



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: October 18, 2018

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Johnston Parcel Map Subdivision Extension**
Application Number 14146
Case Number PMS-05-019XXX
Assessor Parcel Number (APN) 509-113-010
1865 Lime Avenue, McKinleyville area

Table of Contents	Page
Agenda Item Transmittal Form	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Aerial Photo	9
Tentative Map	10
Attachments	
Attachment 1: Conditions of Approval	17
Attachment 2: Original Conditions of Approval	18

Please contact Trevor Estlow at (707) 268-3740, or by email at testlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date October 18, 2018	Subject Parcel Map Subdivision Extension	Contact Trevor Estlow
---	--	---------------------------------

Project: A third, two-year extension of a Parcel Map Subdivision (PMS-05-19), originally approved May 18, 2006 and extended twice by the applicant and automatically by several Assembly Bills. The project consists of a subdivision to create three parcels of 7,980 square feet, 6,975 square feet and 6,045 square feet. The parcel is currently 21,000 square feet in size and is developed with one single family residence that will remain on proposed Parcel 1. The project will require the removal of several mature Cypress trees to complete road improvements on First Street. The existing and proposed development is and will be served by community water and sewer. **No change to the original project is proposed. This is the third extension requested by the applicant, and if approved, the extension will expire on May 31, 2020.**

Project Location: The project site is located in the McKinleyville Area, on the east side of Lime Avenue, at the northeast corner of the intersection of Lime Avenue with First Street, on the property known as 1865 Lime Avenue.

Present Plan Designation: Residential, Low Density (RL). Humboldt County General Plan 2017; McKinleyville Community Plan (MCCP). Density: 1 – 8 units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential One-Family with a 6,000 square foot minimum parcel size and a combining zone for Noise Impacts (R-1-B-6-S-N).

Case Numbers: PMS-05-019XXX

Application Number: 14146

Assessor Parcel Number: 509-113-010

Applicant
Dwayne Johnston
1865 Lime Avenue
McKinleyville, CA 95519

Owner(s)
same as applicant

Agent

Environmental Review: Project is exempt from environmental review per Section 13515 of the CEQA Guidelines.

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

JOHNSTON PARCEL MAP SUBDIVISION EXTENSION

Case Number PMS-05-019XXX
Assessor Parcel Number 509-113-010

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

"I move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval."

Staff Analysis of the Evidence Supporting the Required Findings

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly. In addition, recent legislation (AB 116, AB 208, AB 333) added sections to the Subdivision Map Act that granted automatic extensions to a tentative subdivision or parcel map which met certain criteria.

Recommendation:

The findings and conditions of the original project have not changed significantly based on the following analysis.

Staff Analysis:

A two-year extension, in addition to two previously approved two-year extensions and three automatic extensions as allowed by three State Assembly Bills (AB 116, AB 208 and AB 333) of a Parcel Map Subdivision (PMS-05-019) originally approved May 18, 2006. The project consists of a subdivision to create three parcels of 7,980 square feet, 6,975 square feet and 6,045 square feet. The parcel is currently 21,000 square feet in size and is developed with one single family residence that will remain on proposed Parcel 1. The project will require the removal of several mature Cypress trees to complete road improvements on First Street. The existing and proposed development is and will be served by community water and sewer. **No change to the original project is proposed.**

The applicant states that the conditions of the property have not changed since the original application/approval of PMS-05-019. This is the third applicant requested extension and, if approved, the tentative map will expire on May 31, 2020.

The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that **the findings and conditions of the original project, effective May 31, 2006, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:**

1. The parcel's zoning, Residential One-Family with a 6,000 square foot minimum parcel size and a combining zone for Noise Impacts (R-1-B-6-S-N), for which a conformance finding was made, has not changed.
2. The General Plan Land Use designation, Residential Low Density (RL), for which a consistency finding was made, has not changed.
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. The original project was found to be exempt from environmental review per Section 13515 of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Referral agencies have recommended approval of the extension.

ALTERNATIVES: The Planning Commission could elect not to approve the extension. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Note: If the extension is denied, a fifteen calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors. There is no appeal period for approved map extensions.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE JOHNSTON PARCEL MAP
SUBDIVISION EXTENSION APPLICATION.
CASE NUMBER: PMS-05-019XXX; ASSESSOR PARCEL NUMBER: 509-113-010**

WHEREAS, Dwayne Johnston submitted an application and evidence in support of approving the Parcel Map Subdivision Extension; 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 project is exempt from environmental review per Section 13515 of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision Extension request;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission did find the project exempt from environmental review pursuant to CEQA and finds that there is no substantial evidence that the proposed project extension will have a significant effect on the environment;
2. The Planning Commission makes the findings in H.C.C. [§ 326-21] in the Planning Division staff report for Case Number: PMS-05-019XXX based on the submitted evidence.
3. The Planning Commission approves the proposed Parcel Map Subdivision Extension as recommended and conditioned in the Planning Division staff report for Case Number: PMS-05-019XXX.

Adopted after review and consideration of all the evidence on October 18, 2018.

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

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

ATTACHMENT 1

Conditions of Approval

The conditions of approval effective May 31, 2006, shall remain in full force and effect and are not affected by this extension.

NOTE: THE ORIGINAL STAFF REPORT AND SUPPORTING DOCUMENTATION IS ON FILE WITH THE PLANNING DIVISION AND AVAILABLE FOR PUBLIC INSPECTION.

