

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

Resolution Number: 24-062

Record Number: PLN-2024-19031

Assessor's Parcel Number: 509-061-025

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and approving extension of the Collins/Goldstein Minor Subdivision and Planned Unit Development.

WHEREAS, Collins and Goldstein submitted an application and evidence in support of approving the Extension to the Minor Subdivision and Planned Unit Development 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, a timely request for an extension was made by the applicant on July 17, 2024; and

WHEREAS, the Planning Commission Resolution for the original approval (Resolution #22-123) includes evidence in support of making all of the required findings for approving the proposed Extension to the Minor Subdivision and Planned Unit Development Permit (PLN-2024-19031 / Attachment 1A); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **September 19, 2024**, and reviewed, considered, and discussed the application for an Extension to the Minor Subdivision and Planned Unit Development Permit, and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** A two-year extension of a previously approved Minor Subdivision and Planned Development Permit (PLN-2022-17740) of an approximately 10-acre parcel into four parcels of approximately 20,000 square feet, 30,830 square feet, 36,989 square feet and 7.97 acres. A Planned Development

Permit was approved to allow significantly smaller parcel sizes and clustering of development along the road frontage. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Services District. The majority of the parcel is forested with the exception of the northern portion, which was cleared as part of a recent less than 3-acre conversion completed in late 2021. This same area is targeted to host future residential development following subdivision.

EVIDENCE: a) Project File: PLN-2024-19031 & PLN-2022-17740

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

EVIDENCE: a) During prior approval the Planning Commission determined that the project is considered exempt from environmental review pursuant to Section 15183 of the State CEQA Guidelines, applicable to projects that are consistent with a Community Plan, General Plan, or Zoning for which an EIR was certified.

FINDINGS FOR EXTENSION

3. FINDING: The development has not changed from that for which the permit or variance was granted.

EVIDENCE: a) The project description and tentative parcel map have not changed since initial approval.

4. FINDING: The findings made when the permit or variance was granted can still be made.

EVIDENCE: a) There have been no changes to the applicable regulations. Therefore, the findings made when the permit was granted can still be made.

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 approves the Extension to the Minor Subdivision and Planned Unit Development Permit (Record Number: PLN-2024-19031) based on the approved project description and site plan on file, and subject to the conditions of approval, each of which are included as attachments to this resolution and are incorporated by reference.

Adopted after review and consideration of all the evidence on **September 19, 2024**.

The motion was made by COMMISSIONER SARAH WEST and second by COMMISSIONER JEROME QIRIAZI and the following vote:

AYES: COMMISSIONERS: Sarah West, Jerome Qiriazzi, Iver Skavdal, Thomas Mulder,
Peggy O'Neill, Lorna McFarlane
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS: Noah Levy
ABSTAIN: COMMISSIONERS:
DECISION: Motion carried 6/0

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

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

Resolution Number 22-123

**COLLINS/GOLDSTEIN PARCEL MAP SUBDIVISION
PROJECT NUMBER PLN-2022-17740
ASSESSOR PARCEL NUMBER 509-061-025**

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE COLLINS/GOLDSTEIN TENTATIVE MAP SUBDIVISION

WHEREAS, the owners submitted an application and evidence in support of approving the Minor Subdivision; and

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

WHEREAS, the Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29 of the Humboldt County Board of Supervisors, has determined that impacts from projects of this sort were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the Guidelines; and

WHEREAS, a public notice was sent via mail to all owners and occupants of property within 300 feet of the boundaries of the project; and

WHEREAS, on November 3, 2022 a public hearing was held before the Humboldt County Planning Commission during which the Planning Commission reviewed, considered, and discussed the application and reviewed and considered all evidence and testimony presented at the hearing; and

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

PROJECT DESCRIPTION

- 1. FINDING:** A Minor Subdivision of an approximately 10-acre parcel into four parcels of approximately 20,000 square feet, 30,830 square feet, 32,336 square feet and 7.97 acres. A Planned Development Permit is being requested to allow significantly smaller parcel sizes and clustering of development along the road frontage. This in turn ensures that sufficient area exists to accommodate future residential development observing standard setbacks from riparian and wetland areas associated with Mill Creek, which crosses through the parcel. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Services District. The majority of the parcel is forested with the exception of the northern portion, which was cleared as part of a recent less than 3-acre conversion completed in late 2021. This same area is targeted to host future residential development following subdivision. The project is exempt from environmental review pursuant

to Section 15183 of the State CEQA Guidelines, applicable to projects that are consistent with a Community Plan, General Plan, or Zoning. The project is located in Humboldt County, in the McKinleyville area, on the south side of the 2500 block of Sutter Road, approximately 350 feet east from the intersection of Blackbird Avenue and Sutter Road.

EVIDENCE: a) Project File: PLN-2022-17740

CEQA

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed subdivision is exempt from the provisions of CEQA per Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.

EVIDENCE: a) Section 15183 of the CEQA Guidelines notes CEQA's mandate that projects be exempt from additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified. 15183 notes that subsequent environmental review is only necessary where the Lead Agency determines any of the following applies:

project-specific environmental effects:

- are peculiar to the project or the parcel on which it is located
- are significant and were not analyzed as such in a prior EIR
- are off-site and/or cumulative and were not discussed in the prior EIR
- were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR was certified) are determined to have a more severe adverse impact than what was disclosed.

b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. Adjacent lands in the vicinity are host to development on similarly sized parcels to those proposed. The proposal is consistent with the planned density and is seeking a Planned Development Permit to allow reduction of the minimum lot size and enable clustering of development. A riparian and wetland delineation has been performed by a qualified biologist and includes mapping showing the exterior boundaries of these areas as well as their attendant buffers. A future development concept has been provided by the applicant showing the possibility for siting new homes and infrastructure outside of these features and their buffers. A Condition of Approval is included requiring that these features and their buffers be identified on a Development Plan with notations acknowledging the requisite protections from the County Streamside Management and Wetlands Ordinance.

c) Potential Impacts such as those common to projects of this sort were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089).

