



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: April 7, 2022

To: Humboldt County Planning Commission

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

Subject: **Wennerholm – Minor Subdivision and Special Permit**
Application Number: PLN-2021-17362
Case Number: PLN-2021-17362
Assessor Parcel Number (APN): 206-211-014
Location: On the East side of Sunny Slope Lane, approximately 700 feet from the intersection of State Highway 36 and Sunny Slope Lane, on the property known as 139 Sunny Slope Lane in the Carlotta area.

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Please contact Logan Shine, Contract Planner, by phone at (707) 671-6844, or by e-mail at Logan@landlogistics.com if you have any questions about the scheduled public hearing item.

Hearing Date April 7, 2022	Subject Minor Subdivision and Accessory Dwelling Unit	Contact Logan Shine, Contract Planner
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Project: A Minor Subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and 3.6 acres (Parcel 2). A Special Permit is also being requested to pre-authorize construction of a 1,512-square-foot Accessory Dwelling Unit (ADU). The property is currently developed with a residence, garage, and a barn. All existing development will be located on proposed Parcel 2. . Access to both parcels is provided by a 50-foot non-exclusive easement. Water for the residence is provided by an existing well located on proposed Parcel 1. The well will also be used to supply water for future development of proposed Parcel 2. Sewage disposal for existing development is currently handled by an on-site waste treatment system (OWTS) located on proposed Parcel 1. Testing for a new septic system on proposed Parcel 1 has been completed.

Project Location: The project is located in Humboldt County, in the Carlotta area, on the East side of Sunny Slope Lane, approximately 700 feet from the intersection of State Highway 36 and Sunny Slope Lane, on the property known as 139 Sunny Slope Lane.

Present Plan Designation: Residential Estates (RE2.5-5), Carlotta / Hydesville Community Planning Area, 2017 General Plan. Density: 2.5 to 5 acres per unit

Slope Stability: Low Instability (1)

Present Zoning: Agriculture General(AG)

Application Number: PLN-2021-17362 **Case Numbers:** PLN-2021-17362

Assessor Parcel Number: 206-211-014

Applicant	Owner(s)	Agent
Don Wennerholm 1660 Newburg Rd. Fortuna, CA 95540	Don and Melissa Wennerholm P.O. Box 356 Carlotta, CA 95528	N/A

Environmental Review: Project is exempt from further environmental review per CEQA Guidelines Section 15183 - Projects consistent with a Community Plan, General Plan, or Zoning.

Major Issues: None

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

WENNERHOLM MINOR SUBDIVISION AND SPECIAL PERMIT

Case Numbers PLN-2021-17362
Assessor Parcel Number 206-211-014

Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Adopt the Resolution to 1) Find the project exempt from further environmental review per CEQA Guidelines Section 15183 2) make all of the required findings for approval of the Tentative Map Subdivision and Accessory Dwelling Unit and 3) approve the project subject to the recommended conditions..

Executive Summary: A Minor Subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and a 3.6 acre Remainder (Parcel 2). A Special Permit is also being requested to pre-authorize construction of an approximately 1,512 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. The property is currently developed with a residence, garage, and barn. All existing development will be located on proposed Parcel 2. Proposed Parcel 1 is currently undeveloped pasture. Access to both parcels is provided by a 50-foot non-exclusive easement. Water for the residence is provided by an existing well located on proposed Parcel 1. The well will also be used to supply water for future development of proposed Parcel 2. Sewage disposal for existing development is currently handled by an on-site waste treatment system (OWTS) located on proposed Parcel 1. Testing for a new septic system on proposed Parcel 1 has been completed.

The project site is located approximately 500 feet north of the CA-36 corridor on Sunnyslope Lane. The parcel is zoned Agriculture General with the Residential Estates land use designation and is surrounded by similarly zoned and designated parcels between 2.5 and 5 acres in size. Site vegetation is dominated by open grassland with historic grazing use. The parcel is bordered on the northwest by an elevated legacy railroad bed under the management of the North Coast Railroad Authority (NCRA). The site topography slopes gently from north to southwest at 1.6% grade to the proposed subdivision line where a more dramatic slope of 28% runs for approximately 70 feet southwest and levels off to an average grade of 1.6% toward the southwest property line. The property subdivision will divide the parcel along a landscape feature that will create Parcel 1 at an elevation 20 feet higher than Parcel 2 where the existing residence will be located. The southern property corner is approximately 1,150 feet from the nearest identified wetland to the southwest along the Van Duzen River, and the northernmost property corner is approximately 295 feet from Cuddleback Creek to the northwest.

