



COUNTY OF HUMBOLDT PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: June 20, 2019

To: Humboldt County Planning Commission

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

Subject: **Frank Zabel Parcel Map Subdivision and Special Permit Extension**
Case Number PLN-2019-15533
Assessor Parcel Number (APN) 522-181-001
Patterson Road, Willow Creek area

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 20, 2019	Parcel Map Subdivision and Special Permit Extension	Trevor Estlow

Project: A two-year extension to a previously approved subdivision. The original project included a Minor Subdivision of an approximately five-acre parcel into four parcels between 0.5 acres and 3.34 acres in size. All building sites are clustered north of Patterson Drive. A Special Permit is required to utilize Lot Size Modification to allow parcels less than one acre in size and less than 125 feet wide. All parcels will be served with water provided by the Willow Creek Community Services District and on-site wastewater treatment systems. **No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on April 18, 2021.**

Project Location: The project site is located in the Willow Creek area, on both sides of Patterson Road, approximately 150 feet west of the intersection of Patterson Road and Timberline Drive, on the property known as the west half of the southwest quarter of the northwest quarter of the southwest quarter of Section 28, Township 7 North, Range 5 East, Humboldt Base and Meridian.

Present Plan Designation: Residential Low Density (RL1); Humboldt County General Plan; Willow Creek Community Plan; density: one dwelling unit per acre. Slope stability: Low Instability.

Present Zoning: Residential Suburban with a combining zone for Manufactured Homes (RS-T).

Case Number: PLN-2019-15533

Assessor Parcel Number: 522-181-001

Applicant

Frank Zabel
PO Box 6236
Eureka, CA 95503

Owner(s)

same as applicant

Agent

Environmental Review: Environmental review was completed under the previous project (SCH# 2009042048). None of the conditions under Section 15162 of the State CEQA Guidelines requiring subsequent environmental review apply to this project.

Major Issues: None

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

ZABEL PARCEL MAP SUBDIVISION AND SPECIAL PERMIT EXTENSION

Case Number PLN-2019-15533

Assessor Parcel Number 522-181-001

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 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.

Recommendation:

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

Staff Analysis:

A two-year extension of a Parcel Map Subdivision and Special Permit (PMS-16-001, SP-16-030) originally approved April 6, 2017. The project consisted of a Minor Subdivision of an approximately five-acre parcel into four parcels between 0.5 acres and 3.34 acres in size. All building sites are clustered north of Patterson Drive. A Special Permit is required to utilize Lot Size Modification to allow parcels less than one acre in size and less than 125 feet wide. All parcels will be served with water provided by the Willow Creek Community Services District and on-site wastewater treatment systems. **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-16-001, SP-16-030. This is the first applicant requested extension and, if approved, the tentative map will expire on April 18, 2021.

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 April 18, 2017, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Residential Suburban with combining zones for Manufactured Homes (RS-T), 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 subject to environmental review and a Mitigated Negative Declaration (SCH# 2009042048) was adopted by the Planning Commission as required by Section 15074 (b) 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 19-

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

CASE NUMBER: PLN-2019-15533; ASSESSOR PARCEL NUMBER: 522-181-001

WHEREAS, the owner submitted an application and evidence in support of approving the Parcel Map Subdivision and Special Permit Extension; and

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

WHEREAS, the County Planning Commission on April 6, 2018 considered the Negative Declaration adopted on September 15, 2009 in accordance with 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 and Special Permit Extension request;

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

1. The previously adopted Negative Declaration was considered 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 findings in H.C.C. [§ 326-21] in the Planning Division staff report supports approval of Case Number: PLN-2019-15533 based on the submitted evidence.
3. Parcel Map Subdivision and Special Permit Extension Case Number PLN-2019-15533 is approved as recommended and conditioned in the Planning Division staff report and Attachment 1.

Adopted after review and consideration of all the evidence on June 20, 2019.