- d) There are no potentially significant environmental effects which were not analyzed in the above referenced EIR's. The proposed subdivision would enable future build-out to the currently planned density for the area, which was confirmed during adoption of the 2017 General Plan. The project is also consistent with the applicable policies and standards of the General Plan, which are further discussed below.
- e) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above referenced EIR's (SCH# 1998082024 & SCH#2007012089). The proposed subdivision will facilitate build-out consistent with planned densities and applicable policies and standards found in the recently adopted General Plan.
- f) There is no substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified.
- g) There is no substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment, as proposed.
- h) The project site is not located within a scenic vista area and will not impact visual resources within the County. The proposed minor subdivision will create a total of four (4) parcels that can accommodate future residential development consistent with the assortment of uses and structures on surrounding parcels. The project will result in a less than significant impact to aesthetics.
- i) The parcel is currently undeveloped. The northern portion was cleared as part of a recent less than 3-acre conversion completed in late 2021.
- j) Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe and Bear River Band of the Rohnerville Rancheria. Both THPO's viewed the site as having potential for sensitivity and requested that a cultural resources survey be performed. A survey by Archaeological Research & Supply Company was completed in July 2022 and did not find any cultural resources. The results of the survey were shared with the THPO's who had no further concerns and supported approval of the project subject to compliance with standard protocols for handling inadvertent discovery of cultural resources encountered during future ground disturbance. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by both THPO's. This notation will be included on the Development Plan.
- k) The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The project site is not located in an Airport Review Area. Murray Field is the closest airport and is located approximately 2.25 miles northwest of the project site.

- l) According to the Humboldt County Fire Hazard Severity map, the parcel is located at the westernmost boundary of the nearest high fire hazard severity areas. The site is within the Arcata Protection District. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of or physically interfere with, an adopted emergency response plan.
- m) The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Future residential development of the parcels being created will receive water and sewer service provided by the McKinleyville Community Services District.
- n) A Drainage Report and access road improvement plans are required to be prepared by a Civil Engineer registered within the State of California, and will be submitted for review and approval prior to commencement of the project. This is noted in the current Department of Public Works memo dated 06/30/2022.
- o) The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. There is no evidence that the proposed subdivision and future residential development will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns, will not result in vehicle miles traveled beyond that anticipated, and has adequate on-site circulation and parking capacity.

The project is consistent with the development density of unit per 2.5-5 acres of the Residential Estates (RE) land use designation affirmed during the adoption of the McKinleyville Community Plan (MCCP) in 2002 and reaffirmed during adoption of the current General Plan in 2017. The creation and development of three (3) additional parcels 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 impacts of this project are not anticipated to create peculiar, specific, or more severe effects which the GPU EIR failed to evaluate or analyze as significant effects.

312-1.1.2 Legal Lot Requirement

- 3. FINDING:** The lot that was created in compliance with all applicable state and local subdivision regulations.

EVIDENCE: The parcel being divided was lawfully created through an earlier subdivision map. The parcel being divided is Parcel 2 from Parcel Map No. 1671 filed by Nelson Rossig on November 26, 1979, appearing in Book 14 of Parcel Maps, pg 110.

SUBDIVISION FINDINGS - Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code

4. FINDING: All lots shall be suitable for their intended uses.

EVIDENCE: a) The project will result in a total of four (4) parcels ranging in size from 20,000 square feet to roughly 8 acres. While three of the proposed parcels sizes are less than the 2.5-acre minimum size ordinarily required in the AG zone, reduction of lot size is permissible under the Planned Development Permit being requested. The proposed smaller parcel sizes will enable clustering of future development and protection of nearby wetlands and riparian areas from impacts. The property is of sufficient size (10 acres) to accommodate the number of parcels being requested. The applicant has submitted a mockup showing the possibility for future development sites and access thereby demonstrating that each of the parcels will be suitable for single-family residential development. Planning and Public Works staff have identified potential refinements to the tentative map to better account for circulation and setback concerns. A Condition of approval has been included that will provide the applicant flexibility to perform minor adjustments to the tentative map in service of this goal.

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

EVIDENCE: a) Access to the parcel being divided is currently provided by Sutter Road. The Northerly portion of the property is encumbered by an existing 50-foot easement. A 20-foot access easement held by MCSD crosses through proposed parcels 1, 2, and 3 and would frustrate development. The applicant is working with MCSD to extinguish the current easement in exchange for use of the northerly 50-foot access easement. Additionally, use of this easement will also be reserved for Proposed Parcel 3. The Land Use Division of Public Works supports granting an exception to allow reducing the width of the access easement to proposed parcel 4.

6. FINDING: Flood control and drainage facilities affording positive storm water disposal shall be designed and provided by the subdivider.

EVIDENCE a) Satisfaction of the requirements found in the Memo from the Land Use Division of Public Works (DPW) is required by the project Conditions of Approval. Section 3.2 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of DPW and requires that a hydraulic report and drainage plan for the subdivision be submitted to DPW for review and approval. Additionally, the project will be required to detain stormwater such that no additional water will leave the site at a rate

greater than the pre-development 2-year (Q_2) storm flows. This will likely be achieved by developing on-site detention facilities. Lastly, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

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

EVIDENCE: a) The McKinleyville Community Services District supports approval of the project and is prepared to provide water and sewer service to future development of the parcels.
Residential development located on the parcels being created already receives water and sewer service provided by the Humboldt Community Services District.

8. **FINDING:** The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan.

EVIDENCE: a) The size and configuration of the proposed parcels complies with width, depth, requirements of the AG zone. While three of the proposed parcels sizes are less than the 2.5-acre minimum size ordinarily required in the AG zone, reduction of lot size is permissible under the Planned Development Permit being requested. The proposed smaller parcel sizes will enable clustering of future development and protection of nearby wetlands and riparian areas from impacts.

Govt. Code §66474.02 Structural Fire Protection

9. **FINDING:** Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

EVIDENCE: a) The property is not located in a State Responsibility Area for Fire Protection and is located in an area of High Fire Hazard Severity and is within the boundaries of the Arcata Fire Protection District, who provide structural fire protection. The project was referred to the district for review and did not result in any comments or issues being raised with the proposal.

