

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

Resolution Number 25-020

**PARCEL MAP SUBDIVISION & EXCEPTION REQUEST
PROJECT ID: PLN-2023-18193
ASSESSOR PARCEL NUMBER 306-102-001**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE KOOY TENTATIVE MAP SUBDIVISION & EXCEPTION REQUEST

WHEREAS, the owner submitted an application and evidence in support of approving the Minor Subdivision and Exception Request; 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 3 in the Planning Division staff report includes evidence in support of making all of the required findings for re-approving the proposed Tentative Map Subdivision (Case Number PLN-2023-18193); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on April 03, 2025.

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

PROJECT DESCRIPTION

- 1. FINDING:** A Parcel Map Subdivision of an approximately 21,868 square foot parcel into two parcels of approximately 13,795 square feet (Parcel 1) and approximately 8,073 square feet (Parcel 2). The parcel is currently developed with a single-family residence to be sited on proposed Parcel 1 and an Accessory Dwelling Unit (ADU) to be sited on Proposed Parcel 2. Both dwellings are served with community water and sewer services provided by Humboldt Community Services District. The property lies within the Alquist-Priolo Earthquake Fault Hazard Zone. To address seismic concerns, development rights for accessory dwelling units on both parcels will be conveyed to the County of Humboldt as part of the project.

EVIDENCE: Project File: PLN-2022-18193

CEQA

- 2. 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 two parcels where one currently exists. The parcel being divided currently hosts two separate single-family residences. The proposed subdivision is designed to separate each residence onto their own individual parcel. No new residences will immediately result from the division as the owner is being required to convey rights to future residential development until such time that a site-specific Fault Evaluation Report have been prepared by a California licensed professional geologist.
- i) The parcel is currently developed with a single-family residence and accessory dwelling unit. A Special Permit authorized construction of an additional residence on the property over 20 years ago (SP-00-30).
- j) To date no cultural resources have been documented on the project site or its vicinity. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by Tribal agencies. Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe and Bear River Band of the Rohnerville Rancheria. No objections to the proposal were received and the Bear River THPO's supported approval of the project subject to compliance with standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance. This is included as an Informational Note in the Conditions of Approval.
- 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 not located in an Airport Review Area. Murray Field is the closest airport and is located approximately 7 miles northwest of the project site.
- l) According to the Humboldt County Fire Hazard Severity map, the parcel is located in the moderate fire hazard severity areas. The site is within the Humboldt #1 Protection District. 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. Residential development located on the parcels being created already receives water and sewer service provided by the Humboldt Community Services District.
- n) A Drainage Report and access road improvement plans are 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. This is noted in the Department of Public Works memo.
- 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. Department finds there is no evidence that the proposed subdivision and future residential development will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns, will not result in vehicle miles traveled beyond that anticipated, and has adequate on-site circulation and parking capacity.

The project is consistent with the development density of 1-7 units per acre of the Residential Low Density (RL) land use designation established during adoption of the Eureka Community Plan (ECP) and upheld in 2017 following adoption of the General Plan update (GPU). The development of one (1) additional parcel is consistent with mitigations for induced population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR) to reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA) through the use of alternative subdivision standards and the facilitation of opportunities for accessory dwelling units.

The growth impacts of this project are not anticipated to create peculiar, specific, or more severe impacts effects which the GPU EIR failed to analyze as significant effects or failed to evaluate.

- p) Further environmental review is not required as the project is consistent with the development density established under the 1995 Eureka Community Plan and the 2017 Humboldt County General Plan for which EIR's were certified. The residential density specified in the Eureka Community Plan was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017.

SUBDIVISION FINDINGS

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

- 3. FINDING:** All lots shall be suitable for their intended uses.

EVIDENCE: a) The project will result in a total of two (2) parcels. Parcel 1 will be 13,794 square feet (net) in size and parcel 2 will be 8,073 square feet (net) in size. Both parcels comply with the minimum parcel size of the zone (6,000 ft.²) and will be suitable for single-family residential development as both proposed parcels already currently host a residence.

