



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: November 19, 2020

To: Humboldt County Planning Commission

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

Subject: **Judy Davis Parcel Map Subdivision and Special Permit**
Case Number PLN-2019-16070
Assessor Parcel Number 510-101-011
1458 Reasor Road, McKinleyville

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Please contact Steven Lazar at (707) 268-3741, or by email at slazar@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Meeting Date	Subject	Contact
November 19, 2020	Parcel Map Subdivision	Steven Lazar

Project Description: A minor subdivision of an approximately one-acre parcel into two ½-acre parcels. The property is currently developed with a residence with attached garage, deck and detached shop. All of these structures are situated within the proposed boundaries of Parcel 2 of the proposed subdivision. No development is currently located within the proposed boundaries of Parcel 1. Planned improvements include construction of a 5-foot wide sidewalk along Reasor Road, installation of a new ADA-compliant driveway serving Parcel 1 and retrofit of an existing driveway serving Parcel 2. Both parcels are proposed to be approximately 75 feet wide and 290 feet long, and a Special Permit is being requested to allow each parcel to exceed the maximum allowable ratio of lot depth to lot width for the R-1 zone. To comply with drainage requirements for the McKinleyville planning area, a stormwater detention facility will be constructed on proposed Parcel 1. A Special Permit is also being requested to pre-authorize construction of an approximately 2,000 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. Removal of one or more mature evergreen trees will be required during construction of planned improvements on Proposed Parcel 1. The McKinleyville Community Services District currently provides water and sewer service to the property and are expected to provide new services to the proposed residence and future development of Parcel 1.

Project Location: The project site is located in the McKinleyville area, on the south side of Reasor Road, approximately 200 feet west of the intersection of Reasor Road and Amber Lane, on the property known as 1458 Reasor Road.

Present Plan Land Use Designation: Residential Low Density (RL); Humboldt County General Plan; McKinleyville Community Plan (MCCP); density: one to seven dwelling units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential One-Family with a combining zone for Airport Safety (R-1-AP).

Application Number: 16070

Case Number: PLN-2019-16070

Assessor Parcel Number: 510-101-011

Applicant

Judy Davis
P.O. Box 218
Alderpoint, CA 95511

Owner

Same as Applicant

Agent

Omsberg & Preston, attn: Julie Williams
402 E Street
Eureka, CA 95501

Environmental Review: The project is exempt from environmental review pursuant to Section 15183, Projects Consistent with a Community Plan or Zoning, of the State CEQA Guidelines.

Major Issues: None.

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

DAVIS PARCEL MAP SUBDIVISION
Case Number PLN-2019-16070
Assessor Parcel Number 510-101-011

Recommended Planning 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:

Find the project exempt from environmental review pursuant to Section 15183 of the State CEQA Guidelines, make all of the required findings for approval of the Parcel Map Subdivision, including the exception request allowing each parcel to exceed the maximum allowable ratio of lot depth to lot width and the Special Permit authorizing construction of an Accessory Dwelling Unit exceeding 1,200 square feet, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Davis project subject to the recommended conditions.

Executive Summary: The applicant is proposing the subdivision of an approximately one-acre parcel into two parcels, each approximately ½-acre in size. The property is currently developed with a residence with attached garage, deck and detached shop. All of these structures are situated within the proposed boundaries of Parcel 2 of the proposed subdivision. No development is currently located within the boundaries of proposed Parcel 1. A number of frontage improvements are required, including construction of a 5-foot wide sidewalk along Reasor Road, installation of a new ADA-compliant driveway serving Parcel 1 and retrofit of an existing driveway serving existing development on proposed Parcel 2. Both parcels are proposed to be approximately 75 feet wide and 290 feet long, and an exception is being requested to allow each parcel to exceed the maximum allowable ratio of lot depth to lot width for the R-1 zone pursuant to Section 325-9 and 314-99.1 of Humboldt County Code. Public Works has reviewed this exception and supports the request.

To comply with Municipal Separate Storm Sewer System requirements (MS4) and drainage requirements for the McKinleyville planning area, a stormwater detention facility is planned to be constructed on proposed Parcel 1. A preliminary drainage report was prepared and reviewed by Public Works and they recommended as a condition of approval that the applicant submit a complete hydraulic report and drainage plan for their approval.

A Special Permit is being requested to pre-authorize construction of an approximately 2,000 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. The proposed new residence would be constructed within the future boundaries of Parcel 1 and will become the primary dwelling following subdivision. The property is currently eligible for development of a detached ADU up to 1,200 square feet in size as a principally permitted use. Under recent changes to section 314-69.05.4.3.1 of the Zoning Regulations, ADU's larger than 1,200 square feet in size may be allowed with a Special Permit. Removal of one or more mature evergreen trees will be required during construction of planned improvements on Proposed Parcel 1. The McKinleyville Community Services District currently provides water and sewer service to the property and are expected to provide new services to the proposed residence and future development of Parcel 1.

The site is in a developed part of McKinleyville with a mix of single-family homes and multi-family development on adjacent parcels and McKinleyville High School to the west. The site is relatively flat, with a less than one percent slope towards the southwest. The geologic hazards map for this

area shows the soils to be relatively stable. There are no flood hazards on the property, no mapped archaeological resources, and no mapped biological resources.

The proposal involves infill development consistent with the planned density and parcels sizes for the area. Staff have determined that the project qualifies for exemption from Environmental Review pursuant to 15183 of the CEQA Guidelines, which mandates that projects shall not require additional environmental review where consistent with the development density established by existing zoning and general or community plan policies for which an Environmental Impact Report (EIR) has been prepared. EIR's were prepared and certified in 2002 for the McKinleyville Community Plan and 2017 for the Humboldt County General Plan.

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision and Special Permit per the Recommended Commission Action.

Alternative 1: The Planning Commission could elect not to approve the exception request submitted by the applicant and require the applicant to change the subdivision configuration to comply with the maximum length to width ratio of the zone. This alternative should be implemented if your Commission is unable to make all of the required findings to support the exception. Planning Division staff and Public Works staff has found that the required findings can be made and supports the exception. An alternate subdivision design would provide little benefit and be difficult to achieve without requiring removal of existing residential development and reconfiguration of routes of ingress & egress. Consequently, planning staff does not recommend further consideration of this alternative.

Alternative 2: The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

Alternative 3: The Planning Commission could approve the proposed subdivision but deny the Special Permit request to allow construction of a 2,000 square foot single-family residence as an Accessory Dwelling Unit, prior to completion of the subdivision. This alternative should be implemented if your Commission is unable to make all of the required findings for approval of the Special Permit. Planning Division staff has found that the required findings can be made. It is also worth noting that denial of the Special Permit would not prevent a residence of similar size from being constructed on Parcel 1 following completion of the subdivision. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Project Number PLN-2019-16070
Assessor Parcel Number 510-101-011**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Davis Parcel Map Subdivision and Special Permit.

WHEREAS, Omsberg & Preston, on behalf of the owners, submitted an application and evidence in support of approving the Parcel Map Subdivision and a Special Permit for an exception to the maximum lot depth; and

WHEREAS, the application has been supplemented to add a Special Permit to allow a 2,000 sq. ft. Accessory Dwelling Unit to be sited on future Parcel 1 in advance of map recordation; 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 Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29, has determined that impacts of the project were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089), in keeping with the criteria outlined within section 15183 of the Guidelines; and

WHEREAS, as lead agency, the Planning Division completed an initial study checklist for the project and has determined that:

1. there are no environmental effects that are peculiar to the project or the parcel on which the project is located;
2. there are no potential environmental effects which were not analyzed in the above referenced EIR's;
3. there are no potentially significant off-site impacts and cumulative impacts which were not discussed in the above reference EIR's;
4. there are no previously identified significant effects which are determined to have a more severe adverse impact than discussed in the above EIR's, due to new information not known at the time the EIR's were certified; and

WHEREAS, Attachment 2 in 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 (Project Number: PLN-2019-16070); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on November 19, 2020.

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

1. The Planning Commission finds the project exempt from further environmental review noting that any potential impacts from the proposed project were analyzed and addressed during preparation of Environmental Impact Reports for the McKinleyville Community Plan and 2017 Humboldt County General Plan and that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-16070 based on the submitted evidence; and
3. The Planning Commission approves the proposed project applied for as recommended and conditioned in Attachment 1 for Application PLN-2019-16070.

Adopted after review and consideration of all the evidence on November 19, 2020.

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

AYES: Commissioners:

NOES: Commissioners:

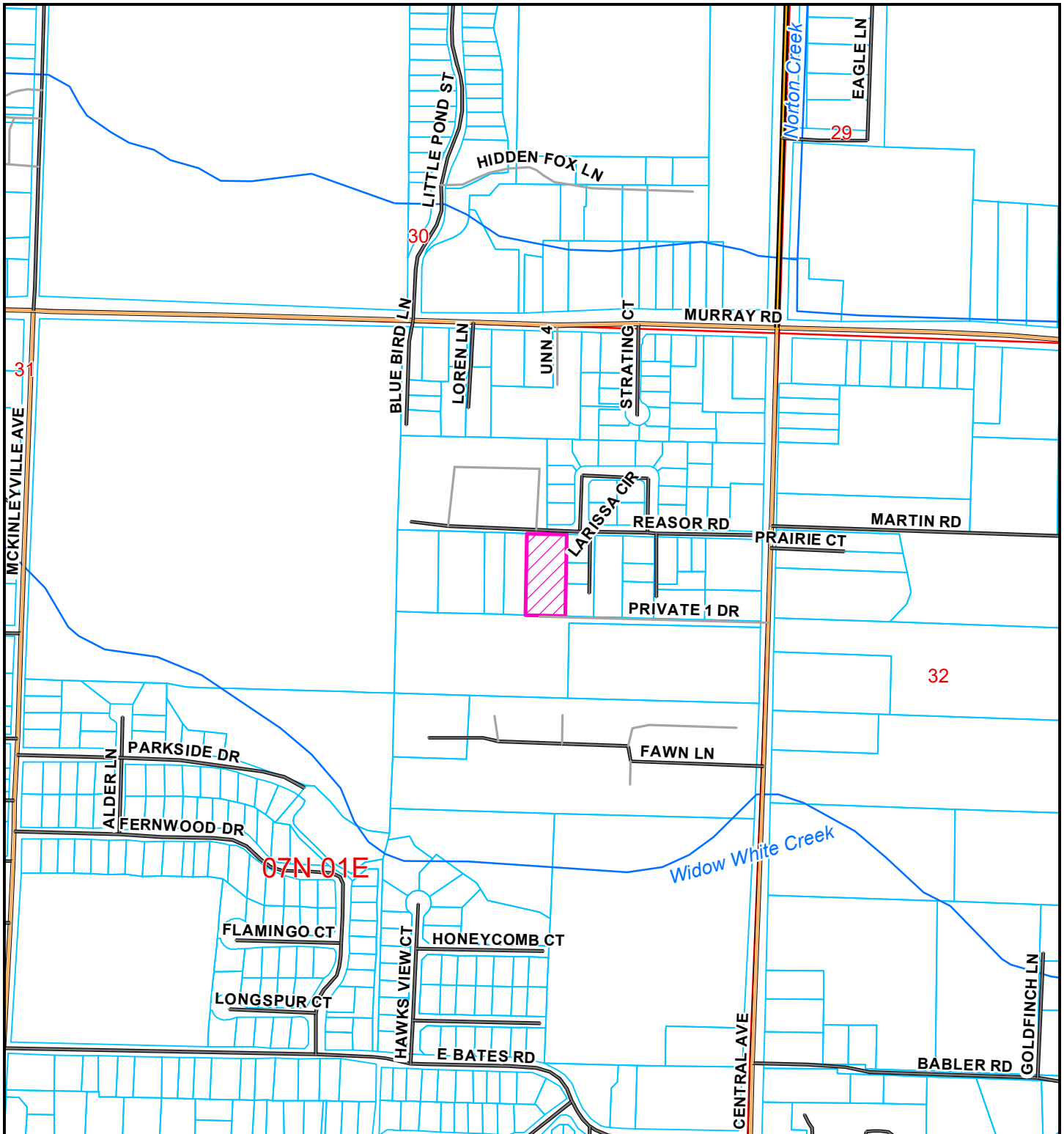
ABSTAIN: Commissioners:

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 DAVIS
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EUREKA AREA
PLN-2019-16070

APN: 510-101-011

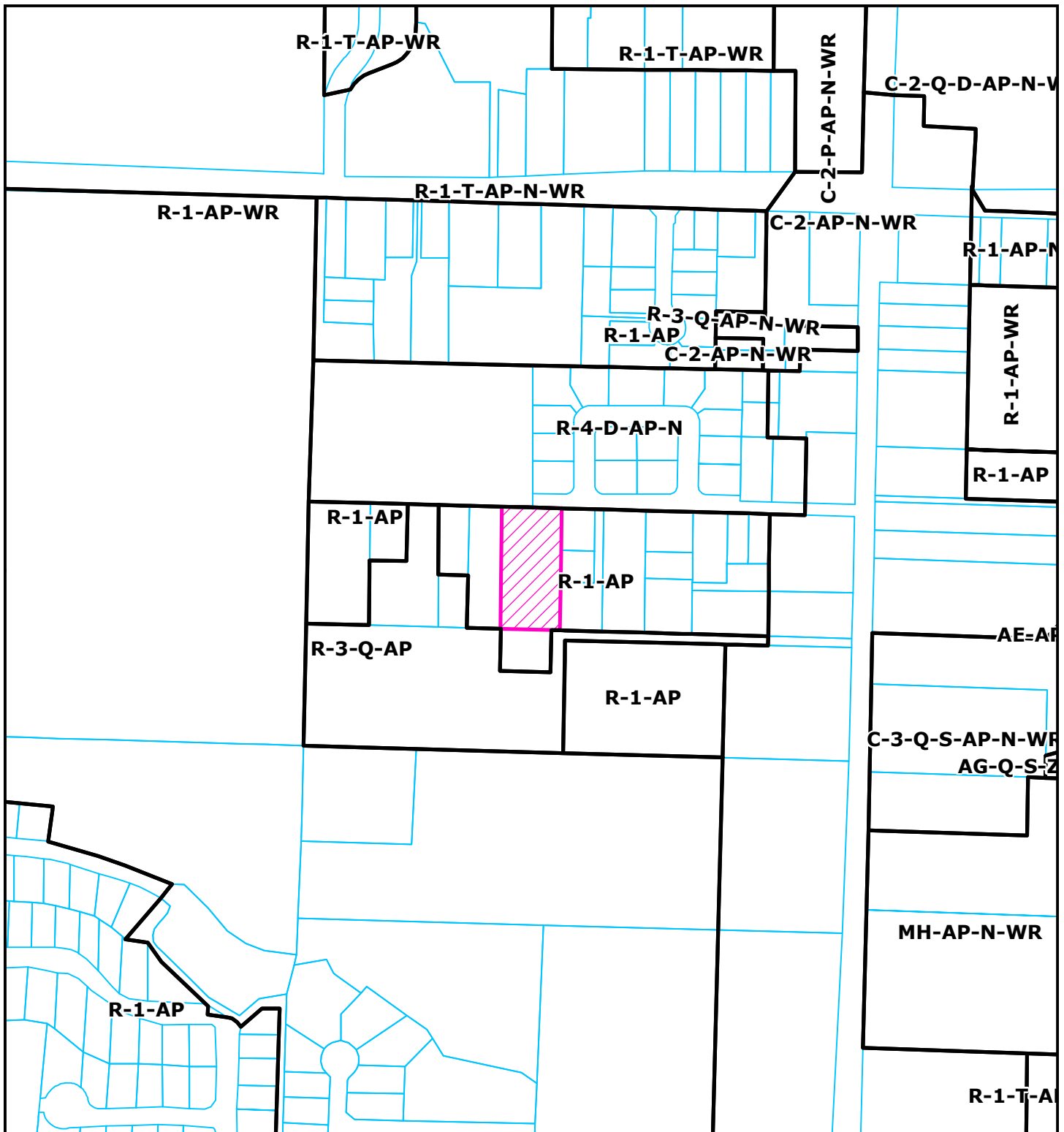
T07N R01E S31 HB&M (Arcata North)

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.



0 200 400 600
Feet



ZONING MAP

**PROPOSED DAVIS
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EUREKA AREA
PLN-2019-16070**


APN: 510-101-011

T07N R01E S31 HB&M (Arcata North)

Project Area = 

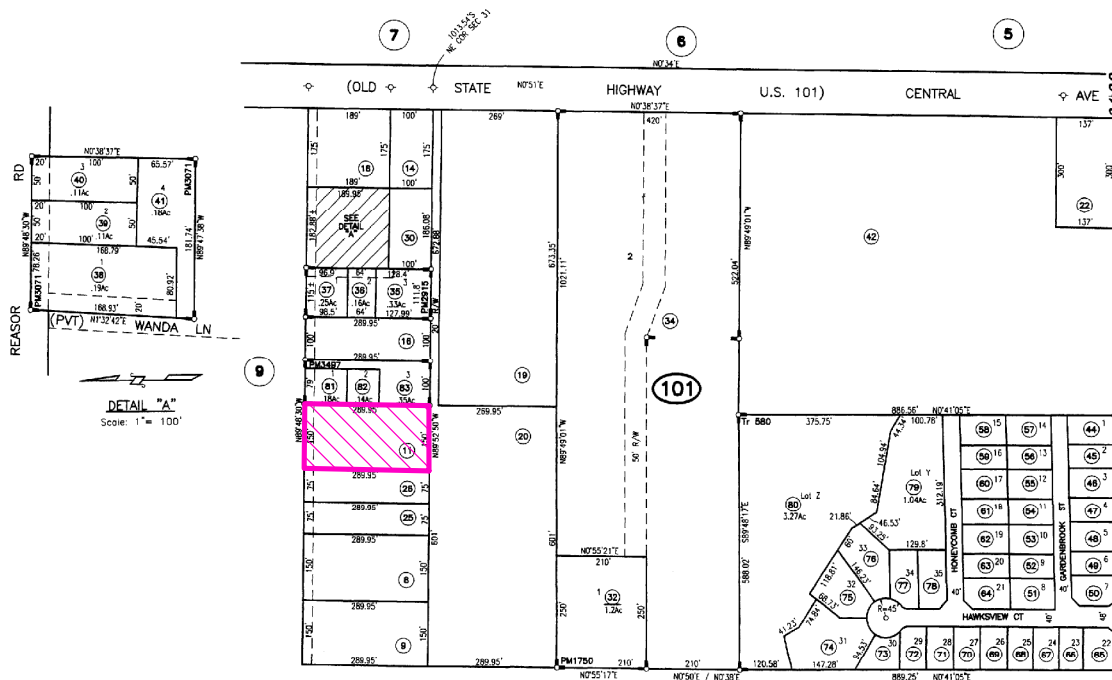
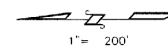
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 100 200 300 400
 Feet

PTN E1/2 OF NE1/4 SEC 31 T7N, R1E H.B.& M.

510-10

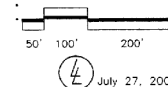


LS, Bk 10 of surveys, Pg 64
 LS, Bk 11 of surveys, Pg 14
 LS, Bk 12 of surveys, Pg 4
 LS, Bk 13 of surveys, Pg 137
 LS, Bk 14 of surveys, Pg 191
 LS, Bk 15 of surveys, Pg 60
 PM1750 of PM Bk 15, Pg 76
 PM2915 of PM Bk 26, Pgs 111-112
 PM3071 of PM Bk 28, Pgs 89-91

RS, Bk 63 of surveys, Pg 68
 Tr580, Bk 23 of MAPS, Pgs 147-149
 "Magnolia Estates"
 RS, Bk 65 of surveys, Pg 45
 PM3497 of PM Bk 34, Pgs 59-60

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 510, Pg.10
 County of Humboldt, CA.



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

ASSESSOR PARCEL MAP

**PROPOSED DAVIS
 PARCEL MAP SUBDIVISION &
 SPECIAL PERMIT
 EUREKA AREA
 PLN-2019-16070**

APN: 510-101-011

T07N R01E S31 HB&M (Arcata North)

MAP NOT TO SCALE

Project Area =

This map is intended for display purposes and
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 for accuracy.