FINDINGS APPLICABLE TO ALL PERMITS

10. **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 maintains existing residential development. The RE designation (Chapter 4.8,1 Land Use Designations) is used for areas or rural communities with limited public services that are suitable for residential use. Single family units on individual lots are the dominant use, but the development of an Accessory Dwelling Unit or Guest House is also allowed. The Density Range is 1 unit per 2.5-5 acres. The proposed subdivision will increase the number of parcels that allow single-family residences and accessory dwelling units in the area. Therefore, the project is in conformance with the County General Plan (Chapter 4, Land Use Element).

b) Clustering policies are explicitly encouraged to assist in buffering adjacent resource production or open space uses. The project seeks permission to reduce the parcel sizes to enable clustering of future development in the northern portions of the property. This is in keeping with the policies of the plan and will help ensure compliance with the prescriptive wetland and riparian buffers of the Streamside Management Area regulations.

c) *McKinleyville Community Plan – Stormwater*

The project will be required to detain stormwater such that no additional water will leave the site at a rate greater than the pre-development 2-year (Q₂) storm flows. This will likely be achieved by developing on-site detention facilities. Lastly, because the site is located in an urban MS4 stormwater area, future development will be required to incorporate measures to further enhance and detain stormwater runoff.

Parkland §4420 (MCCP)

d) *Parkland Dedication Fee Calculations*

	130.00	McKinleyville Community Plan requires 130 square feet of parkland dedication per person for new subdivisions
X	2.578	Persons per average McKinleyville household (Source: 2020 U.S. Census)
	335.14	Parkland dedication per average household in square feet
/	<u>43,560</u>	Square feet per acre
	0.007	Parkland dedication per average household in acres
X	4	Number of parcels being created by the subdivision,
X	2	Number of dwellings per legal parcel or lot, including potential second units
X	100%	Percentage of these parcels within the McKinleyville Community Planning Area
X	\$100,000	Value of one acre of land in the vicinity of the subdivision project
	\$6,155.00	Parkland Dedication In-lieu Fee for the Collins-Goldstein Subdivision

Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$100,000/acre or: $4(2(130 \times 2.578/43,560)) \times \$100,000 = \$6,155.00$ without the conveyance of secondary dwelling unit rights; or \$3,077.50 with the conveyance of secondary dwelling unit rights on all parcels.

11. FINDING:

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

EVIDENCE:

- a) The property zoning designation of Agriculture General (AG-WR) includes single-family residential and accessory dwelling units as a principally permitted use. While the proposed parcel sizes are less than the minimum size ordinarily required for the AG zone, reduction of lot size is permissible under the Planned Development Permit being requested. This will enable clustering of future development and protection of nearby wetlands and riparian areas from impacts. The property is of sufficient size (10 acres) to accommodate the number of parcels being requested. The proposed parcels comply with the minimum width and depth requirements for the zone. The proposed parcels' minimum widths are as follows: Parcel 1 - approximately 85 feet (avg.), Parcel 2 - approximately 225 feet, Parcel 3 - approximately 545 feet - all widths exceed the 60-foot minimum found in the AG zone. No maximum lot depth is specified in the AG zone. (HCC 314-7.2)
- b) The applicant has provided a Development Plan showing that each parcel from the subdivision has sufficient area to accommodate residential development outside of the standard setbacks applied to streams and wetlands.
- c) *Planned Developments - §314-31.1 – Eligibility Criteria*

Planned developments are intended to allow flexibility in the administration of the development standard of the principal zone: 1) to cope with topographic and other natural or manmade features; or 2) provide for clustered development with the provision of residential amenities such as open space; or 3) where the modification to development standards will better provide for protection and enhancement of sensitive habitats and cultural resources.

Planned Development may only be permitted on lots 20,000 square feet or larger and must be tied to one or more of the following scenarios:

- a site where four (4) or more dwelling units, commercial buildings, industrial buildings are proposed
- the development proposal is within a residential zone and includes residential and non-residential development
- a site or proposal where use of the PUD provisions provide a better means of carrying out the General Plan

The project parcel is 10 acres in size and seeks to invoke the Planned Development provisions of the code to enable smaller parcel sizes and allow for clustering of development to help with protection of the wetland and riparian areas on the property. This results in a better overall design and maximizes buffers and protection of these features.

d) *Design Guidelines for Planned Developments - §314-31.1*

(1) Maintain prominent natural features by:

- retaining major trees and shrubs
- concentrate development on level areas
- retaining ridgeline silhouettes, and leaving slopes greater than 25% undisturbed revegetating disturbed areas

The southern half of the property is host to extensive riparian and wetland areas associated with Mill Creek which crosses through the property from east to west. Approximately 6.5 acres of the property is constrained by setbacks and buffers associated with these features. Allowing smaller parcel sizes enables all of this area to be consolidated onto a single larger parcel where its protection and avoidance will be possible. It also enables three of the parcels to all be clustered closer to Sutter Road thus minimizing the amount of additional roads needing to be created. And lastly, it helps better achieve the goals of the Housing Element by achieving the current density while setting the stage for future re-subdivision should the density increase. Conditions of Approval are included requiring preparation of a Development Plan memorializing the relevant wetland and riparian protections and setbacks.

e) (2) Circulation Considerations:

- residences to take access from local roads, limiting frontage on collector streets
- divide road where possible to preserve natural features
- limit width of roadways, including paved shoulders
- utilize alley development for secondary vehicle access

An existing 50-foot right-of-way easement crosses through the northern portion of the property and could facilitate a future easterly extension of Sutter Road. A second 20-foot easement held by McKinleyville Community Services District also crosses through the northern portion of the property. The applicant is seeking to extinguish this easement and grant use of the 50 foot easement instead. Additionally, the applicant proposes development of several shared driveways providing access to the rear parcel (Parcel 4). While three of the four parcels will have frontage on an existing fifty-foot right of way, the strategy utilizes smaller shared driveways in lieu of an interior road system.

f) (3) Parking Considerations:

- develop shared parking areas and limit visual impact of rows of cars
- place parking along side and rear of buildings
- for parking areas of 5 or more vehicles, use landscaping, berms and screening to minimize visual impacts, unwanted light/glare and noise

Parking will be accommodated on all parcels. Landscaping will be provided (see below).

g) (4) Architectural Considerations:

- buildings to be of compatible design and style with nearby development
- living areas should face toward gardens and open areas

No new construction is proposed at this time.

h) (5) Other Considerations:

- landscaping should be used to enhance privacy and give visual order to the development
- multifamily developments of 4 or more units should have laundry facilities
- areas should be set aside within the development for trash collection and recycling
- utilities should be underground; retention swales should be used to collect runoff

No landscaping is proposed at this time. Parcel 4 will be host to 6.5 acres of protected habitat associated with the Mill Creek riparian and wetland complex. A Development Plan will be prepared showing restrictions on development of Parcel 4.