- 4. FINDING:** Improvements shall be required for the safe and orderly movement of people and vehicles.

EVIDENCE: a) The parcel lies at the intersection of Humboldt Hill Road and Skyline Drive, which lie within 50 and 40 foot right of ways, respectively. The Public Works Recommended Conditions of Approval include a requirement that sidewalks be constructed along both road frontages.

- 5. 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.

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

EVIDENCE: a) Residential development located on the parcels being created already receives water and sewer service provided by the Humboldt Community Services District.

7. 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: a) The size and configuration of the proposed parcels complies with width, depth, and minimum lot size requirements of the R-1 zone.

§325-9 Findings for Exceptions

8. FINDING: That there are special circumstances or conditions affecting said property.

EVIDENCE: a) Both parcels will have at least 50 feet of street frontage along Skyline Drive, a private road within a 40-foot right of way. The applicant is requesting an exception to certain frontage improvements being recommended by the Land Use Division of Public Works. These primarily include the construction of curb, gutter and sidewalk on Humboldt Hill Road and Skyline Drive, as detailed within the subdivision improvement requirements prepared by Public Works (Attachment 1, Exhibit B).

b) Relatively few parcels in the Humboldt Hill area are developed with sidewalk frontage improvements and sidewalks are generally confined to a small number of locations throughout the subdivision.

With the exception of one parcel located near the top of the hill over 900 feet south of the Kooy property, there are no sidewalks on parcels located on the east side of Humboldt Hill Road. On the west side of Humboldt Hill road exists a limited network of sidewalks. This is likely due to the timing of when subdivisions occurred in the Humboldt Hill area, with much of the east side being subdivided in 1952 and 1953 and the west side from 1957 onward. The Kooy parcel was created as part of the Country Club Estates subdivision which was filed in March of 1952.

- c) The potential for further subdivision is very low and current state and local laws prevent local agencies from requiring frontage improvements during permitting of Accessory Dwelling Units. It is therefore highly unlikely that the development of sidewalks will occur in this area as part of private development or redevelopment efforts. The proposed subdivision would not preclude the construction of sidewalk in the future should an effort be initiated by the county through public financing or similar means.
- d) Construction of sidewalks (meeting current ADA width requirements) along the parcels frontages may require the removal and reconstruction of an existing masonry retaining wall along Humboldt Hill Road, which would significantly add to the construction costs.

9. FINDING: That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

EVIDENCE: a) Similar exceptions have been granted to other minor subdivision proposals on nearby properties in the Humboldt Hill area, including the division of a property on Dauber Lane (PLN-2022-17840), approved by the Planning Commission on October 6, 2022.

10. FINDING: That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the subject property is located.

EVIDENCE: a) The proposed subdivision primarily serves to divide two existing houses onto separate parcels. Rights to further develop these parcels with ADU's will be conveyed until a fault evaluation report

is prepared by a qualified geologist. The elimination of sidewalks should have a limited impact on the pedestrian circulation on this street and the surrounding areas of the subdivision. The parcels frontage along Humboldt Hill Road is composed of a grassy area above an existing curb, which will remain unaffected by the proposed division.

Govt. Code §66474.02 Structural Fire Protection

11. 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 not located in a State Responsibility Area for Fire Protection and is located in an area of Moderate Fire Hazard Severity and is within the boundaries of Humboldt #1 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 - Eureka Community Plan
Section 3200-3220 Geologic Hazards**

12. FINDING: The proposed development is consistent with the Eureka Community Planning Area (ECP). New construction shall be built to help protect occupants from geologic hazards (ECP 3200-3220).