AERIAL MAP


**PROPOSED DAVIS
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EUREKA AREA
PLN-2019-16070
APN: 510-101-011**

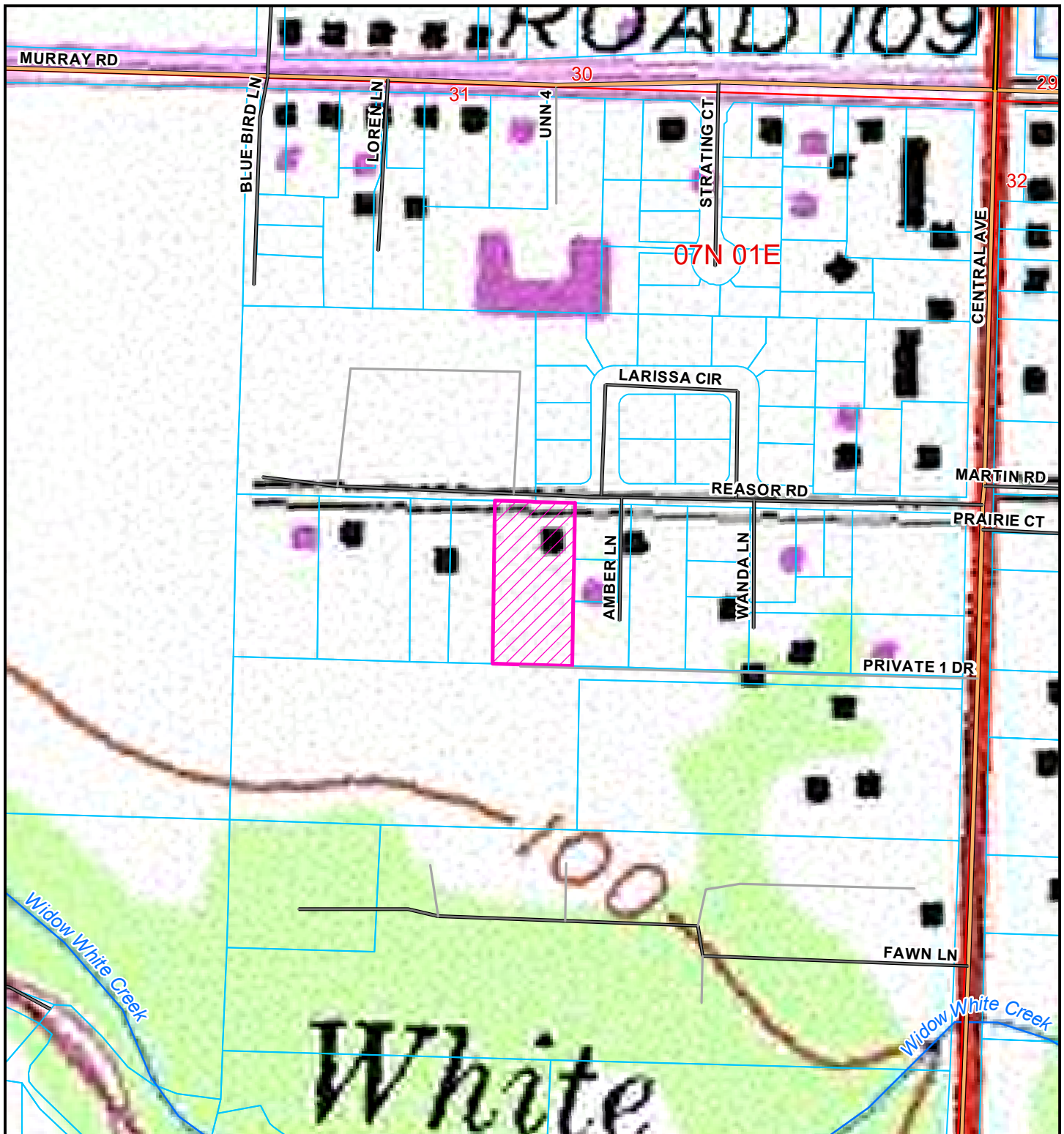
T07N R01E S31 HB&M (Arcata North)

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.



0 50 100
 Feet



TOPO MAP

PROPOSED DAVIS
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
EUREKA AREA
PLN-2019-16070

APN: 510-101-011

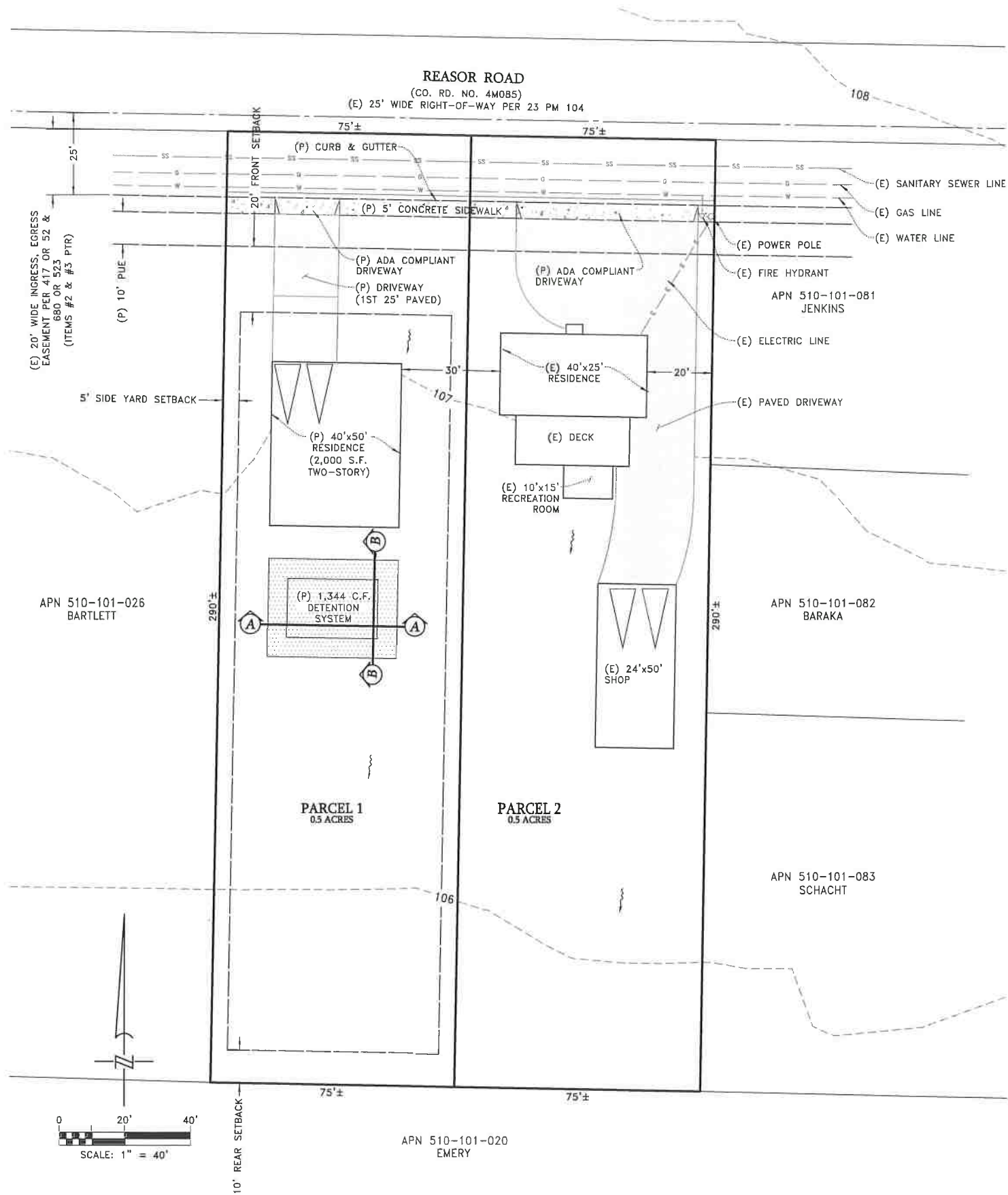
T07N R01E S31 HB&M (Arcata North)

Project Area = 

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0 100 200 300
Feet



APPURTENANT EASEMENTS

(PER PRELIMINARY REPORT BY FIDELITY NATIONAL TITLE COMPANY, DATED DEC. 6, 2019)

- EASEMENTS FOR THE PURPOSE OF INGRESS AND EGREE RECORDED IN BOOK 417, PAGE 52, OFFICIAL RECORDS.
- EASEMENTS FOR THE PURPOSE OF INGRESS, EGREE AND PUBLIC UTILITIES RECORDED IN BOOK 680, PAGE 523, OFFICIAL RECORDS.
- EASEMENTS FOR THE PURPOSE OF A UNDERGROUND GAS LINE RECORDED IN BOOK 696, PAGE 1, OFFICIAL RECORDS.

PLN-2019-16076 JUDITH DAVIS PMS/SP

November 19, 2020

LEGEND

SYMBOL	INDICATES
	PARKING SPACE
	DIRECTION OF SURFACE WATER RUNOFF
(P)	PROPOSED
(E)	EXISTING
S.F.	SQUARE FEET
PTR	PRELIMINARY TITLE REPORT
OR	OFFICIAL RECORDS
C.F.	CUBIC FEET
ADA	AMERICANS WITH DISABILITIES ACT
PUE	PUBLIC UTILITY EASEMENT
LID	LOW IMPACT DEVELOPMENT
	POWER POLE
	FIRE HYDRANT
	ELECTRIC LINE
	SANITARY SEWER LINE
	WATER LINE

NOTES

- THIS TENTATIVE PARCEL MAP PROPOSES A SUBDIVISION OF APN 510-101-011, AN APPROXIMATELY 1 -ACRE PARCEL (43,492.50 SQ. FT.), INTO TWO (2) PARCELS. AFTER SUBDIVISION, PROPOSED PARCEL 1 WILL BE APPROXIMATELY 21,746.25 SQ. FT. IN SIZE, AND PROPOSED PARCEL 2 WILL BE APPROXIMATELY 21,746.25 SQ. FT. IN SIZE. PARCEL 1 IS CURRENTLY DEVELOPED WITH ONE SINGLE FAMILY RESIDENCE WITH AN ATTACHED GARAGE, DECK, AND RECREATION ROOM, AND A DETACHED 50' BY 24' SHOP. PROPOSED PARCEL 2 IS CURRENTLY VACANT AND WILL BE DEVELOPED WITH ONE RESIDENCE IN THE FUTURE. THE EXISTING USE ON ADJACENT PARCELS IS RESIDENTIAL TO THE EAST AND WEST, AND MULTIFAMILY TO THE NORTH. ACCESS TO THE PARCEL IS VIA CENTRAL AVENUE IN MCKINLEYVILLE (COUNTY ROAD A4L800) AND THEN BY REASOR ROAD (COUNTY ROAD 4M085).
- THE PROPERTY HAS A GENERAL PLAN DESIGNATION OF RESIDENTIAL LOW DENSITY 1-7 DWELLING UNITS PER ACRE PER THE MCKINLEYVILLE COMMUNITY PLAN (RL1-7) AND IS CURRENTLY ZONED RESIDENTIAL ONE-FAMILY WITH AN AIRPORT COMPATIBILITY ZONE OVERLAY (R-1-AP) IDENTIFYING 5,000 SQUARE FOOT MINIMUM PARCEL SIZES. THE EXISTING BOUNDARY LINES AND EASEMENTS ARE BASED ON A TITLE INSURANCE POLICY PREPARED BY FIDELITY NATIONAL TITLE COMPANY., ORDER NO. FTO190076H-PG, DATED JANUARY 11, 2019. ALL EASEMENTS OF RECORD AND ANY NEW EASEMENTS ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE PARCEL MAP.
- THIS PROPERTY IS TO BE SERVED BY THE FOLLOWING UTILITIES:

WATER AND SEWER	MCKINLEYVILLE COMMUNITY SERVICES DISTRICT.
ELECTRIC AND GAS	PACIFIC GAS & ELECTRIC CO.
TELEPHONE	AT&T
CABLE TV	SUDDENLINK
- THE PROJECT IS LOCATED WITHIN THE MAPPED STATE WATER BOARD'S PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AREA AND WITHIN THE MCKINLEYVILLE COMMUNITY PLAN DISTRICT. BASED ON PROJECT SIZE, LID AND DETENTION MEASURES ARE REQUIRED AND ARE INCLUDED IN THIS PROJECT APPLICATION AS SHOWN HEREON. A PRELIMINARY DRAINAGE PLAN REPORT IS INCLUDED IN THE PROJECT APPLICATION.
- EXCEPTION REQUEST FOR LOT WIDTH TO DEPTH RATIO IS INCLUDED IN THE PROJECT APPLICATION.
- THE PROPERTY IS RELATIVELY FLAT. CONTOURS SHOWN HEREON ARE AT 1-FOOT INTERVALS AND ARE APPROXIMATE AND ARE BASED ON USGS QUAD MAPPING. THE PROPERTY IS NOT SHOWN OF OFFICIAL MAPS AS BEING SUBJECT TO FLOODING PER FIRM COMMUNITY PANEL NO.060060 680G, CIRCA 6/21/2017, AND FALLS OUTSIDE THE 100-YEAR FLOOD ZONE. NO WET AREAS EXIST ON SITE AND THE PROPERTY IS NOT SUBJECT TO INUNDATIONS. NO OTHER SENSITIVE HABITATS, HISTORIC BUILDINGS OR ARCHAEOLOGICAL SITES ARE KNOWN TO EXIST ON, OR ADJACENT TO THE PROPERTY. THE GEOLOGIC HAZARDS MAP FOR THIS AREA SHOWS THE SOILS TO BE RELATIVELY STABLE AND THE PROPERTY IS MAPPED OUTSIDE ANY ALQUIST-PRIOLO SPECIAL STUDIES ZONE. THIS PROJECT IS NOT IN A STATE RESPONSIBILITY AREA (SRA). THE SUBJECT PROPERTY IS LOCATED WITHIN COMPATIBILITY "D" ZONE OF THE CALIFORNIA REDWOOD COAST-HUMBOLDT COUNTY AIRPORT IN THE AIRPORT LAND USE COMPATIBILITY PLAN.
- NO TREES OVER 12" DBH ARE TO BE REMOVED IN CONJUNCTION WITH THIS PROJECT AT THIS TIME.
- THIS TENTATIVE MAP IS BASED ON RECORD INFORMATION ONLY AND SHALL NOT BE CONSIDERED A SURVEY, LOT BEARINGS AND DISTANCES SHOWN HEREON MAY HAVE BEEN COMPILED FROM RECORD DATA ONLY, SUCH AS ASSESSOR'S MAPS, DEEDS, ETC., AND SHOULD BE CONSIDERED APPROXIMATE IN NATURE. THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

OWNER/ APPLICANT

JUDITH DAVIS
P. O. BOX 218
ALDERPOINT, CA 95511
(707) 496-7399

APN 510-101-011

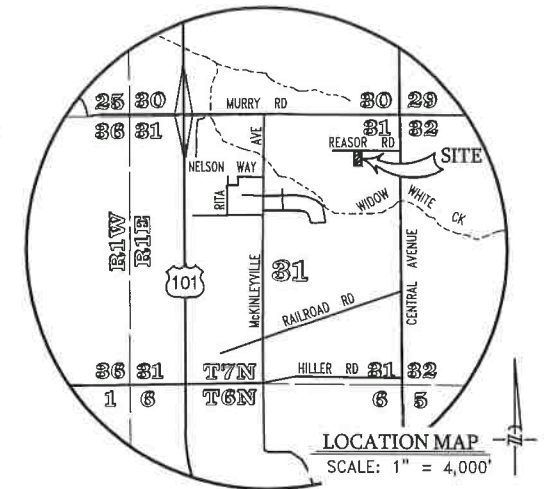
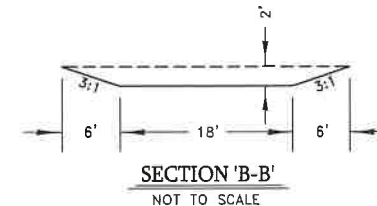
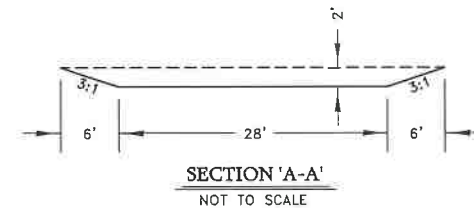
TENTATIVE PARCEL MAP

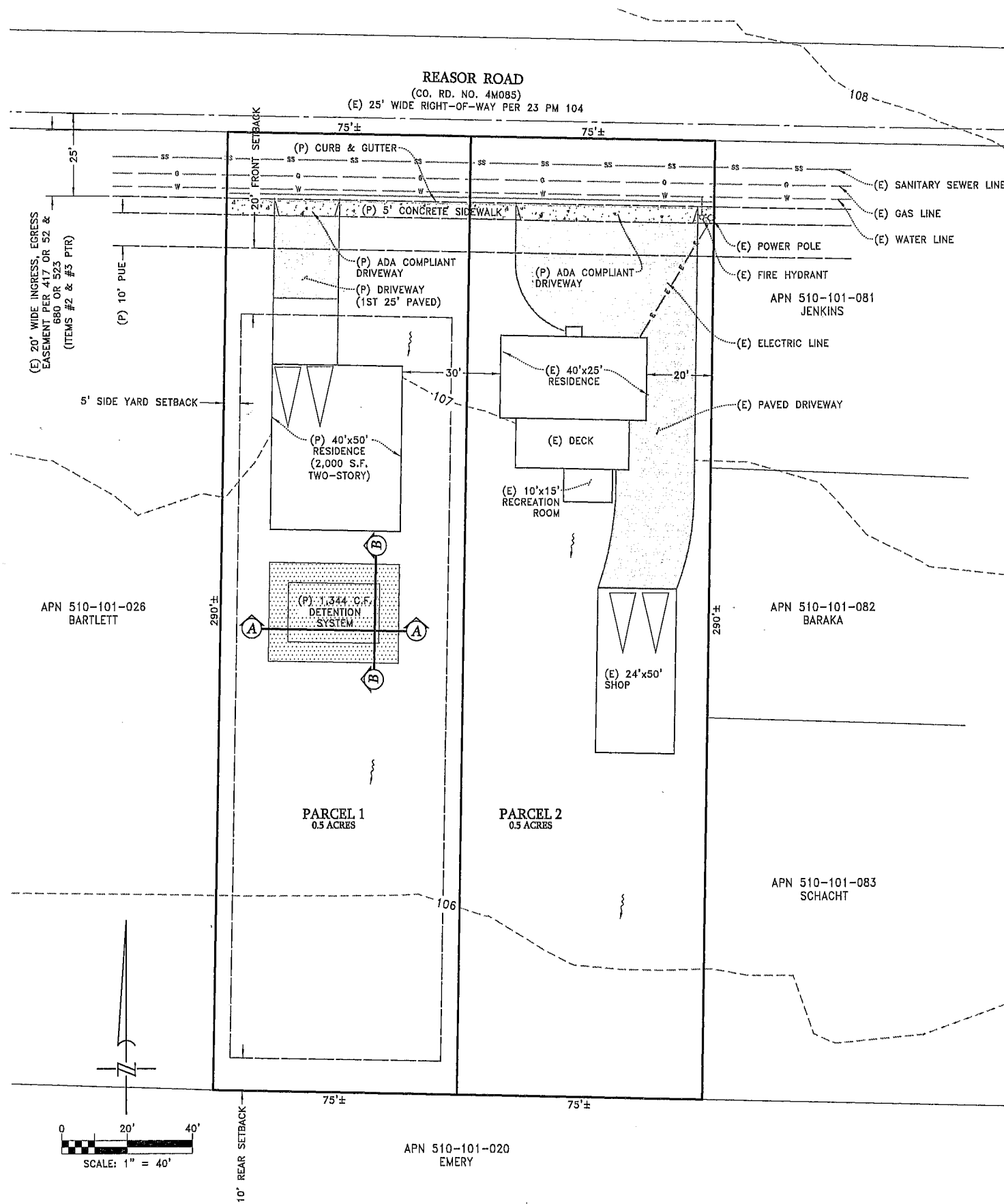
JUDITH DAVIS
In the unincorporated area of Humboldt County
Section 31, T7N, R1E, H. 12

SCALE: AS SHOWN
JOB NO. 19-2108
SHEET 1 OF 1

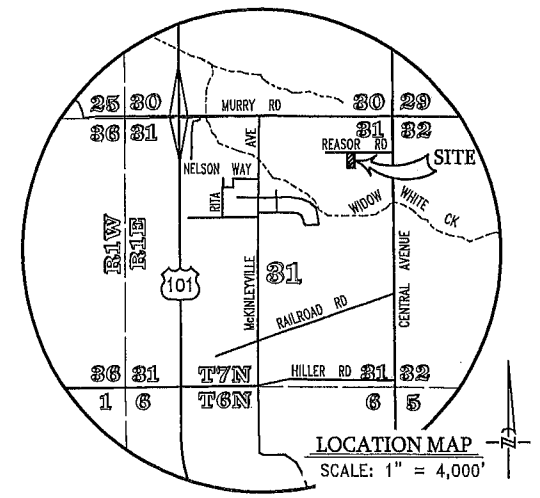
DESIGNED BY: K.D.P.
DATE: 01/22/19
DRAWN BY: C.W.B.
DATE: 01/22/19
CHECKED BY: KIMBERLY D. PRESTON
DATE: 12/19/19

