

**CONDITIONS OF APPROVAL
PLN-2025-19200**

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. General Conditions

1. The project shall be conducted in accordance with the approved Site Plan and Construction Plans. Minor deviations shall be permitted as provided by Humboldt County Code Section 312-11; however, all other changes shall require modification of this permit.
2. The applicant will be responsible for obtaining all necessary Federal, State and Local permits, including Building Permits from the County of Humboldt Building Division to facilitate demolition and construction.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. All recommendations in the Engineering Geologic R-1 Soils Exploration Report prepared by Lindberg Geologic Consulting shall be incorporated into the building design.
5. If cultural resources are encountered during any ground disturbing activities of the proposed project, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist, as well as the appropriate Tribal Historic Preservation Officer(s), are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the

Coroner determines the remains to be Native American, the NAHC will then be contacted by the coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

6. Invasive species shall be prohibited from being planted on the property.
7. Vegetation removal shall only occur outside of nesting bird season (March 15-August 15) unless a qualified biologist has conducted a survey for active bird nests within seven days prior to vegetation removal and consulted with CDFW regarding appropriate buffers for any active nests that are identified.
8. Applicant must apply for and obtain an encroachment permit for the construction of a residential driveway on the County Road. [reference: County Code section 411-11 (a)(b)]
9. The permit will require the driveway entrance to be surfaced with asphalt concrete or portland cement concrete. The paved area shall extend a minimum of 20 feet back from the edge of the existing roadway pavement and be flared a minimum of 30 feet at the intersection with the County Road. The driveway shall intersect the County Road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 313-109.1.3.2.5 and 411-51 (b)(3)]
10. The County Road is not constructed to allow on-street parking. All parking must be developed on-site, or applicants must construct a parking lane along the County Road in a manner approved by this Department. All parking required by Code must be constructed prior to occupancy of building or “final” issued for building permit. [reference: County Code section 313-109.1 et seq.]
11. Site visibility must be maintained at the driveway entrance. [reference: County Code section 341-1 et seq.]
12. All retaining walls shall be constructed on the property. NO retaining walls shall be constructed in the County right of way.
13. After the building pad and driveway have been rough graded, the applicant shall contact the Public Works inspector to ensure that the proposed driveway grades are in conformance with County Code, prior to construction of the building foundation and/or driveway. [reference: County Code section 411-15]

14. Applicant shall be responsible to correct any involved drainage problems within the County Road right of way to the satisfaction of this Department.
15. Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission (or Zoning Administrator). [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual version 3.0 (08/18/2021), Part A, Table 1]

Development of property is also required to comply with provisions for point source discharges of stormwater and non-point source waste discharges as specified in the General Exception to the California Ocean Plan for select Discharges into Areas of Special Biological Significance (ASBS), Including Special Protections for Beneficial Uses, Sections I.A and I.B.

16. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal document review fees, notary fees and recording fees, as applicable.
17. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.**

Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property has delinquent taxes, the property cannot be combined for tax purposes. This means that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by merger but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see “Effective Date”) except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.

Informational Notes:

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see “Effective Date”); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The periods within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.

The applicant is ultimately responsible for ensuring compliance with these conditions.