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

AYES: Commissioners:

NOES: Commissioners:

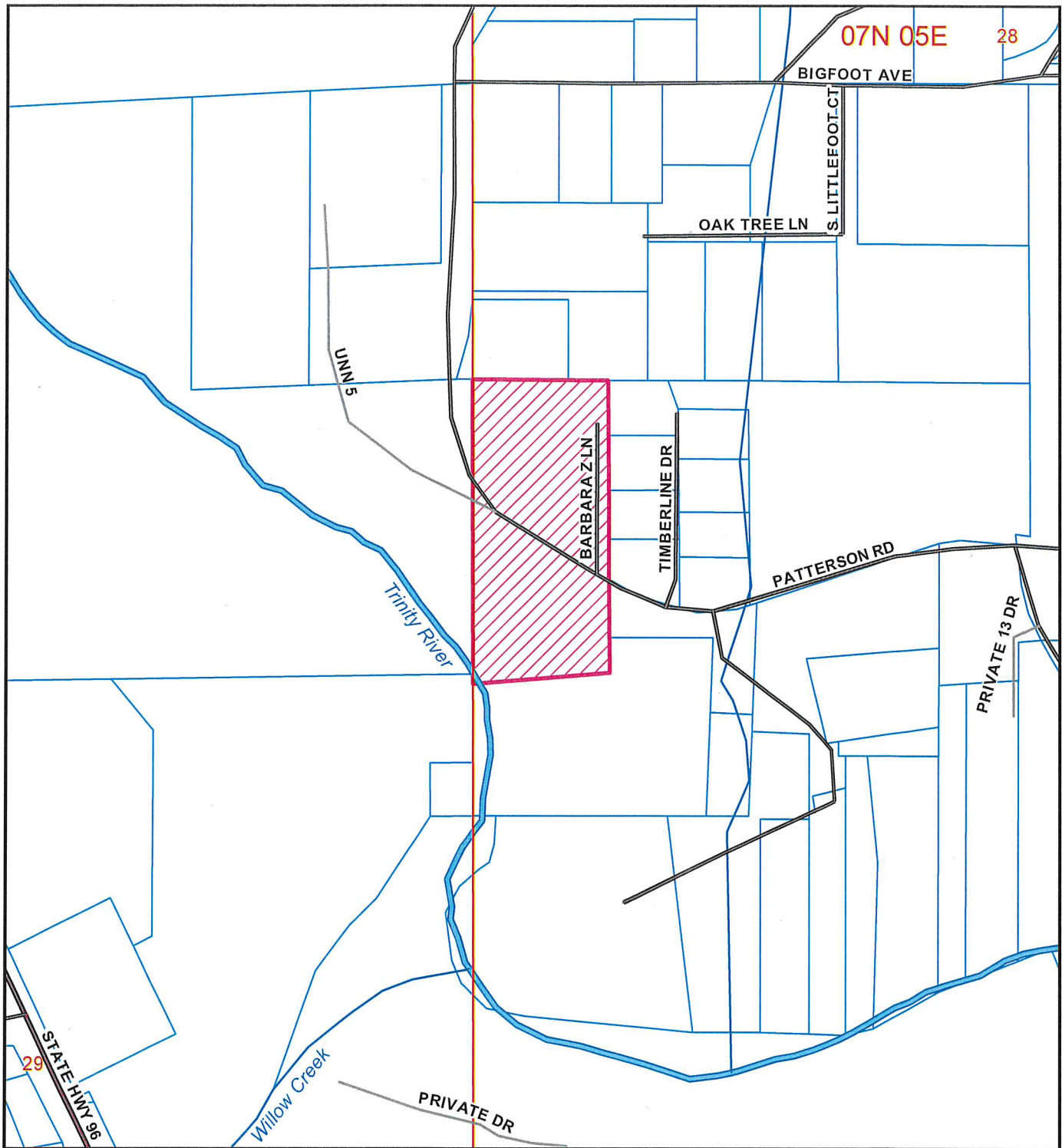
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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



LOCATION MAP
PROPOSED ZABEL
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EXTENSION