No multi-family development is proposed. Runoff will be addressed in accordance with a drainage plan approved by the Department of Public Works.

i) Roads & Driveways for Planned Unit Developments (PUDs)

(1) Access

- Locate appropriate to streets and transportation facilities; exits/entrances should encourage smooth traffic flow; merging and turnout lanes shall be provided where necessary

Access will be from Sutter Road and several shared driveways. The access road encroachment and driveways will be designed to County standards.

j) 2) Internal Circulation

- Integrated system of roads, pedestrian and bike paths
- Developments designed to limit length of roads, control turning movements and minimize hazards

The existing 50-foot right easement that runs along the northern boundary of the property has ample room for construction of a road with integrated pedestrian and bicycle infrastructure.

An exception has been requested to allow for a narrower right of way and roadway serving proposed parcel 4. The exception is supported by the Land Use Division of Public Works.

k) (3) Siting of Roads and Driveways

- Roads and driveways shall be consistent with terrain, minimizing excessive cuts and fills

A minimum amount of cut and fill is projected to accommodate site development.

- l) (4) Parking Standards
- Number of spaces shall conform to off-street parking regulations
 - Parking to be designed and located as per regulations, except that spaces may be clustered in parking pods in proximity to dwelling units they serve, and parking for guests may be required up to a maximum of 1 space per 2 dwelling units

Parking will be accommodated on all parcels.

- m) (5) Recreational Vehicle Parking
- Parking for recreational vehicles may be required based on anticipated needs of the particular development;
 - if developed, RV parking shall be on the fringe of the development and appropriately screened from adjacent properties

Given the limited areas on the majority of the parcels, there will be no reserved RV parking dedicated.

- n) Owner's Association for PUDs
- A nonprofit incorporated owners association or alternative acceptable to County Counsel shall be required for improving, operating and maintaining common facilities, including open space, streets, drives, service and parking areas, and recreation areas.

A road maintenance association will be formed if a common access road is developed.

12. FINDING: The proposed subdivision will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE:**
- a) The proposed subdivision will divide a 10-acre parcel into four (4) parcels for future residential development. The proposed parcel sizes are permitted with the proposed Planned Development Permit and the resulting density is consistent with that planned for the area.
- b) The parcel being divided is currently vacant. Removal of approximately 3-acres of trees was completed approximately 1-year ago. This forms the bulk of the area targeted for future development under the proposed division. Public water and sewer service is available through the McKinleyville Community Services District. Therefore, The parcel being divided is bordered by residential development with densities higher than or similar to what is currently proposed. It is not anticipated to have negative impacts on the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.

13. FINDING: The proposed subdivision with possible future development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

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

DECISION

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

1. Adopt the findings set forth in this resolution; and
2. Approves the Minor Subdivision (Record Number; PLN-2022-17740) based on the evidence referenced, described, and provided herein and as well as those materials found within the project record, subject to the attached conditions of approval.

Adopted after review and consideration of all the evidence on **November 3, 2022**.

The motion was made by COMMISSIONER Brian Mitchell and seconded by COMMISSIONER Melanie and the following ROLL CALL vote:

AYES: COMMISSIONERS: Brian Mitchell, Thomas Mulder, Alan Bongio, Noah Levy,
Mike Newman, Melanie McCavour, Peggy O'Neill

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 7/0

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 Ford, Director
Planning and Building Department

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 superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please

contact the Planning Division to verify if any standards or requirements have changed."

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 parcels. Release from the Conveyance and Agreement may be pursued upon payment of the \$3,077.50 parkland dedication fee balance. A copy of the Conveyance and Agreement form with pro-rata dedication payments amounts for each lot calculated will be provided by the Planning Department upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a pro-rata basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$415.00) 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 Department. 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. 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) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

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.

ATTACHMENT 1B

Public Works Subdivision Requirements



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 INTEROFFICE MEMORANDUM

TO: Steven Lazar, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE COLLINS,
APPLICATION #PLN-2022-17740 PMS, APN 509-061-025, FOR APPROVAL
OF A TENTATIVE MAP, CONSISTING OF 10 ACRES INTO 4 PARCELS

DATE: 06/30/2022
10/24/2022 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 Green Road Consulting dated 09/06/2022 and dated as received by the Humboldt County Planning Division on 09/06/2022.

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 326-31. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

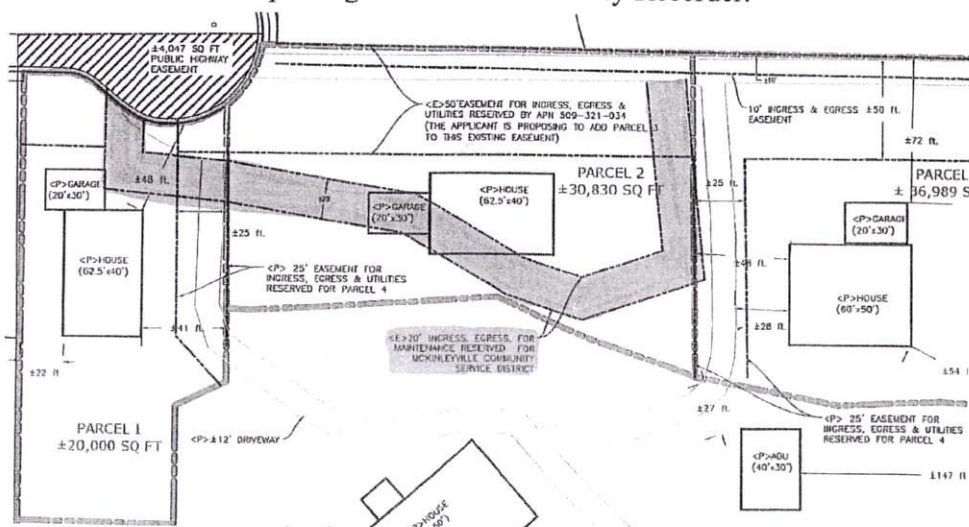
Applicant shall submit to this Department a “.pdf” scan of the subdivision map as filed by the County Recorder.