EVIDENCE: a) According to the Humboldt County Geologic Hazard maps, the property is located in a zone of low instability. Therefore, no soils report was required. The parcel is located within the Alquist-Priolo Special Studies Zone associated with the Little Salmon Fault. The AP Act requires a Fault Evaluation Report for subdivisions when future

development is contemplated. However, in this case, construction of a residence and second unit occurred within the Special Studies Zone were both exempt from the "Act". Therefore, a Fault Evaluation Report was not required because there is no area contemplated for future development. A Condition of Approval is included requiring the conveyance of development rights for Accessory Dwelling Units to the county until such time that a fault evaluation report is prepared and determines that the parcel(s) are suitable and safe for additional residential development.

Section 4420 Parkland

b) Parkland Dedication Fee Calculations

	130.00	Eureka Community Plan requires 130 square feet of parkland dedication per person for new subdivisions
X	2.30	Persons per average Eureka household (Source: 2020 U.S. Census)
	299.0	Parkland dedication per average household in square feet
/	43,560	Square feet per acre
	0.00686	Parkland dedication per average household in acres
X	2	Number of potential new units being created by the subdivision
X	100% (1.0)	Percentage of these parcels within the Eureka Community Planning Area

	0.04118	Acres of parkland for subdivision
X	\$150,000	Value of one acre of land in the vicinity of the subdivision project
	\$2,059.22	Parkland Dedication In-lieu Fee for the Kooy Subdivision

FINDINGS APPLICABLE TO ALL PERMITS

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

EVIDENCE: a) The proposed development is consistent with the Residential Low Density (RL) land use designation. The project maintains existing residential development. The RL designation (Chapter 4.8, Land Use Designations) is used for areas suitable for residential uses where urban services are available or are anticipated to be available. Single family units on individual lots are the dominant use, but the development of an Accessory Dwelling Unit or Guest House is also allowed. The Density Range is 1-7 units per acre. The proposed subdivision will increase the number of parcels that allow single-family residences and accessory dwelling units in the area. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).

14. FINDING: The proposed development is consistent with the purposes of the existing Residential Single-Family (R-1) zone in which the site is located.

EVIDENCE: a) The property zoning designation of Residential Single-Family (R-1) includes single-family residential and accessory dwelling units as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 6,000 square feet as well as the minimum width and depth requirements for the zone. The proposed parcels' minimum widths are as follows: Parcel 1 - approximately 114 feet (avg.), Parcel 2 - approximately 68 feet - all widths exceed the 50-foot minimum found in the R-1 zone. The maximum lot depth in the R-1 zone is three times the lot width - both parcels are approximately 110 feet, in compliance with this requirement. Both parcels exceed the minimum parcel size for the R-1 zone (Parcel 1 - 13,794 sq. ft., Parcel 2 - 8,073 sq. ft.).

15. 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 ½-acre parcel into two (2) parcels, each hosting existing residential development. The

proposed parcel sizes and resulting density is consistent with the plan for the area.

- b) The parcel being divided is currently developed with two residences. All development is served by public water and sewer service provided by Humboldt Community Services District. Therefore, the proposed subdivision should have little impact on the current conditions. It is not anticipated to have negative impacts on the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.

16. 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.

EVIDENCE:

- a) The parcel's General Plan land use designation (RL 1-7) and zoning (R-1) allow residential development. The project will positively impact compliance with Housing Element law. The project will increase the available separately owned housing in the Eureka Community Plan area and will comply with the density range of the RL 1-7 land use designation, with a maximum density of 7 units per acre. The proposed development is consistent with the Humboldt County General Plan (Section 4.8, RESIDENTIAL LOW DENSITY (RL)).

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-2023-18193) based on the approved tentative map on file for the project dated March 2023 and dated as received by the Humboldt County Planning Division on May 10, 2023, subject to the conditions of approval.

Adopted after review and consideration of all the evidence on **April 03, 2025**.

The motion was made by Commissioner Thomas Mulder and seconded by Commissioner Peggy O'Neill and the following vote.

