



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 21, 2022

To: Humboldt County Planning Commission

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

Subject: **Beere Minor Subdivision Map and Coastal Development Permit**  
Case Number PLN-2021-16997  
Assessor's Parcel Number 510-371-044

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Please contact Cliff Johnson, Supervising Planner at (707) 445-7541, or by email at [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 21, 2022	Minor Subdivision, Special Permit and Coastal Development Permit	Cliff Johnson

**Project Description:** The project is a Minor Subdivision and Coastal Development Permit to subdivide a 1.49-acre parcel into 2 parcels. The parcel is developed with 2 residences and accessory structures that will remain as part of the proposed subdivision. The proposed parcels will have sewer and water service provided by Mckinleyville Community Services District as the site is already served by existing utilities. A Special Permit is requested to allow for proposed parcel 2 to be less than 20,000 square feet in net lot area. An exception to reduce the right-of-way width of Boiler Avenue to 40 feet has been requested as part of the project as well as an exception request to reduce the paving requirement and to eliminate the requirement for curb, gutter and sidewalk. The County Public Works Department supports the right-of-way exception request but does not support the other exception requests.

**Project Location:** The project is located in Humboldt County, in the Mckinleyville area, on the west side of Boiler Avenue on property known to be located at 2450 Boiler Avenue. (APN: 510-371-044)

**Present Plan Designation:** Residential Estates (RE) Slope Stability: Relatively Stable (0) and Moderate Instability (2)

**Present Zoning:** Residential Single Family – 20,000 square feet (RS), Manufactured Home (M), Alquist-Priolo Fault Hazard (G)

**Case Number:** PLN-2021-16997

**Assessor's Parcel Number:** APN: 510-371-044

**Applicant**  
Roshawn Beere  
P.O Box 10  
Eureka, CA 95501

**Owner(s)**  
Same as applicant

**Agent**  
Jesse Buffington  
Points West Surveying  
5201 Carlson Park Drive, Suite 3  
Arcata, CA 95521

**Environmental Review:** Exempt from environmental review pursuant to Section 15183 of the CEQA Guidelines

**Major Issues:** None

**State Appeal Status:** Project is appealable to the Coastal Commission.

**Beere Minor Subdivision, Special Permit and Coastal Development Permit**  
**Record Number: PLN-2021-16997**  
**Assessor Parcel Number: 510-371-044**

**Recommended Commission Action**

1. Describe the application as a public hearing;
2. Request staff to present the project;
3. Open the public hearing and receive public testimony; and
4. Close the public hearing and adopt the resolution to take the following actions:

*1) Find the project exempt from environmental review pursuant to Section 15183 of the CEQA Guidelines, 2) make all of the required findings for approval of the Project and 3) approve the proposed Beere Minor Subdivision, Special Permit and Coastal Development Permit project subject to the recommended conditions.*

The application is for the subdivision of a 1.49-acre parcel into two parcels (Parcel 1 is 0.97 acres and Parcel 2 is 0.51 acres) The project also requires the approval of a Coastal Development Permit (CDP) as the project site is located within the boundaries of the Coastal Zone. The site is located within an existing residential community bordered by the Mad River to the west and Highway 101 to the east. The site is located south of the intersection of Eucalyptus Road and Boiler Avenue, near the terminus of Boiler Avenue. Parcel 1 is currently developed with an existing residence and two detached accessory structures. Parcel 2 is currently developed with a manufactured home and three accessory structures. No demolition or new construction is proposed as part of the subdivision. The site contains several mature trees and grassland which been previously disturbed due to the use of the property. The site does not contain any streams, creeks, or wetland features onsite.

The proposed subdivision is to allow for individual ownership of the existing dwellings. Based on the orientation of the existing dwellings, a flag lot layout is required to subdivide the parcel. The site will be served by the Mckinleyville Community Service District and site drainage will continue to be conveyed via natural on-site surface drainage. The proposed development has been reviewed for compliance with the standards of the RS-20-M/G zone. The minimum permitted lot size is 20,000-sq.ft. and the proposed parcels are 42,489-sq.ft. and 22,555-sq.ft. The minimum required lot width is 75 feet and the proposed lot widths are 220 feet (Parcel 1) and 110 feet (Parcel 2). The maximum lot depth is three times the lot width and the proposed lot depths are 142-235 feet (Parcel 1) and 203 feet (Parcel 2). The maximum density is one dwelling per legally created lot, and the project proposed one dwelling per lot. The setback requirements for the zone are 20 feet to the front, 10 feet to the rear, and 5 feet to the interior side. The existing structures meet all required setbacks for the existing and proposed parcel lines. The maximum lot coverage is 35% and both proposed parcels will be less than 35% lot coverage.

A 20-foot-wide access easement serving Parcel 2 would be achieved via a 10.5-foot easement on the adjacent parcel to the north and a new 9.5-foot easement on Parcel 2. The site takes direct access from Boiler Avenue, currently a two-lane private road. Improvements to Boiler Avenue are required per County standards, and as provided as conditions of approval provided by the Department of Public Works. However, the applicant has requested an exception to reduce the required right-of-way width from 50 feet down to 40 feet for the required dedication for Boiler Avenue. The applicant has also requested an exception to the paving requirement for Boiler and and to the requirement for curb, gutter and sidewalk on the frontage along Boiler Avenue. The Public Works Department responded in their referral response letter that a 40-foot right-of-way could be supported as proposed by the applicant however the exceptions to paving and curb, gutter and sidewalk are not supported. The reduction in right of way width is consistent with the

width of the existing private road (Boiler Ave) and is constrained by existing development on both sides of the street. The reduced right-of-way will not negatively impact adjacent parcels or create a situation that would negatively impact the site including emergency response or traffic safety. Therefore, the granting of the exception to the right of way width will not be detrimental to the public welfare or injurious to surrounding neighborhood. The Public Works Department has indicated that gravel surfaced roadways are only appropriate for rural situations with parcels greater than 1 acre in size where houses would be less impacted by dust from traffic and that urban subdivisions should be developed with proper drainage and pedestrian infrastructure.

The property is located approximately ½ mile from Murray on Boiler Avenue. Boiler Avenue is currently a gravel surface with no curb, gutter or sidewalks. The applicant has proposed to pave the first 200 feet along Boiler as an alternative to the requirement to pave the entirety of Boiler from Murray Road and argues that paving the entire half-mile of Boiler Avenue is a substantial economic hardship that is not justified for the division of a single parcel into two, and that curb, gutter and sidewalks would be unusable given that there are no other such facilities along Boiler Avenue. The applicant's exception request letter (Attachment 2) argues that the exception to paving and to curb, gutter and sidewalks are supported by the County Housing Element which includes the policy to *"prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing."* (Policy H-P1).

The project is located within the McKinleyville Area Plan (MAP). The project site is designated Residential Estates (RE) within the MAP. The RE designation provides for residential development where community objectives, including resource protection, limit density of potential development, but where urban services such as public sewer and water lines are required. The proposed subdivision is located within the urban limit line of the MAP. The subdivision complies with the permitted density range of 0-2 dwelling units per acre. The project does not impact any wetlands, riparian corridors or stream courses, dune habitat, or beach areas. The site is also not located within a scenic corridor and will not create new aesthetic impacts to the communities. The site does not have direct access to the coastline and the subdivision will not reduce or otherwise impact access to the coast. The project is located within the Alquist-Priolo Fault Zone area and a special permit is required for approval of the subdivision. A Fault Hazard Evaluation Report was prepared for the project in March 2020 and was peer reviewed by a third party geologist. A site investigation conducted of the project site identified no presence of fault or surface ruptures on the site. Trenching materials identified no history of previous faulting having occurred at the site. The project parcel is not identified as an area of historic landslides. The subdivision is not located within an area subject to steep slopes, seismic activity, or flooding that would negatively impact subdivision of the site.

**ALTERNATIVES:** The Planning Commission could elect not to approve the project. 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.



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

**Resolution Number 22-**

**Records Number: PLN-2021-16997  
Assessor Parcel Number: 510-371-044**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE BEERE MINOR SUBDIVISION, SPECIAL PERMIT AND COASTAL DEVELOPMENT PERMIT**

**WHEREAS**, the owner submitted an application and evidence in support of approving the minor subdivision, Special Permit and Coastal Development Permit of a 1.49-acre project site into two parcels of approximately 0.97 acres and 0.52 acres and exception requests to lot size and right-of-way width; and

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

**WHEREAS**, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed minor subdivision, Special Permit and Coastal Development request;

**WHEREAS**, the Planning Commission held a duly noticed public hearing on July 21, 2022; reviewed, considered, and discussed the application for a minor subdivision; and reviewed and considered all evidence and testimony presented at the hearing. Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed minor subdivision request;

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

**1. FINDING:** **Project Description:** The application is for a Minor Subdivision, Special Permit and Coastal Development Permit to allow for the subdivision of a 1.49-acre parcel into two parcels.

**EVIDENCE:** a) Project File: PLN-2021-16997

**2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been met.

**FINDINGS FOR FINAL SUBDIVISION**

**3. FINDING:** The proposed development is in conformance with the Mckinleyville Area Plan (MAP).

**EVIDENCE:** a) The project site is designated Residential Estates (RE) within the MAP. The RE designation provides for residential development where community objectives, including resource protection, limit density of potential development, but where urban services such as public sewer and water lines are required. The proposed subdivision is located within the urban limit line of the MAP. The subdivision complies with the permitted density range of 0-2 dwelling units per acre. The project does

not impact any wetlands, riparian corridors or stream courses, dune habitat, or beach areas. The site is also not located within a scenic corridor and will not create new aesthetic impacts to the communities. The site does not have direct access to the coastline and the subdivision will not reduce or otherwise impact access to the coast. The project is located within the Mad River Fault Zone area. A Fault Hazard Evaluation Report was prepared for the project in March 2020. A site investigation conducted of the project site identified no presence of fault or surface ruptures on the site. Trenching materials identified no history of previous faulting having occurred at the site. The project parcel is not identified as an area of historic landslides. The subdivision is not located within an area subject to steep slopes, seismic activity, or flooding that would negatively impact subdivision of the site.

- b) The project is consistent with the biological resource protection policies of the McKinleyville Area Plan. The project site contains several mature trees and grassland which been previously disturbed and is currently occupied with two single-family residence and accessory structures. The project will require the construction of minor road improvements to the existing access road (Boiler Avenue) which will not impact existing trees on the project site or offsite. Additionally, an analysis of the site did not identify any candidate, sensitive, or special status species within the project site. The project site is not located within/or adjacent to any riparian habitat or other sensitive natural community, nor is it located within/or adjacent to any identified wetlands. The project was referred for comment to the California Department of Fish and Wildlife, but no comment was received. Additionally, the project does not conflict with any adopted Habitat Conservation Plan or Natural Community Conservation Plan

Blue Lake and Wiyot Tribal Historic Preservation Officers (THPO) responded to the project referral stating no known cultural resources are located on the project site. The project will include a protocol for monitoring and handling of inadvertent archaeological or cultural resource discoveries per required mitigation. Additionally, the project site contains no historically significant structures, and no demolition of structures is proposed with the project therefore there no impacts to cultural or tribal cultural resources will occur with the project.

**4. FINDING:**

The proposed development is consistent with the purposes and policies of the existing zone in which the site is located; and the proposed development conforms to all applicable standards and requirements of these regulations.

**EVIDENCE:**

- a) The project site is located within the Residential Single Family – 20,000 square feet (RS), Manufactured Home (M), Alquist-Priolo Fault Hazard (G). Single-family residential development is a permitted use within the zone.
- b) The project complies with the relevant standards of the RS-20-M/G zone. The minimum permitted lot size is 20,000-sq.ft. and the proposed

parcels are 42,489 square feet and 22,555 square feet. However, the net lot size of Parcel 2 is less than 20,000 square feet and the applicant has requested an exception to the standard. Due to the existing access required to service Parcel 1 and the extent of existing development onsite, strict adherence to the code would not be feasible to allow the subdivision. The minimum required lot width is 75 feet and the proposed lot widths are 220 feet (Parcel 1) and 110 feet (Parcel 2). The maximum lot depth is three times the lot width and the proposed lot depths are 142-235 feet (Parcel 1) and 203 feet (Parcel 2). The maximum density is one dwelling per legally created lot, and the project proposed one dwelling per lot. The setback requirements for the zone are 20 feet to the front, 10 feet to the rear, and 5 feet to the interior side. The existing structures meet all required setbacks for the existing and proposed parcel lines. The maximum lot coverage is 35% and both proposed parcels will be less than 35% lot coverage. The applicant has requested an exception to the standard 50-foot right-of-way width of Boiler Avenue to 40 feet, consistent with the existing private easement in place and due to existing development on both sides of the road. The reduction will not result in inadequate roadway conditions or dangerous situations and is supported by the Department of Public Works.

- c) The project area is located outside of the 100-year flood zone and any tsunami inundation areas. Residential development on the proposed lots will require, pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(I) 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, approved by the Department of Public Works. This project will not expose people or property to hazardous materials, impair implementation of, or physically interfere with, and adopted emergency response plan.
- d) The project site is located within the Mad River Fault Zone. A Fault Hazard Evaluation Report was prepared for the project which identified no presence of faulting or surface ruptures on the site. Trenching materials identified at the site suggested that there is no history of previous faulting having occurred at the site. The potential for future surface fault ruptures to affect the site is considered low. Risks associated with potential strong ground motions within proximity to the site can be mitigated and resist deformation during a seismic event with code compliant construction design. The project parcel is not identified as an area of historic landslides. The project parcel is located in soils that are classified as being relatively stable. Any future construction would be required to adhere to County grading, Building Code and Environmental Health Division requirements. The project is not anticipated to result in the creation of new unstable areas either on or off site and only minor roadway paving improvements will occur with the project. The project parcel is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, the project will not create substantial risks to life or property.

