

ATTACHMENT 1A

Conditions of Approval

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

Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions in the Department of Public Works referral dated October 21, 2022, included herein as Exhibit A of Attachment 1, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. To better accommodate circulation and siting of future building sites, minor adjustments to the design of the tentative map (parcel boundaries, driveway & road locations, etc.) may be performed, subject to review and approval by the Planning Division and Public Works Land Use Division. This includes making Parcel 4 into a flag lot, integration of reciprocal easements for performing fuels reduction/maintenance of defensible space, and changes to driveway locations and road easements.
4. The Planning Department requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot areas, as confirmed by survey, shall be shown for each parcel.
5. Prior to recordation of the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. Cost report will be made available at the Humboldt County Planning Department.
6. 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 \$116.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Department, 3015 H Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
7. The property owner shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required form.
8. The applicant shall submit at least three (3) copies of a Development Plan for all parcels to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:

A. Mapping:

- (1) Topography of the land in 50-foot contours.
- (2) Parcel boundaries, roads, section corners, and other physical identifying features.
- (3) Development standards including: setbacks, maximum lot coverage, maximum height, and four (4) parking spaces outside the front yard setback.
- (4) The location of all easements.
- (5) The Streamside Management Area boundaries measured from the top of bank or edge or riparian drip line whichever is greater.
- (6) The boundary of wetland habitat and standard buffers area.
- (7) Details showing conformance with provisions of the State & Local Fire Safe Regulations, including but not limited to:
 - a. Road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500-gallon individual emergency water supply, etc.).
 - d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

B. Notes to be placed on the Development Plan:

- (1) "All flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be disposed of by chipping, burying, burning or removal to a landfill site approved by the County."
- (2) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(6) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (3) "The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in "state responsibility" designated areas. Exceptions to the 30-foot setback requirement may be pursued upon demonstration of providing the "same practical effect" of the setback through a combination of construction material choices, non-flammable vegetative buffers, and other design features. Contact the Planning and Building Department for further information."
- (4) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) is to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition."

- (5) "Mill Creek runs through the properties. Riparian and Wetland areas and their buffers are afforded protection under the Streamside Management Area Ordinance (HCC Sec. 314-61.1 et seq.) and the SMA policies of the General Plan. Development, including grading and construction activities, conducted within the Streamside Management Area (SMA), is subject to the Streamside Management Area Ordinance (HCC Sec. 314-61.1 et seq.) and the SMA policies of the General Plan. A Special Permit is required where proposing to reduce the size of the streamside management area or wetland buffer and must be secured prior to commencement of any of the allowed activities. Contact the Planning Division for further information."
 - (6) "The parcel size for Parcels 1,2 and 3 created by this subdivision has been established through a modification of development standard for a 5-acre minimum parcel size approved by Planned Development Permit issued concurrently with the subdivision. Any change to the parcel size or configuration will require modification of the Planned Development Permit."
 - (7) "Work under a less than 3-acre conversion permit from Cal-FIRE was completed in late 2021. Further conversion of timberland is prohibited."
 - (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
9. Parkland dedication fees of \$6,155.00 shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$3,077.50 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 all

Informational Notes

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)

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The applicant is ultimately responsible for ensuring compliance with this condition.

3. Under state planning and zoning law (CGC §66000 et seq.), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective

date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.

4. The term of the approved Tentative Map and Planned Development Permit 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 312-11.3 of the Humboldt County Code.