WILLOW CREEK AREA

PLN-2019-15533

APN: 522-181-001

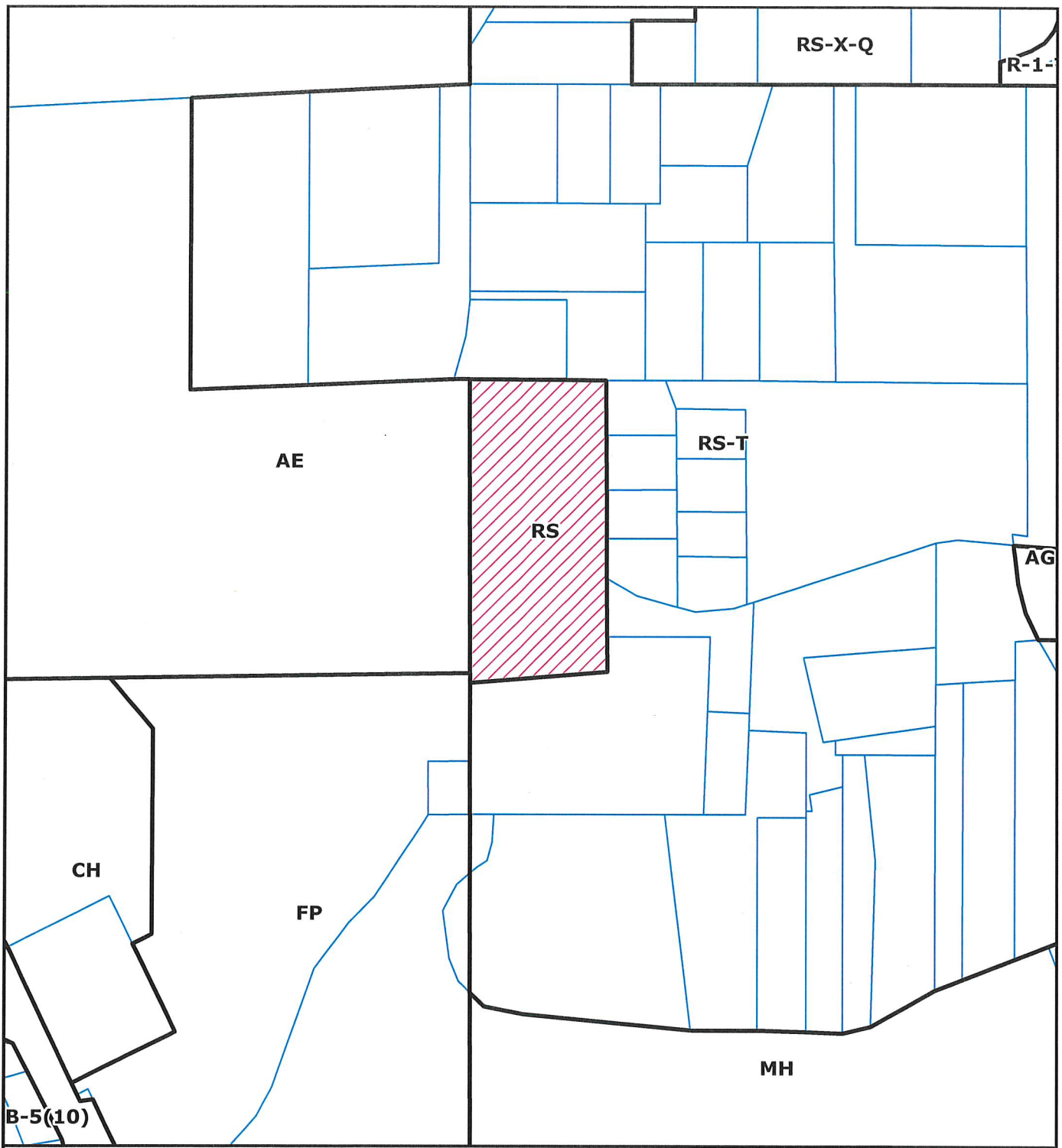
T07N R05E S28 HB&M (Willow Creek)

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.