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 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.

The existing 25 foot wide easement of MCSD shall be quitclaimed (and relocated as necessary) prior to the subdivision map being filed with the County Recorder.



Above: Diagram showing the existing MCSD easement in pink.

- 1.5 **PARCEL LINES:** The applicant may make adjustments to the proposed parcels lines that will better accommodate building sites, fire safe setbacks, and zoning setbacks. This may include making Parcel 4 a flag lot.
- 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) **SUTTER ROAD (PUBLIC ROAD):**

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated to the County of Humboldt a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes in a manner approved by this Department. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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

(b) **UNNAMED ACCESS ROAD:** Applicable if the driveway alternative is not used.

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/lots within the subdivision in a manner approved by this Department. The easement shall be 25 feet in width.

- 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:** Pursuant to County Code §326-3, construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work. (See County code Section 326-3)

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the local fire response agency and public utility companies having any facilities within the subdivision prior to construction authorization by this Department.

Construction plans shall be tied into elevation datum approved by this Department. 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).

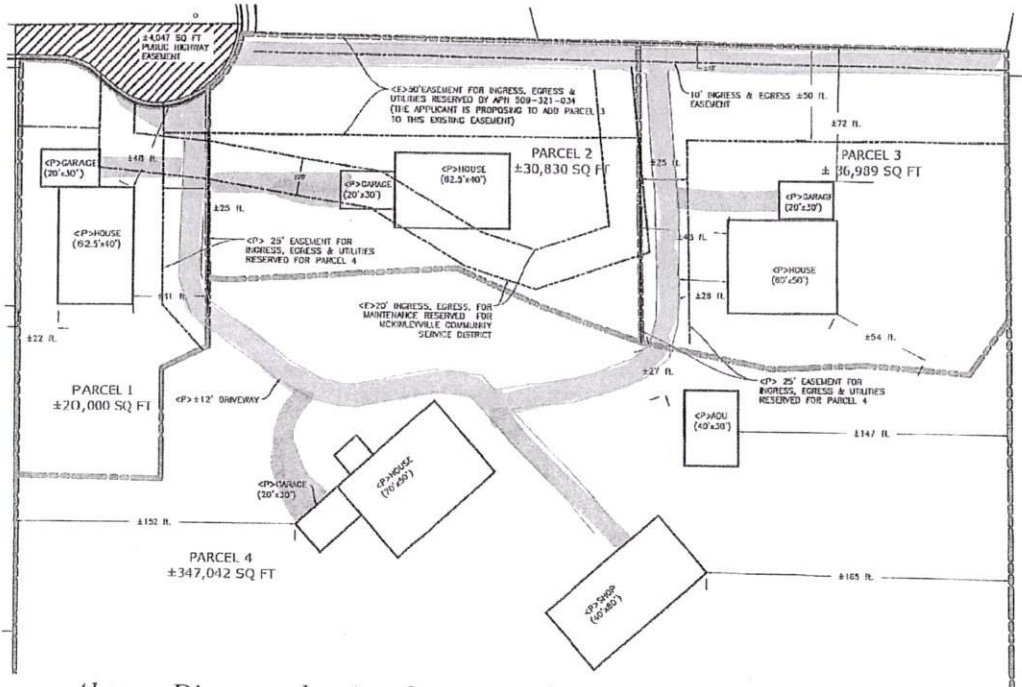
Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

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

- (a) **SUTTER ROAD (County Maintained):** Construct 5 foot wide landscape strip (4.5' useable) and 5' wide PCC sidewalk along the frontage of the subdivision. Repair any damaged curb and gutter. Construct Urban Driveway No. 1.

- (b) **UNNAMED ACCESS ROADS (Not County maintained):** The unnamed access roads shall be constructed to Fire Safe Standards being a Category 4 road, and any Cal-Fire approved exception requests. As an alternative to constructing a road, the applicant may construct a series of driveways as set forth in Item 2.6.



Above: Diagram showing the proposed unnamed access road for the subdivision as depicted on the tentative map. Access road in yellow; driveways (approximated) in pink.

- 2.5 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.

- 2.6 DRIVEWAYS:** All access openings (existing and proposed) shall conform to Humboldt County Code Section 341 regarding visibility. All access openings (existing and proposed) shall intersect the road at a 90° angle, unless otherwise approved by this Department.

All access openings (existing and proposed) shall be constructed to County Urban #1 driveway standards. Surfacing shall be hot mix ("asphalt") or Portland Cement concrete for the width of the driveway.

As an alternative to constructing a category 4 access road, the applicant may wish to construct a series of driveways.

