

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

Resolution Number 24-021

Strombeck Zone Reclassification and Parcel Map Subdivision

Record Number PLN-2023-18708

Assessor Parcel Number 511-491-021

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Strombeck Parcel Map Subdivision and recommending the Strombeck Zone Reclassification to the Board of Supervisors for approval.

WHEREAS, the owners submitted an application and evidence in support of approving the Zone Reclassification and Parcel Map Subdivision; and

WHEREAS, the Board of Supervisors accepted an applicant-initiated Zone Reclassification Petition (PLN-2022-17943) for the subject parcel on May 2, 2023 to change the underlying zone classification from Agriculture General with Special Building Site combining zone specifying a 10-acre minimum size (AG-B-5(10)) to Agriculture General with Special Building Site combining zone specifying a 5-acre minimum size (AG-B-5(5)).

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 May 2, 2024, 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.

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

1. FINDING:

Project Description: A Zone Reclassification to rezone the subject parcel from Agriculture General with a minimum parcel size of 10 acres (AG-B-5(10)) to Agriculture General with a minimum parcel size of 5 acres (AG-B-5(5)). Also included is a Parcel Map Subdivision of the subject parcel to create two parcels of 9.98 acres (Parcel 1) and 5.0 acres (Parcel 2). The parcel is currently developed with a six-bedroom single-family residence, a detached garage and a shop building that will all remain on Parcel 1. The parcel has a General Plan designation of Residential Agriculture specifying a density of 5-20 acres per unit. The applicant plans to construct a three-bedroom residence and an accessory dwelling unit on Parcel 2 in the future. The parcels are served with on-site water (well). An on-site wastewater treatment system exists on Parcel 1, and on-site wastewater treatment systems would be developed on Parcel 2 as part of future development.

EVIDENCE: a) Project Files: PLN-2022-17943 and PLN-2023-18708

CALIFORNIA ENVIRONMENTAL QUALITY ACT

2. FINDING:

The requirements of the California Environmental Quality Act (CEQA) have been met. The Humboldt County Planning Commission has considered the project and finds the proposed zone reclassification and subdivision require no further environmental review 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 acknowledges CEQA's mandate that projects require no 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, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:

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.

The residential density specified in the McKinleyville Community Plan was utilized for analysis conducted during development of the Environmental Impact Report prepared for the current Humboldt County General Plan, which includes all of the required elements specified in Section 65302 of the Government Code. The EIR for the General Plan was certified during adoption of the plan in 2017.

- b) There are no environmental effects that are peculiar to the project or the parcel on which the project is located. Neighboring development on adjacent parcels is composed of the same density as the subject parcel. The proposal is consistent with the planned density and is currently developed with low-density residential uses. The development pattern and design included in the concept provided by the applicant has been found to be acceptable by the Land Use Division of Public Works and Planning Division.
- 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 zone reclassification and subdivision would enable future build-out to the currently planned density for the area, which was re-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 zone reclassification and 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 subdivision will create a total of two parcels. One of which, 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 project was referred to the Northwest Information Center (NWIC), the Wiyot Tribe, Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria. NWIC responded recommending further study and that consultation with local tribes occur. Blue Lake Rancheria responded stating that they had no concerns about the project at this time. Nonetheless, the project is conditioned that standard inadvertent archaeological discovery protocols be in place for any ground disturbing activities.
- j) 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. Arcata Eureka Airport is the closest airport and is located approximately 1.3 miles west of the project site.
- k) According to the Humboldt County Fire Hazard Severity map, the parcel is located within a high fire hazard severity area. The site is within the Arcata Fire 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.

- l) 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 will receive water from an existing well on site and wastewater will be treated by permitted onsite wastewater treatment systems.
- m) Kyle Wear, Botanical Consultant conducted a Biological Resources Assessment for the project site in April and June of 2023 to provide information on biological resources needed to complete the environmental review of the project. The assessment identified no special status plants, wildlife, or wetlands in the project area. The project was referred to the California Department of Fish and Wildlife (CDFW). CDFW responded requesting the project be conditioned for avoidance of disturbance to nesting birds, which was also recommended in the Biological Resources Assessment. This has been made condition of project approval.