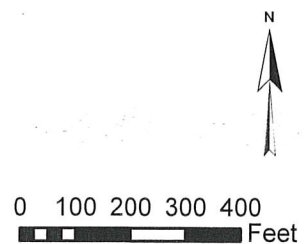
0 100 200 300 400
 Feet



ZONING MAP
PROPOSED ZABEL
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EXTENSION
WILLOW CREEK AREA
PLN-2019-15533
APN: 522-181-001
T07N R05E S28 HB&M (Willow Creek)

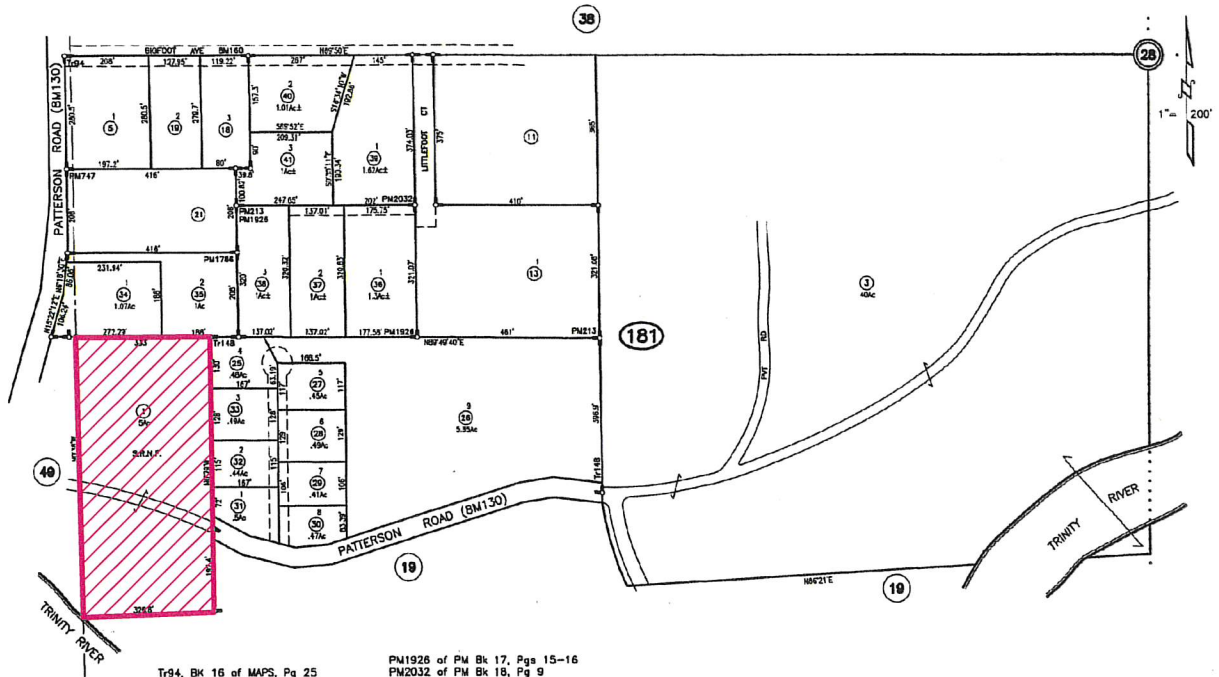
Project Area = 

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 N1/2 OF SW1/4 SEC 28 T7N R5E H.B.& M.

522-18

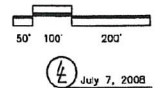


ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSIGNED FOR
 THE ACCURACY OF THE DATA SHOWN.
 3. ASSESSOR'S PARCELS MAY NOT
 COMPLY WITH LOCAL LOT-SPLIT
 OR BUILDING SITE ORDINANCES.


Tr94, Bk 16 of MAPS, Pg 25
 "Ruckman"
 PM213 of PM Bk 2, Pg 121
 RS, Bk 10 of surveys, Pg 43
 RS, Bk 13 of surveys, Pg 127
 RS, Bk 28 of surveys, Pg 20
 PM1747 of PM Bk 6, Pg 109
 Tr148, Bk 17 of MAPS, Pg 21
 "Timberline Estates Subd"
 PM1786 of PM Bk 15, Pg 123

PM1926 of PM Bk 17, Pgs 15-16
 PM2032 of PM Bk 18, Pg 9
 RS, Bk 65 of surveys, Pgs 1-3

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.
 Assessor's Map Bk. 522, Pg.18
 County of Humboldt, CA.