Conditional approval of the project preliminary report as specified in County Code Section 323-6(c) is required based on the Public Works memo dated July 19, 2021. A revised map, provided by a licensed surveyor or engineer in the State of California, will be submitted to show monumentation as required by County Code Section 326-15 and 324-3. A period of 24 months is allowed from the date of approval to prepare the required documentation and complete the project. The project may not commence without review and approval of the required submissions by the Department of Public Works.

The development of an ADU and a Minor Subdivision are consistent with the density requirements of 1-5 acres per unit as described in the General Plan Land Use Element designation of Residential Estates (RE 2.5-5) and the Carlotta/Hydesville Community Plan.

Alternative: 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. 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-

**Case Numbers PLN-2021-17362
Assessor Parcel Numbers 206-211-014**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Wennerholm Tentative Map Subdivision and Accessory Dwelling Unit.

WHEREAS, the owner of the property, Mr. Don Wennerholm, submitted an application and evidence in support of approving the Minor Subdivision (Tentative Map) and Special Permit; and

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

WHEREAS, the project is exempt from further environmental review in accordance with Section 15183 of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Tentative Map Subdivision (Case Number PLN-2021-17362); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on **April 7, 2022**.

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

1. FINDING:

Project Description: A Minor Subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and a 3.6 acre Remainder (Parcel 2). A Special Permit is also being requested to pre-authorize construction of an approximately 1,512 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. The property is currently developed with a residence, garage, and barn. All existing development will be located on proposed Parcel 2. Proposed Parcel 1 is currently undeveloped pasture. Access to both parcels is provided by a 50-foot non-exclusive easement. Water for the residence is provided by an existing well located on proposed Parcel 1. The well will also be used to supply water for future development of proposed Parcel 2. Sewage disposal for existing development is currently handled by an on-site waste treatment system (OWTS) located on proposed Parcel 1. Testing for a new septic system on proposed Parcel 1 has been completed.

The project site is located approximately 500 feet north of the CA-36 corridor on Sunnyslope Lane. The parcel is zoned Agriculture General with the Residential Estates land use designation and is surrounded by similarly zoned and designated parcels between 2.5 and 5 acres in size. Site vegetation is dominated by open grassland with historic grazing use. The parcel is bordered on the northwest by an elevated legacy railroad bed under the management of the North Coast Railroad Authority (NCRA). The site topography slopes gently from north to southwest at 1.6% grade to the proposed subdivision line where a more dramatic slope of 28% runs for approximately 70 feet southwest and levels off to an average grade of 1.6% toward the southwest property line. The property subdivision will divide the parcel along a landscape feature that will

create Parcel 1 at an elevation 20 feet higher than Parcel 2 where the existing residence will be located. The southern property corner is approximately 1,150 feet from the nearest identified wetland to the southwest along the Van Duzen River, and the northernmost property corner is approximately 295 feet from Cuddleback Creek to the northwest.

Conditional approval of the project preliminary report as specified in County Code Section 323-6(c) is required based on the Public Works memo dated July 19, 2021. A revised map, provided by a licensed surveyor or engineer in the State of California, will be submitted to show monumentation as required by County Code Section 326-15 and 324-3. A period of 24 months is allowed from the date of approval to prepare the required documentation and complete the project. The project may not commence without review and approval of the required submissions by the Department of Public Works.

The development of an ADU and a Minor Subdivision are consistent with the density requirements of 1-5 acres per unit as described in the General Plan Land Use Element designation of Residential Estates (RE 2.5-5) and the Carlotta/Hydesville Community Plan.

EVIDENCE: a) Project File: PLN-2021-17362

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

EVIDENCE:

- a) The Humboldt County Planning Commission has considered the project and finds the Minor Subdivision and Special Permit consistent with the General Plan and Zoning per CEQA Guidelines Section 15183.
- b) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment, as proposed.
- c) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed minor subdivision will create a new parcel (Parcel 1) and a Remainder (Parcel 2). The parcel is developed with a single-family residence with attached garage and a barn. A single Accessory Dwelling Unit (ADU) is proposed on Parcel 1. With the residential uses surrounding the property, the project will result in a less than significant impact to aesthetics.
- d) No biological resources were identified within the project area. The property is developed with a single-family residence that will be relocated on the proposed Parcel 2. There are no significant areas of natural habitat or vegetation on the site, it is primary vegetated with grasses and shrub species from use as grazing land. As such, a review of the project site has determined that the site is not located within a riparian habitat or other sensitive natural community, nor is located within or near any known wetland areas.
- e) No cultural resources have been documented on the project site. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by Tribal agencies.