AYES: Commissioners: Thomas Mulder, Peggy O'Neill, Iver Skavdal, Sarah West

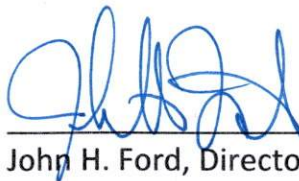
NOES: Commissioners: Jerome Qiriazzi, Lorna McFarlane

ABSENT: Commissioners: Noah Levy

ABSTAIN: Commissioners:

DECISION: Motion carried 4/2

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
Conditions of Approval

APPROVAL OF THE TENTATIVE MAP AND EXCEPTION REQUEST ARE CONDITIONED ON
THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE
PARCEL MAP MAY BE FILED:

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 **June 9, 2023**, shall be completed or secured to the satisfaction of that department, or as modified by the Planning Commission. 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 the Humboldt Community Services District indicating that the project conforms to its requirements dated **May 25, 2023**. 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 Humboldt Fire District No. 1 stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. 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.
7. On forms provided by the Planning Division, the owner shall execute a Conveyance and Agreement of Development rights with the County of Humboldt conveying rights to further subdivision and residential development. Terms of the agreement will

stipulate that reconveyance of development rights shall not occur until such time that a Fault Evaluation Report is prepared for any parcel targeted for further development and payment of any outstanding parkland dedication fees has been completed. A legal document review and County notary fee (currently \$156.00) shall be paid to the County, along with the applicable recordation fees.

8. The owner shall execute and cause to be recorded a "Deed Restriction and Hold Harmless Agreement" as required per Section 336-5(i) of the Humboldt County Code on forms provided by the Planning Division. A legal document review and County notary fee (currently \$156.00) shall be paid to the County, along with the applicable recordation fees.
9. 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 1-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

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 of six (6) single family residences) could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
 - Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (3) "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) "Development rights for secondary dwelling units on Parcels 1 and 2 have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (5) "No additional residential development shall occur on either parcel until such time a Fault Evaluation Report has been prepared for the site."
- (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."

10. 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 **\$456.00** plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
11. 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.
12. Parkland dedication fees of \$2,059.22 shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. Alternately, parkland dedication fees may be deferred, 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 \$2,059.34 parkland dedication fee balance and the completion of a Fault Evaluation Report pursuant to the Alquist-Priolo Act. A copy of the Conveyance and Agreement form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Division 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 (currently \$456.00) will be required.
13. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.

Ongoing Conditions of Approval:

14. The owner of each parcel created by this map are responsible to maintain the public right of way area free of obstructions (trees, scrubs, etc.) and to level (grade) the area between the back of existing curb to the existing retaining wall for use by the public for pedestrian purposes.

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 approved tentative map 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

COUNTY OF HUMBOLDT

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: Kimberly Clark, Assistant Planner

FROM: Brenda Howell, Associate Engineer *BH* 06/09/2023

RE: **SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE KOOY, APPLICATION # PLN-2023-18193 PMS, APN 306-102-001, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 0.47 ACRES INTO 2 PARCELS**

DATE: 06/09/2023

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 Points West Surveying Company dated March 2023 and dated as received by the Humboldt County Planning Division on May 10, 2023.

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 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.

1.5 FURTHER SUBDIVISION

At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code §323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.

1.6 DEDICATIONS

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

(a) PUBLIC ROAD: HUMBOLDT HILL ROAD (#C3J010)

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) PUBLIC ROAD: SKYLINE DRIVE (# 3J060)

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 20 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.

1.7 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.

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.

2.4 ACCESS ROADS

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

- (a) All intersections (including driveways) must conform to Humboldt County Code §341 regarding visibility.
- (b) Humboldt Hill Road - Construct a 5 foot usable pedestrian sidewalk behind existing curb and gutter.
- (c) Construct an ADA compliant curb ramp at the intersection of Humboldt Hill Road and Skyline Drive.
- (d) Skyline Drive - Construct a Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter with adjacent 5 foot wide usable pedestrian sidewalk with the frontage of the parcel.
- (e) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (f) 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.

- (g) 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.