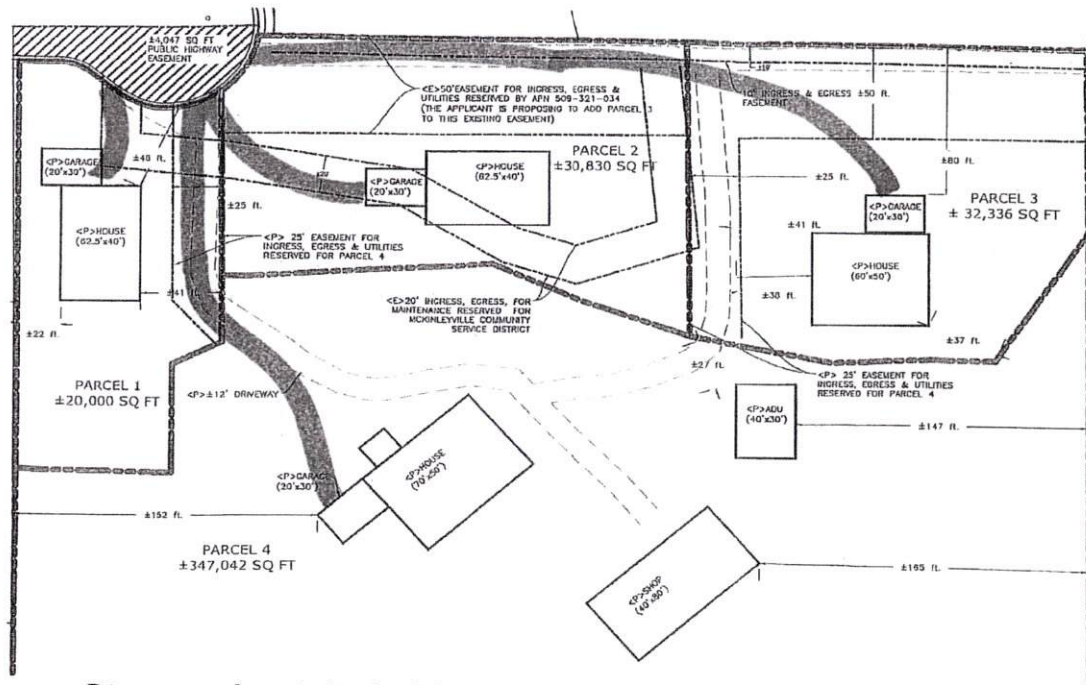


Diagram – three individual driveway approaches from Sutter Road (4L080)

Any proposed access openings to the County road will require encroachment permits from this Department. The proposed access openings will be evaluated after application is received.

That portion of a structure used for the parking of vehicles must be setback a minimum of 20 feet from easements created as a condition of tentative map approval for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. If a development plan is prepared for this project, the development plan shall note this minimum setback condition and indicate graphically the location of the setback line on the lots. [Source: Humboldt County Code Section 314-109.1.2.2.5]

All access openings (existing and proposed) shall be shown on the improvement plans.

- 2.7 **UNKNOWN IMPROVEMENTS:** Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.
- 2.8 **UTILITIES:** The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities, relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.

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

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

2.9 PERMITS: Pursuant to County Code §411-11 (a)&(b), an encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.10 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:

2.13 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>

2.14 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:

- Road Improvements in Item 2.4.
- Consolidated storm water retention/detention facilities in Item 3.4.

2.15 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>

2.16 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."

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. In the preparation of drainage plans, applicant shall comply with the Community of McKinleyville County Storm Water Management Program.

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.

In McKinleyville, the drainage report shall address increased runoff from all development that occurred after 12/10/2002.

If the site conditions do not allow for detention, then infiltration may be considered by the Department as an alternative.

Applicant may construct individual facilities on each lot or may provide a consolidated facility to serve the entire subdivision.

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.

Each lot in the subdivision is considered a regulated project.

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 UNNAMED ACCESS ROAD.
- A maintenance plan for any consolidated storm water retention/detention facilities.

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.

A maintenance plan for projects that contain consolidated detention facilities shall include, but is not limited to, the following:

- (a) A schedule for the periodic monitoring of the detention facilities. At a minimum, the detention facilities shall be monitored at least once each year between April 15 and October 15.
- (b) A system to monitor the basins in a timely manner after significant rain fall events.
- (c) Monitoring shall be done by a qualified professional as approved by this Department.
- (d) Monitoring shall include an annual written report identifying (1) the condition of the facilities; (2) the recommended maintenance needed for the facilities to function as originally constructed or as required by subsequent regulation; and (3) certification that the maintenance was completed to the satisfaction of a qualified professional. The report shall be submitted no later than October 31 of each year to this Department.
- (e) A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.
- (f) For infiltration basins, wet weather testing of the percolation rate of the basin consistent with Department of Environmental Health standards for determining the percolation rates for septic systems. Percolation rate testing shall be done every five (5) years.

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

7.1 LANDSCAPING PLAN: A landscape plan is required for all landscaping within the public right of way pursuant to Section 13 of the Appendix to Title III, Division 2, Humboldt County Code. The plans must show the proposed irrigation facilities. The plan shall be prepared by a landscape architect or other qualified professional as approved by this Department. Monument signs, if proposed, and landscaping shall be shown on the plan and shall conform with Humboldt County Code Section 341 regarding visibility. All work and materials shall be warranted for a minimum of 1 year from filing of the subdivision map, unless otherwise approved by this Department. The landscape plan shall be approved by this Department. It must include a minimum of the following:

- (a) List of species to be planted (common name and scientific name).
- (b) An irrigation system. All landscaping that is not drought tolerant shall be maintained by a permanent automatic irrigation system.
- (c) Planting and fertilization method
- (d) Maintenance Manual
- (e) Staking Method for trees

- (g) Landscaping within the right of way shall consider appropriate screening for utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, etc.

7.2 **SPECIES:** A list of approved trees and shrubs shall be shown on the development plan as the only trees and shrubs permitted in the parkway area, unless otherwise approved by this Department. Utilize native species when appropriate.

7.3 **MAINTENANCE:** Landscaping along the frontage of public streets is the responsibility of the adjacent lot owner. Landscaping along the frontage of private roads is the responsibility of the road maintenance association for the private road or is the responsibility of the adjacent lot owner.

This Department may maintain landscaping along collector or arterial roads when permanent funding source is made available.

// END //



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

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

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

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MANAGEMENT 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS 445-7421

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

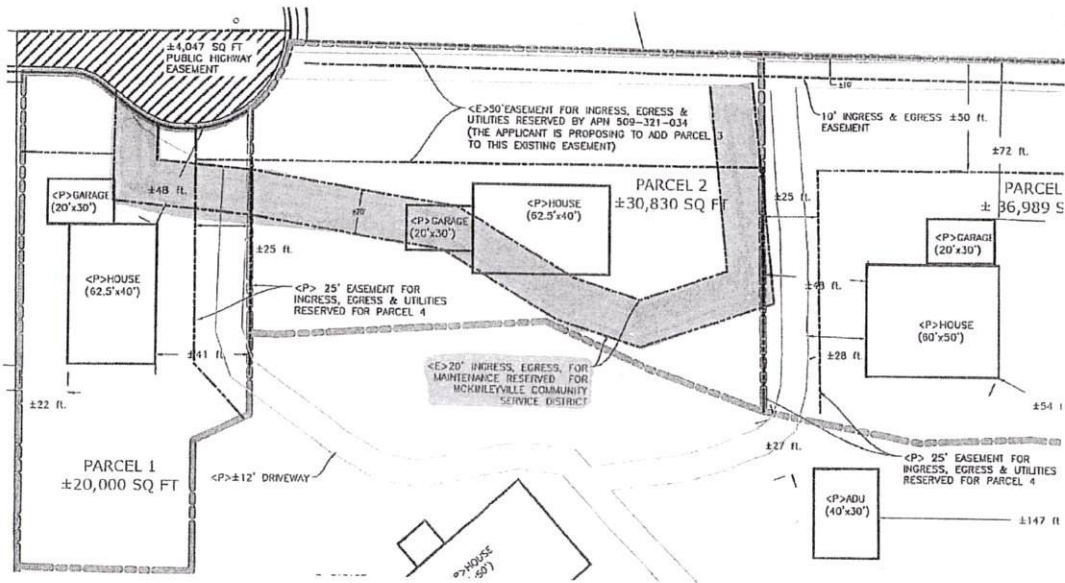
DATE: 10/24/2022

RE: **COLLINS, APN 509-061-025, PLN-2022-17740 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).