- f) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is not located in an Airport Review Area. There are no private airstrips within the vicinity of the project site.
- g) According to the Humboldt County Fire Hazard Severity map, the parcel is located in the moderate fire hazard severity areas. The site is within the Carlotta Fire Protection District for fire protection in the State Responsibility Area. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.
- h) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Water and sewer services are provided by an onsite well and septic and leach field installations. Comment was received from the CSD recommending project approval. Therefore, there is a less than significant impact. The project site is developed with a single-family residence that will be relocated on the proposed Parcel 2. A single-family residence is proposed as an Accessory Dwelling Unit (ADU) is proposed on Parcel 1 prior to subdividing the parcel. Therefore, there is a Less than significant Impact.
- i) The Department of Public Works memo dated 07/19/2021 requires that a Drainage Report and access road improvements be prepared by a Civil Engineer registered within the State of California be submitted for review and approval prior to commencement of the project. A legacy drainage ditch is described in the Tentative Parcel Map. The County finds there is no evidence that the project will be inconsistent with the planned build-out of the area nor will it result in a significant affect to utilities and service systems.
- j) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. Department finds there is no evidence that the proposed subdivision and Accessory Dwelling Unit will negatively impact the level of service standards, as there will be a minimal increase in vehicle trips generated per day when future development is proposed, given the nature of the residential use. The proposed project will not result in a change in air traffic patterns, will not result in vehicle miles traveled beyond that anticipated, and has adequate on-site circulation and parking capacity.

The project is consistent with the development density of 1-5 units per acre established by the 2017 General Plan update (GPU) of the Residential Estates (RE) land use designation and the Carlotta/Hydesville Community Plan. The development of an ADU and one (1) additional parcel is consistent with mitigations for induced population growth as described in Impact 3.1.3.4. of the 2017 Environmental Impact Report (EIR) to reasonably obtain the projected goals of the Regional Housing Needs Allocation (RHNA) through the use of alternative subdivision standards and the facilitation of opportunities for second residential units.

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

FINDINGS FOR THE MINOR SUBDIVISION AND ACCESSORY DWELLING UNIT

- 3. FINDING** The proposed development is in conformance with the County General Plan.
- EVIDENCE**
- a) The proposed development is consistent with the Residential Estates (RE) land use designation. The project includes the construction of new residential development and maintains existing residential development. The RE designation (Chapter 4.8, Land Use Designations) is used for lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use. Single family units on individual lots are the dominant use, but the development of an Accessory Dwelling Unit or Guest House is allowed. The Density Range is 1-5 acres per unit and the maximum floor area ratio is 0.20. The proposed development will increase the number of single-family residences and accessory dwelling units in the area, will meet the maximum floor area ratio and will be served by an established well. A new septic and leach field will be developed to serve the Accessory Unit. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).
- 4. FINDING** The proposed development is consistent with the Carlotta/Hydesville Community Plan (CHCP)
- EVIDENCE**
- a) The land use designation for the parcel within the CHCP conforms with the General Plan land use designation.
 - b) The CHCP 2500 – Rural Land Use states that rural home sites on parcels generally ranging from 1-5 acres are mostly concentrated within or around existing communities. The location and zoning of the proposed project parcel is consistent. The project proposes new residential development and maintains existing residential development on proposed parcels exceeding 3 acres.
- 5. FINDING** The proposed development is consistent with the purposes of the existing Agriculture General (AG) zone in which the site is located.
- EVIDENCE**
- a) The property zoning designation of Agriculture General (AG) includes single-family residential and accessory dwelling units as a principally permitted use. The proposed lot sizes are consistent with the required minimum lot size of 2.5 acres. The proposed parcels' minimum widths, approximately 104 feet for Parcel 1 and 155 feet for the Parcel 2, also complies with the required minimum lot width of 60 feet (HCC 314-7.2). The maximum lot depth is not specified, which complies with the maximum lot depth standard.
 - b) A condition of approval has been included to address the inadvertent discovery of cultural resources during construction of the proposed development.

- c) The proposed development is consistent with the maximum density requirements of the RS-5 zone. The proposed subdivision with existing and proposed development is consistent with the minimum required development standards of the AG zone, including building height (35 feet maximum), maximum ground coverage (35%), and property line setbacks.

6. FINDING

The minor subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and 3.6 acres (Parcel 2) including construction of an approximately 1,512 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The property is currently developed with an existing single-family residence to be relocated on Parcel 2. The proposed Parcel 1 will be developed with a single-family residence. The proposed subdivision will be consistent with the surrounding existing development through the retention of contiguous open space and buffering adjacent resource production. Continuing an existing residential use and developing new housing consistent with the AG zone and RE land use designation as part of this project, is not anticipated to have negative impacts on the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.

