the north and east are 2nd and 3rd-DAP like the subject parcel; parcels to the west are zones R-1-AF.
- The property is shown on official maps to be subject to flooding per Firm Community Panel No. 060806 06258.
- Topography is shown as 0.5 foot contour intervals based on a field survey performed by Points West Surveying in October 2014. Elevation values are assumed.
- This parcel is located in Airport Compatibility Zone C*, with a maximum density of 2 dwelling units per acre. The overall parcel is approximately 0.5 acre, which would allow 2 dwelling units. The proposed project will result in a duplex on a new parcel, for a total of 2 dwelling units on the site.
- Proposed detention basin shown herein is based on a Preliminary Drainage Report by Atlas Engineering, Attn: JN-14081, dated 12/9/2014.
- Proposed street improvements along Gassaway Road are based on the Conditions of Approval for the previously approved subdivision as stated above, including the approved Exception Request for the Construction of the Ultimate Cross-Section on Gassaway Road because of the expense of moving the existing utility pole.

Easements of record per the Preliminary Title Report listed in Project Note 2 are as follows:

- Rights of public to any portion of land lying within the area commonly known as Gassaway Road.
- Covenants, codes, and restrictions per 405 OR 262
- Easement for ingress, egress, and public utilities per 798 OR 31
Beneficiary: Roy Morningstar
Affects: Easely 10 feet as shown on record
- Easement for public utilities per 1137 OR 551
Beneficiary: McKinleyville Community Services District
Affects: Easely 10 feet as shown on record
- This project will dedicate a right of way for Gassaway Road over the southern 25 feet of the existing parcel to match existing easements to the east of the parcel as shown herein.



ATTACHMENT 1

Conditions of Approval

The conditions of approval, effective July 3, 2018, 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

CONDITIONS OF APPROVAL

Approval of the tentative map is conditioned on the following terms and requirements which must be satisfied before the parcel map may be recorded.

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions in the Department of Public Works referral dated February 16, 2018, included herein as Exhibit A of Attachment 1, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Department requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot areas, as confirmed by survey, shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. Cost report will be made available at the Humboldt County Planning Department.
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 \$110.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Department, 3015 H Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
6. The applicant shall submit at least three (3) copies of a Development Plan for all parcels to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:
 - A. Mapping:
 - (1) Topography of the land in 1-foot contours.
 - (2) Development standards including: setbacks, maximum lot coverage, maximum height, and two (2) independently accessible parking spaces outside the front yard setback.
 - (3) Location of all existing buildings and proposed setbacks.
 - B. Notes to be placed on the Development Plan:

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

If cultural resources are encountered 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) is 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.

(2) "Hours of construction for on- and off-site improvements shall be restricted to Monday thru Friday from 7:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm, with no construction activity on Sunday." All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan.

(3) "The existing single family residence on Parcel 1 is a nonconforming use and is subject to the provisions of H.C.C. Sections 314-131 and 314-132, Nonconforming Uses and Structures."

(4) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

7. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Planning Department. Document review fees, plus applicable recordation 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 (currently \$386.00 plus applicable recording fees). The Development Plan shall also be noticed on the Parcel Map.

9. **Prior to public hearing**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,330.75. [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.] Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2018 at such time the fee will be adjusted

pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,280.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.

Note: If a required filing fee is not paid for the project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the State Fish and Game Code).

10. Parkland dedication in-lieu fees of \$3,067.92 shall be paid in accordance with the provisions of the parkland dedication ordinance.
11. The applicant shall convey to the County of Humboldt the rights to develop more than two (2) dwelling units on Parcels 1 and 2 of this subdivision. Release from this conveyance shall be given at such time as the Airport Land Use Compatibility Plan (ALUCP) permits a density for this property of more than 8 dwelling units per acre and the owner has paid the corresponding parkland in lieu fees for the additional allowed density to the County. 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 \$386.00) will be required.

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 Department. 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. 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 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) is 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.

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.

ATTACHMENT 1 – EXHIBIT A

PUBLIC WORKS SUBDIVISION REQUIREMENTS



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

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	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

VIA: Robert W. Bronkall, Deputy Director 

FROM: Kenneth Freed, Assistant Engineer

RE: **SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF GEORGE LEWIS, APN 511-031-036, PMS 17-017 FOR
APPROVAL OF A TENTATIVE MAP, CONSISTING OF 0.50 ACRES INTO
2 PARCELS**

DATE: 02/16/2018

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 Points West Surveying Co. dated October 2017, and dated as received by the Humboldt County Planning Division on October 19, 2017.