402 E Street
Eureka, California
95501
Telephone
(707) 443-8851
SURVEYORS PLANNERS ENGINEERS

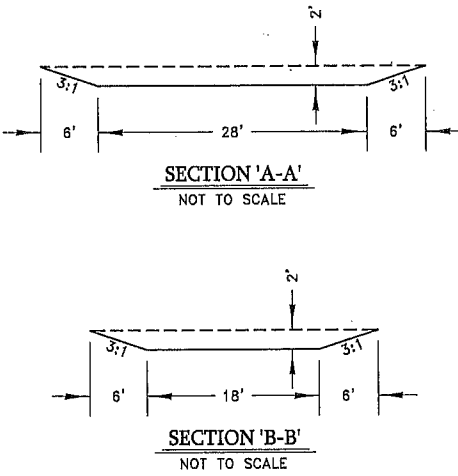




- LEGEND**
- | SYMBOL | INDICATES |
|--------|-----------------------------------|
| | PARKING SPACE |
| | DIRECTION OF SURFACE WATER RUNOFF |
| (P) | PROPOSED |
| (E) | EXISTING |
| S.F. | SQUARE FEET |
| PTR | PRELIMINARY TITLE REPORT |
| OR | OFFICIAL RECORDS |
| C.F. | CUBIC FEET |
| ADA | AMERICANS WITH DISABILITIES ACT |
| PUE | PUBLIC UTILITY EASEMENT |
| LID | LOW IMPACT DEVELOPMENT |
| | POWER POLE |
| | FIRE HYDRANT |
| | ELECTRIC LINE |
| | SANITARY SEWER LINE |
| | WATER LINE |



- NOTES**
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ELECTRIC AND GAS PACIFIC GAS & ELECTRIC CO.
TELEPHONE AT&T
CABLE TV SUDDENLINK
 4. THE PROJECT IS LOCATED WITHIN THE MAPPED STATE WATER BOARD'S PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AREA AND WITHIN THE MCKINLEYVILLE COMMUNITY PLAN DISTRICT. BASED ON PROJECT SIZE, LID AND DETENTION MEASURES ARE REQUIRED AND ARE INCLUDED IN THIS PROJECT APPLICATION AS SHOWN HEREON. A PRELIMINARY DRAINAGE PLAN REPORT IS INCLUDED IN THE PROJECT APPLICATION.
 5. EXCEPTION REQUEST FOR LOT WIDTH TO DEPTH RATIO IS INCLUDED IN THE PROJECT APPLICATION.
 6. THE PROPERTY IS RELATIVELY FLAT. CONTOURS SHOWN HEREON ARE AT 1-FOOT INTERVALS AND ARE APPROXIMATE AND ARE BASED ON USGS QUAD MAPPING. THE PROPERTY IS NOT SHOWN OF OFFICIAL MAPS AS BEING SUBJECT TO FLOODING PER FIRM COMMUNITY PANEL NO.060060 680G, CIRCA 6/21/2017, AND FALLS OUTSIDE THE 100-YEAR FLOOD ZONE. NO WET AREAS EXIST ON SITE AND THE PROPERTY IS NOT SUBJECT TO INUNDATIONS. NO OTHER SENSITIVE HABITATS, HISTORIC BUILDINGS OR ARCHAEOLOGICAL SITES ARE KNOWN TO EXIST ON, OR ADJACENT TO THE PROPERTY. THE GEOLOGIC HAZARDS MAP FOR THIS AREA SHOWS THE SOILS TO BE RELATIVELY STABLE AND THE PROPERTY IS MAPPED OUTSIDE ANY ALQUIST-PRIOLO SPECIAL STUDIES ZONE. THIS PROJECT IS NOT IN A STATE RESPONSIBILITY AREA (SRA). THE SUBJECT PROPERTY IS LOCATED WITHIN COMPATIBILITY "D" ZONE OF THE CALIFORNIA REDWOOD COAST-HUMBOLDT COUNTY AIRPORT IN THE AIRPORT LAND USE COMPATIBILITY PLAN.
 7. NO TREES OVER 12" DBH ARE TO BE REMOVED IN CONJUNCTION WITH THIS PROJECT AT THIS TIME.
 8. THIS TENTATIVE MAP IS BASED ON RECORD INFORMATION ONLY AND SHALL NOT BE CONSIDERED A SURVEY, LOT BEARINGS AND DISTANCES SHOWN HEREON MAY HAVE BEEN COMPILED FROM RECORD DATA ONLY, SUCH AS ASSESSOR'S MAPS, DEEDS, ETC., AND SHOULD BE CONSIDERED APPROXIMATE IN NATURE. THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.



OWNER/ APPLICANT
JUDITH DAVIS
P. O. BOX 218
ALDERPOINT, CA 95511
(707) 496-7399

APN 510-101-011

OMSBURG & PRESTON 402 E Street Eureka, California 95501 Telephone (707) 443-8051 SURVEYORS PLANNERS ENGINEERS		DESIGNED BY: K.D.P. DATE: 01/22/19	DATE: 01/22/19
DRAWN BY: C.W.B. DATE: 01/22/19		CHECKED BY: KIMBERLY D. PRESTON DATE: 12/19/19	DATE: 12/19/19

TENTATIVE PARCEL MAP

for
JUDITH DAVIS
In the unincorporated area of Humboldt County
Section 31, 77N, R1E, H.M.

SCALE
AS SHOWN
JOB NO.
19-2108
SHEET
1
OF
1

APPURTENANT EASEMENTS

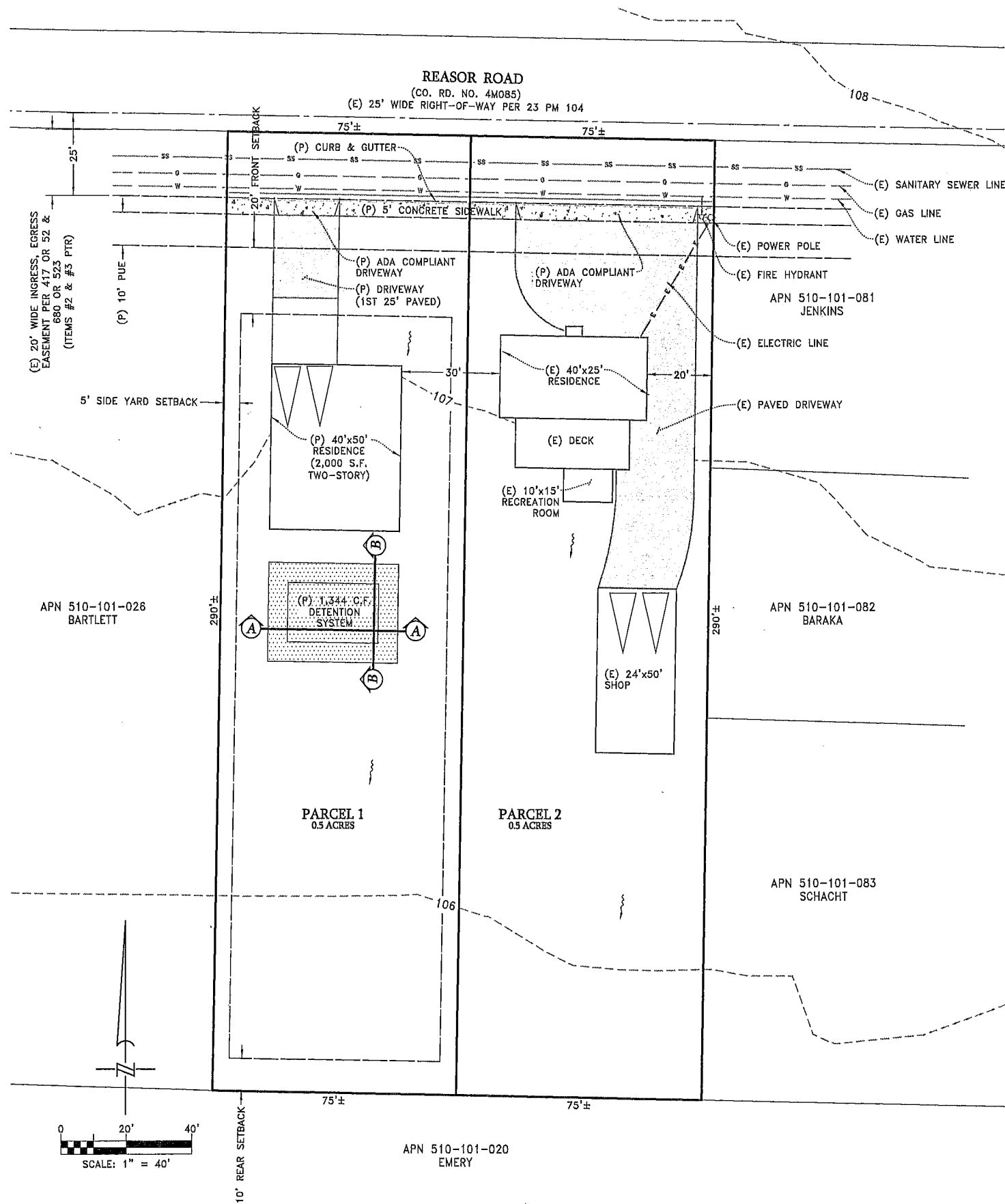
(PER PRELIMINARY REPORT BY FIDELITY NATIONAL TITLE COMPANY, DATED DEC. 6, 2019)

- #2. EASEMENTS FOR THE PURPOSE OF INGRESS AND EGREE RECORDED IN BOOK 417, PAGE 52, OFFICIAL RECORDS.
- #3. EASEMENTS FOR THE PURPOSE OF INGRESS, EGREE AND PUBLIC UTILITIES RECORDED IN BOOK 680, PAGE 523, OFFICIAL RECORDS.
- #4. EASEMENTS FOR THE PURPOSE OF A UNDERGROUND GAS LINE RECORDED IN BOOK 696, PAGE 1, OFFICIAL RECORDS.
- #5. EASEMENTS FOR THE PURPOSE OF INGRESS, EGREE AND PUBLIC UTILITIES RECORDED IN BOOK 1123, PAGE 462, OFFICIAL RECORDS.