7. 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 parcel's General Plan land use designation (RE 2.5-5) and zoning (AG) allow limited residential development. The project will positively impact compliance with Housing Element law. The project will increase the available housing in the Carlotta area and will comply with the density range of the RE 2.5-5 land use designation, with a maximum density of 1-5 acres per dwelling unit. The proposed development is consistent with the Humboldt County General Plan (Section 4.8, RESIDENTIAL ESTATES (RE)).

DECISION

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

- Adopts the findings set forth in this resolution, and
- Conditionally approved the Wennerholm Subdivision and Special Permit subject to all of the recommended conditions of approval in Attachment 1A.

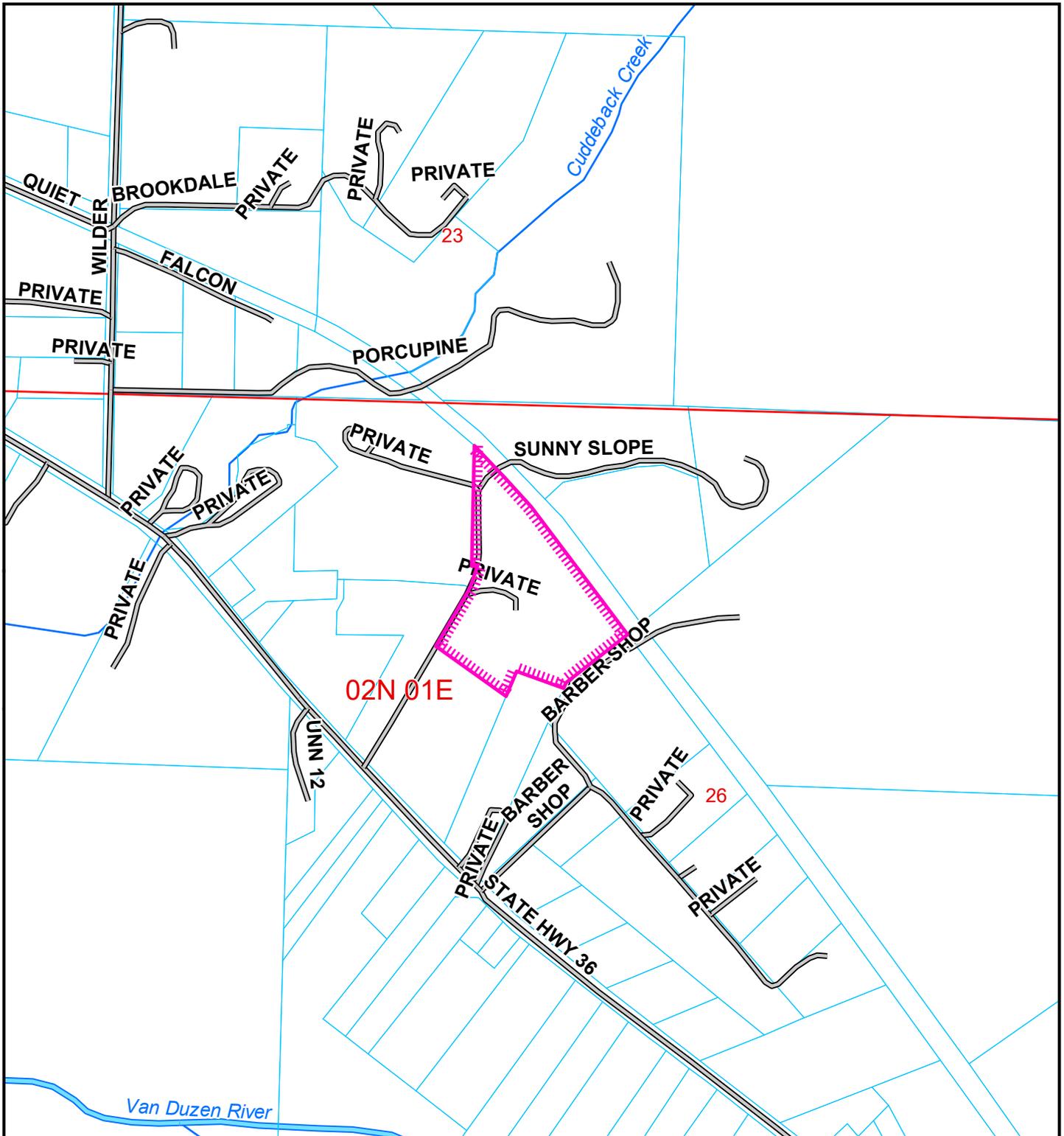
Adopted after review and consideration of all the evidence on **April 7, 2022**.