2.5 DRIVEWAYS

All access openings (existing and proposed) shall conform to Humboldt County Code § 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 surfaced for the width of the driveway and a distance of 25 feet from the edge of the County road. All access openings (existing and proposed) shall be shown on the improvement plans.

2.6 STRUCTURAL SECTION

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

- (a) **For paved road surfaces**, the structural section shall include a minimum of 0.2 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.

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.

2.7 UNKNOWN IMPROVEMENTS

Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.

2.8 UTILITIES

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

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

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

2.9 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.

2.1 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:

<NONE>

- (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>

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.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

<NONE>

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
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: Kimberly Clark, Senior Planner

FROM: Brenda Howell, Associate Engineer

DATE: 6/9/2023

RE: KOOY SUBDIVISION, APN 306-102-001

PRELIMINARY SUBDIVISION REPORT: A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code § 323-6(c).

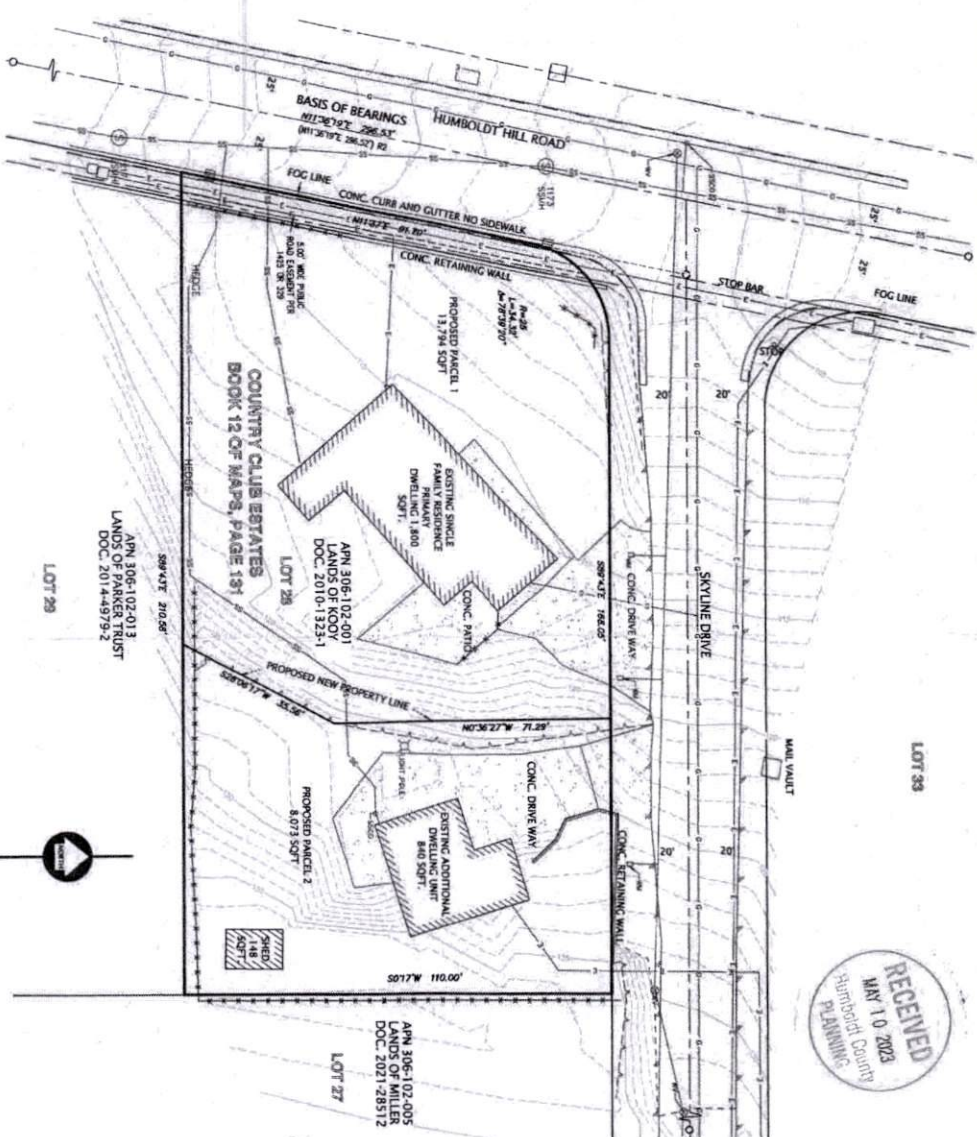
LOW IMPACT DEVELOPMENT (LID): While the subject property is located within the municipal separate storm sewer system (MS4) boundary area, the subdivision itself does not require LID standards to be applied due to less than 2,500 SF of impervious area being created.