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: a) The subject parcel has been determined to be one legal parcel (Lot 2) as shown on Parcel Map recorded in Book 27 of Parcel Maps page 71.

ZONE RECLASSIFICATION

- 4. FINDING:** The amendment is in the public interest.

EVIDENCE: a) The proposed zone reclassification is in the public interest because it will allow for the subdivision of the subject parcel, creating an additional housing opportunity in a portion of the McKinleyville area already of residential character. Expanding housing opportunities at all income levels is a public benefit and is a Guiding Principle of the Humboldt County General Plan (Humboldt County General Plan 1.4.3).

- 5. FINDING:** The amendment is consistent with the County General Plan.

EVIDENCE: a) The Agriculture General (AG) zone is compatible with the Residential Agriculture (RA) land use designation. The rezoning of the subject parcel from Agriculture General with a 10-acre

minimum parcel size (AG-B-5(10)) to Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) would bring the parcel into alignment with the General Plan designation of Residential Agriculture with a density of 5-20 acres per unit (RA5-20).

6. **FINDING:** The zone reclassification 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 subject parcel was not included in the 2019 County Housing Inventory. The zone reclassification would allow for the subdivision of the subject parcel, increasing residential density and creating an additional housing opportunity.

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

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

EVIDENCE: a) The project will result in a total of two parcels of 9.98 and 5.0 acres in size. The newly created parcels will be served by onsite water and sewer. The lots are large enough to comply with all required setbacks for existing and proposed structures.

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

EVIDENCE: a) Access to the property is via a private drive connected to Elizabeth Road, a non-county-maintained 20-foot-wide paved road within a 50-foot-wide right of way. The Department of Public Works (PW) has reviewed the proposed lot split and recommends several conditions of approval related to road and utility easement dedication, monumentation on the parcel map, standard improvements, etc. These are enumerated in a memo dated 1/10/2024 and are recommended as conditions of approval. PW has also approved an exemption request as specified by Code Section 324-1(b), to allow the applicant to pursue subdivision of the parcel providing a 20-foot-wide easement through Parcel 2 for the benefit of Parcel 1.

9. **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 1/10/2024 memo from the Land Use Division of Public Works (PW) is required by the project Conditions of Approval. Sections 3.2 and 3.3 of their memo informs the applicant of their responsibility to correct any drainage problems associated with subdivision to the satisfaction of PW and requires that a hydraulic report and drainage plan for the subdivision be submitted to PW for review and approval.

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

EVIDENCE: a) The parcels are served by a well on Parcel 1. The applicant has submitted a Dry Weather Water Production Drawdown Test performed by Leach Water Systems in August of 2023, which included volumetric testing results for the well proposed to serve both parcels. The dry weather production test produced a stabilized discharge rate of approximately 5.5 gallons per minute (gpm), or 7,920 gallons per day (gpd). Planned use of the well by three residences of 450 gpd per residence estimated from usage rates for Humboldt County's OWTS guidelines equates to approximately one gpm. The Department of Environmental Health reviewed this information and found that each parcel will have adequate water availability and recommended that the applicant record an easement for and grant a water right to Parcel 2 for use and maintenance of the existing well on Parcel 1, and that the location of the water source and all easements appear on the Development Plan.

An Onsite Sewage Disposal System Design Technical Memorandum was prepared by Andy Sundquist in September of 2023 to assess the site suitability for the future development of Parcel 2. The scope of work included: determining suitability of proposed onsite sewage disposal areas; excavation of test pits; describing subsurface soils; performing dry-weather percolation testing; and providing a proposed system design and layout.

An addendum to the Onsite Sewage Disposal System Design Technical Memorandum was prepared by Andy Sundquist in March of 2024. The scope of work included: determining suitability for a reserve disposal field to be developed in the event of a failure of the existing disposal field that supports the existing residence on Parcel 1; further excavation of test pits; performing wet-weather percolation testing on Parcel 1 and 2;

and providing a proposed system design and layout for the additional reserve field on Parcel 1.