ASSESSOR PARCEL MAP
PROPOSED ZABEL
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EXTENSION

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.

WILLOW CREEK AREA
PLN-2019-15533
APN: 522-181-001
T07N R05E S28 HB&M (Willow Creek)

MAP NOT TO SCALE






**AERIAL MAP
PROPOSED ZABEL
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EXTENSION**

WILLOW CREEK AREA

PLN-2019-15533

APN: 522-181-001

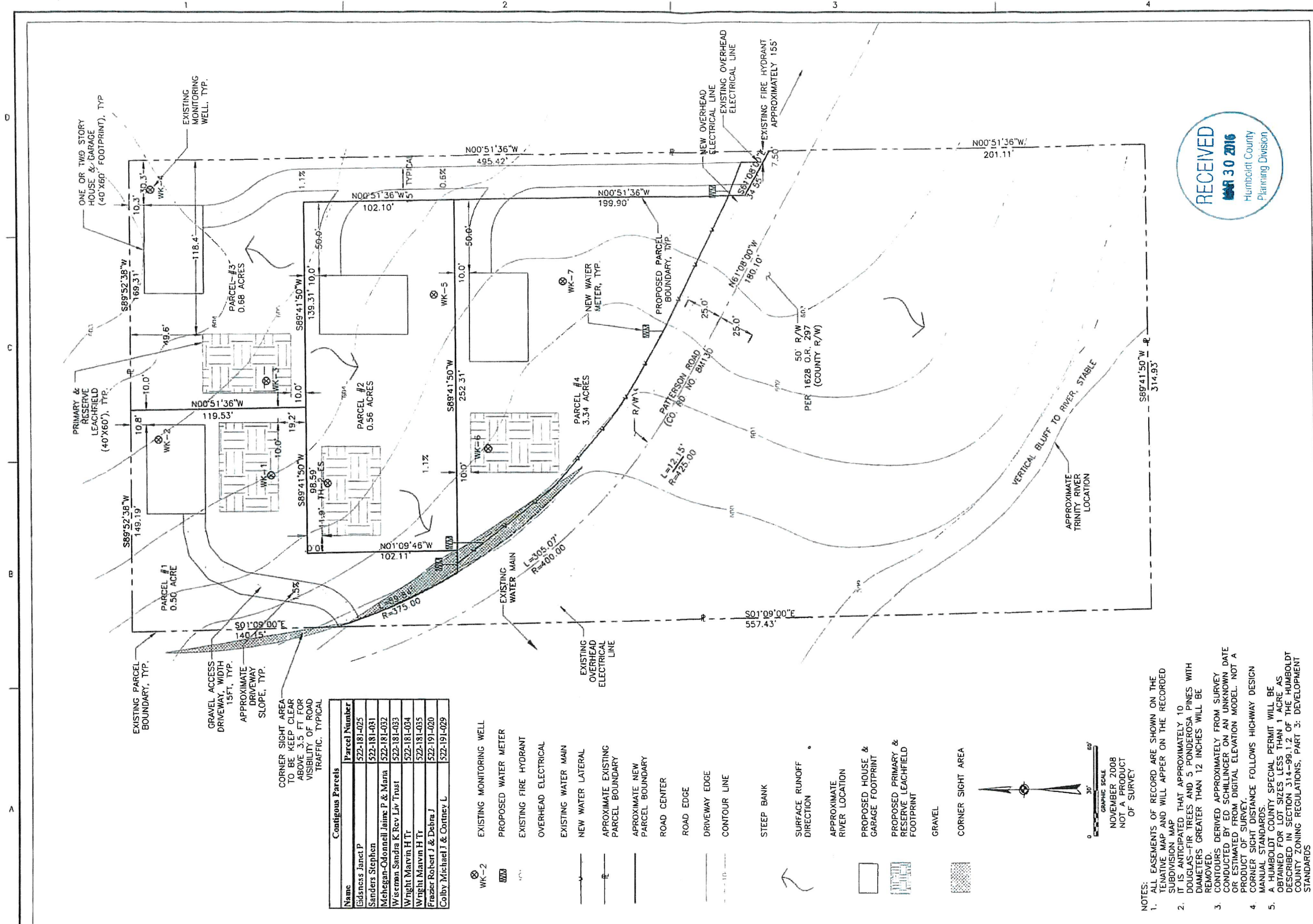
T07N R05E S28 HB&M (Willow Creek)

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.