November 19, 2020

QA Projects_Civil\2019-2108_Davis.dwg 2108_TENT01_11x17 PLOT 12/19/2019 12:45 PM

03 Projects - CH330\19-2108_Dwgs\dwg\2108_TENT01_11x17_PLOT1.dwg 2108_TENT01_11x17_PLOT1.dwg 2019 12:15 PM



APPURTENANT EASEMENTS

(PER PRELIMINARY REPORT BY FIDELITY NATIONAL TITLE COMPANY, DATED DEC. 6, 2019)

- EASEMENTS FOR THE PURPOSE OF INGRESS AND EGREE RECORDED IN BOOK 417, PAGE 52, OFFICIAL RECORDS.
- EASEMENTS FOR THE PURPOSE OF INGRESS, EGREE AND PUBLIC UTILITIES RECORDED IN BOOK 680, PAGE 523, OFFICIAL RECORDS.
- EASEMENTS FOR THE PURPOSE OF A UNDERGROUND GAS LINE RECORDED IN BOOK 696, PAGE 1, OFFICIAL RECORDS.

PLN-2019-1650 EASEMENTS FOR THE PURPOSE OF INGRESS, EGRESS AND PUBLIC UTILITIES RECORDED IN BOOK 1123, PAGE 462, OFFICIAL RECORDS.

LEGEND

SYMBOL	INDICATES
	PARKING SPACE
	DIRECTION OF SURFACE WATER RUNOFF
(P)	PROPOSED
(E)	EXISTING
S.F.	SQUARE FEET
PTR	PRELIMINARY TITLE REPORT
OR	OFFICIAL RECORDS
C.F.	CUBIC FEET
ADA	AMERICANS WITH DISABILITIES ACT
PUE	PUBLIC UTILITY EASEMENT
LID	LOW IMPACT DEVELOPMENT
	POWER POLE
	FIRE HYDRANT
	ELECTRIC LINE
	SANITARY SEWER LINE
	WATER LINE

NOTES

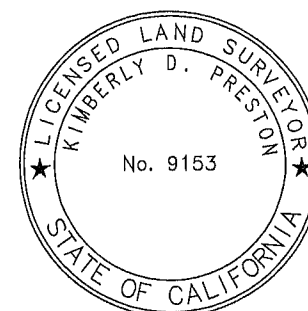
- THIS TENTATIVE PARCEL MAP PROPOSES A SUBDIVISION OF APN 510-101-011, AN APPROXIMATELY 1 -ACRE PARCEL (43,492.50 SQ. FT.), INTO TWO (2) PARCELS. AFTER SUBDIVISION, PROPOSED PARCEL 1 WILL BE APPROXIMATELY 21,746.25 SQ. FT. IN SIZE, AND PROPOSED PARCEL 2 WILL BE APPROXIMATELY 21,746.25 SQ. FT. IN SIZE. PARCEL 1 IS CURRENTLY DEVELOPED WITH ONE SINGLE FAMILY RESIDENCE WITH AN ATTACHED GARAGE, DECK, AND RECREATION ROOM, AND A DETACHED 50' BY 24' SHOP. PROPOSED PARCEL 2 IS CURRENTLY VACANT AND WILL BE DEVELOPED WITH ONE RESIDENCE IN THE FUTURE. THE EXISTING USE ON ADJACENT PARCELS IS RESIDENTIAL TO THE EAST AND WEST, AND MULTIFAMILY TO THE NORTH. ACCESS TO THE PARCEL IS VIA CENTRAL AVENUE IN MCKINLEYVILLE (COUNTY ROAD A4L800) AND THEN BY REASOR ROAD (COUNTY ROAD 4M085).
- THE PROPERTY HAS A GENERAL PLAN DESIGNATION OF RESIDENTIAL LOW DENSITY 1-7 DWELLING UNITS PER ACRE PER THE MCKINLEYVILLE COMMUNITY PLAN (RL1-7) AND IS CURRENTLY ZONED RESIDENTIAL ONE-FAMILY WITH AN AIRPORT COMPATIBILITY ZONE OVERLAY (R-1-AP) IDENTIFYING 5,000 SQUARE FOOT MINIMUM PARCEL SIZES. THE EXISTING BOUNDARY LINES AND EASEMENTS ARE BASED ON A TITLE INSURANCE POLICY PREPARED BY FIDELITY NATIONAL TITLE COMPANY, ORDER NO. FTO190076H-PG, DATED JANUARY 11, 2019. ALL EASEMENTS OF RECORD AND ANY NEW EASEMENTS ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE PARCEL MAP.
- THIS PROPERTY IS TO BE SERVED BY THE FOLLOWING UTILITIES:

WATER AND SEWER	MCKINLEYVILLE COMMUNITY SERVICES DISTRICT.
ELECTRIC AND GAS	PACIFIC GAS & ELECTRIC CO.
TELEPHONE	AT&T
CABLE TV	SUDDENLINK
- THE PROJECT IS LOCATED WITHIN THE MAPPED STATE WATER BOARD'S PHASE II SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AREA AND WITHIN THE MCKINLEYVILLE COMMUNITY PLAN DISTRICT. BASED ON PROJECT SIZE, LID AND DETENTION MEASURES ARE REQUIRED AND ARE INCLUDED IN THIS PROJECT APPLICATION AS SHOWN HEREON. A PRELIMINARY DRAINAGE PLAN REPORT IS INCLUDED IN THE PROJECT APPLICATION.
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APN 510-101-011



OMSBERG & PRESTON
402 E Street
Eureka, California
95501
Telephone
(707) 443-9051
SURVEYORS PLANNERS ENGINEERS

DESIGNED BY:
K.O.P.
DATE:
01/22/19
DRAWN BY:
C.W.B.
DATE:
01/22/19
CHECKED BY:
KIMBERLY D. PRESTON
DATE:
12/19/19

TENTATIVE PARCEL MAP

for
JUDITH DAVIS
In the unincorporated area of Humboldt County,
Section 31, T7N, R1E, H.M.

SCALE
AS SHOWN
JOB NO.
19-2108
SHEET
1
OF
1

November 19, 2020

ATTACHMENT 1

CONDITIONS OF APPROVAL

Approval of the tentative map is conditioned on the following terms and requirements which must be satisfied before the parcel map may be recorded.

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 **February 24, 2020** 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 \$110.00 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. Parkland dedication fees of \$3,067.95 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 accessory dwelling units on Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,533.97 parkland dedication fee balance. A copy of the Conveyance and Agreement form with *pro-rata* dedication payments amounts for each lot calculated will be provided by the Planning Department upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a *pro-rata* basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$415.00) will be required.

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 1-foot contour intervals;
- (2) The location of all drainage improvements and related easements, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program;
- (3) Development standards including setbacks, maximum lot coverage, maximum height and four (4) parking spaces on Parcel 1 and Parcel 2 consistent with Section 314-109.1 Humboldt County Code;

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."
- (4) If applicable "Development rights for secondary dwelling units 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 an accessory dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (5) "The subdivision is considered a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. Development of low impact development techniques other than those included on the improvement plans shall require a site-specific analysis to demonstrate conformance with this standard."
- (6) "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."
- (7) "The lot depth for the parcels created by this subdivision have been established through lot size modification of the maximum lot depth approved by Special Permit issued concurrently with the subdivision. Changes to the parcel configuration may require modification of the Special Permit."

- (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
9. 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 \$415.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
10. All activities related to the removal of trees under this permit shall be in strict conformance with the applicable County's Small Woodland Performance Standards (copy available from the Planning Division) in addition to Forest Practice Rules Section 1038 and applicable sections of 1104.1. An executed copy of the Small Woodland Performance Standards shall be submitted to the Department prior to commencement of the harvest operation.
11. 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 minimize costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Department. The applicant should submit the listed item(s) for review as a package as early as possible before the desired date for final map checking and recordation. Post application assistance by the Assigned Planner, with prior appointment, will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. Copies of all required forms and written instructions are included in the final approval packet.

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

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

2. 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 suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call a professional archaeologist, the representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, the Calfire project representative (if applicable) and the County Planning and Building Department; 3. The professional historic resource consultant, Tribes and Calfire officials will

coordinate and provide an assessment of the find and determine the significance and recommend next steps.

If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 4. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

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 of the tentative map and Special Permit may be requested prior to the date in accordance with Sections 326-21 and 312-11.3, respectively, of the Humboldt County Code

ATTACHMENT 1 – EXHIBIT A
PUBLIC WORKS SUBDIVISION REQUIREMENTS

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

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

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION DAVIS, APPLICATION # PLN-2019-16070 PMS,
APN 510-101-011, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING
OF APROXIMATELY 1 ACRE INTO 2 PARCELS

DATE: 02/24/2020

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 Omsberg & Preston dated December 19, 2019 and dated as received by the Humboldt County Planning Division on January 21, 2019.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

- 1.1 EXPIRATION OF TENTATIVE MAP:** Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

- 1.2 MAP TYPE:** Applicant must cause to be filed a subdivision map showing monumentation of all property corners to the satisfaction of this Department in compliance with 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 DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) REASOR ROAD (County Road No. 4M085)

Public 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. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right

of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

PUE: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way for the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

- (b) **AVIGATION EASEMENT / OVERFLIGHT EASEMENT / DEED NOTICE**: The subject property is located within compatibility "D" zone of the California Redwood Coast -Humboldt County Airport as defined in the Airport Land Use Compatibility Plan (ALUCP).

Pursuant to Section 3.4.1 and Table 2A of the ALUCP, the applicant shall cause a Deed Notice to be recorded in the office of the County Recorder.

- (c) **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.

- 1.7 **LINES OF OCCUPATION**: Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.

2.0 **IMPROVEMENTS**

- 2.1 **CONSTRUCTION PLANS**: 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. Projects located within McKinleyville Community Services District (MCSD) area shall be tied to MCSD elevation datum unless waived 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 ADA FACILITIES: All pedestrian facilities shall be ADA compliant. 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.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

2.4 REASOR ROAD: The access road serving the subdivision shall be constructed to the satisfaction of the Department as follows:

- (a) Applicant shall be required to construct a Caltrans Type A2-6 portland concrete curb and gutter with adjacent 5 foot wide Portland cement concrete sidewalk plus an asphalt concrete parking lane along the frontage of the subdivision in a manner satisfactory to the Department.
- (b) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (c) The surface of the access road shall conform to the Structural Section requirements with this document.