The project was referred to the County Department of Environmental Health (DEH) and they were provided with copies of the Onsite Sewage Disposal System Design Technical Memorandum and addendum for review. DEH has reviewed the reports and conducted a site visit to assess the suitability of the proposal and has recommended approval of the project.

11. 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 and depth requirements of the AG zone.

Govt. Code §66474.02 Structural Fire Protection

12. 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 located within the SRA for Fire Protection and is within a high fire hazard severity area. The property lies within the boundaries of the Arcata Fire Protection District, who provide structural fire protection and responds to medical emergencies. The project was referred to the fire district for review and the fire district recommended approval of the project. The project, as proposed, meets the requirements of both State and local Fire Safe Regulations.

13. FINDING: The proposed subdivision is in conformance with the County General Plan.

EVIDENCE: a) The proposed subdivision is consistent with the Residential Agriculture 5-20 acre per unit (RA5-20) land use designation. The project will allow for the creation of two parcels for existing and proposed single-family residential and accessory dwelling unit (ADU) development within the 14.98-acre parcel. The RA5-20 designation specifies a density of one unit for every 5-20 acres. ADUs may be principally permitted in any zone that allows single-family or multifamily dwelling residential use and includes a proposed or existing dwelling, if the General Provisions in Sections 314-69.05.3 H.C.C. are met, and the ADU meets the Development Regulations and Standards of Section 314-69.05.4 H.C.C.

Parkland Section 4420 (MCCP)

b) *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
/	43,560	Square feet per acre
	0.00769	Parkland dedication per average household in acres
X	3	Number of new units being created by the subdivision,
X	100% (1.0)	Percentage of these parcels within the McKinleyville Community Planning Area

	0.023	Acres of parkland for subdivision
X	\$160,000	Value of one acre of land in the vicinity of the subdivision project
	\$3,692.98	Parkland Dedication In-lieu Fee for the Strombeck Minor Subdivision

14. FINDING: The proposed project is consistent with the purposes of and meets all of the applicable development standards of the Agriculture General zone with a minimum parcel size of 5 acres (AG-B-5(5)).

EVIDENCE: a) The proposed zoning designation of AG-B-5(5) allows for residential uses as Principally Permitted on lots greater than five acres in size. The proposed parcels will meet that requirement.

15. 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 14.98-acre parcel into two parcels and build out with a total of two units and an ADU. The proposed parcel sizes are permitted with the zoning and the resulting density is consistent with that planned for the area.

b) The parcel being divided is currently host to an existing single-family residence with a detached garage and a shop building that will remain on Parcel 1. A single-family residence and ADU are proposed on Parcel 2. Water will be supplied by an existing well on site and wastewater will be treated by permitted onsite wastewater treatment systems. The parcel is planned and zoned for single-family residential development and is surrounded by parcels with the same density. Single-family residential development is principally permitted under the parcel's current zoning. None of the referral agencies oppose the project and there is no information to suggest that approval of the project would potentially be detrimental to the public health, safety, and welfare or materially injurious to properties or improvements in the vicinity.

16. 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 (RA) and zoning (AG) allow single-family 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 RA5-20 land use designation, which includes a maximum density of one unit per 5-20 acres. The parcel was not included in the 2019 Housing Element inventory so there is no risk of the density falling short of the target required.

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
- Recommend the Strombeck Zone Reclassification to the Board of Supervisors for approval; and
- Approve the Strombeck Parcel Map Subdivision subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on May 2, 2024.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Sarah West and the following vote.

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

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF THE TENTATIVE PARCEL MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PARCEL MAP MAY BE FILED WITH THE COUNTY RECORDER.

Conditions of Approval:

1. Approval of the Parcel Map Subdivision is contingent upon the Board of Supervisors approval of the proposed Zone Reclassification from Agriculture General with a minimum parcel size of 10 acres (AG-B-5(10)) to Agriculture General with a minimum parcel size of 5 acres (AG-B-5(5)).
2. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
3. The conditions on the Department of Public Works referral dated January 10, 2024, included herein as Attachment 1C, as may be modified by the decision maker, 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. Prior to recordation of the Parcel Map, the subdivider shall record an easement for all necessary water conveyance facilities to convey water from Parcel 1 to Parcel 2 on the Parcel Map and grant a water right to Parcel 2 for use and maintenance of the existing well on Parcel 1. The location of the water source and all easements shall appear on the Development Plan.
5. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel, if applicable.
6. 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.
7. Prior to filing of the Parcel Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.

