

ATTACHMENT 1A
Conditions of Approval

RE-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 on the enclosed Department of Public Works referral dated July 19, 2022, 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. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval, said map to identify net and gross acreage for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Humboldt Community Services District indicating that the project conforms to its requirements dated November 24, 2010. This condition shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Humboldt Fire District No. 1 stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
7. On forms provided by the Planning Division, the owner shall execute a Conveyance and Agreement of Development rights with the County of Humboldt conveying rights to further subdivision and residential development. Terms of the agreement will stipulate that reconveyance of development rights shall not occur until such time that a Fault Evaluation Report is prepared for any parcel targeted for further development and payment of any outstanding parkland dedication fees has been completed. A legal document review and County notary fee (currently \$146.00) shall be paid to the County, along with the applicable recordation fees. Note: compliance with this condition was previously satisfied following approval of PMS-10-010.
8. The owner shall execute and cause to be recorded a "Deed Restriction and Hold Harmless Agreement" as required per Section 336-5(i) of the Humboldt County Code on forms provided by the Planning Division. A legal document review and County notary fee (currently \$146.00) shall be paid to the County, along with the applicable recordation fees.
9. 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 shall include the

following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contours.
- (2) Proposed access, parking lanes and pedestrian ways
- (3) Two (2) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.
- (4) Building locations and easements

B. Notes to be Placed on the Development Plan:

- (1) "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 suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call a professional archaeologist, the representatives from the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, and the County Planning and Building Department; 3. The professional archaeologist, Tribes and County officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.
 - If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5; 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 4. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
- (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 (construction potential of six (6) single family residences) 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) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."

- (4) "Development rights for secondary dwelling units on Parcels 1 and 2 have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
 - (5) "No additional residential development shall occur on either parcel until such time a Fault Evaluation Report has been prepared for the site."
 - (6) "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."
10. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Community Development Services—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 **\$446.00** plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
 11. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors shall be paid to the Humboldt County Community Development Services—Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
 12. Parkland dedication fees of \$2,924.68 shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$1,462.34 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,462.34 parkland dedication fee balance and the completion of a Fault Evaluation Report pursuant to the Alquist-Priolo Act. A copy of the Conveyance and Agreement form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Division upon the election of this option by the applicant once the 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 \$190.00) will be required. Note: compliance with this condition was previously satisfied following approval of PMS-10-010.
 13. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.

Informational Notes:

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

- Each item evidencing compliance except legal documents to be recorded should note in the upper right-hand corner:

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

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

3. The PMS shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see Effective Date). This approval may be extended in accordance with the Humboldt County Code.