ATTACHMENT 2

Original Conditions of Approval

AGENDA ITEM TRANSMITTAL

Hearing Date October 18, 2018	Subject Parcel Map Subdivision Extension	Contact Trevor Estlow
---	--	---------------------------------

Project: A third, two-year extension of a Parcel Map Subdivision (PMS-05-19), originally approved May 18, 2006 and extended twice by the applicant and automatically by several Assembly Bills. The project consists of a subdivision to create three parcels of 7,980 square feet, 6,975 square feet and 6,045 square feet. The parcel is currently 21,000 square feet in size and is developed with one single family residence that will remain on proposed Parcel 1. The project will require the removal of several mature Cypress trees to complete road improvements on First Street. The existing and proposed development is and will be served by community water and sewer. **No change to the original project is proposed. This is the third extension requested by the applicant, and if approved, the extension will expire on May 31, 2020.**

Project Location: The project site is located in the McKinleyville Area, on the east side of Lime Avenue, at the northeast corner of the intersection of Lime Avenue with First Street, on the property known as 1865 Lime Avenue.

Present Plan Designation: Residential, Low Density (RL). Humboldt County General Plan 2017; McKinleyville Community Plan (MCCP). Density: 1 – 8 units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential One-Family with a 6,000 square foot minimum parcel size and a combining zone for Noise Impacts (R-1-B-6-S-N).

Case Numbers: PMS-05-019XXX

Application Number: 14146

Assessor Parcel Number: 509-113-010

Applicant

Dwayne Johnston
1865 Lime Avenue
McKinleyville, CA 95519

Owner(s)

same as applicant

Agent

Environmental Review: Project is exempt from environmental review per Section 13515 of the CEQA Guidelines.

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

JOHNSTON PARCEL MAP SUBDIVISION EXTENSION

Case Number PMS-05-019XXX

Assessor Parcel Number 509-113-010

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

"I move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval."

Staff Analysis of the Evidence Supporting the Required Findings

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly. In addition, recent legislation (AB 116, AB 208, AB 333) added sections to the Subdivision Map Act that granted automatic extensions to a tentative subdivision or parcel map which met certain criteria.

Recommendation:

The findings and conditions of the original project have not changed significantly based on the following analysis.

Staff Analysis:

A two-year extension, in addition to two previously approved two-year extensions and three automatic extensions as allowed by three State Assembly Bills (AB 116, AB 208 and AB 333) of a Parcel Map Subdivision (PMS-05-019) originally approved May 18, 2006. The project consists of a subdivision to create three parcels of 7,980 square feet, 6,975 square feet and 6,045 square feet. The parcel is currently 21,000 square feet in size and is developed with one single family residence that will remain on proposed Parcel 1. The project will require the removal of several mature Cypress trees to complete road improvements on First Street. The existing and proposed development is and will be served by community water and sewer. **No change to the original project is proposed.**

The applicant states that the conditions of the property have not changed since the original application/approval of PMS-05-019. This is the third applicant requested extension and, if approved, the tentative map will expire on May 31, 2020.

The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that **the findings and conditions of the original project, effective May 31, 2006, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:**

1. The parcel's zoning, Residential One-Family with a 6,000 square foot minimum parcel size and a combining zone for Noise Impacts (R-1-B-6-S-N), for which a conformance finding was made, has not changed.
2. The General Plan Land Use designation, Residential Low Density (RL), for which a consistency finding was made, has not changed.
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. The original project was found to be exempt from environmental review per Section 13515 of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Referral agencies have recommended approval of the extension.

ALTERNATIVES: The Planning Commission could elect not to approve the extension. This alternative should be implemented if your Commission is unable to make all of the required findings per H.C.C. Sections 326-21 or 326-31. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Note: If the extension is denied, a fifteen calendar day appeal begins the next business day. Appeals must be filed with both the Planning Division and the Clerk of the Board of Supervisors. There is no appeal period for approved map extensions.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE JOHNSTON PARCEL MAP
SUBDIVISION EXTENSION APPLICATION.**

CASE NUMBER: PMS-05-019XXX; ASSESSOR PARCEL NUMBER: 509-113-010

WHEREAS, Dwayne Johnston submitted an application and evidence in support of approving the Parcel Map Subdivision Extension; 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 project is exempt from environmental review per Section 13515 of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision Extension request;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission did find the project exempt from environmental review pursuant to CEQA and finds that there is no substantial evidence that the proposed project extension will have a significant effect on the environment;
2. The Planning Commission makes the findings in H.C.C. [§ 326-21] in the Planning Division staff report for Case Number: PMS-05-019XXX based on the submitted evidence.
3. The Planning Commission approves the proposed Parcel Map Subdivision Extension as recommended and conditioned in the Planning Division staff report for Case Number: PMS-05-019XXX.

Adopted after review and consideration of all the evidence on October 18, 2018.

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:

NOES: Commissioners:

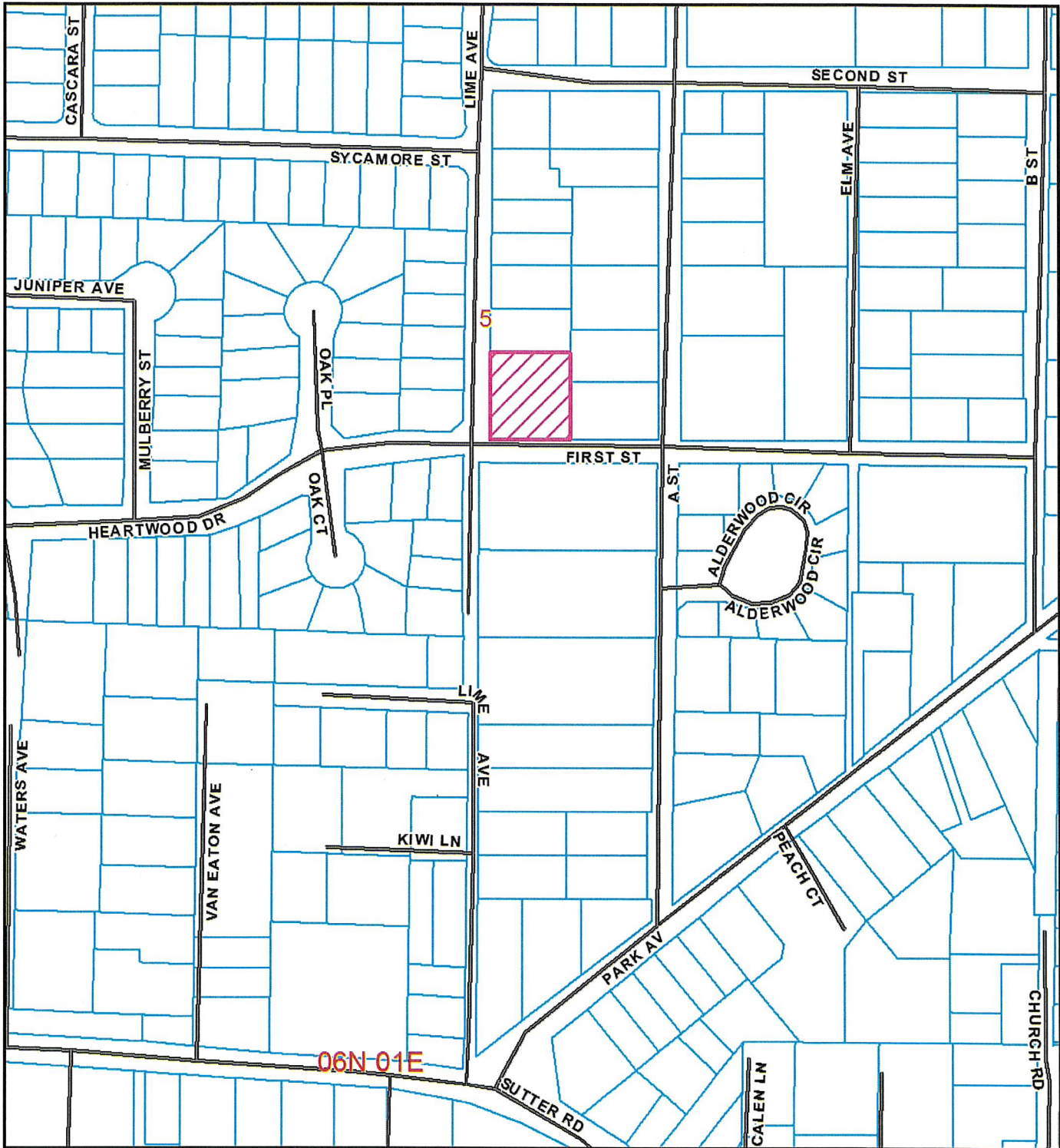
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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



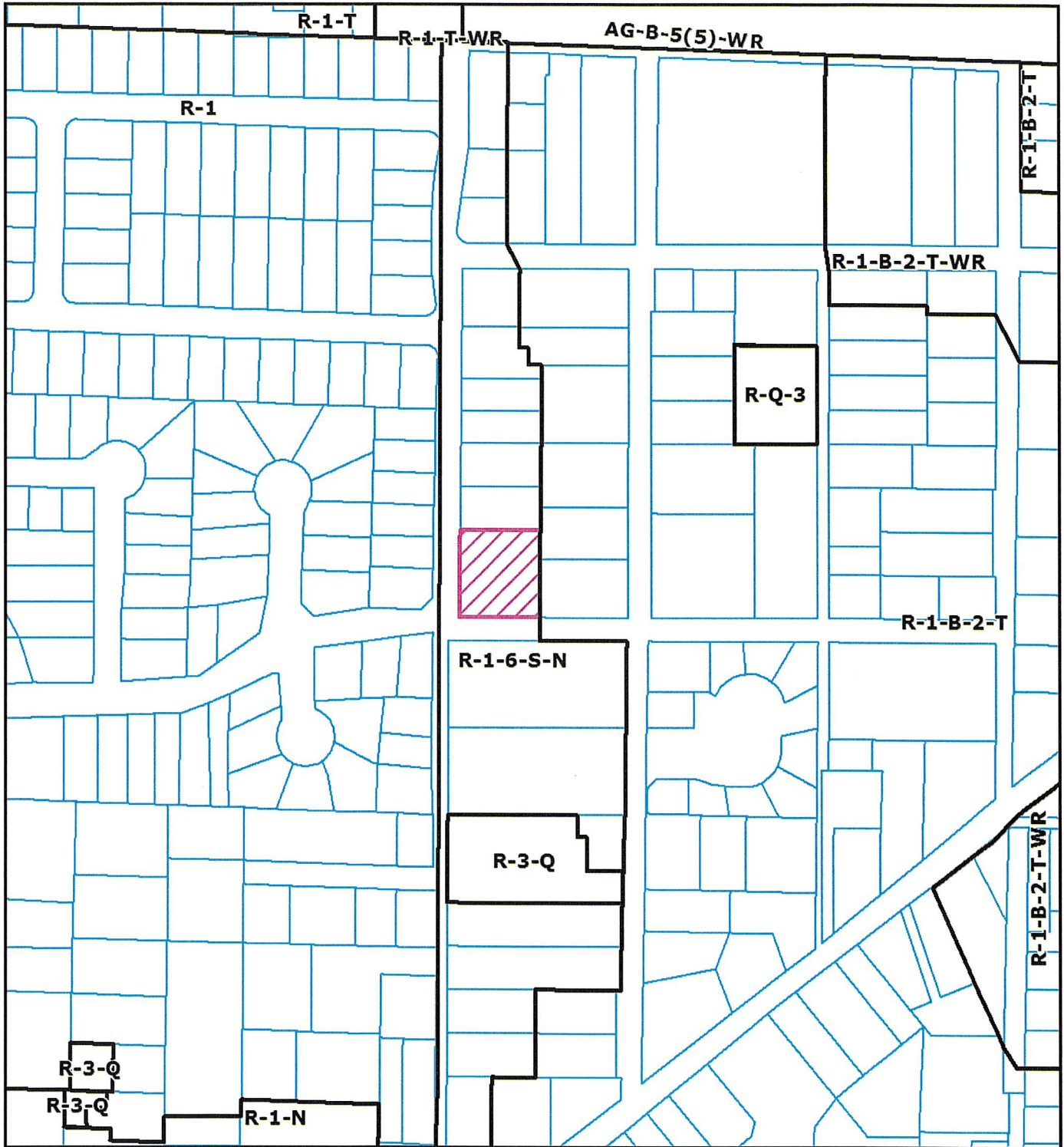
LOCATION MAP

**PROPOSED JOHNSTON
 PARCEL MAP SUBDIVISION EXTENSION
 MCKINLEYVILLE AREA
 PMS-05-019XXX
 APN: 509-113-010
 T06N R01E S05 HB&M (Arcata North)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



