

ATTACHMENT 1

Conditions of Approval

APPROVAL OF THE VARIANCE IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE FULFILLED BEFORE A BUILDING PERMIT MAY BE ISSUED OR USE INITIATED:

Conditions of Approval:

1. All development shall be in accordance with the approved plot plan and project description. Changes to the approved design not in conformance with Section 312-11, Minor Deviations will require a modification to the terms of this permit.
2. The owner is responsible for demonstrating that the proposed development complies with applicable provisions of the Fire Safe Regulations, including but not limited to, setbacks for defensible space, driveway width and turnaround areas, siding & roofing materials, and required design features. To comply with the defensible space provisions the owner must secure and execute a fuel modification easement using applicable forms provided by the Department. Alternately, the owner may pursue securing approval of a Firesafe Exception to reduce the standard defensible space setback.

On-going Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. All new and existing outdoor lighting shall be compatible with the existing setting and shall be shielded and directed to confine illumination to within the property boundaries.

Informational Notes

1. 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.

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This variance shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the variance has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.