2.5 DRIVEWAYS: The location of existing and proposed driveway aprons (access openings) shall be shown on the construction plans. Existing driveways shall be relocated/ retrofitted/ improved as necessary to meet the following:

- (a) **GEOMETRY:** Existing and proposed driveways shall intersect the road at a 90° angle, unless otherwise approved by this Department.
- (b) **GRADE:** Driveway grades shall conform to the following:

When concrete curb is present, the maximum grade of the driveway shall be 16%.

- (c) **VISIBILITY:** All driveways shall conform to Humboldt County Code Section 341 regarding visibility.
- (d) **DRIVEWAY SURFACE:** The surface of the driveway shall conform to the *Structural Section* requirements within this document.

Driveways connecting to paved roads: Existing and proposed driveways shall be surfaced for the entire width of the driveway. The driveway shall be surfaced for a minimum length of 25 feet.

When a concrete curb is present, a portland cement concrete driveway apron (Urban Driveway No. 1 Standard Plan) shall be constructed.

- (e) **DRIVEWAY WIDTHS:** The width of the driveway shall be as approved by this Department.

Driveway Widths (W)			
Type	Minimum	Recommended	Maximum
Residential	10'	18'	20'
Non-Residential	12'	24	29'

- (f) **SETBACK TO GARAGES:** 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) **ENCROACHMENT PERMIT:** Any new driveways (access openings) from the County road will require encroachment permit from this Department.

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

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

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. If the NBUs will not be installed by the Post Office, the subdivider shall install the NBUs as part of the subdivision.

Note: The Post Office may not require an 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.

- 2.12 COMPLETION OF SIDEWALK IMPROVEMENTS:** Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit.

- 2.13 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION:** When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- (a) Pursuant to Government Code section 66411.1 (improvement timing), fulfillment of reasonable on-site and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or

orderly development of the area. The following improvements are necessary for the public health or safety or orderly development of the area and shall be completed within twenty-four (24) months of the filing date of the Parcel Map, or prior to issuance of a building permit or other grant of approval for any of the parcels shown on the Parcel Map:

The frontage improvements including curb and gutter, sidewalk, and driveway apron(s) on Parcel 2 shall be constructed.

- (b) The following note shall be placed on the development plan:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* 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."

- (c) The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

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.

- 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.

- 3.3 STORM WATER QUALITY:** Applicant shall include within the project site the implementation of Best Management Practices (BMPs) to prevent storm water pollution. BMPs include, but are not limited to, stenciling drainage inlets.

- 3.4 DETENTION FACILITIES:** Pursuant to McKinleyville Community Plan Policy 3310 (5), 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.

If the site conditions do not allow for detention, then infiltration may be considered by the Department as an alternative.

- 3.5 DRAINAGE FEES:** Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

3.6 LOW IMPACT DEVELOPMENT (LID): The subdivision is required to comply with County Code Section 337-13. At the time of issuance of a building permit, the applicant must comply with County Code Section 337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual parcel may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a parcel are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

The following note shall be placed on the development plan: "**LOW IMPACT DEVELOPMENT (LID) NOTE:** This subdivision is approved as a small project and is required to comply with County Code Section 337-13. Each lot within the subdivision is considered a small project. At the time of issuance of a building permit, the applicant shall demonstrate compliance with County Code Section 337-13."

Note: At time of issuance of a building permit for the vacant parcel, if the total proposed impervious area exceeds 5,000 SF, then that parcel shall be developed as a regulated project.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

<NONE>

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

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


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

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTER OFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

DATE: 02/24/2020

RE: DAVIS, APN 510-101-011, PLN-2019-16070 PM

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

PARCEL MAP IMPROVEMENT NOTE: Frontage improvements to Parcel 2 (an existing developed parcel) must be constructed per the Department's subdivision requirements. Pursuant to Government Code Section 66411.1 (b), the Department recommends that the frontage improvements on Parcel 2 be completed within twenty-four (24) months from the date that the subdivision map is filed with the County Recorder; or prior to issuance of a development permit (or building permit) for Parcels 1 or 2, whichever occurs first. This is based upon the need for orderly development of the surrounding area.

The construction of the subdivision improvements for Parcel 1 may be deferred to the time that a development permit (or building permit) is issued.

COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION: Pursuant to Government Code section 66411.1 improvement timing. Fulfillment of reasonable on- and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or orderly development of the area. The Department is requesting that the following improvements be completed within twenty-four (24) months from the filing date of the parcel map:

The frontage improvements including curb and gutter, sidewalk, and driveway apron(s) on Parcel 2 shall be constructed.

UTILITY POLE: The curb line at the northeast corner of Parcel 2 will need to be moved slightly to the north to avoid the need to relocate a utility pole. This can be shown on the improvement plans.

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Planning Commission must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

A. Subdivision Findings: Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (HCC) specify the findings that must be made to approve tentative subdivision maps. Basically, the Hearing Officer may approve a tentative map if the applicants have submitted evidence which supports making all of the following findings:

1. That the proposed subdivision together with the provisions for its design and improvement is consistent with the County's General Plan.
2. That the tentative subdivision map conforms to the requirements and standards of the County's subdivision regulations.
3. That the proposed subdivision conforms to all requirements of the County's zoning regulations.
4. The proposed subdivision is not likely to cause substantial environmental damage.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:
 - a. The project is either categorically or statutorily exempt; or
 - b. There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
 - c. An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

B. Special Permit Findings: Section 312-17 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Permits and Variances) specifies the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County's General Plan, the Open Space Plan, and the Open Space Action Program;

2. The proposed development is consistent with the purposes of the existing zone in which the site is located.
3. The proposed development conforms with all applicable standards and requirements of these regulations.
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity; and
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

A.1./B.1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt County General Plan and the McKinleyville Community Plan (MCCP).

Plan Section(s)	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	Residential Low Density (RL) Primary and compatible uses include single family residential use. Density Range – 1 - 7 dwelling units per acre.	The existing parcel is currently developed with a single-family residence and a number of accessory structures that are situated within proposed Parcel 2. Proposed Parcel 1 is currently vacant and is targeted for development of an approximately 2,000 square foot residence as an Accessory Dwelling Unit (ADU). The ADU will become the primary residence upon map recordation. All parcels will be served with community water and sewer provided by the McKinleyville Community Services District.
Urban Limits: §2600 (MCCP)	New development shall be located within existing developed areas or in areas with adequate public services.	All proposed parcels are within the Urban Limit line and are served by public water and sewer. The parcels will be served by Reasor Road, a County maintained road.
Housing: §2400 (MCCP)	Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.	The proposal results in one additional building site for residential development. The parcel was not utilized by the Department of Housing and Community Development in determining compliance with housing element law. Therefore, the parcels created by this subdivision are in addition to those identified in the 2014 Housing Element.
Hazards: §3200 (MCCP)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards. Geologic Fire Flood Hazards	The area of the proposed building site is within Geologic Hazard Rating 0 - "Relatively Stable" and is not within the Alquist-Priolo Fault Hazard Area. The proposed subdivision site is in an area of low fire hazard. The Arcata Fire Department has reviewed the subdivision design and recommended approval. The parcel does not have any flood hazards as shown on FIRM Map 680.

Sensitive and Critical Habitats: §3420 (MCCP)	To protect designated sensitive and critical resource habitats.	The parcel does not have any mapped constraints as shown on the biological resource map. It is located within a developed residential area which is not known to possess wetlands, natural drainages or other types of Sensitive or Critical Habitats. The project was referred to the California Department of Fish and Wildlife, however, they did not respond with any concerns.
Cultural Resource Protection: §3500 (FP)	New development shall protect cultural, archeological and paleontological resources.	The project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. Although the response from the NWIC recommended a study, further consultation with the Blue Lake Rancheria and the Wiyot Tribe recommended approval with no further study provided a note regarding inadvertent discovery is included in the recorded Development Plan. This is included in the Conditions of Approval.
Parkland: §4420 (MCCP)	To establish recreational facilities to meet the needs of Eureka residents.	<u>Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$100,000/acre</u> or: $3(2(130 \times 2.57/43,560)) \times \$100,000 = \$3,067.95$ without the conveyance of secondary dwelling unit rights; or \$1,533.97 with the conveyance of secondary dwelling unit rights on all parcels.

Parkland Dedication Fee Calculations

130.00	McKinleyville Community Plan requires 130 square feet of parkland dedication per person for new subdivisions
X <u>2.57</u>	Persons per average McKinleyville household (Source: 2000 U.S. Census)
334.10	Parkland dedication per average household in square feet
/ <u>43,560</u>	Square feet per acre
0.007	Parkland dedication per average household in acres
X 2	Number of parcels being created by the subdivision,
X 2	Number of dwellings per legal parcel or lot, including potential second units
X 100%	Percentage of these parcels within the McKinleyville Community Planning Area
X <u>\$100,000</u>	Value of one acre of land in the vicinity of the subdivision project
\$3,067.95	Parkland Dedication In-lieu Fee for the Davis Subdivision

A.2. Subdivision Regulations. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.).

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The project will result in two parcels, each approximately 21,750 square feet in size. Both parcels will be suitable for single-family residential development.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	The property has frontage on Reasor Road, a County maintained road. Both parcels will be served by Reasor Road. The applicant has submitted a preliminary drainage plan showing a strategy for detention of future increases in stormwater runoff.
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Resultant parcels are served by community water and sewer provided by the McKinleyville Community Services District (MCSD). MCSD has stated that they have the capacity to serve the subdivision.
322-3.1 Housing Element Densities The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.		The proposal results in one additional building sites for residential development. This parcel was not identified as providing any additional dwelling units in the most recent Housing Inventory, therefore, the two parcels created by this subdivision will provide additional units above and beyond those identified in the Housing Element.