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.

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 10 feet and shall be shown on the subdivision map. [County Code Section 324-3]

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

(a) GASSAWAY ROAD (County Road No. C4M160):

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line

of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

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) HAZEL AVENUE (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. The easement shall be 18 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.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map a non-exclusive 10 foot wide easement for sidewalk purposes lying adjacent to the right of way of the access roads within the subdivision. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department. This easement may overlap a public utility easement.

(c) NON-VEHICULAR ACCESS: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 1 foot wide non-vehicular access strip adjacent to Gassaway Road (County Road No. C4M160). The location shall be as shown on the tentative map, or as otherwise approved by this Department. Said easement shall be dedicated in manner and location as approved by this Department.

(d) AVIGATION EASEMENT / OVERFLIGHT EASEMENT / DEED NOTICE: The subject property is located within compatibility "C*" zone of the California Redwood Coast – Humboldt County Airport as defined in the Airport Land Use Compatibility Plan (ALUCP). (use one of the following 3)

Pursuant to Section 3.4.1 and Table 2A of the ALUCP, the applicant shall cause to be dedicated to the County of Humboldt an Overflight Easement for the benefit of the nearby airport in a manner satisfactory to this Department.

(e) 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 PRIVATE ROAD: 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."

1.9 AIRPORT - COUNTY CODE SECTION 333: The subject property is located within County Code Section 333. Applicant shall file an Airspace Certification Form to ensure that the proposed structures are in compliance with County Code 333-3.

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. 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 ADA FACILITIES: All pedestrian facilities shall be ADA compliant. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).

Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

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

2.5 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.

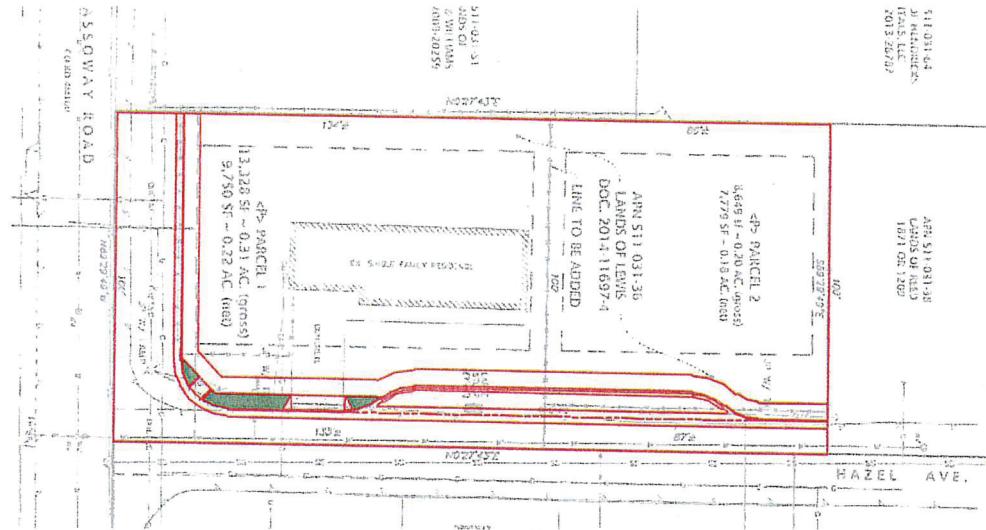
- (a) A stop sign shall be installed on Hazel Avenue at its intersection with Gassaway Road. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- (b) Pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square 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)
- (c) Street name signs shall be provided at all road intersections when the roads are named. In State Responsibility Areas, street name signs shall also comply with County Code Section 3113-1 et seq.
- (d) Address signs shall be provided for all unnamed access roads. In State Responsibility Areas, address signs shall also comply with County Code Section 3113-1 et seq.
- (e) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with County Code Section 3114-5.
- (f) 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...

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

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

(b) HAZEL AVENUE (non County Maintained): Hazel Avenue shall be constructed having a typical section (from east to west) of two 10 foot wide driving lanes, an 8 foot wide parking bay; and a 5 foot wide pedestrian sidewalk with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter(s). Along the parking bay, construct an APWA Type A3-150(6) with $W=0.5'$ curb (as shown on Standard Plan 120-1), and a 4 foot wide APWA Type Longitudinal Gutter (as shown on Standard Plan 122-1) along the prolongation of the curb line.