- e) The parcel is not located within a Noise Impact combining zone and the project will not generate a substantial increase in ambient noise levels in the vicinity of the project in excess of local standards. Noises generated by the proposed project development will result in a temporary increase during road/access driveway and residence construction as the project may require the use of heavy equipment (excavator, grader, loader, and backhoe). The County limits the construction hours, which will ensure the temporary noise increases do not create a significant impact. Construction of the project does not include equipment that would result in significant ground borne vibration. No significant permanent change in noise from the existing conditions would result from this project. The project site is located within the Overflight Notification Area of the California Redwood Coast-Humboldt County Airport but is outside a "N" (Noise) Combining District and therefore future residential construction on the proposed lot does not require mitigation to reduce noise levels to a maximum of 45-db for all habitable rooms and will be subject to the adopted standards of the Humboldt County Building Code.

**5. FINDING:**

The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

**EVIDENCE:**

- a) The project would not result in significant impacts with respect to traffic generation or noise, and would not result in hazards to project residents with respect to geologic hazards. No new development is proposed beyond minor roadway improvements to serve the subdivision and surrounding parcels along Boiler Avenue. The parcel map has been conditioned to provide adequate access to all parcels and accommodate emergency vehicles onsite. The resultant parcels will not negatively impact surrounding properties due to drainage, traffic generation, or impede access to existing development in the vicinity. The subdivision proposes a density within the permitted range of 0-2 units per acre and will utilize existing water and sewer infrastructure that is currently serving the site. The overall improvements to Boiler Avenue will improve the public welfare and safety for residents along Boiler Avenue.
  
- b) The project will not have a significant effect to existing utility infrastructure serving the site. The project is currently served public water and sewer by the Mckinleyville Community Services District and no new utility infrastructure is required as part of the subdivision. There is no storm drainage infrastructure within Boiler Avenue and the project site will continue to drain surface runoff onsite as part of the proposed subdivision. The Mckinleyville Community Services District has recommended approval of the project with no recommended conditions of approval. Pacific Gas and Electric Company commented that there would be no

impact to their existing facilities or easement rights. The Department finds the project impact to be less than significant. The County's landfill has capacity to serve the proposed project.

**6. FINDING:** The proposed 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 proposed subdivision will create individual parcels for existing single-family dwellings on the project site. This project will increase home ownership opportunities for residents within Humboldt County in compliance with the McKinleyville Area Plan which anticipates and provides for single-family residential development of the project site and surrounding area in an orderly manner that preserves natural resources.

**7. FINDING** An exception for a reduced right of way width of 40 feet is necessary to accommodate the proposed housing development and would not be detrimental to the public welfare or injurious to other property in the area. Road paving, installation of sidewalks, curb and gutters are necessary to protect the public welfare and to protect and improvements in the vicinity.

**EVIDENCE:** a) Exception Request Letters were submitted to staff requesting exceptions for the installation of a paved access road, concrete sidewalk, curb, and gutter improvements, and to reduce the minimum right of way width of 50 feet to 40 feet for the access road, drainage, and utilities that will serve the subject properties, are shown in Attachment 2A. The three (3) conditions that must be met for an exception to be granted pursuant to HCC 325-9, including: 1) there are special circumstances or conditions affecting said property, 2) the exception is necessary for the preservation and enjoyment of a substantial property right of the owner, and 3) the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated. The County Public Works Department believes that a 40 foot right-of-way is appropriate for the access needs of the small scale project as well as for emergency vehicle ingress and egress. Road paving, curb and gutters are necessary for proper control of dust impacts, drainage and pedestrian safety.

**DECISION**

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

- Adopt the findings set forth in this resolution; and
- Conditionally approved the Parcel Map Subdivision, Special Permit and Coastal Development Permit for the Beer Parcel Map, based upon the findings and evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated by reference.

Adopted after review and consideration of all the evidence on **July 21, 2022.**

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

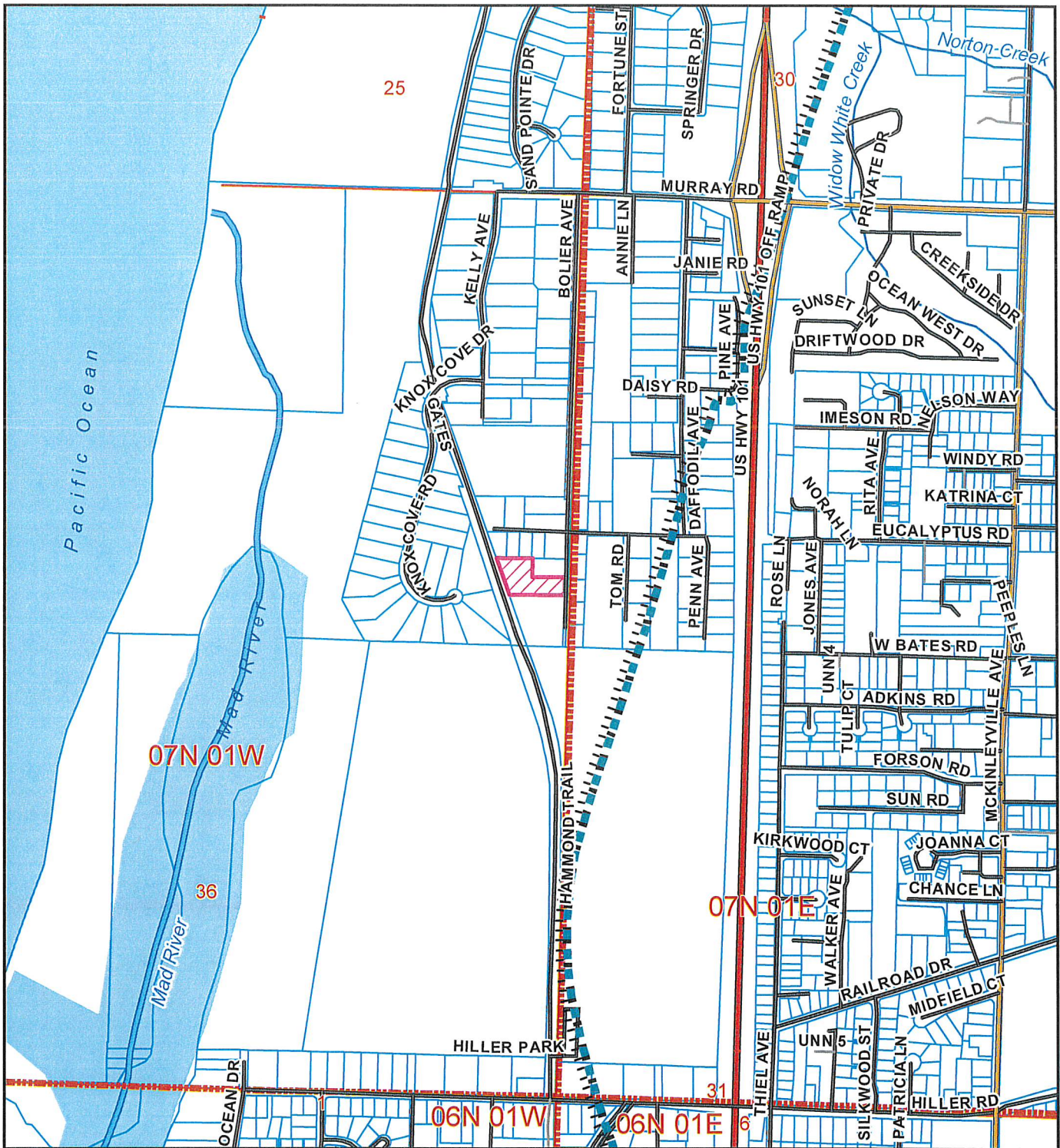
AYES:           Commissioners:  
 NOES:           Commissioners:  
 ABSTAIN:       Commissioners:  
 ABSENT:        Commissioners:  
 DECISION:

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 BEERE  
PARCEL MAP SUBDIVISION &  
COASTAL DEVELOPMENT PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

**PLN-2021-16997  
APN: 510-371-044**

**T07N R01W S36 HB&M (Arcata North)**


**Project Area =** 

**Coastal Zone Boundary** 

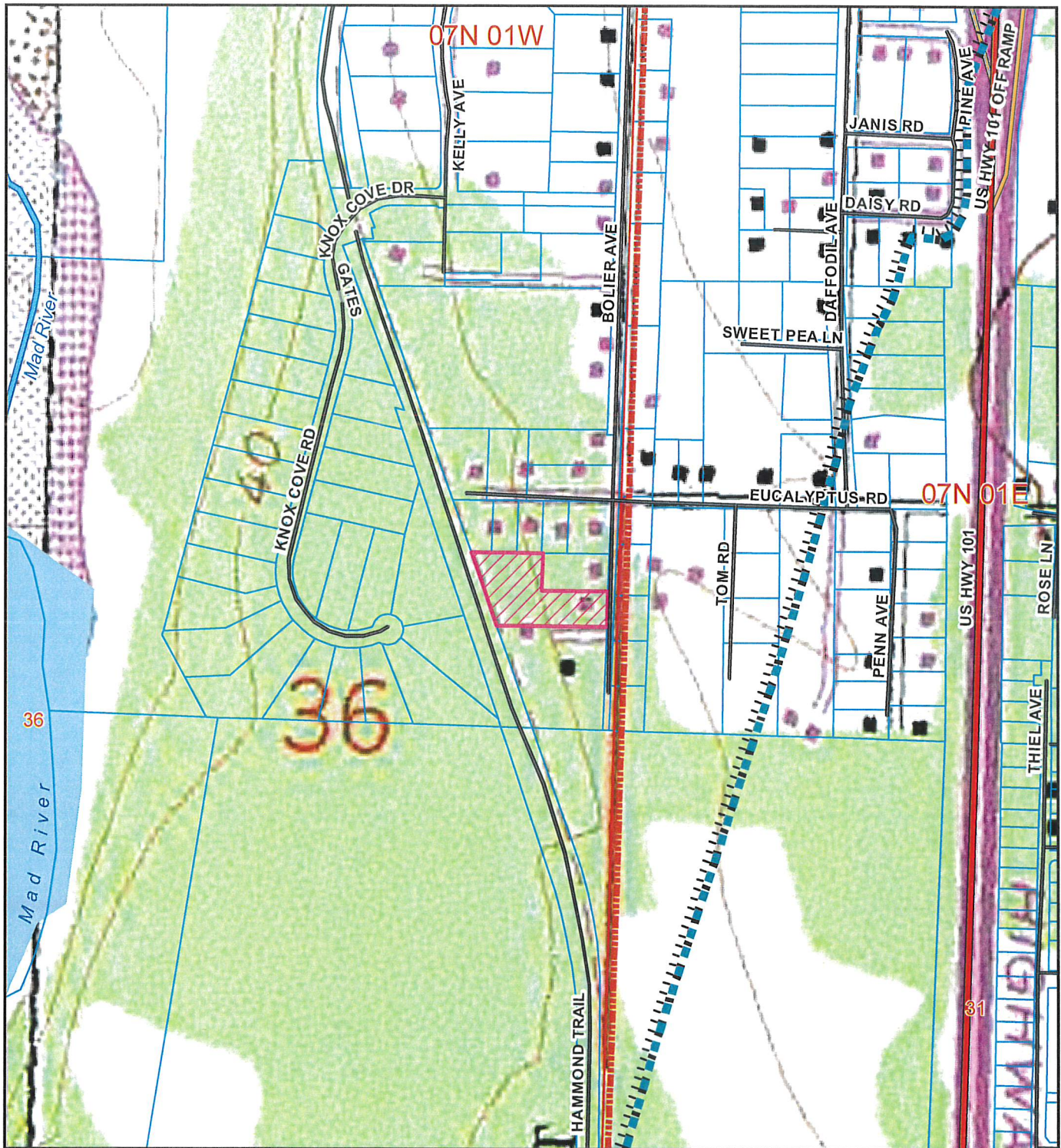
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 500 750 1,000  
Feet







**TOPO MAP**

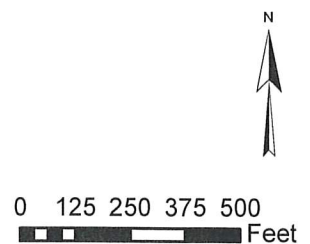
**PROPOSED BEERE  
PARCEL MAP SUBDIVISION &  
COASTAL DEVELOPMENT PERMIT &  
SPECIAL PERMIT**