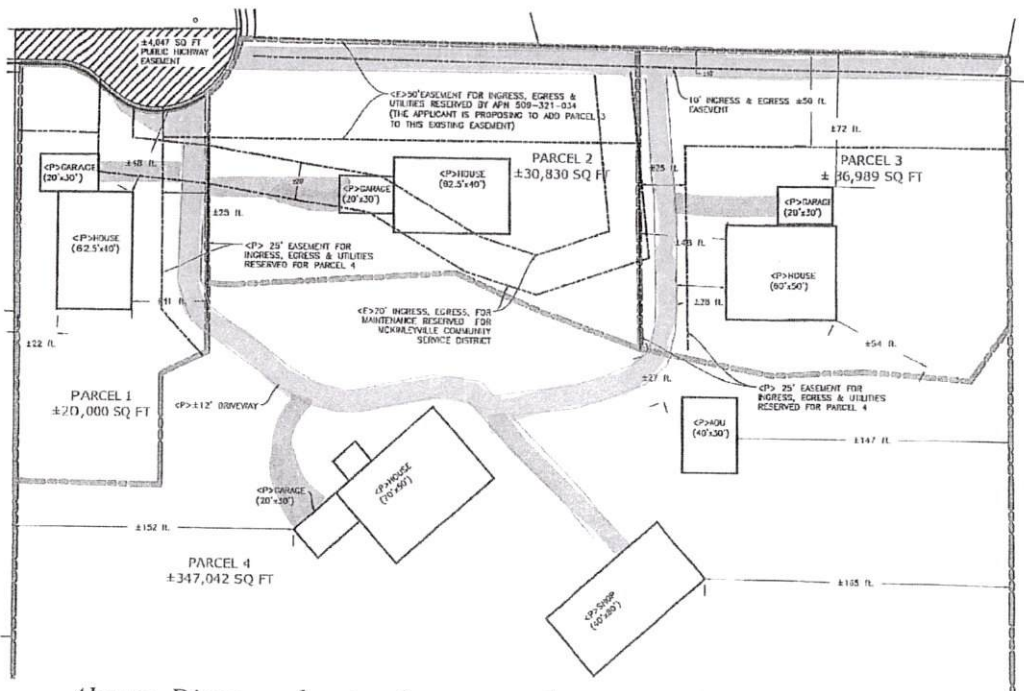
PARCEL LINES: The proposed parcel lines shown on the tentative map will need to be adjusted to create adequate building sites that comply with Fire Safe setbacks and County Zoning setbacks. Public Works has conditioned the project (Item 1.5) to allow the applicant may make adjustments with the proposed parcels lines to better accommodate building sites, fire safe setbacks, and zoning setbacks. This may include making Parcel 4 a flag lot.

MCSD EASEMENT: An existing 20 foot wide MCSD easement affects the ability for Parcel 2 to be developed. It also affects Parcel 1 to a lesser degree. The easement will need to be quitclaimed by MCSD and re-established in a more geographically convenient location that will allow the subdivision to be built. Public Works has conditioned the project (Item 1.4) to require that quitclaim and relocation of the easement (if needed) prior to the subdivision map being filed with the County Recorder.

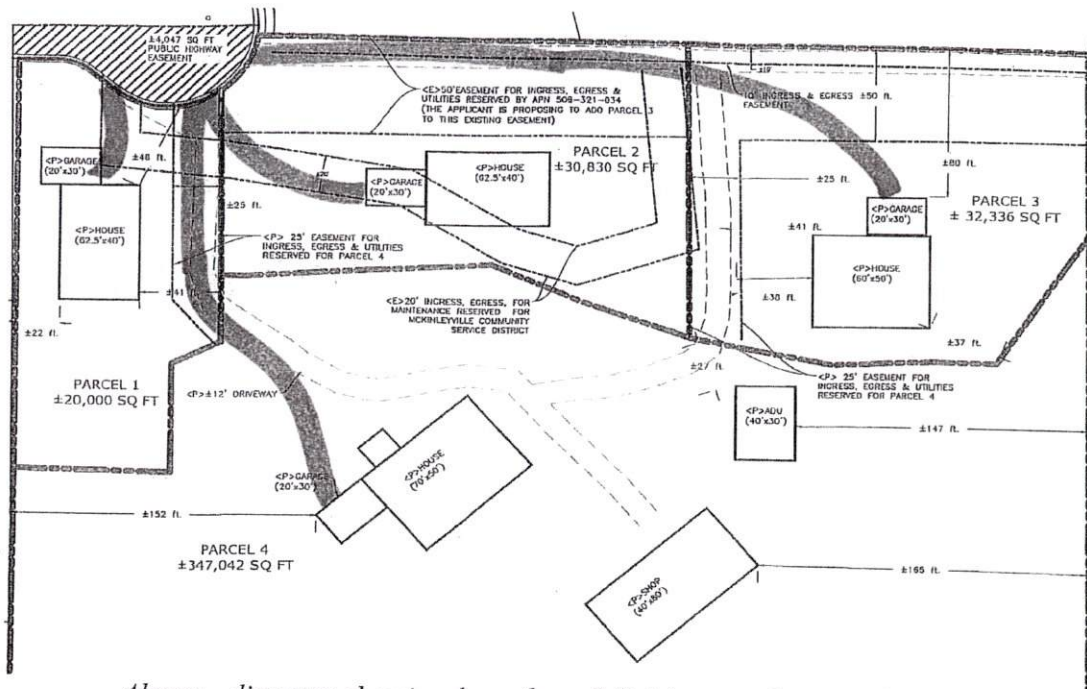


Above: Diagram showing the existing MCSD easement in pink.