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

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

I, John 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 DON WENNERHOLM
MINOR SUBDIVISION
CARLOTTA AREA
PLN-2021-17362
APN: 206-211-014
T02N R01E S26 HB&M (Hydesville)**

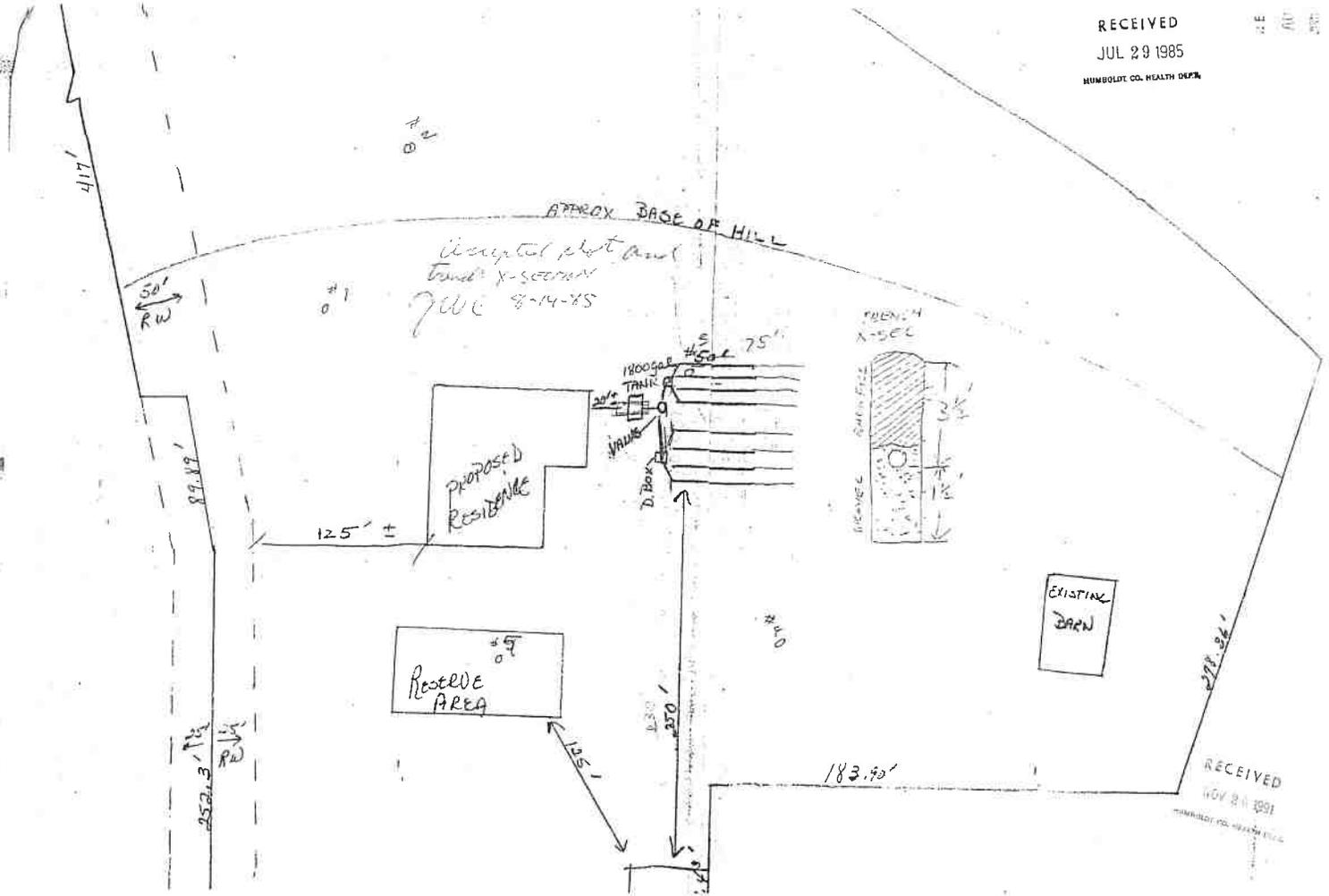
Project Area = 

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



RECEIVED
JUL 29 1985
HUMBOLDT CO. HEALTH DEPT.

12 E
10' 0"



RECEIVED
NOV 21 1991
HUMBOLDT CO. HEALTH DEPT.