Project Area = 

Coastal Zone Boundary 

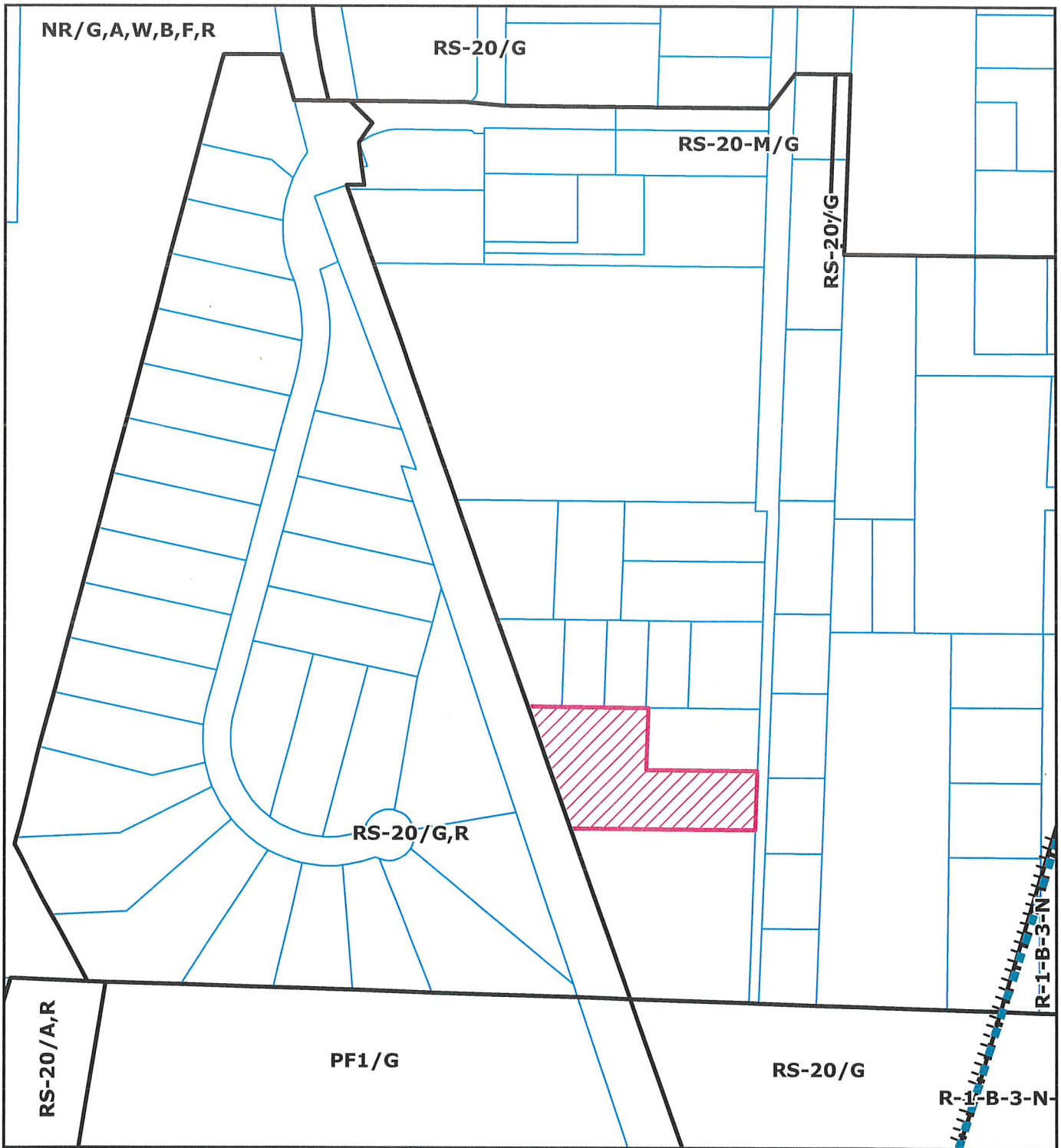
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**MCKINLEYVILLE AREA  
PLN-2021-16997  
APN: 510-371-044**



**T07N R01W S36 HB&M (Arcata North)**





**ZONING MAP**

**PROPOSED BEERE  
PARCEL MAP SUBDIVISION &  
COASTAL DEVELOPMENT PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

**PLN-2021-16997**

**APN: 510-371-044**

**T07N R01W S36 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.







**AERIAL MAP**

**PROPOSED BEERE  
PARCEL MAP SUBDIVISION &  
COASTAL DEVELOPMENT PERMIT &  
SPECIAL PERMIT**

**MCKINLEYVILLE AREA**

**PLN-2021-16997**

**APN: 510-371-044**

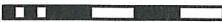
**T07N R01W S36 HB&M (Arcata North)**

**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 25 50 75 100 125  
 Feet

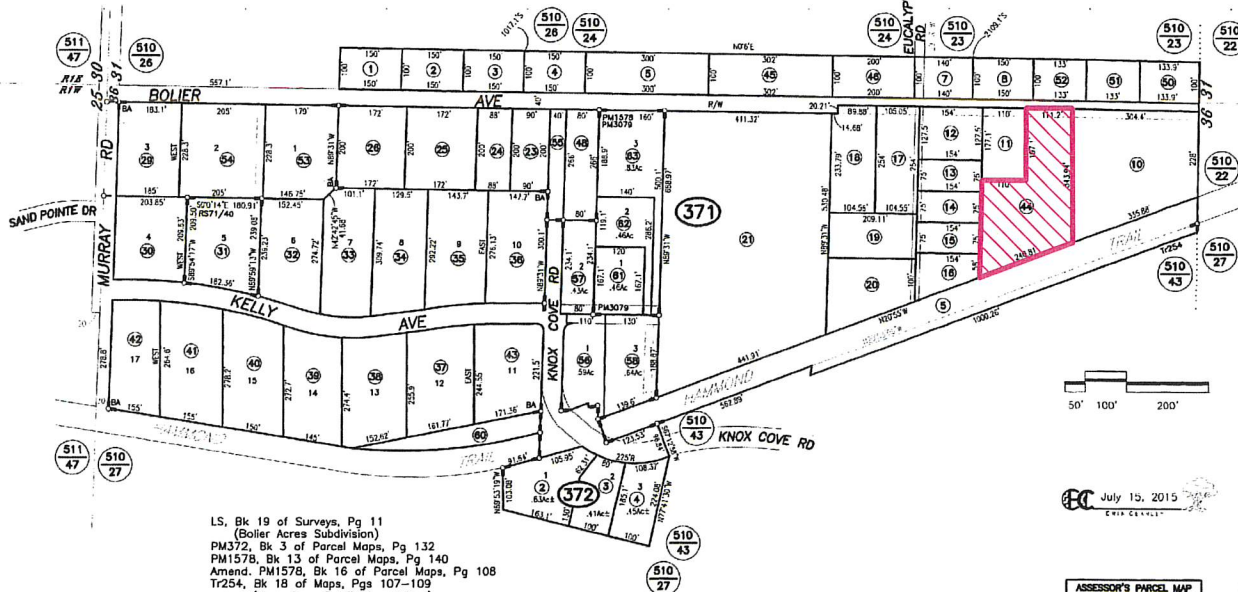


Assessor's Map Bk. 510, Pg. 37  
County of Humboldt, CA.

PTN NE1/4 SEC 36, T7N R1W &  
PTN NW1/4 SEC 31, T7N R1E, H.B.& M.

510-37

NOTE - Assessor's Black Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Small Circles.



LS, Bk 19 of Surveys, Pg 11  
(Boiler Acres Subdivision)  
PM372, Bk 3 of Parcel Maps, Pg 132  
PM1578, Bk 13 of Parcel Maps, Pg 140  
Amend. PM1578, Bk 16 of Parcel Maps, Pg 108  
Tr254, Bk 18 of Maps, Pgs 107-109  
(Knox Cove Subdivision Unit 1)  
RS, Bk 54 of Surveys, Pg 510  
PM3079, Bk 28 of Parcel Maps, Pg 103  
RS, Bk 71 of Surveys, Pg 40

EC July 15, 2015  
CIVIL ENGINEER

ASSESSOR'S PARCEL MAP  
1. THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSES ONLY.  
2. NO LIABILITY IS ASSIGNED FOR  
THE ACCURACY OF THE DATA SHOWN.  
3. ASSESSOR'S PARCELS MAY NOT  
COMPLY WITH LOCAL, LET-SPLIT  
OR BEARING STATE ORDINANCES.



**ASSESSOR PARCEL MAP**

**PROPOSED BEERE  
PARCEL MAP SUBDIVISION &  
COASTAL DEVELOPMENT PERMIT &  
SPECIAL PERMIT  
MCKINLEYVILLE AREA**

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.

**PLN-2021-16997  
APN: 510-371-044  
T07N R01W S36 HB&M (Arcata North)**



**MAP NOT TO SCALE**

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

**APPROVAL OF THE TENTATIVE MAP AND COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS THAT MUST BE SATISFIED BEFORE THE FINAL MAP MAY BE RECORDED.**

1. All development shall conform to the project description and approved Tentative Map.
2. 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.
3. The conditions on the Department of Public Works referral dated July 19, 2021, 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.
4. The Planning Division requires that two (2) copies of the Final Map for each phase, identifying both net and gross parcel areas, be submitted for review and approval.
5. Prior to recordation of the Final Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
6. Prior to recordation of the Final Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
7. Prior to recordation of the Final Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
8. 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. This requirement shall be administered by the Department of Public Works.
9. An encroachment permit is required to be obtained prior to construction from the Department of Public Works for all work within the right of way of a County maintained road. This requirement shall be administered by the Department of Public Works.
10. Grading within the subdivision or off-site rights of way shall not occur prior to approval of a grading plan by the Department of Public Works. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of the Department from Public Works.
11. 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 the 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. This requirement shall be administered by the Department of Public Works.

12. The applicant shall cause to be recorded a "Notice of Development Plan and Geological Report " 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 \$190.00 plus applicable recordation fees) will be required.
13. 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 \$100.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division ". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
14. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95 .00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County' s current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
15. Pursuant to County Code Section 324-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department of Public Works prior to installation. (Last paragraph for private roads).
16. Parkland dedication in-lieu fees of \$1,539.94 shall be paid in accordance with the provisions of the parkland dedication ordinance (see fee calculations in Informational Note #5, below). Parkland dedication in-lieu fees shall be paid unless there is a conveyance of further residential development rights, pursuant to County standards. 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 \$190.00) will be required.
17. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission and/or Board decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
18. Unless subdivision improvements in Attachment 1, Exhibit A, are completed or a Subdivision Agreement is entered into prior to filing of the Tentative Map, a Notice of Subdivision Improvement Requirements shall be recorded for the subdivision pursuant to Government Code Section 66411.1. The Notice shall be on forms provided by the Planning Division and all applicable recording fees shall apply.
19. 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, the Geologic Hazards Ordinance, on forms provided by the Planning Division. A legal document review

and County notary fee (currently \$135.00) shall be paid to the County, along with the applicable recordation fees.

20. Road name assignments shall be obtained from the Planning Division for all unnamed access roads.
21. 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:
  - a) If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
  - b) Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease, and the County Coroner contacted."

**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 \_\_\_\_\_.

- (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) Site preparation and grading work for subdivision improvements will require a Grading Plan from the Land Use Division of Public Works. Please contact the Land Use Division at 445-7205 for more information concerning permit requirements and processing.
- (4) The tentative map approval 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.

- (5) Parkland dedication fee calculations:

	130.00	130 square feet of parkland dedication per person for new subdivisions
X	<u>2.58</u>	Persons per average household (per 2019 American Community Survey Estimates - Ferndale))
	335.4	Parkland dedication per average household in square feet
/	<u>43.560</u>	Square feet per acre

0.00769		<i>Parkland dedication per average household in acres</i>
X	2	<i>Number of parcels being created by the subdivision,</i>
X	1	<i>Number of potential additional dwellings per legal parcel or lot, including potential second units</i>
X	<u>\$100,000</u>	<i>Value of one acre of land in the vicinity of the subdivision project</i>
	<b>\$1,539.94</b>	<b>Parkland Dedication In-lieu Fee</b>

Exhibit 1 to Attachment A:  
Public Works Department Memos dated July 19, 2021



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

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:** Trevor Estlow, Senior Planner

**FROM:** Robert W. Bronkall, Deputy Director 

**RE:** SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE BEERE,  
APPLICATION # PLN-2021-16997 PMS, APN 510-371-044, FOR APPROVAL  
OF A TENTATIVE MAP, CONSISTING OF 1.49 ACRES INTO 2 PARCELS

**DATE:** 07/19/2021

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*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 December 2020 and dated as received by the Humboldt County Planning Division on February 9, 2021.**

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:** Access shall be noted on the Parcel Map pursuant to 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 PRIVATE ROADS:** Pursuant to County Code Section 324-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 324-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

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

**(a) BOLIER 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 within the subdivision in a manner approved by this Department. The easement shall be 50 feet in width.

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

The applicant shall cause to be dedicated to the County of Humboldt a PUE over the entire area of the access easement for the road.

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.

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

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

**1.9 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:** 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.

**2.4 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) Pursuant to County Code Section 324-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation. (last paragraph for private roads)

(b) Street name signs shall be provided at all road intersections.

(c) 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.

(d) 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....

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

(a) **BOLIER AVENUE (OFFSITE)** shall be constructed having a typical section comprised of a twenty foot wide paved road from the intersection of Murray Road to the north property line.

- (b) **BOLIER AVENUE (ONSITE)** fronting the subject parcel shall be constructed having a typical section comprised of two paved 10 foot wide driving lanes. Along the west side of the road, the road shall include an 8 foot wide paved parking lane with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter, a 5 foot wide landscape strip (4.5 foot useable), and a 5 foot wide pedestrian sidewalk.
- (c) **FLAG LOT ACCESS ROAD:** The flag lot access road shall be paved to the last driveway on Parcel 2.
- (d) The widening of Bolier Avenue may require the reconstruction of the existing road to provide a uniform centerline grade compatible with the proposed curb grade. This is necessary in order to provide an adequate cross slope to the proposed gutter. Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross sections will be necessary to ensure proper drainage. In addition, existing utilities may need to be adjusted and/or relocated at the expense of the applicant.

In addition, roadside ditches shall be constructed when required by this Department.

- (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) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

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

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

When widening hot mix ("asphalt") roads, the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavements. The location of the sawcut shall be approved by this Department based upon the condition of the existing road surface.

- (b) Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way**, unless approved in writing by this Department.
- (c) **For unpaved road surfaces**, the structural section shall include a minimum, of 0.5 foot of Caltrans Class 2 aggregate base. Paved surfaces are required for grades in excess of 16%.

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

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

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

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

**2.9 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.

**2.10 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. If the NBUs will not be installed by the Post Office, the subdivider shall install the NBUs as part of the subdivision.