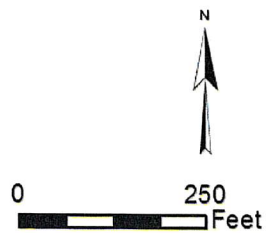


ZONING MAP

**PROPOSED JOHNSTON
 PARCEL MAP SUBDIVISION EXTENSION
 MCKINLEYVILLE AREA
 PMS-05-019XXX
 APN: 509-113-010
 T06N R01E S05 HB&M (Arcata North)**

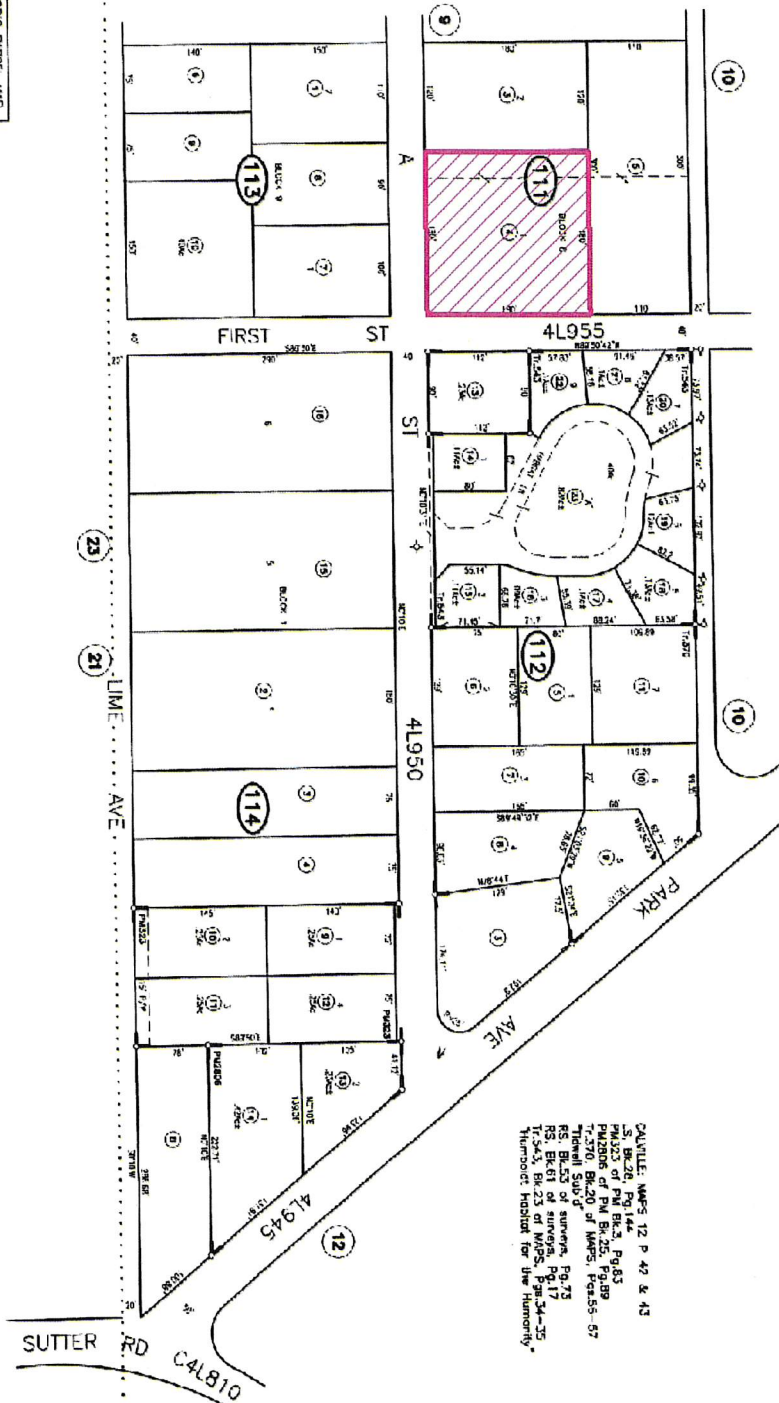
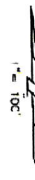
Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



PTN. NE1/4, SEC.5, T6N, R1E H.B.& M.
(CALVILLE)

509-11



CALVILLE: MAPS 12 P 42 & 43
S. Bk. 26, Pg. 144
PARTION of PM Bk. 25, Pg. 83
PARTION of PM Bk. 25, Pg. 89
T. 2701, Bk. 20 of Maps, Pages 57
T. 2701, Bk. 20 of Maps, Pg. 75
RS. Bk. 63 of surveys, Pg. 17
T. 543, Bk. 23 of W.P.S., Pg. 34-35
Turnout: Road for the Hummer

ASSESSOR'S PARCEL MAP
THIS MAP WAS PREPARED FOR THE COUNTY OF HUMBOLDT, CALIFORNIA, BY THE ASSESSOR'S OFFICE, AND IS SUBJECT TO THE LOCAL ORDINANCES AND THE STATE AND FEDERAL LAWS.

NOTE
Assessor's Block Numbers Shown in Figures
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 509, Pg. 11
County of Humboldt, CA.