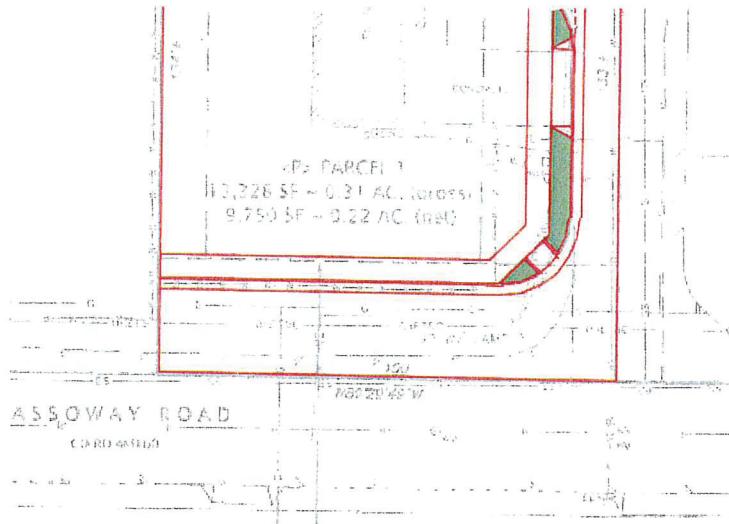
Along the frontage of the subdivision, the north side of Hazel Avenue shall be signed and striped for "no parking", except in the parking bays, to the satisfaction of the Department.



Above: Hazel Avenue parking bay

(c) GASSAWAY ROAD (County Road No. C4M160): Applicant shall be required to construct a parking lane; Caltrans Type A2-6 portland cement concrete curb and gutter; and 5 foot wide Portland cement concrete sidewalk along the frontage of the subdivision on Gassaway Road in a manner satisfactory to this Department. The curb line is to be constructed 5 feet south of the north right of line of Gassaway Road.

A curb return with top of curb radius of 20 feet shall be constructed at the southwest corner of Gassaway Road and Hazel Avenue. A modified Caltrans Case F curb ramp shall be constructed as part of the curb return.



- (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) Applicant shall remove and replace any public curb, gutter, sidewalk, flowline drain, or pavement found by this Department to be broken, uplifted, or damaged that fronts or is within the subdivision.
- (g) All road intersections shall conform to Humboldt County Code Section 341 regarding visibility.
- (h) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

2.7 DRIVEWAYS: All access openings (existing and proposed) shall conform to Humboldt County Code Section 341 regarding visibility. All access openings (existing and proposed) shall intersect the road at a 90° angle, unless otherwise approved by this Department.

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 20' from the back of sidewalk. Existing driveways serving developed parcels need to be paved prior to filing of the subdivision map. The width of the driveway shall be as approved by this Department.

That portion of a structure used for the parking of vehicles must be setback a minimum of 20 feet from easements created as a condition of tentative map approval for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. If a development plan is prepared for this project, the development plan shall note this minimum setback condition and indicate graphically the location of the setback line on the lots.

All access openings (existing and proposed) shall be shown on the improvement plans.

For rural properties in SRA, a driveway stub (25') shall be developed. This is required so that the Planning & Building Department may assign an situs address.

2.8 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.

2.9 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.

2.10 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.

2.11 PERMITS: 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.

2.12 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 Post Master. 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.

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

2.13 GATES: Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

2.14 COMPLETION OF SIDEWALK IMPROVEMENTS: Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit.

2.15 COMPLETION OF IMPROVEMENTS: Pursuant to Government Code section 66411.1 improvement timing. Fulfillment of reasonable on- and off-site construction requirements may be imposed prior to Parcel Map recordation if found necessary for the public health or safety or orderly development of the area.

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. In the preparation of drainage plans, applicant shall comply with the Community of McKinleyville County Storm Water Management Program.

3.3 STORM WATER QUALITY: Applicant shall include within the project site the implementation of Best Management Practices (BMPs) to prevent storm water pollution. BMPs include, but are not limited to, stenciling drainage inlets.