0 100 200
Feet



Contiguous Parcels	
Name	Parcel Number
Gidness Janet P	522-181-025
Sanders Stephen	522-181-031
Mehegan-O'Donnell Jaime P & Maria	522-181-032
Wiseman Sandra K Rev Liv Trust	522-181-033
Wright Marvin H Tr	522-181-034
Wright Marvin H Tr	522-181-035
Frazier Robert J & Debra J	522-191-020
Colby Michael J & Courtney L	522-191-029

- EXISTING MONITORING WELL
- PROPOSED WATER METER
- EXISTING FIRE HYDRANT
- OVERHEAD ELECTRICAL
- EXISTING WATER MAIN
- NEW WATER LATERAL
- APPROXIMATE EXISTING PARCEL BOUNDARY
- APPROXIMATE NEW PARCEL BOUNDARY
- ROAD CENTER
- ROAD EDGE
- DRIVEWAY EDGE
- CONTOUR LINE
- STEEP BANK
- SURFACE RUNOFF DIRECTION
- APPROXIMATE RIVER LOCATION
- PROPOSED HOUSE & GARAGE FOOTPRINT
- PROPOSED PRIMARY & RESERVE LEACHFIELD FOOTPRINT
- GRAVEL
- CORNER SIGHT AREA

- NOTES:
- ALL EASEMENTS OF RECORD ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE RECORDED SUBDIVISION MAP.
 - IT IS ANTICIPATED THAT APPROXIMATELY 10 DOUGLAS-FIR TREES AND 5 PONDEROSA PINES WITH DIAMETERS GREATER THAN 12 INCHES WILL BE REMOVED.
 - CONTOURS DERIVED APPROXIMATELY FROM SURVEY CONDUCTED BY ED SCHILLINGER ON AN UNKNOWN DATE OR ESTIMATED FROM DIGITAL ELEVATION MODEL. NOT A PRODUCT OF SURVEY.
 - CORNER SIGHT DISTANCE FOLLOWS HIGHWAY DESIGN MANUAL STANDARDS.
 - A HUMBOLDT COUNTY SPECIAL PERMIT WILL BE OBTAINED FOR LOT SIZES LESS THAN 1 ACRE AS DESCRIBED IN SECTION 314-99.1.2 OF THE HUMBOLDT COUNTY ZONING REGULATIONS, PART 3: DEVELOPMENT STANDARDS.

TENTATIVE MAP		WINZLER KELLY	
FRANK ZABEL - WILLOW CREEK		CONSULTING ENGINEERS	
APN# 522-181-001		633 THIRD STREET EUREKA, CA 95501-0417 FAX (707) 441-0330	
1077507002	1 OF 6	SEE SCALE BAR	REVISIONS
PLAN VIEW		DATE	APPROVED

ATTACHMENT 1

Conditions of Approval

The conditions of approval effective April 18, 2017, 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

Conditions of Approval for the Zabel Parcel Map Subdivision and Special Permit

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 **April 13, 2016** 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. 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 \$102.00 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.
5. 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 \$125.00) 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.
6. 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 one-foot contour intervals;
 - (2) Proposed access, parking lanes and pedestrian ways;
 - (3) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;

- (4) Streamside Management Area (SMA) for the Trinity River.
- (5) The portion of Parcel 4 located south of Patterson Road, labeled as "non-buildable open space."

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 archaeological 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 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) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 5:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (4) "Development within Streamside Management Areas shall be limited to the following uses:
 - a. Development permitted within stream channels pursuant to Section 3432.6 of the General Plan (Volume I, Framework).
 - b. Timber management and harvests not otherwise excluded by Applicability Section as well as noncommercial cutting of firewood and clearing for pasturage, provided that cottonwoods are retained and remaining willows and alders, as well as other unmerchantable hardwoods or shrubs should be protected from unreasonable damage.
 - c. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.
 - d. Removal of vegetation for disease control or public safety purposes.