Nov. 2, 2009

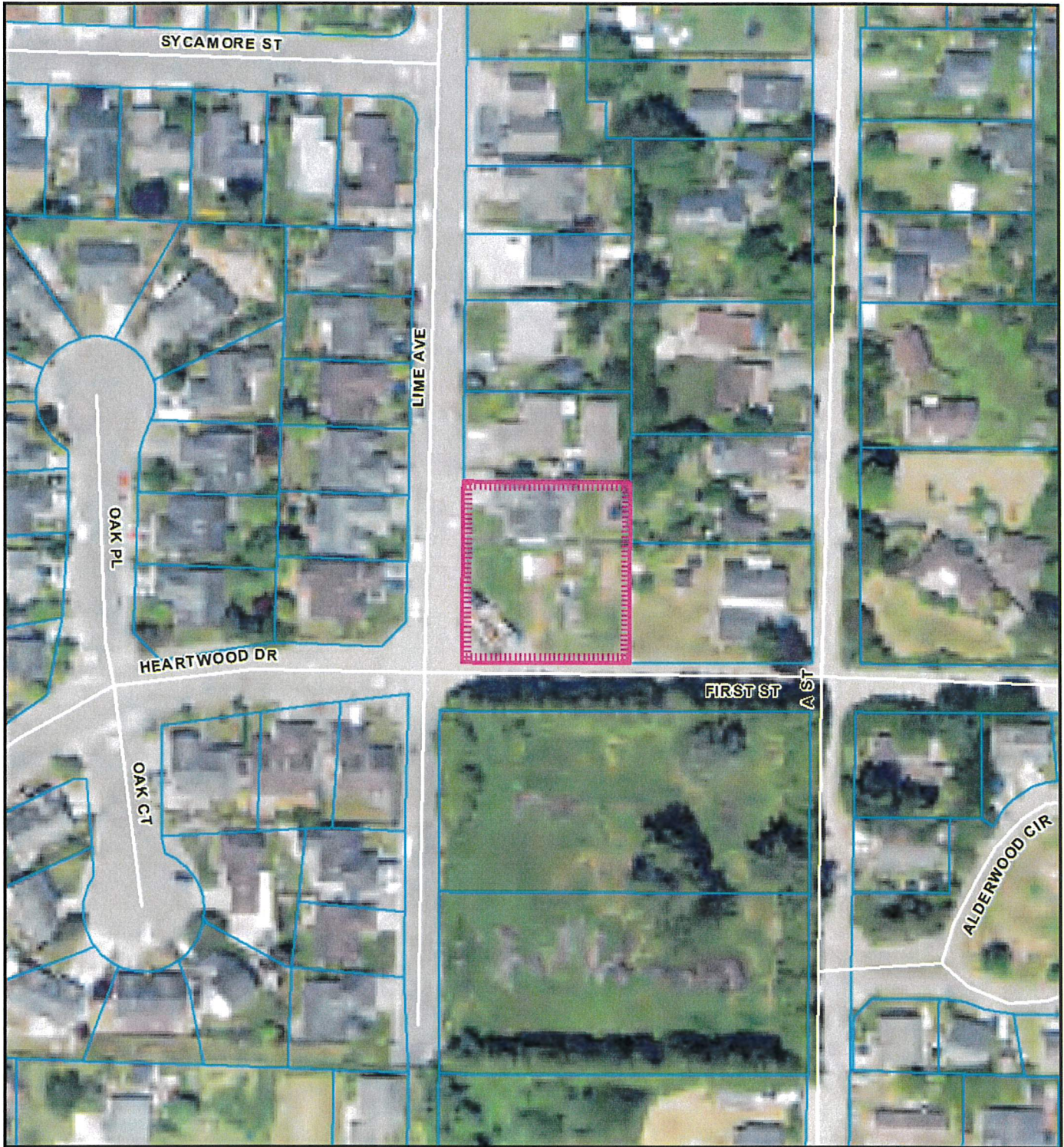
ASSESSOR PARCEL MAP
PROPOSED JOHNSTON
PARCEL MAP SUBDIVISION EXTENSION
MCKINLEYVILLE AREA
PMS-05-019XXX
APN: 509-113-010
T06N R01E S05 HB&M (Arcata North)



MAP NOT TO SCALE

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.