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

**2.11 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.

**2.12 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 section 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:

Item 2.5

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

Item 2.5

- (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>

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.

- (d) The following note shall be placed on the development plan:

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

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

### **3.0 DRAINAGE**

- 3.1 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. The report and plan must be prepared by a Civil Engineer registered by the State of California. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.
- 3.3 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.

### **4.0 GRADING**

<NONE>

### **5.0 MAINTENANCE**

<NONE>



**6.0 DEVELOPMENT PLAN**

<NONE>

**7.0 LANDSCAPING**

<NONE>

// END //



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

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

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

PUBLIC WORKS BUILDING  
 SECOND & L ST., EUREKA  
 FAX 445-7409

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

LAND USE 445-7205

**LAND USE DIVISION INTER OFFICE MEMORANDUM**

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director *RB*

DATE: 07/19/2021

RE: **BEERE APN: 510-371-044 APPS# PLN-2021-16997 PMS**

**SUBSTANDARD ROAD:** The Department of Public Works does not support the subdivision of parcels which use County or private roads to access their parcels until the road is improved to the County's minimum standards. The subject property is located on Bolier Avenue, approximately 0.42 miles from Murray Road. Bolier Avenue is a gravel surfaced road in an area with properties that are less than 1 acre in size. Public Works requires that roads fronting parcels less than 1 acre in size be paved to mitigate for dust. The project includes the off-site improvement requirement of paving Bolier Avenue from Murray Road to the subject property.

**TENTATIVE MAP:** County Code Section 323-5(b)(5) requires that the tentative map show the accurate location of all existing structures and the distance to all existing and proposed property lines, etc.... Pursuant to California Business and Professions Code Sections 8725, 8726 and 8731, this information can only be provided by a licensed land surveyor or by a licensed civil engineer who is authorized to practice land surveying. The tentative map provided to the Department was not signed and stamped by a properly licensed person. The project should not be presented to the Planning Commission until a tentative map is provided that meets these requirements.

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

**PROOF OF LEGAL ACCESS:** The Department recommends that the project not be presented to the Planning Commission until proof of legal access has been provided.

**RIGHT OF WAY:** The tentative map proposes a 40 foot right of way for Bolier Avenue. The subdivision ordinance specifies a 50 foot wide right of way for a category 4 road. The applicant may wish to consider applying for an exception request under County Code Section 325-9 to allow for a 40 foot wide right of way. The Department can support a 40 foot wide right of way.

If the exception request is approved by the Planning Commission, Item 1.8(a) will read as follows:

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 within the subdivision in a manner approved by this Department. The easement shall be ~~50~~ **40** feet in width.

**NON-COUNTY MAINTAINED ROAD NOTE:** The project will be taking access from an existing non-county maintained road. If a road maintenance association currently exists, this Department recommends that the applicant secure an agreement for annexation prior to the project being presented to the Planning Commission. If an agreement for annexation cannot be reached, then the issue of road maintenance should be discussed/addressed at the Planning Commission meeting.

**PARCEL MAP IMPROVEMENT NOTE:** Frontage improvements to Parcel 1 and 2 (both existing developed parcels) must be constructed per the Department's subdivision requirements. Pursuant to Government Code Section 66411.1 (b), the Department recommends that the frontage improvements on Parcel 1 be completed within twenty-four (24) months from the date that the subdivision map is filed with the County Recorder; or prior to issuance of a development permit (or building permit) for Parcels 1 or 2, whichever occurs first. This is based upon the need for orderly development of the surrounding area.

// END //

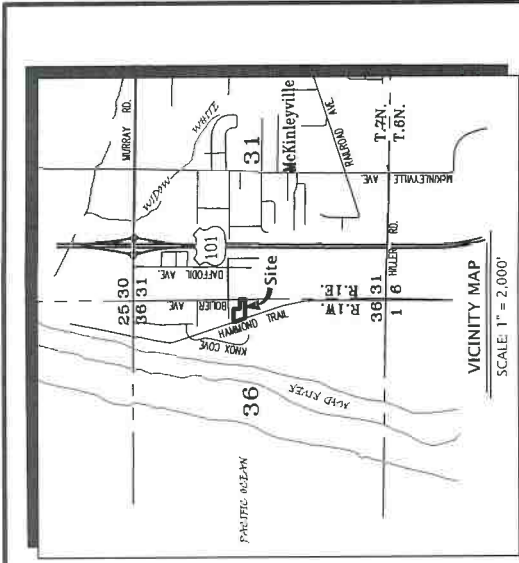
## ATTACHMENT 2

### Applicant's Evidence in Support of the Required Findings

Attachment 2 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

- Application Form (in file)
- Project Tentative Map (**attached**)
- Fault Hazard Evaluation (**attached**)
- Exception Request Letters (**attached**)
- Preliminary Drainage Analysis (in file)





**PROJECT DATA**

**Applicant/Owner:** Namid Roshawn Beere  
**Mailing Address:** P.O. Box 10  
 Bayside, CA, 95524  
 Phone: 707-502-6008

**Situs Address:** 2450 Boiler Avenue  
 McKinleyville, CA, 95519

**APN:** 510-371-044

**AREA:** 65,044 Sq. Ft. or 1.49 Acres

**General Plan:** RE Residential Estates

**Principal Zoning:** RS-20-M-G

**Building Setbacks:** Front: 20'  
 Side: 5'  
 Rear: 10'

**Maximum Building Height:** 35'

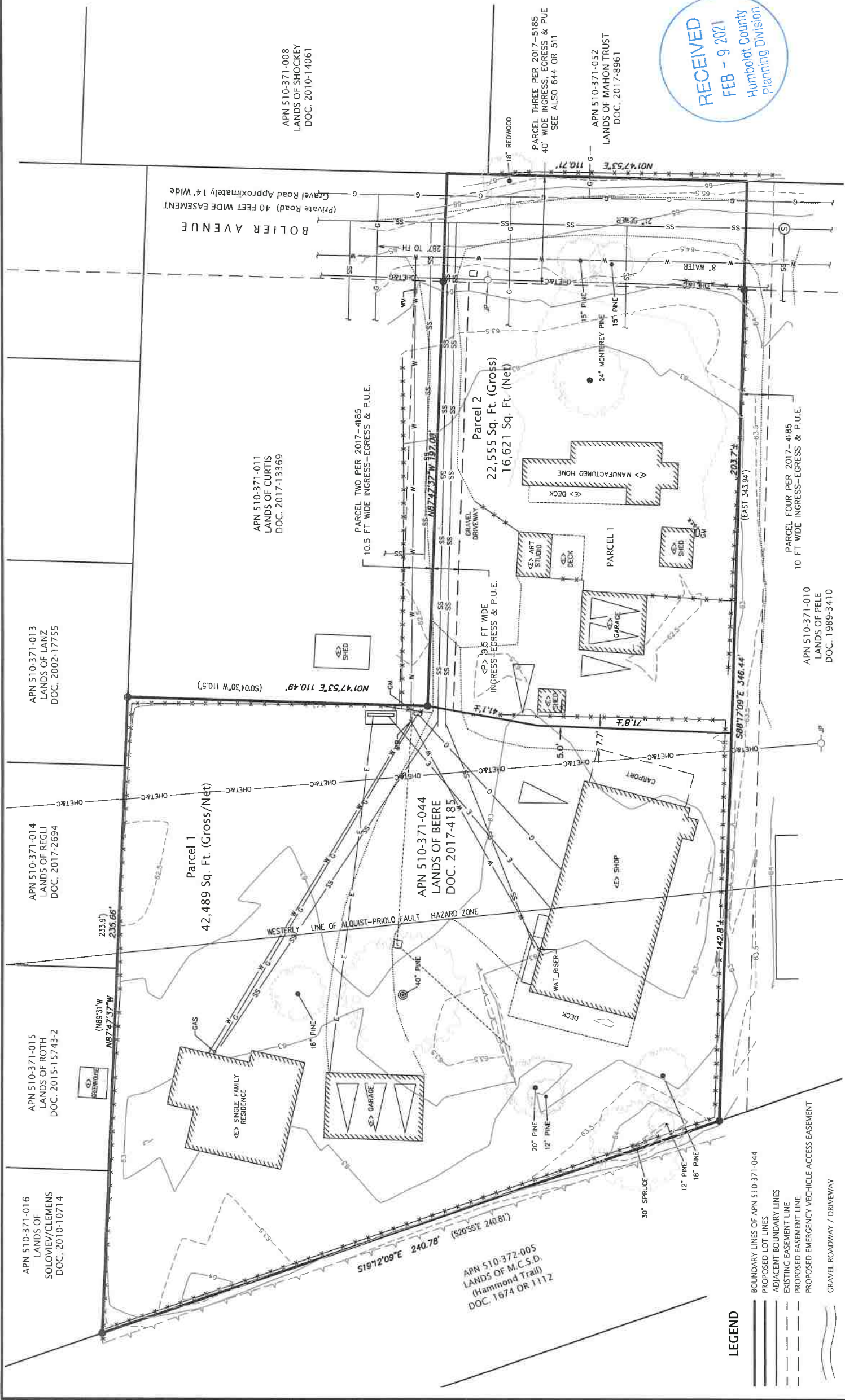
**Agent:** Jesse Buffington  
 Points West Surveying  
 5201 Carlson Park Dr, Ste 3  
 Arcata, CA 95521  
 Phone: (707) 840-9510  
 Email: buffington@pointswestsurveying.com

**TENTATIVE MAP**

for  
**Roshawn Beere**  
 NE 1/4 SECTION 36, T7N, R1W,  
 HUMBOLDT MERIDIAN

IN THE UNINCORPORATED AREA OF MCKINLEYVILLE  
 HUMBOLDT COUNTY, STATE OF CALIFORNIA  
 DECEMBER 2020

SCALE: 1" = 20'  
 SHEET 1 OF 1



**EASEMENT NOTES**

1. Easements of record are noted hereon per Preliminary Title Report by Humboldt Land Title Co., under Title No. 00169495-02-TE2-R, dated 11/19/2020. The easements noted in the title report are shown hereon.
2. Easements for ingress-egress and public utilities over the west 20 ft. of the easterly 40 ft. recorded in 644 O.R. 511 and 1136 O.R. 31 fall within 40 foot easement on Boiler Avenue shown and are not plotted hereon for clarity.

**SURVEY NOTES**

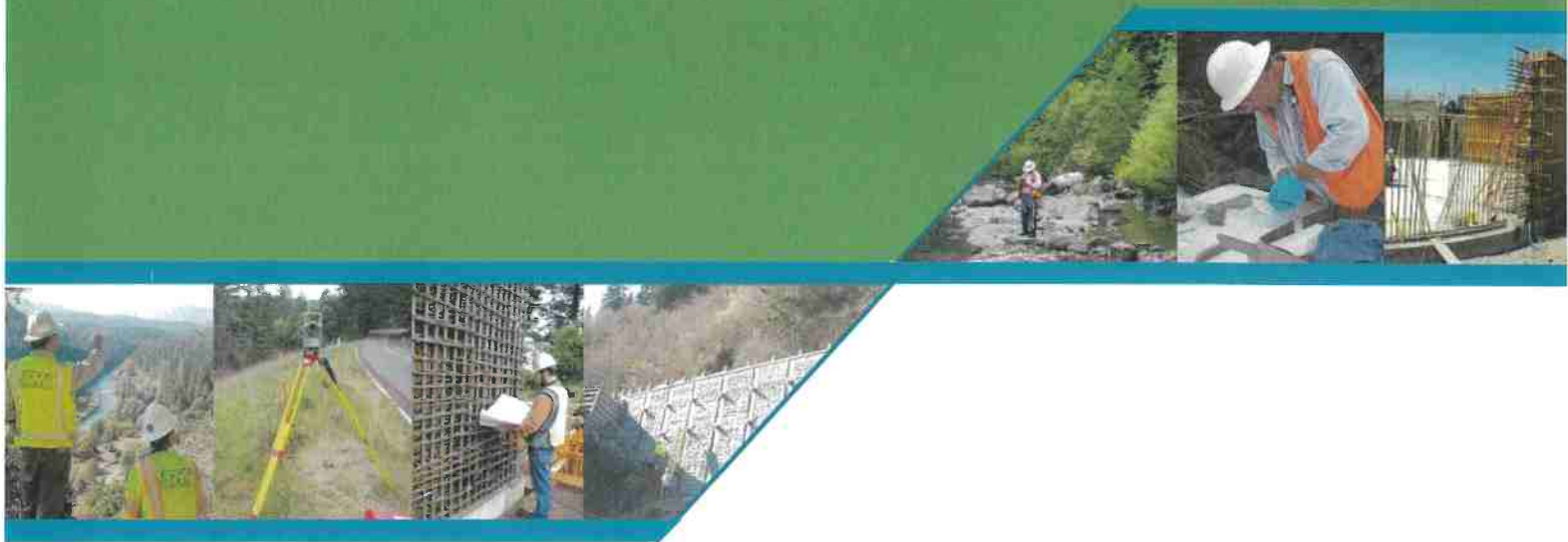
1. This map represents a proposed subdivision of APN 510-371-044 into two (2) parcels. Proposed Parcel 1 will contain an existing single family residence, detached garage and shop building and proposed Parcel 2 will contain an existing manufactured home (single family), garage, art studio and two sheds.
2. This map is based on a field survey performed by Points West Surveying Company in August of 2017 and January 2020. Survey horizontal datum is CCS83 Grid based on GPS ties to NGS PID# LV1170. Multiply distances shown by 1.0001033 to obtain ground distances. Rotate grid bearings shown counterclockwise 1°23'43" to obtain Geodetic (True) bearings. Elevations are based on M.C.S.D. datum as determined from the top of fire hydrant at Bolier and Eucalyptus being 71.09 feet. Contours shown hereon are 0.5 foot intervals due to the flat nature of the site.
3. Utilities shown hereon are based on visible appurtenances and mapping provided by McKinleyville Community Services District. Utility stubs shown per M.C.S.D. drawings and are of unknown accuracy. Onsite routing of underground utilities is approximate based on ties to visible appurtenances.
4. The subject property lies within Zone X, defined as areas of minimal flood hazard, per FIRM Community Panel 06023C-680 G dated June 21, 2017.
5. The easterly portion of the property falls within the Alquist Priolo Fault Hazard Zone. Location of zone is taken from Humboldt County GIS. A Fault Hazard Evaluation performed by SHN is being submitted with this Tentative Parcel Map.
6. Exception requests for Right of Way Width and Lot Size Modification have been submitted with this application. The Right of way width modification will allow proposed Parcel 1 to utilize the existing 10.5 foot wide easement over the adjacent property along with a proposed 9.5 foot wide easement over proposed Parcel 2. This will create a 20 foot wide access easement. The Lot Size Modification will allow for the creation of a parcel with a net size less than 20,000 square feet.
7. No additional development is proposed as part of this subdivision. No grading or tree removal is proposed. There are no known wetlands, creeks or drainage courses on the subject property.