RECEIVED
JUL 13 2021
Humboldt County
Planning Division

Phillips & Amber Gundlach
 APN: 206-201-008
 PARCEL 1
 BK 9 P/M 116

APN: 206-231-001

Kristofer & Emily Becker
 APN: 206-201-010
 PARCEL 3
 BK 9 P/M 116

Charles Lake
 APN: 206-201-003
 PARCEL 2
 BK 9 P/M 116

PARCEL ONE
 3.1 ACRES GROSS
 2.7 AC NET +/-

PARCEL TWO
 3.6 ACRES GROSS
 3.1 AC NET +/-

Rick & Lisa Paul
 APN: 206-211-022

Stephanie McGuire
 APN: 206-211-011

Renee Grinnell
 APN: 206-211-015

Richard & Judy Oleson
 APN: 206-221-040
 4.47 ACRE PARCEL
 BK 18 OF SURVEYS, PG 86

RECEIVED
 JUL 13 2021
 Humboldt County
 Planning Division

NOTES

1. EXISTING AND PROPOSED USE OF PROPERTY IS RESIDENTIAL.
2. ALL EASEMENTS OF RECORD ARE SHOWN AND WILL APPEAR ON THE PARCEL MAP.
3. POWER TO <E> HOUSE IS UNDERGROUND FROM POLE OFF BARBER SHOP LANE.
4. PHONE SERVICE FROM POLE AT FENCE CORNER BY PROPANE TO HOUSE.

WELL NOTE: THIS WELL WAS DRILLED IN ANTICIPATION OF NEEDING MORE WATER THAN COULD BE DRAWN FROM THE EXISTING WELL AND PUMP CREATED TO SERVE PARCEL 1 THRU PER BK 9 OF PARCEL MAPS, PAGE 116.

DRAINAGE NOTE: THIS IS A SEASONAL DRAINAGE COURSE THAT HAS BEEN MANIPULATED BY FORMER PROPERTY OWNERS INTO A "DITCH" ACROSS THE PARCEL WHICH EVENTUALLY RUNS INTO THE VAN DUZEN RIVER.