Note: A Special Permit is required for all new development in Streamside Management Areas not exempt per Section 314-61.1(d)(1-7) of the Humboldt County Zoning Regulations."

- (5) "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."
- (6) "Development rights for secondary dwelling units on Parcels 2 – 4 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."
- (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 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."

(8) "Lots in this subdivision were created utilizing Lot Size Modification."

7. 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 \$322.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
8. The applicant shall convey future development rights to the County of Humboldt for secondary dwelling units on Parcels 2 – 4. Release from this conveyance may be pursued upon demonstration that the access road is improved to a Category 4 road standard. The applicant shall initiate action on a "Conveyance and Agreement" 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 \$322.00) will be required.
9. This project is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover the processing of the subdivision shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.

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 \$125.00). 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 _____.

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."

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The term of the approved Tentative Map and Special Permit shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.

EXHIBIT A



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

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

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

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

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

LAND USE 445-7205

DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF ZABEL, APN 522-181-001, PMS 16-001 FOR APPROVAL
OF A TENTATIVE MAP, CONSISTING OF 5 ACRES INTO 4 LOTS

DATE: 04/13/2016

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 Winzler & Kelly Consulting Engineers dated November 2008, and dated as received by the Humboldt County Planning Division on March 30, 2016.

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 parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. 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 four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

- 1.3 **DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 **EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 **FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.
- 1.6 **PRIVATE ROADS:** Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 323-2(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."

[County Code Section 323-2 appears after Section 324-1 in County Code]

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

- (a) **PATTERSON ROAD:** Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line of the County road. Applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.
- (b) **BARBARA Z LANE:** Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 40 feet in width.
- (c) **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 Patterson Road, or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.
- (d) **DEVELOPMENT RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on Parcels 2 through 4 until such time as the Barbara Z Lane is improved to a minimum Category 4 road standard. This shall be noted on the development plan to be filed with Community Development Services. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department.
- (e) **NON-VEHICULAR ACCESS:** Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 1 foot wide non-vehicular access strip adjacent to Patterson Road. The location shall be as shown on the tentative map, or as otherwise approved by this Department. Said easement shall be dedicated in manner and location as approved by this Department.
- (f) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

Note: The Post Office may not require a NBU for this project.

- (g) **DRAINAGE:** Establish a drainage easement across Parcel 1 for the benefit of Parcel 3. Said easement shall be dedicated in manner and location as approved by this Department.

2.0 IMPROVEMENTS

- 2.1 **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 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.

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 **TRAFFIC CONTROL DEVICES:** Street name and traffic control devices may need to be placed as required and approved by this Department.

A stop sign will be required on Barbara Z Lane at its intersection with Patterson Road.

In addition, pursuant to County Code Section 323-2(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.

- 2.4 **ACCESS ROADS:** The surface of the access road(s) shall conform to the *Structural Section* requirements within this document. The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

- (a) **BARBARA Z LANE** shall be constructed to a width of 16 feet with 2 foot wide gravel shoulders on each side. The first 50 feet of Barbara Z Lane shall be paved; the remainder of the road may be gravel.

A turnaround shall be constructed at the end of the road.

If on-street parking is proposed, the road shall be widened from 16 feet to 32 feet in width.

The intersection of Barbara Z Lane and Patterson Road shall be constructed in conformance with the standards for a private road intersection as illustrated in Caltrans standards. The intersection must conform to Humboldt County Code Section 341 regarding visibility. Barbara Z Lane shall intersect Patterson Road at a 90° angle.

- (b) **PATTERSON ROAD** shall be widened to have a typical section comprised of two 10 foot wide driving lanes; and two 5 foot wide bladed shoulders. Drainage swales/ditches shall be provided as necessary.
- (c) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (d) 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 Humboldt County Code or County adopted guidelines and policies.

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

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 25 feet from the edge of the County road.

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

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

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 foot of Caltrans Type B 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.

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.

- (b) 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 **PERMITS:** An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.10 **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES.** When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Post Master. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk easement or other easement, as approved by this Department.

Note: The Post Office may not require a NBU for this project.