8. Prior to filing of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
9. Prior to filing of the Parcel Map, the applicant shall submit a letter from the United States Postal Service stating that the project meets their requirements for mailbox units. This condition shall be administered by the Department of Public Works.
10. Prior to filing of the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. A Cost report will be made available at the Humboldt County Planning Department.
11. 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 \$129.00 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.
12. Parkland dedication fees of \$3,692.98 shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$2,461.98 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for a second or secondary dwelling unit on Parcel 1. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,230.99 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 will be required.

Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$160,000/acre. The dedication fee calculation per Section 314-110 of the Humboldt County Code is as follows: $3(130 \times 2.578/43,560) \times \$160,000 = \$3,692.98$.

13. The applicant shall submit at least three (3) copies of a Development Plan 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 the following site development details:

A. Mapping

- (1) Topography of the land in 5-foot contour intervals; and
- (2) Building envelopes and the location of all necessary easements, including water line, water source, and other utility easements as necessary; and
- (3) Off-street parking spaces consistent with the approved tentative map; and
- (4) Location of Streamside Management Area (SMA) labeled "unbuildable"; and
- (5) Details showing conformance with provisions of the State Fire Safe Regulations, including but not limited to:
 - a. Road and driveway access standards including emergency access road (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) "If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area 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 and successors are ultimately responsible for ensuring compliance with this condition."

- (2) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
- Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (3) "Hours of construction activity shall be limited to Monday through Friday from 7:00 am to 6:00 pm, and Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan."
- (4) "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.5. of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (5) "Vegetation removal shall occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee shall consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist shall re-survey the area before work resumes."
- (6) "Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Attachment 1C for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.10 of the above-mentioned Subdivision Requirements."
- (7) "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.”

14. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$445.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
15. The applicant is required to pay for permit processing on a time and material basis as set forth in the latest schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision and upon file close out. 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.

Informational Notes:

1. To reduce costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Attachment that are administered by the Planning Division (Namely: Conditions 2-13). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for Parcel Map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges. Copies of all required forms and written instructions are included in the final approval packet.

* Each item evidencing compliance should note in the upper right-hand corner:

Assessor's Parcel No. _____, *Exhibit "A", Condition* _____.
(Specify) *(Specify)*

2. If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area 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 and successors are 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. As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.
5. The term of the approved Tentative Parcel 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.



EXHIBIT A

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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



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

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

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

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: Rodney Yandell, Senior Planner

FROM: Ken Freed, Assistant Engineer 

RE: **SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE STROMBECK, APPLICATION # 2023-18708 PMS, APN 511-491-021, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 14.98 ACRES INTO 2 PARCELS**

DATE: 01/10/2024

The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Points West Surveying Co. dated April 2022, revised January 5, 2024, and dated as received by the Humboldt County Planning Division on January 5, 2024.

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 County Code §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 an electronic copy of the subdivision map, in pdf format, as filed by the County Recorder. [Reference: Government Code §66466(f)]

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 County Code §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

Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 50 feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance] A reduced right of way as proposed on the tentative map can be used if an exception request is approved by the Planning Commission.

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 §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 §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."

(use this paragraph private roads are within the distinctive border.)

1.7 DEDICATIONS

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

(a) UNNAMED ACCESS ROAD (NOT COUNTY MAINTAINED):

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels within the subdivision in a manner approved by this Department. The easement for parcel 1 shall be 20 feet in width after the existing 50 foot easement established per a previous subdivision.

A turn-around area shall be provided where the access road for Parcel 1 intersects the unnamed access road complying with Appendix D of the International Fire Code unless otherwise approved by this Department and the fire district having jurisdiction at the project location.

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.

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

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 §326-3)

The construction plans shall show the location of all sensitive areas and required mitigation measures.

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.

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 ROAD NAMES

The access road(s) shall be named as approved by the Planning & Building Department – Planning Division.