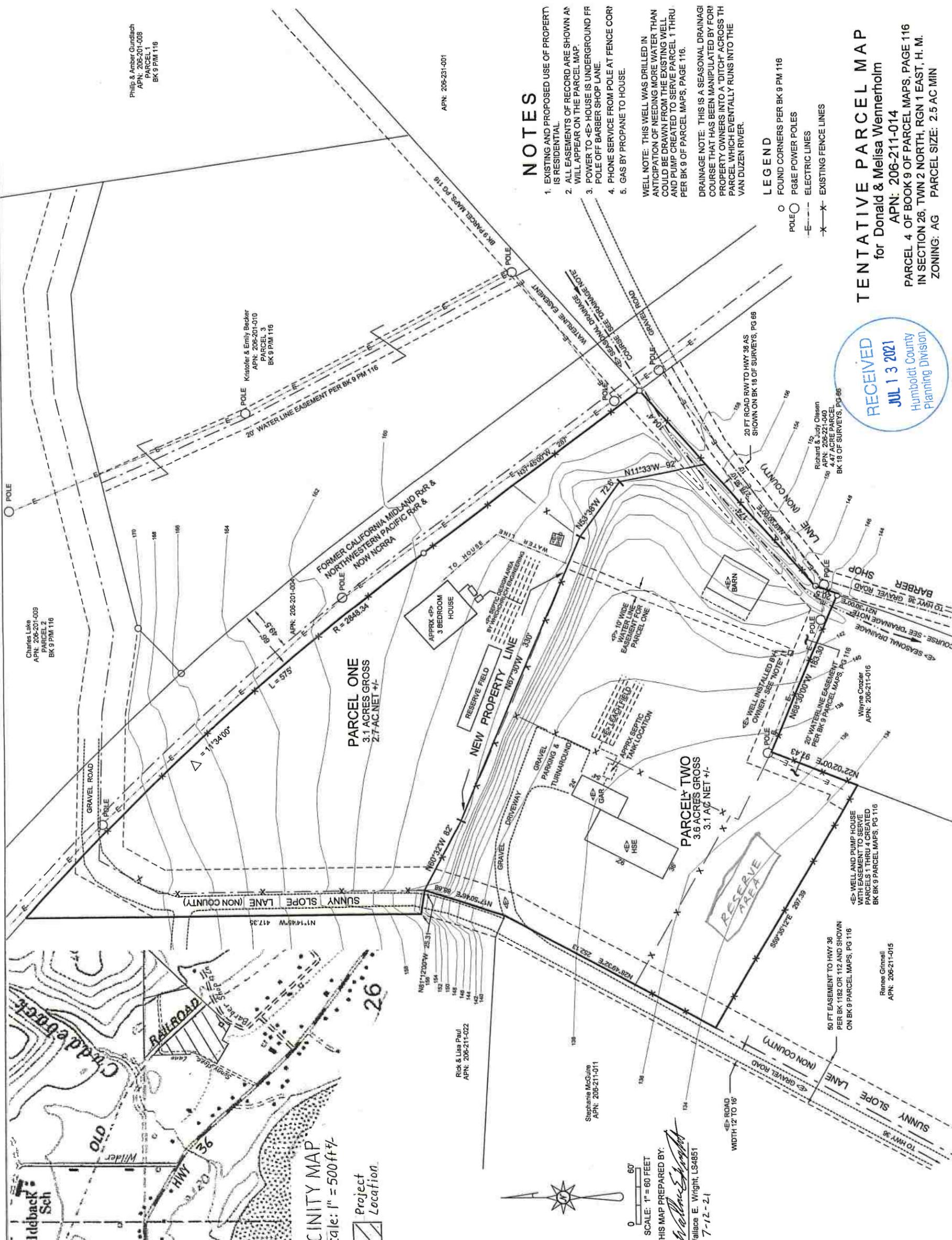
LEGEND

- FOUND CORNERS PER BK 9 P/M 116
- P&E POWER POLES
- ELECTRIC LINES
- *— EXISTING FENCE LINES

TENTATIVE PARCEL MAP

for Donald & Melisa Wennetholm
 APN: 206-211-014

PARCEL 4 OF BOOK 9 OF PARCEL MAPS, PAGE 116
 IN SECTION 26, TWN 2 NORTH, RGN 1 EAST, H. M.
 ZONING: AG PARCEL SIZE: 2.5 AC MIN



Project Location

SCALE: 1" = 60 FEET
 THIS MAP PREPARED BY:
 Wallace E. Wright, LS4851
 7-12-21

ATTACHMENT 1

RECOMENDENED CONDITIONS OF APPROVAL

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

Conditions of Approval:

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 tentative 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 memorandum dated December 9, 2020 and revised on July 22, 2021, included herein as Exhibit A, 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 Tentative Map be submitted for review and approval.
5. The project shall comply with all applicable mitigation measures of the 2017 General Plan EIR.
6. Prior to recordation of the Final Map, the applicant shall submit a letter from the Humboldt Bay 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 per their letter dated. This requirement shall be administered by the Department of Public Works.
8. Prior to submittal of the Final Map, the applicant shall provide a sign-off from the Post Office on the location of the NBU. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU. This requirement shall be administered by the Department of Public Works.
9. 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.
10. 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. This requirement shall be administered by the Department of Public Works.
11. 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.

12. 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.
13. 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).
14. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$110.00 per parcel) as required by the County Assessor's Office shall be paid to the 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.
15. 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.
16. 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.
17. 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.
18. Parkland dedication fees of \$2,530.76 shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka, CA. Alternately, a parkland dedication fee of \$1,265.38 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for accessory dwelling units on Parcels 1 - 5. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,265.38 parkland dedication fee balance. A copy of the Conveyance and Agreement form with pro-rata updated dedication payments amounts for each lot calculated will be provided by the Planning Division upon the election of this option by the applicant once the Final Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a pro-rata basis at the time individual lot owners apply for a permit

to construct an accessory dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$424.00) will be required.

Informational Notes:

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

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

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

If cultural resources are encountered, 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).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

3. The term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.

4. Parkland dedication fee calculations:

	130.00	130 square feet of parkland dedication per person for new subdivisions
X	<u>2.12</u>	Persons per average household (per 2019 American Community Survey Estimates))
	275.6	Parkland dedication per average household in square feet
/	<u>43,560</u>	Square feet per acre
	0.00632691	Parkland dedication per average household in acres
X	2	Number of parcels being created by the subdivision,
X	2	Number of dwellings per legal parcel or lot, including potential second units
X	<u>\$100,000</u>	Value of one acre of land in the vicinity of the subdivision project
	\$2,530.76	Parkland Dedication In-lieu Fee

ATTACHMENT 2
Applicants' Evidence In Support of the Required Findings

Document	Date Received by Planning	Location
Tentative Subdivision Map	July 13, 2021	Attached
County Public Works memo dated 7-23-2021	July 23, 2021	Attached
Road Association Questionnaire	December 13, 2021	On file with Planning
Application Form	July 13, 2021	On file with Planning
Preliminary Title Report	July 13, 2021	On file with Planning
Grant Deed	July 13, 2021	On file with Planning
Onsite Wastewater Treatment Design	July 13, 2021	On file with Planning
Dry Weather Well Production Test	July 13, 2021	On file with Planning
PG&E Service Application for New Residence	July 13, 2021	On file with Planning
Road Improvement Plan	December 13, 2021	On file with Planning
Well Report	July 13, 2021	On file with Planning
Onsite Septic Design	December 13, 2021	On file with Planning

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

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

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

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

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
WENNERHOLM, APPLICATION # PLN-2021-17362 PMS, APN 206-211-014,
FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 6.7 ACRES
INTO 2 PARCELS

DATE: 07/19/2021
07/23/2021 revised

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 Wallace E Wright dated July 12, 2021 and dated as received by the Humboldt County Planning Division on July 13, 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 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."