DRIVEWAYS VERSUS ACCESS ROADS: In lieu of constructing an access road that complies with Fire Safe Regulations (Category 4 standards), Public Works has conditioned the subdivision with an option to allow the applicant to develop a series of driveways to serve the parcels. This will eliminate the need for a category 4 access road. Driveways serve one parcel; roads serve more than one parcel.



Above: Diagram showing the proposed access road for the subdivision as depicted on the tentative map. Access road in yellow; driveways (approximated) in pink.

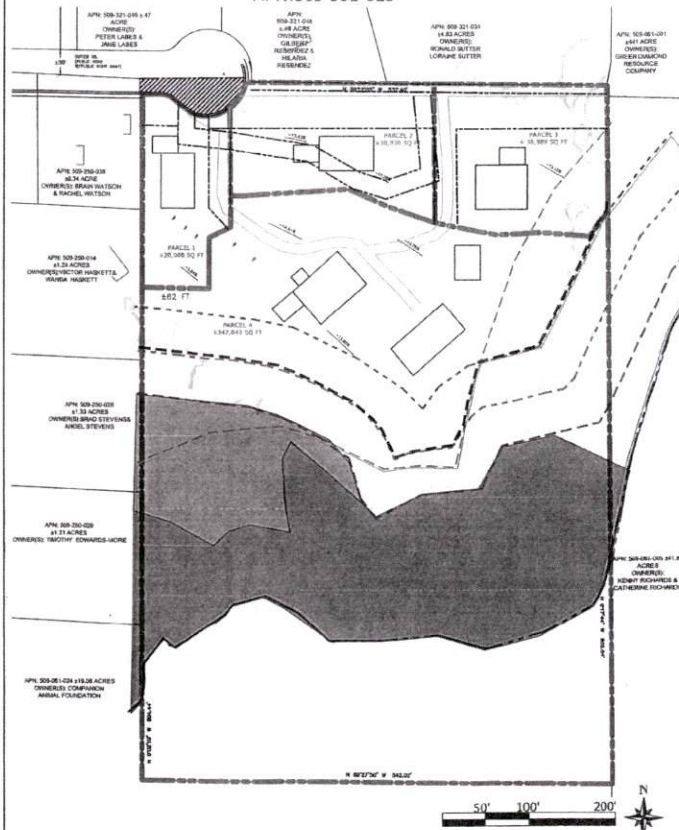


Above: diagram showing how the subdivision can be served with a series of driveways in lieu of an access road.

EXCEPTION REQUEST: Public Works can support a County Code 325-9 Exception Request to reduce the width of the proposed access easement across Parcel 1 for the benefit of Parcel 4. To 25 feet as shown on the tentative map.

// END //

APN:509-061-025


$$1'' = 1,000'$$


1-PARAMETER WETLAND

- | | |
|---|---|
|  | 1-PARAMETER WETLAND |
|  | 3-PARAMETER WETLAND
(VEGETATION) |
|  | SMA |
|  | RIPARIAN DRIP LINE |
|  | GP'S MILL CREEK |
|  | 200' MAXIMUM SMA
(FROM TOP OF BANK) |
|  | 100' RIPARIAN SETBACK
(FROM DRIP LINE) |
|  | 50' SEASONAL WETLAND
SETBACK |
|  | BUILDING LINE LIMIT |
|  | PARCEL BOUNDARY |
|  | EASEMENT BOUNDARY |

PROJECT DESCRIPTION
THE PROPOSED PROJECT IS TO SUBDIVIDE AN EXISTING PARCEL 16.4 ACRE PARCEL INTO FOUR (4) PARCELS. PARCEL ONE WILL CONSIST OF 8.88 ACRES, PARCEL 2 WILL CONSIST OF 4.71 ACRES, PARCEL 3 WILL CONSIST OF 1.74 ACRES, AND PARCEL 4 WILL CONSIST OF 7.97 ACRES.

LATA/ONG 46.9331/-124.0778
APN: 509-081-025
TRACT NAME: GOLDSTEIN & COLLINS SUBDIVISION

TRACT NAME: GOLDSTEIN & COLLINS SUBDIVISION
PARCEL SIZE: ± 10.4 ACRES
ZONING: AG-WR (COMBINED)
APPLICATION TYPE: SUBDIVISION

NAME: TY ROBIN COLLINS & JULIANA GOLDSTEIN
CONTACT NUMBER: 707-479-0545

Mailing Address: 1701 Kristin Way, McKinleyville, CA
Contact Email: Robin@greenroadconsulting.com

C1-TENTATIVE PARCEL MAP
C2-INSET A, PROPOSED DEVELOPMENT

NOTES:

1. EXISTING PARCEL BOUNDARY SURVEYED BY DYLAN KOLISTAD (LICENSED SURVEYOR)
2. ALL RECORDS OF EASEMENT ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE RECORD OF SUBDIVISION MAP
3. PARCEL DOES NOT HAVE AN ASSIGNED ADDRESS
4. CONTOURS DEVELOPED THROUGH PHOTOGRAMMETRY BASED OFF AERIAL DRONE FOOTAGE TAKEN 8/1/22.
5. WATER-PUBLIC (MCCKINLEYVILLE COMMUNITY SERVICE DISTRICT)
6. POWER-PUBLIC (PG&E)

RECEIVED
SEP 16 1972

APPROVED
NOV 3 2022
Humboldt County
PLANNING

9/3/22

**GREEN
ROAD
CONSULTING**

PRO	IBIN		
-----	------	--	--

TY RO

OWNER _____

PROPERTY OR ADDRESS
ET INFO

PROPOSED	AD	SHE
REVISIONS		

NO.	NOTES	DATE

DATE	9/8/22
DRAFTER	DM

DRAFTER DN
SCALE AS SHOWN
SHEET
C1

51

8/2022 - E:\Projects\Colorado\CAO\County_Farm\Proposed_Pack-2022\review\fig - 12.23 PM - CBC