The tentative map shows that the project proposes to utilize an unnamed access road to serve the proposed subdivision. Pursuant to APPENDIX TO DIVISION 2 OF TITLE III ESTABLISHING SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS, Section 6-1 and Title IV, Division 4, Chapter 2, County Code §442-5(b), the unnamed access road is to be named unless an exception pursuant to §442-5.5 is approved.

2.4 TRAFFIC CONTROL DEVICES & SIGNS

Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- (a) A stop sign shall be installed on the Unnamed Access Road at its intersection with Elizabeth Road.
- (b) Pursuant to the County Code §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. Sign shall be installed near the intersection with the County maintained road.
- (c) Street name signs shall be provided at all road intersections. In State Responsibility Areas, street name signs shall also comply with SFSR §1274.00 et seq. and County Code §3113-11.

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 Code §3113-11 and SFSR §1274.00 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: Cal Fire has decertified the County's Fire Safe Regulations (FSR) codified in County Code Section §3111-1, et seq., as a result State's Fire Safe Regulations (SFSR)

set forth in §1270.05, et seq. apply. Because the County has not repealed County Code Section §3111-1, et seq. County Code requirements also apply. When there is a conflict between the County's FSR and the State's SFSR, the code affording the greatest fire protection applies. [As an example, if County FSR requires a minimum 16 foot wide road and State SFSR requires a minimum 20 foot wide road, the State's requirement for a 20 foot wide road applies as it provides the greatest fire protection.]

- (d) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, water source signs shall also comply with SFSR §1275.04 and County Code §3114-5.

2.5 ACCESS ROADS

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

- (a) All intersections (including driveways) must conform to County Code §341 regarding visibility.
- (b) The **UNNAMED ACCESS ROAD**: Construct a 20 foot wide road per SFSR §1273.01 and provide a turnaround near the location of the start of the second driveway to Parcel 1. The turnaround shall have the same structural section as the roadway serving the parcels.

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



Above: limits of road improvements highlighted in BLUE. Location of turnaround noted in RED.

- (c) 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.
- (d) 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.

- (e) 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.
- (f) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (g) 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 County Code or County adopted guidelines and policies.
- (h) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

2.6 STRUCTURAL SECTION

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

- (a) **For paved road surfaces**, the structural section shall include a minimum of 0.2 feet of Caltrans Type A 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.
- (b) 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.

Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way**, unless approved in writing by this Department.

- (c) **For unpaved road surfaces**, the structural section shall include a minimum, of 0.5 foot of Caltrans Class 2 aggregate base. Paved surfaces are required for grades in excess of 16%.

2.7 UNKNOWN IMPROVEMENTS

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

2.8 UTILITIES

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

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

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

2.9 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.

2.10 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 § 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 two (2) years 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:

<NONE>

- (c) The following improvements shall be completed: (1) within two (2) years 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:

Items 2.4, 2.5(a), and 2.5(b)

3.0 DRAINAGE

3.1 PRELIMINARY DRAINAGE REPORTS

Any submitted reports have not been through a thorough engineering review. Detailed review and approval will be provided after the tentative map has been approved. This also applies to low impact development submittals.

3.2 DRAINAGE ISSUES

Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.

3.3 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 County Code §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.

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

The following are required for all development plans:

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

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

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

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

LAND USE	445-7205
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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Rodney Yandell, Senior Planner

FROM: Ken Freed, Assistant Engineer 

DATE: January 10, 2024

RE: STROMBECK, APN 511-491-021, PLN-2023-18708



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

EXCEPTION REQUEST FOR RIGHT OF WAY WIDTH: Based upon the development potential of Unnamed Access Road, and the physical constraints that prohibit a wider right of way from being established, the Department can support the proposed exception request. This has been incorporated into Public Works Conditions of Approval Item No. 1.7(a).

UNNAMED ACCESS ROAD: Pursuant to County Code §442-10, the Planning Department should determine if the unnamed access road is to be named prior to the project being presented to the Planning Commission for approval. Previously, the unnamed access road functioned more like a driveway. With the proposed subdivision, the unnamed access road will now function as a road and should be named.

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.