1.7 DEDICATIONS

(a) Sunny Slope Lane (PRIVATE ROAD):

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

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

2.0 IMPROVEMENTS

2.1 CONSTRUCTION PLANS

<NONE>

2.2 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) Caltrans shall be consulted about the need to install a stop sign on Sunny Slope Lane at its intersection with State Highway 36.
- (b) 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)
- (c) Street name signs shall be provided at all road intersections.

For streets that will not be named, address signs shall be posted at the intersection. In State Responsibility Areas, the address signs shall comply with Section 1274.00 et seq. of State Fire Safe Regulations (SFSR), California Code of Regulations (CCR), Title 14 natural Resources, Division 1.5 Department of Forestry, Chapter 7 – Fire Protection, Subchapter 2 SRA Fire Safe Regulations, which have been established pursuant to California Public resource Code Section 4290 et seq. In the event that addresses are not available at the time that the subdivision map is filed with the County Recorder, then a note shall be added to the development plan indicating that street address signs shall be posted prior to issuance of a building permit.

Note: Fire Safe Regulations set forth in County Code Section 3111-1, et seq. have been superseded by the 01/01/2020 CCR since County Code has not been recertified by the Department of Forestry pursuant to Section 1270.04.

- (d) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with SRA Fire Safe Regulations Section 1275.04.

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

- (a) **Sunny Slope Lane** shall be constructed to the minimum standards in the Fire Safe Regulations (and any approved exception) and the Subdivision Ordinance based upon the total number of parcels using the road, both within and outside of the subject property.

Construct a 20 foot wide road per Section 1273.01 of State Fire Safe Regulations, California Code of Regulations (CCR), Title 14 Natural Resources, Division 1.5 Department of Forestry, Chapter 7 - Fire Protection, Subchapter 2 SRA Fire Safe Regulations, which have been established pursuant to California Public Resource Code Section 4290 et seq. [Note: Fire Safe Regulations set forth in County Code Section 3111-1, et seq. have been superseded by the 01/01/2020 CCR since County Code has not been recertified by the Department of Forestry pursuant to Section 1270.04.]

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

- (b) The access road(s) from a County maintained road to the subject property; and all access road(s) (including driveways) within the subject property shall be certified by a Civil Engineer registered by the State of California to be in conformance with SFSR; and in conformance with any exceptions approved by Cal Fire. Conformance shall include but is not limited to: width of traveled way; roadway grade; curve radius; roadway surface; turnouts; turnaround areas; and maximum length of dead-end road. Certification shall be made in a manner approved by this Department.

In the event that the Civil Engineer is unable to certify that the road(s) are in conformance, the applicant shall cause construction plans to be prepared by a Civil Engineer that show what improvements need to be constructed to bring the road(s) into conformance. The plans shall be submitted for review by this Department. Once the construction plans are authorized for construction by this Department and the applicant constructs the improvements, the engineer shall certify that the road(s) are in conformance.

Note: Off-site improvements to access roads (such as curve realignments, grade realignments, and turnouts) may require acquisition of easement(s) to construct the proposed road improvements. The applicant is responsible for acquiring any easements and permits that may be necessary to construct the improvements.

- (c) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (d) 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.

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

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

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

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%.

2.5 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.

2.6 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.

2.7 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.

2.8 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:

NONE

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

Item 2.3

(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

(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.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

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

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

A maintenance plan for the non-county maintained road known as Sunny Slope Lane.

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

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

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

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

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

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

LAND USE DIVISION INTER OFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

DATE: July 19, 2021
July 23, 2021 revised

RE: **WENNERHOLM, APN 206-211-014, PLN-2021-17362 PMS**

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

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.

CALTRANS: Sunny Slope Lane takes access from State Hwy 36. The project should be referred to Caltrans for any intersection improvements that may be required.

//END//

ATTACHMENT 3

Referral Agency Comments and Recommendation

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection		None		
County Counsel		None		
County Public Works, Land Use Division – Subdivision Requirements (memo dated 7-23-2021)	✓	Conditional Approval	(Exhibit A of Attachment 1)	✓
County Division of Environmental Health	✓	Approval		✓
Carlotta Community Services District	✓	Approval		✓
Carlotta Fire Protection District		None		
Regional Water Quality Control Board		None		
Department of Fish and Wildlife		None		
CalFire		None		
County Supervising Planner		None		
Bear River Band	✓	Conditional Approval		✓
NWIC	✓	Conditional Approval		✓
PG&E		None		