AERIAL MAP

**PROPOSED JOHNSTON
PARCEL MAP SUBDIVISION EXTENSION
MCKINLEYVILLE AREA**

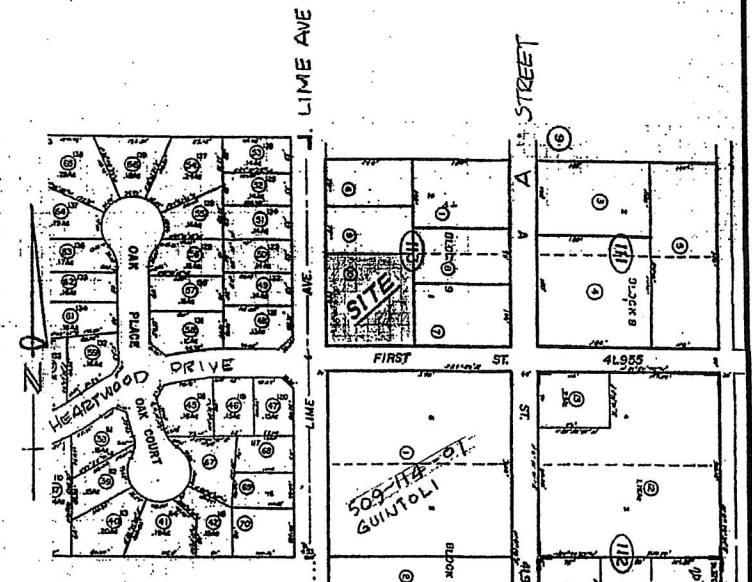
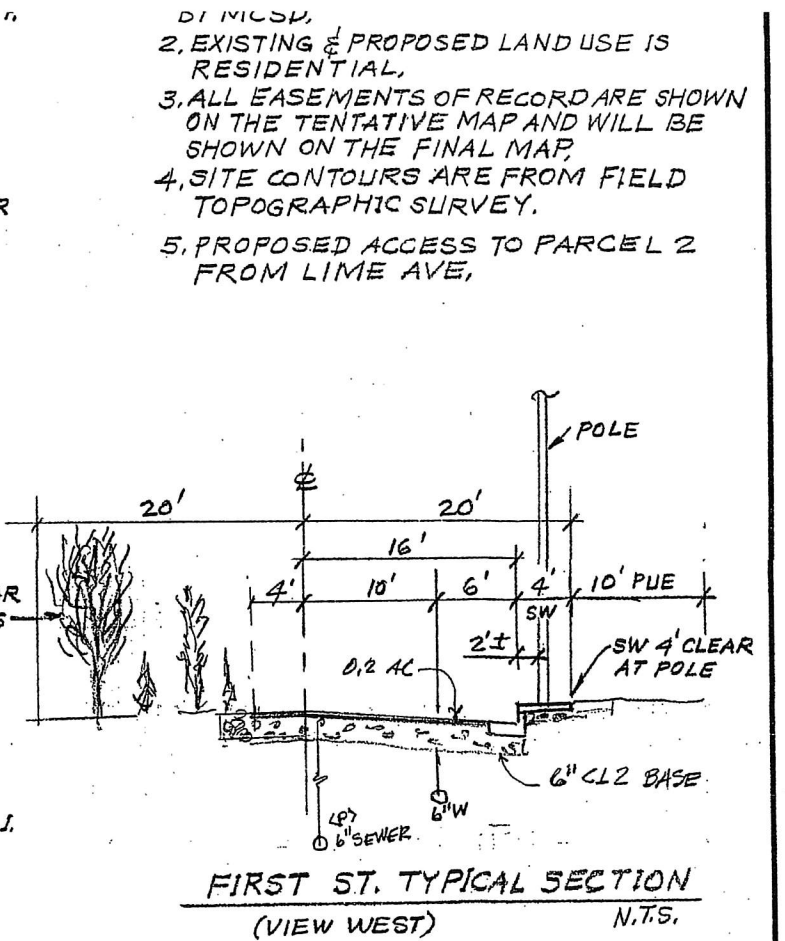
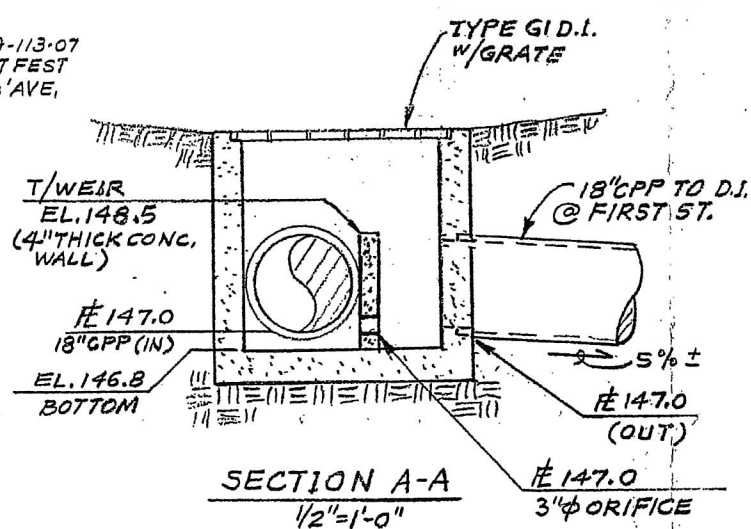
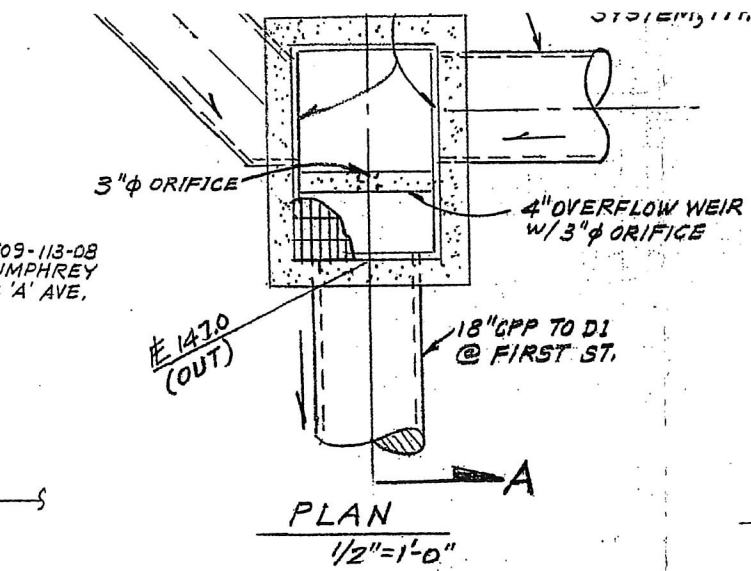
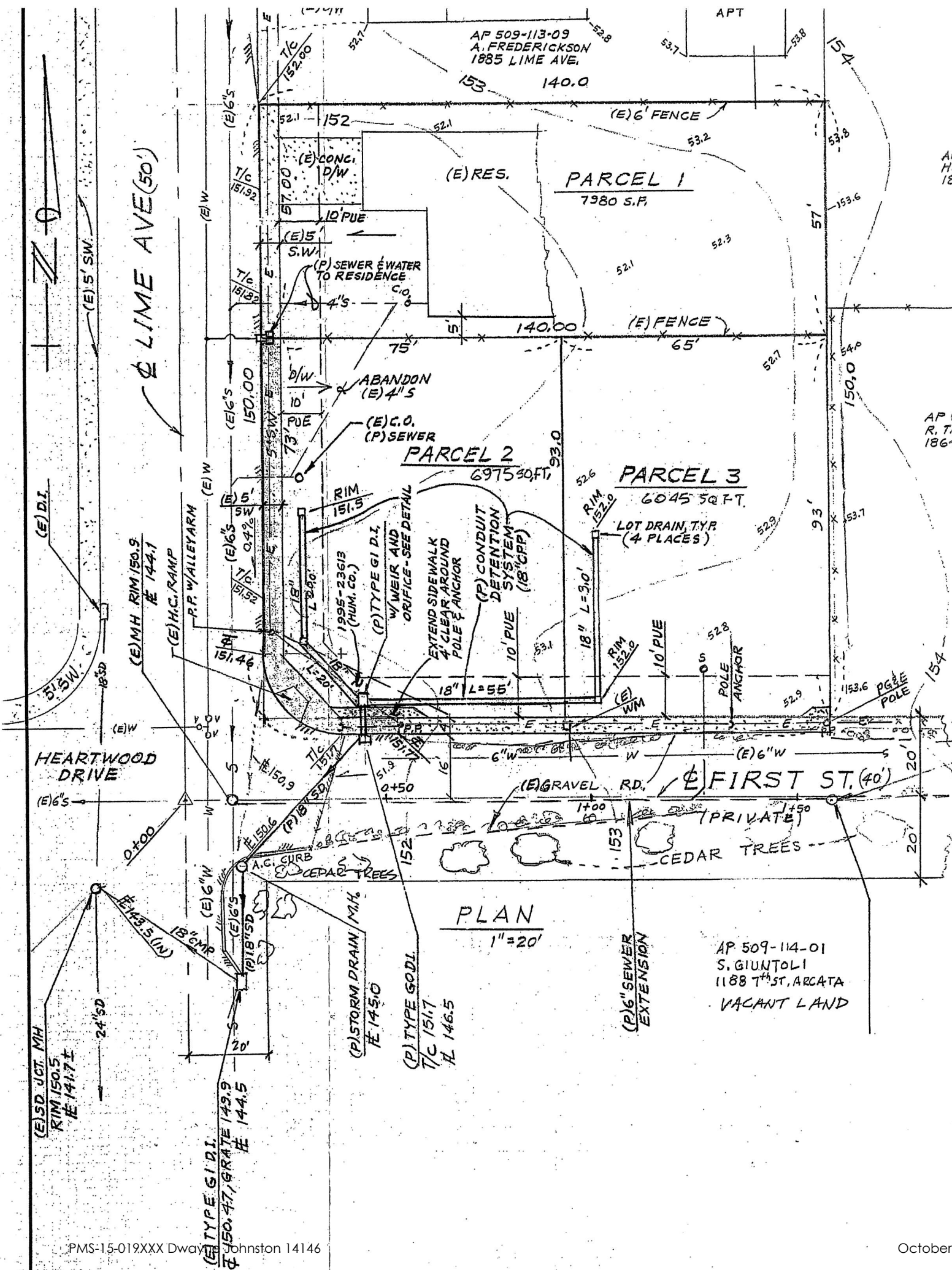
**PMS-05-019XXX
APN: 509-113-010**