3.4 DETENTION FACILITIES: Pursuant to McKinleyville Community Plan Policy 3310 (5), this project is required to construct detention facilities in a manner and location approved by this Department. In general, storm flows from the 100-year (Q_{100}) storm shall be detained so as to release water from the site at a rate no greater than the predevelopment 2-year (Q_2) storm flows. Contact this Department regarding any questions.

If the site conditions do not allow for detention, then infiltration may be considered by the Department as an alternative.

3.5 DRAINAGE FEES: Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

3.6 LOW IMPACT DEVELOPMENT (LID): The subdivision is required to comply with County Code Section 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.

Each lot in the subdivision is considered a regulated project.

4.0 GRADING

4.1 GRADING PLAN: Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(1), the applicant shall submit an engineered preliminary (rough) grading plan addressing the entire project construction area to this Department for review and approval. The purpose of the grading plan is to establish building pads that will drain to the roads (or other approved drainage course) without creating lot drainage from one lot to flow across the buildable area of adjacent lots.

4.2 GRADING CRITERIA: Each lot shall have a building pad graded to a maximum of 2% per Humboldt County Code Section 331-14 (H)(3)(d), unless waived by this Department. Building pads shall be of a sufficient size to accommodate anticipated future structures.

The elevation of the building pad shall be established so that a driveway from the building pad to the back of sidewalk will have a minimum slope of 1% and a maximum slope of 16%.

If sidewalk is not required, then the driveway slope will be measured to the back of driveway apron.

4.3 CONSTRUCTION TIMING: Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by this Department. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

4.4 DATUM: Grading 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.

4.5 EROSION CONTROL: Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1) and 337-13(c), an erosion control plan (aka, sediment control plan, Storm Water Pollution Prevention Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

For construction sites equal to or greater than one (1) acre of ground disturbance, a Notice of Intent (NOI) and permit registration documents are required to be filed with the State Water Quality Control Board. A copy of the State's receipt of the approved NOI shall be provided to this Department prior to the start of construction.

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 all facilities within the proposed subdivision.

A maintenance plan for the non-county maintained road known as Hazel Avenue.

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.

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

- (a) A schedule for the periodic monitoring of the detention facilities. At a minimum, the detention facilities shall be monitored at least once each year between April 15 and October 15.
- (b) A system to monitor the basins in a timely manner after significant rain fall events.
- (c) Monitoring shall be done by a qualified professional as approved by this Department.
- (d) Monitoring shall include an annual written report identifying (1) the condition of the facilities; (2) the recommended maintenance needed for the facilities to function as

originally constructed or as required by subsequent regulation; and (3) certification that the maintenance was completed to the satisfaction of a qualified professional. The report shall be submitted no later than October 31 of each year to this Department.

- (e) A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.
- (f) For infiltration basins, wet weather testing of the percolation rate of the basin consistent with Department of Environmental Health standards for determining the percolation rates for septic systems. Percolation rate testing shall be done every five (5) years.

5.2 MAINTENANCE AGREEMENTS: Any agreements regarding the maintenance of the detention facilities between the applicant and a public entity or Homeowners Association may be required to be approved by County Counsel and the County Risk Manager.

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

- (a) The following note shall be placed on the development plan: "**LOW IMPACT DEVELOPMENT (LID) NOTE:** This subdivision is approved as a regulated project and is required to comply with County Code Section 337-13. Each lot within the subdivision is considered a regulated project. The improvement plans prepared for this subdivision show a conceptual plan to address LID for the lots. It is intended that the LID strategies shown on the improvement plans are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for."

7.0 LANDSCAPING

7.1 LANDSCAPING PLAN: A landscape plan is required for all landscaping within the public right of way pursuant to Section 13 of the Appendix to Title III, Division 2, Humboldt County Code. The plans must show the proposed irrigation facilities. The plan shall be prepared by a landscape architect or other qualified professional as approved by this Department. Monument signs, if proposed, and landscaping shall be shown on the plan and shall conform with Humboldt County Code Section 341 regarding visibility. All work and materials shall be warranted for a minimum of 1 year from filing of the subdivision map, unless otherwise approved by this Department. The landscape plan shall be approved by this Department. It must include a minimum of the following:

- (a) List of species to be planted (common name and scientific name).
- (b) An irrigation system. All landscaping that is not drought tolerant shall be maintained by a permanent automatic irrigation system.
- (c) Planting and fertilization method
- (d) Maintenance Manual
- (e) Staking Method for trees
- (f) The plant types must be approved by this Department