2.11 **GATES:** Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

3.0 DRAINAGE

- 3.1 **DRAINAGE ISSUES:** Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.

The Patterson Road culvert near the westerly side of the subdivision shall be repaired. A headwall or rock slope protection shall be provided at the inlet and outlet to the satisfaction of this Department.

- 3.2 **DRAINAGE REPORT:** Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.

The drainage report shall verify the hydraulic capacity of the Patterson Road culvert based upon the full-build out of the tributary area.

4.0 GRADING

- 4.1 **GRADING PLAN:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(1), the applicant shall submit an engineered preliminary (rough) grading plan addressing the entire project construction area to this Department for review and approval. The purpose of the grading plan is to establish building pads that will drain to the roads (or other approved drainage course) without creating lot drainage from one lot to flow across the buildable area of adjacent lots.

- 4.2 **GRADING CRITERIA:** Each lot shall have a building pad graded to a maximum of 2% per Humboldt County Code Section 331-14 (H)(3)(d), unless waived by this Department. Building pads shall be of a sufficient size to accommodate anticipated future structures.

The elevation of the building pad shall be established so that a driveway from the building pad to the back of sidewalk will have a minimum slope of 1% and a maximum slope of 16%.

- 4.3 **CONSTRUCTION TIMING:** Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by this Department. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

- 4.4 **DATUM:** Grading plans shall be tied into elevation datum approved by this Department.

- 4.5 **EROSION CONTROL:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1), an erosion control plan (aka, sediment control plan, Storm Water Pollution Prevention Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

For construction sites equal to or greater than one (1) acre of ground disturbance, a Notice of Intent (NOI) and permit registration documents are required to be filed with the State Water Quality Control Board. A copy of the State's receipt of the approved NOI shall be provided to this Department prior to the start of construction.

5.0 MAINTENANCE

- 5.1 **MAINTENANCE OF IMPROVEMENTS:** The improvements to be constructed as part of this subdivision will not be maintained by the County. Pursuant to Humboldt County Code Section 323-2* (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. [*Section 323-2 is listed in County Code after Section 324-1]

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 Barbara Z Lane.

6.0 DEVELOPMENT PLAN: The following are required for all development plans:

- 6.1 The development plan shall be legibly drawn to a convenient scale on 22"x34" (or 24"x36") mylar, in black ink, unless approved otherwise by this Department.
- 6.2 The development plan shall include a note substantially similar to the following: "See the subdivision map on file with the County Recorder for easements that existed at the time the map was filed. Additional easements may have been established after the map was filed. Refer to a current title report for all easements. Refer to the filed subdivision map for exact lot dimensions."
- 6.3 The development plan shall include the following to the satisfaction of this Department:
- (a) When roads or drainage facilities are not to be maintained by the County, then clearly state next to the facility "NOT COUNTY MAINTAINED".
 - (b) When minimum finished floor elevations must be adhered to, the plan shall state the minimum elevation and the referenced benchmark.
 - (c) If prepared for the project, reference the soils report; 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."
 - (d) A statement substantially similar to: "All pedestrian facilities must be ADA compliant."
 - (e) 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".

- (f) For parcels that could be further subdivided: Provide information on the development plan to assist future owners in developing the parcels in a manner that preserves the maximum, future subdivision potential. This may include showing "potential" building setbacks for ultimate development. It is the intent of this condition that any "potential" setbacks are for information only and are not actual setback requirements to be adhered to.
- (g) Show a minimum setback of 20 feet from garage entrances for vehicles from easements created as a condition of tentative map approval or existing for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. Typically, this is 29 feet from the curb.
- (h) For projects with a subdivision agreement, include the following note: "This subdivision was approved with requirements to construct improvements. At the time the subdivision map was filed, the improvements were not completed. The developer has entered into a subdivision agreement with the County to defer construction of these improvements. **Subdivision improvements must be completed within the timelines specified in the agreement. In general, building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision agreement are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

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

6.5 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

6.6 Typical precise grading/lot drainage details for the lots shall be shown or a reference shall be made to the approved grading plan on file with the Department of Public Works.

7.0 LANDSCAPING

<NONE>

// END //