T06N R01E S05 HB&M (Arcata North)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





LOCATION MAP
N.T.S. COPY 13 MAY '08

1. D.I. M.C.S.P.
2. EXISTING & PROPOSED LAND USE IS RESIDENTIAL.
3. ALL EASEMENTS OF RECORD ARE SHOWN ON THE TENTATIVE MAP AND WILL BE SHOWN ON THE FINAL MAP.
4. SITE CONTOURS ARE FROM FIELD TOPOGRAPHIC SURVEY.
5. PROPOSED ACCESS TO PARCEL 2 FROM LIME AVE.

APPLICANT:
DWAYNE JOHNSTON
1865 LIME AVE.
MCKINLEYVILLE, CA.
840-9604 95519

TENTATIVE MAP for: DWAYNE JOHNSTON		
SCALE: 1" = 20'	APPROVED BY:	DRAWN BY L. MS.
DATE: 6/05		REVISED
Page 16		

ATTACHMENT 1

Conditions of Approval

The conditions of approval effective May 31, 2006, shall remain in full force and effect and are not affected by this extension.

NOTE: THE ORIGINAL STAFF REPORT AND SUPPORTING DOCUMENTATION IS ON FILE WITH THE PLANNING DIVISION AND AVAILABLE FOR PUBLIC INSPECTION.

ATTACHMENT 2

Original Conditions of Approval

Attachment 1

Recommended Conditions of Approval for Johnston Parcel Map Subdivision

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 Department of Public Works referral dated **March 9, 2006** included herein as Exhibit A 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. Gross and net lot area shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. 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 the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
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 \$77.00 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.
7. 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 (currently \$95.00) shall be paid to the Humboldt County 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 reduce the cost for this review.
8. Parkland dedication fees of \$4,601.88 shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$2,300.94 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 - 3. Release from the Conveyance and Agreement may be pursued upon payment of the \$2,300.94 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

- (4) "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" 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 \$146.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.

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 Exhibit that are administered by the Planning Division (Namely: Condition(s) 3-10). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final 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 (currently \$95.00). 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. 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 might be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."



EXHIBIT A
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707/FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE

AVIATION 839-5401

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7851
ENGINEERING	445-7377	ROADS & EQUIPMENT MAINT.	445-7421
	ARCHITECT	445-7493	

CLARK COMPLEX
HARRIS & H ST., EUREKA

LAND USE 445-7205

RECEIVED

MAY 10 2006

HUMBOLDT COUNTY
PLANNING COMMISSION

TO: Trevor Estlow, Planner II

FROM: Robert W. Bronkall, Associate Engineer *RW*

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF DWAYNE JOHNSTON, APN 509-113-10,
PMS-05-19 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING
OF .48 ACRE INTO 3 LOTS

DATE: 3/9/06; Revised 05/02/06

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 L. Mc dated 6/05.