**LEGEND**

- BOUNDARY LINES OF APN 510-371-044
- PROPOSED LOT LINES
- ADJACENT BOUNDARY LINES
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- PROPOSED EMERGENCY VEHICLE ACCESS EASEMENT
- GRAVEL ROADWAY / DRIVEWAY
- FENCE LINE
- EDGE OF DENSE VEGETATION
- EXISTING GROUND CONTOURS
- TOP OF SLOPE
- TOE OF SLOPE / GRADE BREAK
- GAS LINE
- SANITARY SEWER LINE
- WATER LINE
- OVERHEAD ELECTRIC, TELEPHONE AND CABLE LINES
- PARKING SPACE
- GAS METER
- JOINT UTILITY POLE
- FIRE HYDRANT
- SANITARY SEWER MANHOLE
- IRON PIPE L.S. 7015 FROM 73.5 77

# Fault Rupture Hazard Evaluation

Proposed Subdivision of APN 510-371-044  
2450 Bolier Avenue  
McKinleyville, California



Prepared for:

**Jonathan Graham**



March 2020  
017254





Reference: 017254

March 27, 2020

Jonathan Graham  
149 Garden Lane  
Bayside, CA 95524

**Subject: Fault Rupture Hazard Evaluation, Proposed Subdivision of APN 510-371-044, 2450 Bolier Avenue, McKinleyville, California**

Dear Jonathan Graham:

As requested, SHN is providing this fault rupture hazard evaluation for the proposed subdivision of Assessor's parcel number (APN) 510-371-044 at 2450 Bolier Avenue in McKinleyville, California. The enclosed report presents our findings, results, and conclusions to support the parcel subdivision.

This report concludes our work on this phase of the project. If you have any questions, please call me at (707) 441-8855.

Sincerely,

SHN

Paul R. Sundberg, PG  
Project Geologist

Gary D. Simpson, CEG  
Senior Engineering Geologist

PRS:GDS:ame

Enclosure: Report

Reference: 017254

# Fault Rupture Hazard Evaluation

## Proposed Subdivision of APN 510-371-044

## 2450 Bolier Avenue, McKinleyville, California

Prepared for:  
**Jonathan Graham**



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Paul R. Sundberg, PG 9723  
Project Geologist

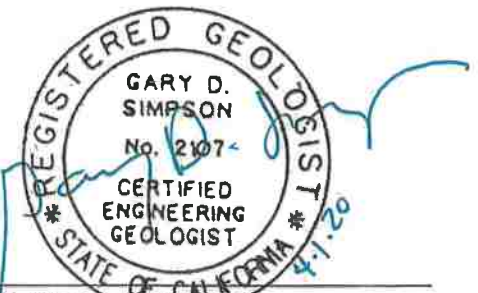
Prepared by:



812 W. Wabash Ave.  
Eureka, CA 95501-2138  
707-441-8855

March 2020

QA/QC:GDS\_\_



---

Gary D. Simpson, CEG 2107  
Geosciences Director



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## Abbreviations and Acronyms

A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
AAPG	American Association of Petroleum Geologists
APN	Assessor's parcel number
BGC	Busch Geotechnical Consultants
BGS	below ground surface
CDMG	California Department of Conservation, Division of Mines and Geology
CGS	California Geological Survey
MRfz	Mad River fault zone
NR	no reference
USGS	United States Geological Survey

## 1.0 Introduction

This report presents the results of a fault rupture hazard evaluation for a proposed residential subdivision of Assessor's parcel number (APN) 510-371-044, at 2450 Bolier Avenue in McKinleyville, California (Figure 1). SHN was retained to conduct a site-specific fault investigation to determine whether the project site is crossed by active faults that would present a rupture hazard to future development. The site is located west of the mapped trace of the Mad River fault (Kelley, 1984). The southwestern edge of the State of California Earthquake Fault Zone (CGS, 2018) encompassing the Mad River Fault, passes through the subject parcel.

### 1.1 Project Description

The project consists of the development of a residential subdivision on an existing 1.49-acre parcel located west of Bolier Avenue on APN 510-371-044 in McKinleyville, California. Our understanding of the proposed project is based on the Plot Plan for Roshawn Beere from Points West Surveying Co., Sheet 1 of 1, dated January 2020 (Figure 2).

The subdivision of the 1.49-acre parcel will result in three individual parcels: Parcel 1 (0.37 acres), Parcel 2 (0.65 acres), and Parcel 3 (0.47 acres). Parcel 1 will contain the existing single-family residence and detached garage (constructed 2018/2019); Parcel 2 will contain an existing shop building (constructed in 2018); and Parcel 3 will contain the existing manufactured home (single family), garage, and art studio. An additional residential structure is planned in the northern portion of the existing parcel (proposed Parcel 2).

The existing parcel is L-shaped and contains a manufactured home, garage, and art studio in the eastern portion, adjacent to Bolier Avenue. The western portion of the existing parcel was recently developed in 2018 and 2019 with a two-story shop building and detached garage. A secondary residential structure in the northwest corner of the parcel (outside the Earthquake Fault Zone) was in the process of being constructed during our field investigation in November 2019.

Our investigation focuses solely on the additional residential structured planned in the northern portion of the existing parcel (proposed Parcel 2). At this time, no new development is planned on the eastern portion of the existing parcel (proposed Parcel 3); therefore, that area was not investigated.

### 1.2 Purpose and Scope of Work

SHN was retained to conduct a focused investigation to determine whether a portion of the subject parcel is crossed by active faults that may impact future developments. The existing parcel is located within an Earthquake Fault Zone, as delineated by the State of California under the Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) of 1972 (California Public Resources Code, Chapter 7.5, Division 2). The intent of the A-P Act is to mitigate the hazard of surface fault rupture while mandating specific, detailed geologic studies to demonstrate the presence or absence of active faults for certain projects within the Earthquake Fault Zones. Subdivision of land within an active Earthquake Fault Zone is subject to the conditions of the A-P Act; therefore, the purpose of this investigation was to assess the potential for surface fault rupture at this site. Our investigation focuses solely on the additional residential structured planned in the northern portion of the existing parcel (proposed Parcel 2). At this time, no new development is planned on the eastern portion of the existing parcel (proposed Parcel 3); therefore, that area was not investigated.



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Jonathan Graham  
 Beere Fault Evaluation Report  
 McKinleyville, California

Project Location Map  
 SHN 017254

PLN-2021-16997 Beere Minor Subdivision and CDP

March 2020 Figure1\_ProjectLocationMap

July 21, 2022 Figure 1 Page 40





The scope of SHN's services completed for our investigation included the following tasks:

- Review of pertinent references, including published maps and reports, and unpublished consultant reports
- Reconnaissance and evaluation of surficial geomorphic and geologic conditions at the site and in the site vicinity to evaluate evidence for the location of active fault traces
- Review of historic Google imagery and LIDAR data to observe lineations or geomorphic indicators related to active faulting
- Excavation, interpretation, and logging of the subsurface materials at the site using exploratory fault trenches
- Coordinate a third-party review of the trenching efforts, per the requirements of the A-P Act. At the time this report was written, the County of Humboldt did not have a third-party reviewer under contract.

### 1.3 Previous Work

SHN previously prepared a soils report for the site titled *Geologic Hazard Evaluation and Soils Engineering Report* in January 2018 (SHN, 2018). The proposed project at the time consisted of the construction of a shop building, secondary residence, and garage. Since that report was produced, the shop building and garage have been constructed. The secondary residence was under construction at the time of our 2019 (current) field investigation.

## 2.0 Geologic Setting

### 2.1 Regional Geology

Basement rock underlying the project site is composed of late Jurassic- to late Cretaceous-age mélangé of the Franciscan Complex (McLaughlin et al., 2000; Clarke, 1992). The Franciscan basement rock is overlain by a variety of late Cenozoic age sedimentary rocks, which in coastal central Humboldt County, includes the Falor formation (see Figure 3 and Figure 3a) and a series of late Pleistocene-age marine terraces (Carver et al., 1984). McKinleyville is located on a particularly well-developed flight of marine terraces that extends from the modern coastline to the hills along the eastern margin of town. These terraces typically consist of an abrasion platform cut across bedrock, covered by sediments typically consisting of near-shore marine deposits and terrestrial alluvial, colluvial, and eolian deposits. The terrace at the subject property correlates to the 83,000-year-old Stage 5a sea level high stand, according to Carver and Burke (1992); this surface is referred to as the "Savage Creek terrace."

### 2.2 Tectonic Setting

Northwestern California is located in a complex tectonic region dominated by northeast-southwest compression associated with collision of the Gorda and North American tectonic plates. The Gorda plate is being actively subducted beneath North America north of Cape Mendocino, along the southern part of what is commonly referred to as the Cascadia Subduction Zone. This plate convergence has resulted in a broad fold and thrust belt along the western edge of the accretionary margin of the North American plate. In the Humboldt Bay region, this fold and thrust belt is manifested as a series of northwest-trending, southeast-dipping thrust faults, including the Little Salmon fault and faults that comprise the Mad River fault zone (MRfz). These faults are active and can generate large-magnitude earthquakes.

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Jonathan Graham  
 Beere Fault Evaluation Report  
 McKinleyville, California


Geologic Map  
 (Kelley, 1984)  
 SHN 017254





# GEOLOGY AND GEOMORPHIC FEATURES RELATED TO LANDSLIDING ARCATA NORTH 7.5' QUADRANGLE, HUMBOLDT COUNTY, CALIFORNIA

Compiled by  
Frederic R. Kelley, Geologist  
California Department of Conservation  
Division of Mines and Geology  
1984


## EXPLANATION

 **TRANSLATIONAL/ROTATIONAL SLIDE:** relatively cohesive slide mass with a failure plane that is deep-seated in comparison to that of a debris slide of similar areal extent; sense of motion along slide plane is linear in a translational slide and arcuate or "rotational" in a rotational slide; complex versions with rotational heads and translational movement or earthflows downslope are common; translational movement along a planar joint or bedding discontinuity may be referred to as a block glide;  $\curvearrowright$  indicates scarp,  $\dashrightarrow$  indicates direction of movement; dashed where dormant, queried where uncertain.

 **DEBRIS SLIDE:** unconsolidated rock, colluvium, and soil that has moved slowly to rapidly downslope along a relatively steep (generally greater than 65 percent), shallow translational failure plane; forms steep, unvegetated scars in the head region and irregular hummocky deposits (when present) in the toe region; scars likely to ravel and remain unvegetated for many years; revegetated scars recognized by steep, even-faceted slope and light-bulb shape; includes scarp and slide deposits; solid where active, dashed where dormant.

 **DEBRIS SLIDE SLOPE:** geomorphic feature characterized by steep (generally greater than 65 percent), usually well vegetated slopes that have been sculpted by numerous debris slide events; vegetated soils and colluvium above shallow soil/bedrock interface may be disrupted by active debris slides or bedrock exposed by former debris sliding; slopes near angle of repose may be relatively stable except where weak bedding planes and extensive bedrock joints and fractures parallel slope.

• **ACTIVE SLIDE:** too small to delineate at this scale.

 **DISRUPTED GROUND:** irregular ground surface caused by complex landsliding processes resulting in features that are indistinguishable or too small to delineate individually at this scale; also may include areas affected by downslope creep, expansive soils, and/or gully erosion; boundaries usually are indistinct.

**Qbs BEACH AND DUNE SAND (Holocene):** unconsolidated fine- to coarse-grained sand with smaller amounts of shell fragments and pebbles.

**Qsc STREAM CHANNEL DEPOSITS (Holocene):** unconsolidated silt, sand, and pebble- to cobble-sized gravel in active river channel and flood-stage, gravel-bar areas.

**Q ALLUVIUM (Holocene):** unconsolidated, coarse- to fine-grained sand and silt on coastal plain, in valley bottoms, and along modern river flood plains; gravel in channel areas; may include some marine terrace deposits along Mad River flood plain.

**Qrt RIVER TERRACE DEPOSITS (Holocene-Pleistocene):** dominantly sand and gravel with minor amounts of silt and clay deposited during higher stands of major streams.


**Qods OLDER DUNE SANDS (Late Pleistocene):** unconsolidated deposits of fine- to coarse-grained sand; generally well vegetated.


**Qmts MARINE TERRACE DEPOSITS (Quaternary):** poorly to moderately consolidated deposits of marine silts, sands, and gravels forming flat benches on wave-cut surfaces adjacent to the Mad River flood plain.