// END //

- 1) The map represents a proposed Minor Subdivision of the land described in Document: 2010-1323-1 into 2 parcels;
- 2) The existing parcel size of APN 306-102-01 is 21,867 square feet. The proposed Parcel 1 would contain 11,794 square feet; proposed Parcel 2 would contain 8,073 square feet.

- 3) The Reports of record shown herein are based on a Eminent by Indefinite National Time Company, Order No. MH87R09000104C, dated 9/10/2023, which shows the following information:
Owner's address on Book 12 of Maps, Page 126-131 and Book 59 of Surveys, Page 6. All assessments of record are shown on this subdivision map.
- 4) Current and intended uses of the parcels to be subdivided will appear on the recorded subdivision map.
- 5) Utilities, water and sewer are provided by the City of Houston. Gas service, electricity and gas are supplied by PG&E. Telephone is supplied by Pacific Bell.
- 6) Contour and elevations shown hereon are on an assumed datum including an elevation of 100' at the northern monument on Humble Rd. This parcel lies within a zone of minimal flood hazard per FEMA panel 0603C1003C, effective date 6/21/2017.

One easement exists on the parcel shown hereon per the Preliminary Title Report referenced in Survey Note 1425 O.R., 329 - Easement for public road purposes conveyed to County of Humboldt, shown as Parcel 9 of Book 33 of Surveys, Pages 96-99

[illegible]

APR - 3

GRAPHIC SCALE
1 inch = 15 ft.
17x17 PRINTS ARE 1/2 SCALE

This map was prepared by me, or under my direction, and is based upon a field survey.

SIGNED 4/1/03

DATED 5/5/03

Michael D. Pulley
L.S. No. 7793

MISSOURI • LICENSED LAND SURVEYOR
MICHAEL D. PULLEY
L.S. No. 7793

Owner/Applicant: John Kooy and Jennifer Karr-Kooy
Mailing Address: 2819 Skyline Drive
Eureka, CA 95503-7143

Phone: 707.296.5226
Agent: Michael Pulley
Mailing Address: Points West Surveying Company
5201 Carlson Park Drive Suite 3
Arcata CA 95521
Phone: 707.840.9510
Fax: 707.840.9542
Email: Pulley@PointsWestSurveying.com

APN:	306-201-001
Address:	2819 Skyline Drive Eureka CA 95503-7143
Zoning:	R1 (Residential single family)
General Plan:	RLT-7
Minimum Lot Size:	5000 sq'
Front Setback:	20 feet
Side Setback - Interior:	5 feet (or average of adjacent lots)
Rear Setback:	10 feet

JOHN KOOY & JENNIFER KARR-KOOY

NE 1/4 SECTION 20, T4N, R1W,
HUMBOLDT MERRIDIAN
IN THE COMMUNITY OF HUMBOLDT HILL,
IN THE UNINCORPORATED AREA OF
HUMBOLDT COUNTY, STATE OF CALIFORNIA
Date: March 2013
PWS in 1469-22

SCALE: 1" = 15'

SHEET 1 OF 1

POINTS WEST SURVEYING CO.
5201 CARRISON PARK DR., SUITE 3, ARIZONA, CA. 95521
707-440-9510 • PHONE 707-440-9542 • FAX