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. MAPPING

(a) Applicant must cause to be filed a parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Section 326-15 of the Humboldt County Code. 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.

(b) **DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Section 326-13, Improvement Review and Inspection Fees, of the Humboldt County Code prior to review of the construction plan, review of the subdivision map, or the construction of improvements, whichever occurs first.

(c) **ENCUMBRANCES:** All easements that encumber 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.

(d) **DEDICATIONS:** The following shall be dedicated on the subdivision map or as approved by this Department:

(1) Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) and overlapping 10 foot wide pedestrian easement adjacent to the right of way for Lime Avenue and First Street, or as otherwise approved by this Department.

(2) Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a public road easement at the intersection of Lime Avenue and First Street. The dedication shall encompass existing and proposed road improvements.

2. IMPROVEMENTS

(a) **CONSTRUCTION PLANS:** 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 of the improvements shall not commence until authorized by this Department.

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 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.

(b) Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

(c) **ADA:** All pedestrian facilities shall be ADA complaint. 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.

(d) Street name and traffic control devices may need to be placed as required and approved by this Department.

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

(1) First Street shall be constructed having a typical section comprised of two 10 foot wide driving lanes, an 8 foot wide parking lane on the north side of the street, and a 5 foot wide pedestrian sidewalk with Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter. The driving lanes shall be centered on the centerline of the right of way for First Street. The east end of the street improvements shall be transitioned off-site back to the existing roadway as directed by this Department.

The south leg of the existing curb return does not line up with the ultimate curb alignment for First Street. The existing curb ramp can remain as a traffic calming bulb-out. After the curb return and the adjacent utility pole, the curb shall be transitioned to the ultimate location described above. The Department may require a portion of the bulb-out/curb return to be designated as a no-parking zone and identified with a red painted curb.

(2) The construction of First Street may require the reconstruction of the existing road to provide a uniform centerline grade compatible with the proposed curb grade. This is necessary in order to provide an adequate cross slope to the proposed gutter. Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross sections will be necessary to ensure proper drainage. In addition, existing utilities may need to be adjusted and/or relocated at the expense of the applicant.

(3) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.

(4) 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 Road Design Manual, Caltrans Highway Design Manual, Caltrans Local Programs Manual, Caltrans Traffic Manual, Manual on Uniform Traffic Control Devices, and AASHTO's A Policy of Geometric Design of Highways and Streets (AKA "The Green Book"). Engineering must not be in conflict with Humboldt County Code or County adopted guidelines and policies.

(f) DRIVEWAYS: Any new accesses from the County road will require encroachment permits from this Department. The location of existing and proposed driveway aprons (access openings) shall be shown on the construction plans. The proposed accesses will be evaluated after application is received.

All access openings shall conform to Humboldt County Code Section 341 regarding visibility. Any existing accesses that do not conform shall be paved with asphalt concrete for the width of the driveway and a distance of 25 feet from the edge of the County road prior to filing of the map.

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. A development plan must be created as a condition of approval of the tentative map. The development plan must note this minimum setback condition and indicate graphically the location of the setback line on the lots.

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

At a minimum, the structural section shall include 0.2 foot of Caltrans Type B asphalt concrete (AC) over 0.5 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural sections of all roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by this Department.

(h) **UTILITIES:** If any utilities are required to be installed as a condition of tentative map approval by the Community Development Services Department - Planning Division, 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 applicant's expense.

3. DRAINAGE

(a) Applicant must submit a complete hydraulic report and drainage plan for approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.

(b) Applicant shall be responsible to correct any involved drainage problems to the satisfaction of this Department.

(c) 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.

(d) Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

4. MAINTENANCE

(a) The improvement of First Street and the storm water detention facility to be constructed as part of this subdivision will not be maintained by the County. 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.

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

- 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.
- A system to monitor the basins in a timely manner after significant rain fall events.
- Monitoring shall be done by a qualified professional as approved by this Department.
- 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.
- A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.

(b) Any agreements regarding the maintenance of the detention facilities between the applicant and a public entity or Homeowners Association may be required to be approved by County Counsel and the County Risk Manager.

5. DEVELOPMENT PLAN

(a) The development plan shall be legibly drawn to a convenient scale on 24"x36" mylar, in black ink, unless approved otherwise by this Department.

(b) The development plan shall include all encumbrances of record as shown on a current title report as well as those created on the subdivision map.

(c) The development plan shall include the following to the satisfaction of this Department:

- When roads or drainage facilities are not to be maintained by the County, then clearly state next to the facility "NOT COUNTY MAINTAINED".
- When minimum finished floor elevations must be adhered to, the plan shall state the minimum elevation and the referenced benchmark.
- Reference the soils report prepared for the project; including a statement substantially similar to: "See soils report prepared by _____, Project No. _____, dated _____, for recommendations, inspections, and special requirements required for development of this subdivision."

- A statement substantially similar to: "All pedestrian facilities must be ADA compliant."

- When improvement plans have been prepared in conjunction with proposed subdivision, include a statement substantially similar to: "Improvement plans for roads, driveways, and drainage, etc. are on file with the Department of Public Works".

- Building setbacks to allow for the ultimate development of parcels that could be further subdivided.

- A typical section showing the location of the curbs and sidewalks with respect to the right of way lines.

(d) The development plan shall include a statement signed by the Surveyor (or Civil Engineer) who signed the subdivision map. The statement shall be substantially similar to the following: "All encumbrances of record as of the date of the referenced title report are correctly shown on this plan; that all encumbrances created on the filed subdivision map are correctly shown on this plan; that approximate distances from existing fence corners to the actual property corners, if not the same, are shown on this plan. Title report prepared by _____, Order No. _____, dated _____."

(e) Applicant shall cause a "Notice of Development Plan" to be recorded in the Office of the County Recorder.

(f) The development plan shall be signed off by this Department prior to official filing with the Planning Division. The plan shall include a signoff block for this Department to sign substantially similar to:

Reviewed by:

Department of Public Works

Date

// END //