**Qie PALOR FORMATION (Early to Middle Pleistocene):** fluvial and shallow-water marine sediments; includes pebbly conglomerate, sandstone, and silt; in some places, contains abundant animal and plant remains.

**KJfs CENTRAL BELT FRANCISCAN SEDIMENTARY ROCKS (Cretaceous-Jurassic):** well consolidated sandstone, siltstone, and shale with minor amounts of conglomerate; structurally deformed and usually highly sheared; includes areas mapped as Franciscan Broken Formation by Carver and others (1984).

**fm FRANCISCAN MELANGE (Cretaceous-Jurassic):** individual blocks of graywacke, sandstone, mudstone, conglomerate, greenstone, chert, and serpentinite in a sheared argillaceous matrix.


 **LITHOLOGIC CONTACT:** dashed where approximately located.

 **FAULT:** dashed where approximately located, dotted where projected or inferred, queried where uncertain.

 **THRUST FAULT:** dashed where approximately located, dotted where projected or inferred, queried where uncertain; barbs on upper plate.

 **LINEAMENT:** linear feature of unknown origin observed on aerial photographs.

 **STRIKE AND DIP OF BEDDING:** approximate; may vary over short distances.

 **QUARRY OR GRAVEL PIT**

 **SPRING**

 **MARSH**

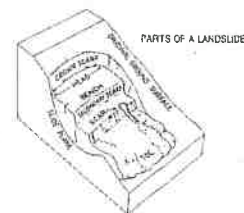
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### SOURCES OF GEOLOGIC DATA

Geologic data were derived from aerial photo interpretation, field reconnaissance, and the modification of published and unpublished geologic maps in the references listed above. Bedrock geology and faults are based primarily on mapping done by Carver and others (1984, 1982). The author was assisted in the office and in the field by Lydia Lofgren, Janet Hollibaugh and Charles B. Smith.

1. Mapping from aerial photo interpretation, previously existing geologic data and reconnaissance level field work.
2. Mapping from aerial photo interpretation and previously existing geologic data; field access not available.



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Jonathan Graham Beere Fault Evaluation Report McKinleyville, California January 2020	Geologic Map Explanation (Kelley, 1984) SHN 017254 Figure3a_GeologicMapExplanation July 21, 2022	Geologic Map Explanation (Kelley, 1984) SHN 017254 Figure 3a Page 44
PLN-2021-16997 Beere Minor Subdivision and CDP		

The project site is located within the MRfz. This zone consists of several major northwest-trending thrust faults and numerous minor, secondary synthetic and antithetic faults. Major faults within the MRfz include (from north to south): the Trinidad, McKinleyville, Mad River, and Fickle Hill faults. The project site is located within the Earthquake Fault Zone associated with the Mad River fault (Figure 3). Individual faults within the MRfz commonly exhibit variable strikes, which is common along thrust faults, and shallow to moderate dips ranging from as little as 10 degrees to 55 degrees. At least 5 kilometers (3 miles) of middle and late Pleistocene displacement has occurred across the MRfz since deposition of the Falor formation (Carver, 1987). In the McKinleyville area, the MRfz cuts across and displaces the flight of marine terraces described above. The faults are typically well expressed across the terraces as west- and southwest-facing scarps separating the displaced, relatively planar terrace surfaces. Antithetic faults within the MRfz are typically associated with lesser amounts of cumulative displacement and form subtle northeast-facing scarps. Only one moderate historic earthquake may have been generated within the MRfz, but all the faults within the zone are considered active, based on deformation of Holocene-age soils overlying the faults. Limited paleoseismic data is available to constrain the timing of past earthquakes on faults within the MRfz, but available data suggest recurrence intervals on the order of thousands of years. The principal faults within the MRfz are considered active by the state and are included within Alquist-Priolo Earthquake Fault Zones. This investigation focuses on the Mad River fault, which has been investigated on other properties to the southeast of the project site (see below).

## 2.3 Mad River Fault

Although up to four traces of the Mad River fault have been mapped in the McKinleyville region (Carver et al., 1984), only the easternmost two traces are included by the state within the Alquist-Priolo Earthquake Fault Zone (CGS, 2018; Figure 4). These faults form a southwest-stepping fault pair. The easternmost trace is mapped as extending from the coastal bluff, north of the project site near the west end of Murray Road, to the southeast beneath U.S. Highway 101, and across School Road. Trenching investigations south of School Road indicate the eastern trace dies out to the south and east of Bugenig Avenue. The eastern trace of the Mad River fault strikes about N15W near the project site, on the west side of U.S. Highway 101, and progressively bends to the southeast toward its terminus south of School Road.

In the vicinity of School Road, the fault appears to strike about N70W, based on the trend of the geomorphic escarpment. The eastern fault is associated with a prominent topographic scarp north of School Road (referred to herein as the "School Road scarp"), which becomes increasingly subdued as it extends southeastward across School Road. The western zoned trace of the Mad River fault overlaps the eastern trace between School Road and U.S. Highway 101 and extends toward the southeast to the northern valley wall of the Mad River (Figure 3). This scarp becomes very high (60+ feet) directly south of School Road; scarp height, however, may have been enhanced in the past by incision by the Mad River.

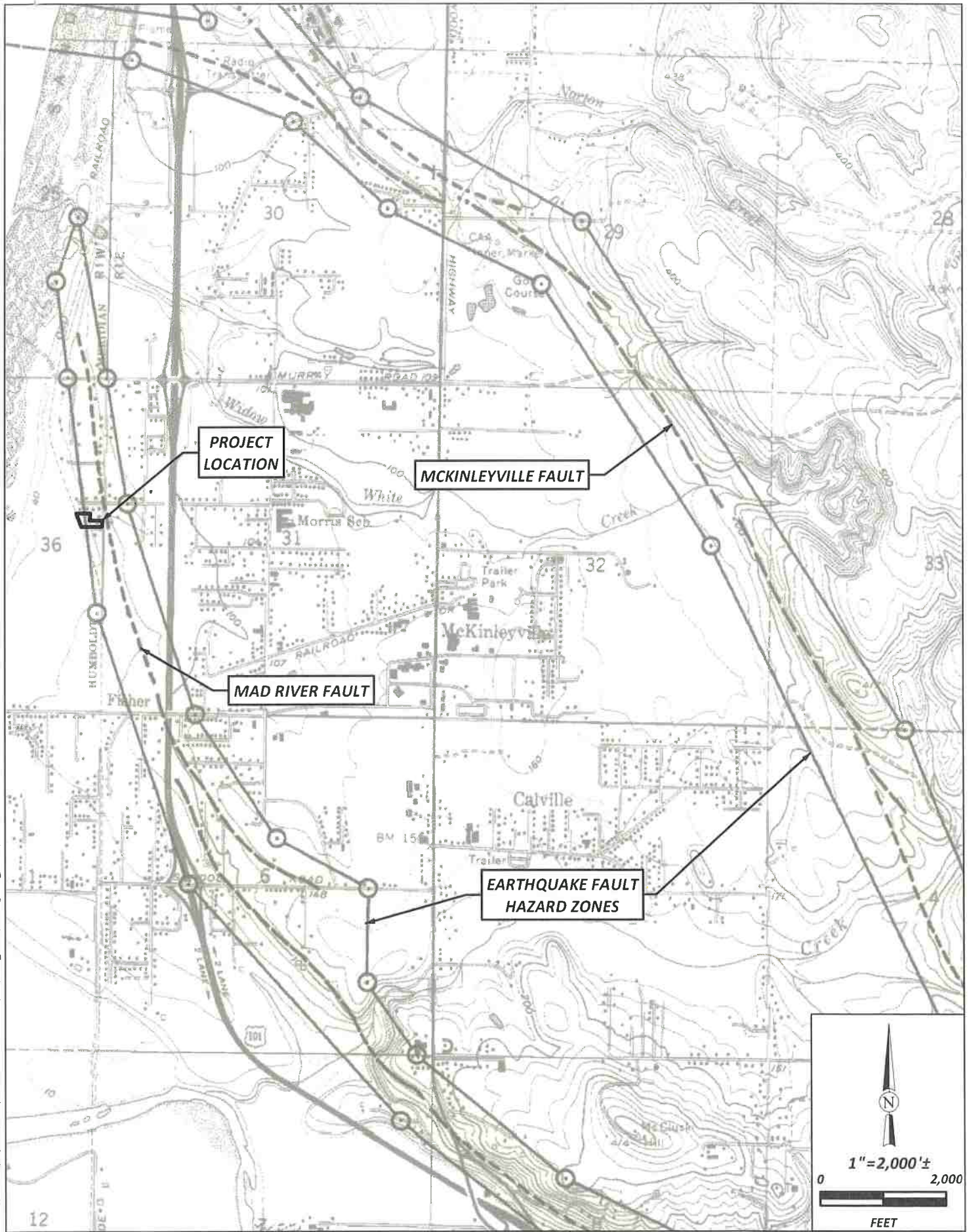
To the north and west of School Road and U.S. Highway 101, in the vicinity of the project site, the Mad River fault is expressed as a roughly 10-foot-high, approximately 100- to 150-foot-wide scarp. Topography suggests the scarp is present directly east of the project site, east of Bolier Avenue. The scarp appears to cross Bolier Avenue at Eucalyptus Road, northeast of the project site.

## 3.0 Previous Fault Investigations

Numerous trenching studies have been conducted within the Earthquake Fault Zone along the Mad River fault in the site vicinity. Initial trenching investigations were associated with research studies of the Mad



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Jonathan Graham  
Beere Fault Evaluation Report  
McKinleyville, California

Earthquake Fault Hazard Zones  
Map  
SHN 017254



River fault by Carver (1987) on a property east of U.S. Highway 101 and north of School Road. At that site, the Mad River fault is present as a tight, overturned fault-propagation fold that deforms the once-horizontal terrace abrasion surface. The fold and associated colluvial wedges suggest repeated, episodic movement of an underlying “blind” thrust fault. Latest Pleistocene age dates from radiocarbon dating of charcoal from two of the three shallowest (youngest) colluvial wedges at the site suggest only minimal Holocene activity (one or perhaps two rupture events). At other nearby sites, the thrust fault has propagated to the ground surface, and juxtaposes Franciscan basement rock against colluvium or marine terrace deposits.

A study by Busch Geotechnical Consultants (BGC, 1990), a few hundred yards northwest of the Carver research site, documents the Mad River fault as Franciscan bedrock thrust over colluvium derived from marine terrace sediments. No colluvial wedges were apparent in the BGC trench, and the fault was a discrete rupture to the ground surface (as opposed to the overhanging fault propagation fold observed in Carver’s trench). Bedrock in the upper plate at the BGC study site displays distributed shear that extends nearly 70 feet northeast of the fault. The age of these bedrock shears cannot be constrained due to the absence of marine terrace sediments overlying the Cretaceous age bedrock.

A study by SHN (1999) identified the Mad River fault at a site southwest of Betty Court, south of School Road. A set of closely spaced, primary thrust faults were identified in the western portion of the property. However, it was determined the fault dies out on the eastern portion of the property.

A study by SHN (2002) identified the Mad River fault at a site east-southeast of Bugenig Avenue, as three closely spaced, low angle, northeast-dipping thrust faults with an estimated strike of N30W.

A study by SHN (2006) identified the Mad River fault, north of School Road, as Franciscan bedrock over late-Pleistocene age marine terrace deposits. The fault strike was measured as N60W to N70W, roughly parallel to the topographic scarp.

## 4.0 Field Investigation and Site Description

### 4.1 Site Description

The project site is located south of Eucalyptus Road, between Bolier Avenue and the Hammond Trail in McKinleyville, California (Figure 1 and Figure 2). The existing parcel is L-shaped and contains a manufactured home, garage and art studio in the eastern portion, adjacent to Bolier Avenue. At the time of our investigation, the southwestern portion of the parcel had recently been developed with a shop building and a detached garage, while a secondary residential structure, in the northwest portion of the parcel, was under construction. The site is west of the mapped trace of the Mad River fault. Topographic evidence suggests the fault scarp is on the east side of Bolier Avenue, with the base of the scarp at the eastern edge of the subject parcel. The fault scarp crosses Bolier Avenue, obliquely, at Eucalyptus Road. The subject parcel is essentially flat and is vegetated with grasses and 18- to 40-inch pine trees in the west.

### 4.2 Site Investigation

A subsurface trenching investigation was conducted to characterize the fault rupture hazard across the northern portion of the existing parcel within the Earthquake Fault Zone on proposed Parcel 2 (Figure 2). No development is planned on proposed Parcel 3 at this time; therefore, we did not investigate this area. A trench was excavated in the northeastern portion of the parcel to the western boundary of the Earthquake Fault Zone. The trench was excavated starting approximately 43 feet south of the northern fence line and

10 feet west of the eastern fence line and extended 82 feet to the west-southwest (Figure 2). The trench was oriented at N85°E, roughly perpendicular to fault strike, such that the trench would be able to intercept active faults crossing this portion of the site. The trench was excavated to depths ranging from 7.5 to 9 feet below ground surface (BGS). The log of the trench is included in Appendix 1.

Trenches were excavated November 14, 2019, and shored per Occupational Safety Health Administration (OSHA) standards with hydraulic shoring to support the trench walls. The entire southeast trench wall was scraped clean to provide a fresh exposure of the subsurface stratigraphy. The exposed stratigraphy in the trench wall was logged at a scale of 1 inch = 2 feet. The stratigraphic units were described on site and the descriptions are included in Appendix 1. The trench was backfilled with the excavated site soils. The backfill was not placed as structural fill or rigorously compacted. No review was conducted at the time of investigation or by the time the trench was backfilled.

## 5.0 Results

### 5.1 Site Stratigraphy

The stratigraphy exposed in the trench consisted of three distinct, mappable units. In general, the units consist of a dark brown native eolian deposit, locally disturbed/reworked in places, underlain by marine terrace deposits. The units are described in detail below and are shown on the trench log in Appendix 1.

#### 5.1.1 Unit 1

The upper unit consisted of up to 2 feet of disturbed/reworked native topsoil in the eastern portion of the trench that transitions to native material in the western portion of the trench. The material is dark brown silty sand that contains light olive brown to yellowish-brown clasts derived from the underlying unit. The native material in the western portion of the trench, and from which the disturbed/reworked material is derived, is interpreted as a wind-blown (eolian) deposit. This material was blown in from the exposed continental shelf during the last glacial maximum (ice age) approximately 15,000 to 20,000 years ago. Where the material has been disturbed/reworked in the eastern portion of the trench (station 0 to 56 feet [horizontal distance]; Appendix 1) the basal contact is sharp and distinct. The basal contact becomes more diffuse and gradual at about 72 feet where it isn't disturbed/reworked. Unit 1 extends length of trench.

#### 5.1.2 Unit 2

Below the disturbed/reworked material and eolian deposit is the marine terrace deposits discussed above. The upper portion of the unit is mottled light olive brown to yellowish-brown clayey sand. The lower portion of the unit becomes a slightly mottled, yellowish-brown poorly-graded sand. The mottled clayey sand at the top of the unit is interpreted to be the pedogenic B-horizon in the marine terrace sediments. This is interpreted due to the color and high clay content. The poorly-graded sand at the bottom of Unit 2 is interpreted as the un-weathered parent material. Dark gray, vertical, fine-grained stringers are present throughout the unit in both the clayey sand at the top of the unit and the poorly graded sand at the bottom of the unit. The vertical stringers terminate at the base of the unit. The base of the unit is marked by a sharp well-defined contact with the exception of a zone between station 10 and 35 feet (horizontal distance) where it becomes diffuse and wavy. The basal contact has a high concentration of iron-oxide and manganese-oxide staining. Unit 2 extends the length of the trench.

### 5.1.3 Unit 3

The lower-most unit exposed in the trench consisted of mottled, strong brown to light olive gray clayey sand to sandy clay. The unit is primarily fine-grained except for between station 10 and 35 feet (horizontal distance) where the upper portion of the unit is poorly graded sand with silt with thin sandy clay interbeds. Unit 3 extends the length of the trench.

## 6.0 Conclusions

1. The trenching investigation exposed geologic materials that, in general, provide excellent control with which to assess the late Pleistocene- and Holocene-age faulting history of the site. The marine terrace sediments exposed across the site provide ideal stratigraphic control for the interpretation of deformation associated with the past fault rupture events. The contact between unit 2 and unit 3 is the primary marker horizon for which determinations were made.
2. There is no evidence in the exposed subsurface stratigraphy to suggest previous faulting has occurred at this site. Stratigraphic control in this area is excellent and provides positive evidence for the absence of faulting. Additionally, there is no evidence for secondary deformation (tilting, warping, and so on) at the site in the exposed subsurface materials.
3. The potential for future surface fault rupture to affect this site is considered low.
4. The layout of the trench adequately clears the proposed building area of Parcel 2 within the Earthquake Fault Zone boundary. As such, no further geologic investigation of fault rupture potential is necessary on this proposed parcel. Proposed Parcel 3 was not investigated and, therefore, has not been cleared.
5. Any future development of structures for human occupancy on the eastern portion of the existing parcel (proposed Parcel 3) should be investigated.

## 7.0 Recommendations

The proposed subdivision is considered suitable for development based on the evidence for the absence of faulting and surface rupture on the site.

The trench backfill was not placed as structural fill or adequately compacted for structure support. Therefore, foundation and/or appurtenant structures traversing the trench alignment may be subject to differential settlement if not mitigated.

This report addresses the surface fault rupture hazard only. It is not an evaluation of the geotechnical conditions at the site and should not be construed as a geotechnical ("soils") report. Additional geotechnical reporting may be required by the County of Humboldt prior to approval.

## 8.0 Closure and Limitations

The conclusions and recommendations presented herein are the results of a study of inherently limited scope. Specifically, the scope of our services consisted solely of an evaluation of surface fault rupture potential at the site where investigated. Our conclusions and recommendations are professional opinions derived in accordance with current standards of professional practice. No warranty is expressed or implied.

The data and conclusions we have presented are based on interpretations of available geologic data. Existing site conditions have evolved according to the geologic processes of the past. It is conceivable that tectonic processes may change or accelerate in an unpredictable manner in the future. Because this portion of Humboldt County is an area of dynamic tectonism, we cannot preclude the possibility of propagation of new faults or the lengthening of existing faults. Therefore, all future risks from surface fault rupture cannot be precisely determined nor avoided when developing in a zone of active and potentially active faults.

This report applies only to the proposed development plans. If significant changes in the development plans should occur, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed by SHN, and the conclusions and recommendations of this report are verified in writing.

## 9.0 References

- Busch Geotechnical Consultants. (1990). Results of an Alquist-Priolo Special Studies Zones Fault Investigation of the 15-Acre Pialorsi Property (AP# 508-232-03), McKinleyville, CA, A Site Crossed by The Easternmost Branch of the Mad River Fault. 32p. Brookings, OR:BGC.
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- Carver, G. A. (1987). "Late Cenozoic Tectonics of The Eel River Basin Region, Coastal Northern California," In Schymiczek, H. and R. Suchsland (eds) *Tectonics, Sedimentation and Evolution of the Eel River and Associated Coastal Basins of Northern California*. pp. 61-72. Bakersfield, CA:San Joaquin Geological Society.
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- Kelley, F. R. (1984). "Geology and Geomorphic Features Related to Landsliding, Arcata North, 7.5 Minute Quadrangle, Humboldt County, California. OFR 84-38 SF. Sacramento, CA:CDMG.
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- Points West Surveying Co. (2020). Plot Plan for Roshawn Beere, Sheet 1 of 1, Dated January 2020. Arcata, CA:Points West Surveying Co.



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- . (January 2002). *Fault Rupture Hazard Evaluation, Proposed Subdivision of a Portion of APN 508-071-36*. Eureka, CA:SHN.
- . (January 2007). *Fault Rupture Hazard Evaluation, Proposed Subdivision of a Portion of APN 508-073-01, McKinleyville, California*. Eureka, CA:SHN.
- . (January 2018). *Geologic Hazard Evaluation and Soils Engineering Report, APN 510-371-044, 2450 Bolier Avenue, McKinleyville, California*. Eureka, CA:SHN.



# Trench Log and Explanation

# 1

# BEERE FAULT EVALUATION REPORT

## EXPLANATION OF STRATIGRAPHIC UNITS

### STRATIGRAPHIC UNITS

- ① **SILTY SAND (DISTURBED/REWORKED); VERY DARK GRAYISH-BROWN (10YR 3/2), MEDIUM DENSE, MOIST, VERY FINE SAND, WEAK CEMENTATION, SCATTERED CHARCOAL (~5%), BOTTOM PORTION OF UNIT HAS ¼" TO ½" CLASTS OF MATERIAL FROM UNDERLYING UNIT, STATION 56 TO 80 FEET (HORIZONTAL DISTANCE) UNIT IS NATIVE MATERIAL, BASAL CONTACT IS SHARP, PLANAR, AND WELL DEFINED, CONTACT BECOMES DIFFUSE AT ~56 FEET (HORIZONTAL DISTANCE).**
  
- ② **CLAYEY SAND; LIGHT OLIVE BROWN (2.5Y 5/4) TO YELLOWISH-BROWN (10YR5/8), MOTTLED, MEDIUM DENSE TO DENSE, MOIST, WEAK CEMENTATION, LOW PLASTICITY, VERY FINE TO FINE SAND, ¼" TO ½" DARK GRAY VERTICAL FINE-GRAINED STRINGERS THROUGHOUT, LOWER THIRD OF UNIT IS POORLY GRADED SAND; YELLOWISH-BROWN (10YR 5/4), MEDIUM DENSE, MOIST, FINE SAND, NON-CEMENTED, SLIGHTLY MOTTLED, BASE OF UNIT CONTAINS MANGANESE-OXIDE AND IRON-OXIDE, BASAL CONTACT IS SHARP AND WAVY, BECOMES DIFFUSE BETWEEN STATION 10 AND 35 FEET (HORIZONTAL DISTANCE), BASE OF UNIT IS MARKED BY IRON-OXIDE AND MANGANESE-OXIDE STAINING.**
  
- ③ **CLAYEY SAND TO SANDY CLAY; STRONG BROWN (7YR 5/6) TO LIGHT OLIVE GRAY (5Y 6/2), MOTTLED, DENSE/STIFF, MOIST, LOW TO MEDIUM PLASTICITY, FINE TO MEDIUM SAND, WEAK CEMENTATION, BETWEEN STATION 10 AND 35 FEET (HORIZONTAL DISTANCE) UPPER PORTION OF UNIT IS POORLY GRADED SAND WITH SILT WITH THIN SANDY CLAY INTERBEDS.**

Path: \\eureka\projects\2017\017254-BeereMcKsoils\GIS\FIGURES\FERVAL\_Documents\Explanation.al User Name: psundberg DATE: 3/26/2020, 2:12PM



Jonathan Graham  
Beere Fault Evaluation Report  
McKinleyville, California

Explanation of Stratigraphic Units

SHN 017254

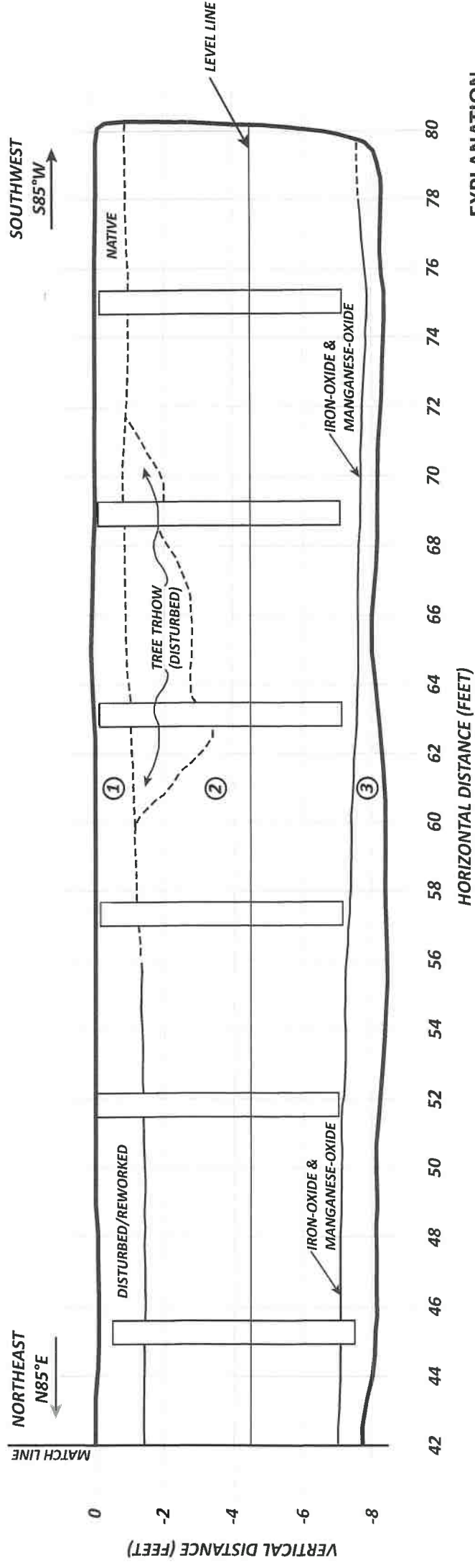
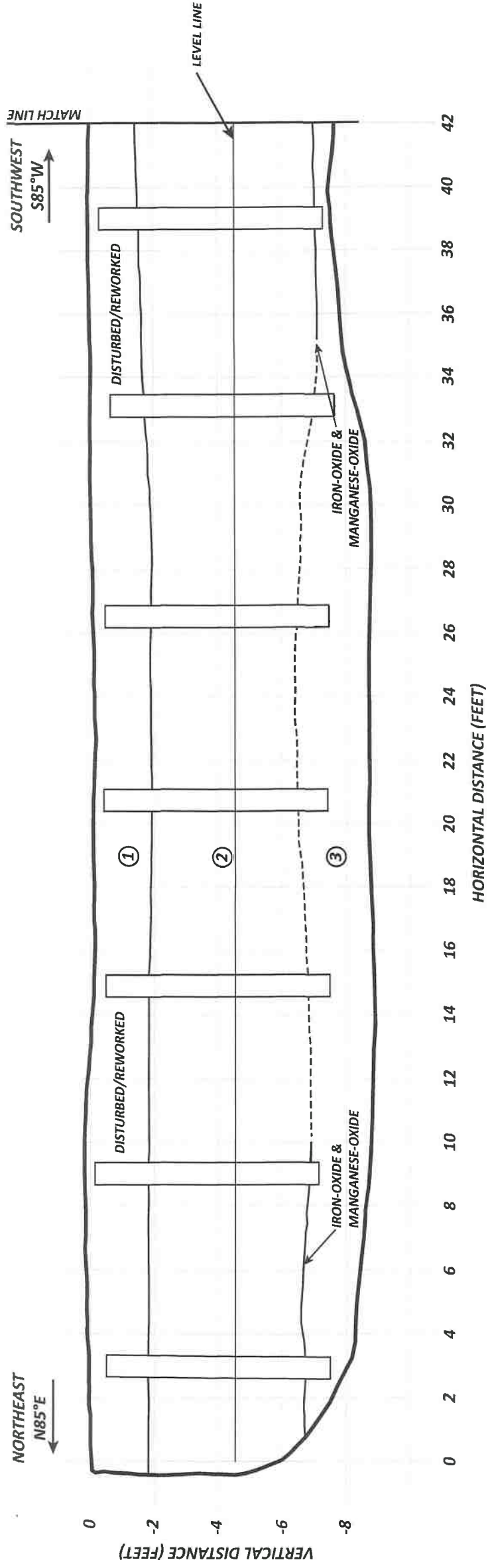
March 2020

Explanation

July 21, 2022

Plate 1

**BEERE FAULT STUDY  
TRENCH 1 - PANEL 1 AND PANEL 2  
SOUTHEAST WALL  
LOGGED BY: PRS  
NOVEMBER 14, 2019**



**EXPLANATION**

- ① STRATIGRAPHIC UNIT
- LITHOLOGIC CONTACT (INFERRED)
- LITHOLOGIC CONTACT (CERTAIN)

SCALE: 1 INCH = 4 FEET

	Jonathan Graham Beere Fault Evaluation Report McKinleyville, California	Trench Log - 0 to 80 Feet SHN 017254	Plate 2
	March 2020		



5201 Carlson Park Drive, Suite 3 Arcata, CA 95521

707.840.9510 Phone 707.840.9542 Fax

David A. Crivelli  
crivelli@pointswestsurveying.com

Michael D. Pulley  
pulley@pointswestsurveying.com

January 12, 2021

Mr. Trevor Estlow  
Humboldt County Planning Division  
3015 H Street  
Eureka, CA 95501



Re: Request for **Exception to Right of Way Width** and Lot Size Modification  
Beere Minor Subdivision (APN 510-371-044)

Dear Trevor,

Pursuant to Humboldt County Code Section 325-9, I am requesting an exception to the road right of way width for the above-mentioned tentative parcel map. A reduced right of way of 20 feet wide is proposed to provide flag access to a proposed parcel off Bolier Avenue. A lot size modification is requested to allow for the creation of a lot that is less than the net 20,0000 square feet required by the current zoning.

Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

- 1) That there are special circumstances or conditions affecting said property.
- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner; or
- 3) That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the neighborhood in which said property is situated.

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air, and public health, safety, convenience and general welfare.

The condition affecting this property that warrants a Right of Way Width Modification is the physical configuration of the existing parcel being subdivided. There is an existing manufactured home and art studio on the eastern portion of the parcel, which will be located on proposed Parcel 2. The Right of Way Width Modification will allow for proposed Parcel 1 to utilize the existing 10.5 foot wide easement over the adjacent property along with a proposed 9.5 foot wide easement over proposed Parcel 2. This will result in a 20 foot wide access easement which is currently developed with a 12 foot wide gravel driveway.

The Lot Size Modification is necessary to create an orderly development that meets the goals of the County Housing Element and creates two parcels in an appropriate infill location. The proposed configuration keeps the shop and residence used by the property owner on proposed Parcel 1, while separating off the manufactured on proposed Parcel 2 which is currently used as a rental. This is the best configuration that allows for the shop to be located on a parcel with the newer stick-framed house.

The County Housing Element has as its goal; "To provide for the projected future housing needs of the community." The policies outlined to facilitate this goal are favorable to development of this type in areas where public services already exist. Policy H-P1 states: "Promote Infill, Reuse and Redevelopment. The County shall prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment." Both parcels will have the potential for secondary dwelling units, which helps the County meet the goals of the Housing Element.

Since the project, as proposed, satisfies other requirements for subdivisions, granting this exception does not provide special privileges unavailable to others, but rather is upholding the preservation and enjoyment of a substantial property right of the landowner. Denying the exception requests would deprive the property owner of the ability to utilize the subject property to the maximum potential as described in the existing General Plan and zoning regulations.

The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Sincerely,



Jesse Buffington, PLS



June 23, 2022

Mr. Trevor Estlow  
Humboldt County Planning Division  
3015 H Street  
Eureka, CA 95501

Re: Request for Exception to Road Improvements and Right of Way  
Beere Minor Subdivision (APN 510-371-044) - PLN 2021-16997

Dear Trevor,

Pursuant to Humboldt County Code Section 325-9, I am requesting an exception to the following three items:

- 1) The road right of way width requirement of 50 feet wide on Bolier Avenue, to allow use of the existing 40 foot wide for the above-mentioned tentative parcel map,
- 2) A reduction in the requirement of paving Bolier Avenue from Murray Road 2250 feet to the subject property.
- 3) The construction of curb, gutter and sidewalk along the frontage of the subdivision.

A previous exception request dated January 12, 2021 for a reduced right of way of 20 feet wide to provide flag access to a proposed parcel off Bolier Avenue and this exception request is submitted in addition to the previous request.

Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

- 1) That there are special circumstances or conditions affecting said property.
- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner; or
- 3) That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the neighborhood in which said property is situated.

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air, and public health, safety, convenience and general welfare.

A condition affecting this property that warrants a Right of Way Width Modification is the width of the existing easement. The existing access easement is 40 feet in width, which allows for the construction of a Category 4 road, which is capable of serving up to 100 parcels. There are currently approximately 40 parcels that utilize Bolier for access and even if all those parcels were subdivided to their full potential, there would still be less than 100 total parcels.

The Subdivision Requirements from the Land Use Division dated July 19, 2021 states in Section 2.5 Access Roads (a) that: "BOLIER AVENUE (OFFSITE) shall be constructed having a typical section comprised of a twenty foot wide paved road from the intersection of Murray Road to the north property line". This would require almost ½ a mile of pavement (2250 feet) for a minor

subdivision creating two parcels, each of which is already developed with a single family residence. We are proposing to pave 200 feet of Bolier Avenue as a “fair share” portion in relation to the scale of the proposed project. My client’s preference would be to pave the area in front of the subject property, but in the interest of providing the greatest possible benefit to the neighborhood, he is willing to pave the first 200 feet from Murray Road to a width of 20 feet.

A rough analysis of future development potential of Bolier Avenue shows the potential for approximately 30 to 40 additional parcels if all properties were ultimately developed to their full potential. That would require approximately 75 feet of paving per new parcel to pave the entire length of Bolier Avenue. While it will obviously take many years for all parcels to be developed to their full potential and Bolier to be entirely paved, it will take an incremental approach to eventually bring Bolier up to current road standards. Hopefully this project will be the first step in eventually bringing Bolier Avenue up to the County road standards.

The final item is an exception to Section 2.5 Access Roads (b) that specifies construction of a concrete curb, gutter and sidewalk along the frontage of the subdivision. This is not in character with the neighborhood and would create a situation where there is a gap where the sidewalk is over 2000 feet from the nearest sidewalk. The sidewalk would also be near the end of a dead end where there are only two parcels beyond the subject property. We request that the requirement for curb gutter and sidewalk be eliminated from the Conditions of Approval for this project.

The County Housing Element has as its goal; “To provide for the projected future housing needs of the community.” The policies outlined to facilitate this goal are favorable to development of this type in areas where public services already exist. Policy H-P1 states: “Promote Infill, Reuse and Redevelopment. The County shall prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment.” Both parcels will have the potential for secondary dwelling units, which helps the County meet the goals of the Housing Element.

Since the project, as proposed, satisfies other requirements for subdivisions, granting this exception does not provide special privileges unavailable to others, but rather is upholding the preservation and enjoyment of a substantial property right of the landowner. Denying the exception requests would deprive the property owner of the ability to utilize the subject property to the maximum potential as described in the existing General Plan and zoning regulations.

The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Sincerely,



Jesse Buffington, PLS

Cc. Cliff Johnson, Supervising Planner

### ATTACHMENT 3

#### Referral Agency Comments and Recommendation

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>On File</b>	<b>Attached</b>
County Building Inspection Division	✓	Approval	✓	
County P/W, Land Use Division	✓	Conditional Approval	✓	✓
Division of Environmental Health	-	None		
Mckinleyville Community Service District	✓	Approval	✓	
Arcata Fire Protection District	✓	Approval	✓	
CalFire	-	None		
California Department of Fish and Wildlife	-	None	✓	
Regional Water Quality Control Board	-	None		
North Coast Unified Air Quality Management District	-	None	✓	
Pacific Gas & Electric Company	✓	Approval	✓	
Bear River Band	-	None		
Blue Lake Rancheria	-	Conditional Approval	✓	
NWIC	✓	Recommend Survey	✓	
Wiyot Tribe	✓	Conditional Approval	✓	



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

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

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

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

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**LAND USE DIVISION INTER OFFICE MEMORANDUM**

---

**TO: Cliff Johnson, Supervising Planner**

**FROM: Robert W. Bronkall, Deputy Director** *RF*

**RE: COUNTY CODE SECTION 325-9 EXCEPTION REQUEST  
 BEERE APN 510-371-044, APPS# PLN-2021-16997 PMS**

**DATE: 06/28/2022**

Public Works is in receipt of the County Code Section 325-9 exception request dated June 23, 2022. This exception requests includes 3 items combined into one exception request. Each item within the exception request must satisfy the three conditions set forth in County Code Section 325-9. Due to the comingling of three separate exceptions into one request, it does not appear that the applicant has adequately demonstrated that those three conditions exist for each item included in the exception request.

Most significantly, the subject property is served by a gravel surfaced road in an urbanizing area where most of the surrounding lots served by the road are less than one acre in size. These lots are typically developed with the houses located close the road and are subject to impacts by dust associated from vehicles using the road. It is not clear how the proposed project will mitigate impacts from dust to the surrounding houses. In the past proposed subdivisions served by inadequate off-site roads were not presented to the Planning Commission.

In general, Public Works only supports gravel surfaced roads in rural areas where the lots are greater than one acre in size and that the houses are setback sufficiently from the road to not be impacted by dust.

Public Works is unable to support the County Code Section 325-9 exception request as presented. As noted in the Public Works memo dated 07/19/2021, the Department can support a County Code Section 325-9 exception request to reduce the width of the right of way from 50 feet to 40 feet.

// END //





June 23, 2022

Mr. Trevor Estlow  
Humboldt County Planning Division  
3015 H Street  
Eureka, CA 95501

Re: Request for Exception to Road Improvements and Right of Way  
Beere Minor Subdivision (APN 510-371-044) - PLN 2021-16997

Dear Trevor,

Pursuant to Humboldt County Code Section 325-9, I am requesting an exception to the following three items:

- 1) The road right of way width requirement of 50 feet wide on Bolier Avenue, to allow use of the existing 40 foot wide for the above-mentioned tentative parcel map,
- 2) A reduction in the requirement of paving Bolier Avenue from Murray Road 2250 feet to the subject property.
- 3) The construction of curb, gutter and sidewalk along the frontage of the subdivision.

A previous exception request dated January 12, 2021 for a reduced right of way of 20 feet wide to provide flag access to a proposed parcel off Bolier Avenue and this exception request is submitted in addition to the previous request.

Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

- 1) That there are special circumstances or conditions affecting said property.
- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner; or
- 3) That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the neighborhood in which said property is situated.

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air, and public health, safety, convenience and general welfare.

A condition affecting this property that warrants a Right of Way Width Modification is the width of the existing easement. The existing access easement is 40 feet in width, which allows for the construction of a Category 4 road, which is capable of serving up to 100 parcels. There are currently approximately 40 parcels that utilize Bolier for access and even if all those parcels were subdivided to their full potential, there would still be less than 100 total parcels.

The Subdivision Requirements from the Land Use Division dated July 19, 2021 states in Section 2.5 Access Roads (a) that: "BOLIER AVENUE (OFFSITE) shall be constructed having a typical section comprised of a twenty foot wide paved road from the intersection of Murray Road to the north property line". This would require almost ½ a mile of pavement (2250 feet) for a minor

subdivision creating two parcels, each of which is already developed with a single family residence. We are proposing to pave 200 feet of Bolier Avenue as a "fair share" portion in relation to the scale of the proposed project. My client's preference would be to pave the area in front of the subject property, but in the interest of providing the greatest possible benefit to the neighborhood, he is willing to pave the first 200 feet from Murray Road to a width of 20 feet.

A rough analysis of future development potential of Bolier Avenue shows the potential for approximately 30 to 40 additional parcels if all properties were ultimately developed to their full potential. That would require approximately 75 feet of paving per new parcel to pave the entire length of Bolier Avenue. While it will obviously take many years for all parcels to be developed to their full potential and Bolier to be entirely paved, it will take an incremental approach to eventually bring Bolier up to current road standards. Hopefully this project will be the first step in eventually bringing Bolier Avenue up to the County road standards.

The final item is an exception to Section 2.5 Access Roads (b) that specifies construction of a concrete curb, gutter and sidewalk along the frontage of the subdivision. This is not in character with the neighborhood and would create a situation where there is a gap where the sidewalk is over 2000 feet from the nearest sidewalk. The sidewalk would also be near the end of a dead end where there are only two parcels beyond the subject property. We request that the requirement for curb gutter and sidewalk be eliminated from the Conditions of Approval for this project.

The County Housing Element has as its goal; "To provide for the projected future housing needs of the community." The policies outlined to facilitate this goal are favorable to development of this type in areas where public services already exist. Policy H-P1 states: "Promote Infill, Reuse and Redevelopment. The County shall prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment." Both parcels will have the potential for secondary dwelling units, which helps the County meet the goals of the Housing Element.

Since the project, as proposed, satisfies other requirements for subdivisions, granting this exception does not provide special privileges unavailable to others, but rather is upholding the preservation and enjoyment of a substantial property right of the landowner. Denying the exception requests would deprive the property owner of the ability to utilize the subject property to the maximum potential as described in the existing General Plan and zoning regulations.

The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Sincerely,



Jesse Buffington, PLS

Cc. Cliff Johnson, Supervising Planner