<p>Government Code § 66411.1 Improvement Timing</p>	<p>Unless the subdivider voluntarily enters into an agreement with the County establishing the timing of the work, fulfillment of reasonable on- and off-site construction requirements are deferred until issuance of a permit or other grant for development of the created lot, except where found to be necessary for the public health and safety or for orderly development of the surrounding area. If not completed prior to parcel map recordation or under agreement with the County, a Notice of Construction Requirements shall be filed concurrently with the parcel map.</p>	<p>Because one of the parcels being created by this division is currently developed with an occupied residential structure, and the subdivider has not indicated that it is their intent to enter into a Subdivision Agreement, the Public Works Department is recommending that the construction of the road and pedestrian improvements along Reasor Road fronting the subject parcel as set forth in Exhibit A to Attachment 1 be completed within 24 months of the filing of the parcel map, or upon issuance of development permit (or building permit) on either parcel, whichever occurs first, for the orderly development of the area. Subdivision improvements for Parcel 1 may be deferred but must be completed to the satisfaction of the County prior to the release of building permits for either parcel. A Notice of Construction Requirements shall be filed concurrently with the parcel map to inform the owner and their successors in interest of their development obligations.</p>
<p>Structural Fire Protection Government Code § 66474.02 Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.</p>	<p>The proposed subdivision is located outside of the nearest State Responsibility Area (SRA) for fire protection and is within an area of low fire hazard severity. The site is within the Arcata Fire Protection District, who provide structural fire protection and suppression services to the area, consistent with the standards for eligibility entities found in §66474.02(a)(2)(A) of the Government Code.</p>	

Further, per Section 7.1, Lots, General, the size and shape of lots shall be such as is proper for the locality in which the subdivision is situated, and in conformance with the requirements of the current zoning regulations and the Humboldt County General Plan. The proposed lot design would result in an exceedance of the lot depth to width ratio requiring an exception. Pursuant to H.C.C. Section 325-9, to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

Summary of Applicable Requirement	Evidence
That there are special circumstances or conditions affecting said property.	The parcel is approximately 1 acre in size, and although it qualifies for subdivision, the shape of the lot warrants some relief to the lot width to depth ratio. In the R-1 zone, the maximum lot depth is three times the lot width. Due to the location of existing development, the most logical division line is running north-south through the middle of the property. This configuration would create two parcels, approximately 75 feet wide and averaging approximately 290 feet long, exceeding the three times the width limit. Section 314-99.1.2 of the Inland Zoning Regulations, allows the lot depth to exceed the maximum in order to "better design and cope with difficulties due to topography and other natural or man-made features" provided the lot depth does not exceed eight times the lot width. In this case, accommodating the "man-made features" will allow the subdivision and create to lots with a depth that will be approximately 3.86 times the lot width, consistent with these regulations. The exception will allow for division of the parcel such that the buildout promoted by the Plan and Zoning may be achieved.
That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.	The proposed subdivision will result in two parcels consistent with the General Plan and the R-1-AP zoning. Furthermore, the resultant parcel sizes will not be atypical for the neighborhood, will facilitate in-filling an established development pattern in support of the densities established by the Plan and Zoning, and will provide more housing opportunities. Securing access from the property immediately south of the property would help promote more orderly re-subdivision of the property.
That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the subject property is located.	There is no indication that the development of the surrounding lands will be adversely impacted by this exception. All referral agencies have recommended approval. Furthermore, the resultant parcel sizes are not atypical for the neighborhood, as the parcel is surrounded by various lot sizes. The lots will be similar to other lots within the neighborhood, and the subdivision is in keeping with the configuration of the site and the character of the immediate area.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
<p>Exceptions to Development Standards §314-99.1, HCC</p> <p>Exception to Maximum Lot Depth §314-99.1.2, HCC</p> <p><i>In order to better design and cope with difficulties due to topography and other natural or man-made features, maximum lot depth...in all zones may be modified subject to securing an SP.</i></p>	<p>Maximum lot depth may exceed the three times lot width required, however, it cannot be greater than eight times lot width.</p>	<p>The subject parcel is one acre in size with a minimum parcel size of 5,000 square feet. The parcel is currently developed with an existing single-family residence and several detached accessory structures. The lot size modification (LSM) will allow the applicant to divide the parcel in a manner that more closely matches the configuration of neighboring development in the vicinity. The maximum lot depth in this case would be approximately 225 feet. Both parcels would have a lot depth of approximately 290 feet. The lot depth requested is within the allowance for LSM (eight times lot width).</p> <p>A condition of approval requires the Development Plan to include a notation as to the creation of these parcels using the lot size modification exception.</p>

A.3./B.2. Zoning Compliance and Development Standards. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Zoning Finding
Residential One-Family (R-1)	One-family dwellings are compatible uses.	The subdivision results in two parcels suitable for residential development.
Minimum Parcel Size	5,000 square feet	The subdivision results in two ½-acre parcels.
Minimum Yard Setbacks per Zoning:	Front: 20 feet Side: 5 feet Rear: 10 feet	Development of Parcel 2 complies. The proposed Accessory Dwelling Unit would conform to the required setbacks from the future boundaries of proposed parcel 1.
Minimum Lot Width	50 feet (measured at front yard setback line)	Parcel 1: 75 feet Parcel 2: 75 feet
Maximum Lot Depth	3 time lot width	Parcel 1: *290 feet Parcel 2: *290 feet *exceptions to the development standards may be permitted with a Special Permit pursuant to 314-99.1. See further discussion above.
Maximum Ground Coverage	35%	Development of Parcel 2 complies. The approximately 2,000 square foot Accessory Dwelling Unit will be located within proposed parcel 1 following subdivision and would result in only 9% total lot coverage.
Maximum Structure Height	35 feet	Existing development situated on Proposed Parcel 2 complies. The proposed Accessory Dwelling Unit will be limited to 35 feet in height.
Combining Zones		
314-16.1 AP – AIRPORT SAFETY REVIEW	The purpose of these provisions is to establish regulations to maintain compatibility between proposed land uses and development and Humboldt County airports.	The parcel is located within Zone “D” of the Humboldt County Airport. Residential development is an allowed use within this zone. There are no density limitations, however, the Department of Public Works will require an aviation easement as a condition of approval. Therefore, the project complies with this combining zone.

314-62.2 TIMBER PRODUCTION	To ensure that timber harvest activities are compatible with the principal residential uses in the zone.	Construction of the proposed Accessory Dwelling Unit and Detention Facility within the future boundaries of Proposed Parcel 1 will require the removal of several evergreen trees. The cutting and removal of the trees will be conducted in conformance with the County's Small Woodland Performance Standards, intended to minimize conflicts and nuisance impacts from noise, traffic and treatment of slash associated with timber operations. The removal is also subject to a restriction as to tree and vegetation removal associated to avoid or minimize impacts to nesting birds (see condition of Approval #6).
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A.4/B.4. Public Health, Safety and Welfare.

The project will not be detrimental to the public health, safety and welfare nor will it be materially injurious to properties or improvements in the area because:	Evidence supporting the finding
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 5, Referral agency recommendations.
The proposed project is consistent with the general plan.	See previous discussion.
The proposed project is consistent with the zoning.	See previous discussion.
The proposed project will not cause environmental damage.	See following discussion.

A.5./B.5. Impact on Residential Density Target. See discussion under Section A.2. above

6. Environmental Impact. Please see the attached draft Mitigated Negative Declaration.

§15183 Exempt from State environmental review. The proposed subdivision is exempt from the provisions of CEQA per Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines. Section 15183 mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review. Subsequent environmental review is only necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

Per the state CEQA Guidelines, in approving a project meeting the requirements of this section, the examination of environmental effects shall be limited to those which the agency determines, in an initial study or other analysis: 1) are peculiar to the project or the parcel on which the project would be located, 2) were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, 3) are potentially significant off-site impacts and

cumulative impacts which were not discussed in the prior EIR prepared, and 4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

No further analysis of the conditions set forth in 1-4 above apply because the subject site is in an area served by full urban services, is planned Residential Low Density which supports the density of development proposed, is zoned Residential One-Family, and in an area without enumerated hazards. The project does not raise any new significant impacts. Further, the project is consistent with the General Plan standards for traffic, noise, open space protection and provision of community services. All responding referral agencies have recommended approval or conditional approval, including Environmental Health, County Public Works, McKinleyville CSD, Arcata Fire District, and PG&E, and Tribal Historic Preservation Officers for Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria, and the Wiyot Tribe.

As required by the California Environmental Quality Act, the initial study conducted by the Planning and Building Department evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The initial study checklist on file in the Department includes a detailed discussion of all relevant environmental issues.

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Tentative Subdivision Map	Attached in Maps Section
Application Form	On file with Planning
Preliminary Title Report	On file with Planning
Preliminary Drainage Report	On file with Planning
LID Worksheet	On file with Planning
Exception Request dated May 30, 2019	Attached
Hazardous Waste Statement	On file with Planning



OMSBERG & PRESTON

Surveyors • Engineers • Planners

402 E Street
Eureka, CA 95501
(707) 443-8651
www.omsberg.com
kpreston@omsberg.com

May 30, 2019

19-2108

Trevor Estlow, Planner
Humboldt County Planning Division
3015 H Street
Eureka, CA 95501

RE: Exception Request for the Judith Davis Subdivision,
Reasor Road, McKinleyville - APN 510-101-011

Dear Trevor:

Pursuant to Humboldt County Code Section 325-9, we are requesting an exception to the lot width to depth ratio as specified in the Appendix to Title IV, Division 2, H.C.C. Section 7-2, administered by the Public Works Land Use Division for the above tentative map. Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

- 1) That there are special circumstances or conditions affecting said property;
- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner; or
- 3) That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the neighborhood in which said property is situated.

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air, and public health, safety, convenience and general welfare.

Exception request: Per the code, the ratio of new lots created shall be a maximum of three times the lot width. The width of the proposed parcels will be 75 feet wide; the maximum lot depth allowable would be 225 feet. However, due to the existing lot configuration of 150 feet wide by 290 feet deep, the proposed lot depth needs to be 290 feet, 65 feet deeper than is allowed by the code in order to optimize the residential density potential that is permitted under the existing Zoning and General Plan.

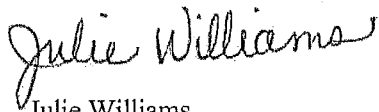
The proposed lots, as shown on the Tentative Map, are consistent with prescribed density, minimum parcel sizes, parking regulations and other development criteria of the regulations. This proposed subdivision is consistent with planned growth of the area, and is Plan supported in-fill development. This application does not request approval from the County for unusual or dangerous lot designs; flag lots have historically been approved in Humboldt County for quite some time.

Since the project, as proposed, satisfies other requirements for subdivisions, granting these exceptions do not appear to be providing special privileges not available to others, but rather are upholding the preservation and enjoyment of a substantial property right of the landowner. Denying the exception requests would deprive the property owner of the ability to utilize the subject property to the maximum potential as described in the existing General Plan and zoning regulations.

The granting of the exceptions does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, we respectfully petition that the exception request be granted.

Sincerely,

OMSBERG & PRESTON

A handwritten signature in cursive script that reads "Julie Williams".

Julie Williams
Project Manager

cc: Judith Davis
Bob Bronkall

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection				
County Public Works, the Land Use Division	X	Conditional approval (Exhibit A of Attachment 1) Memo dated February 24, 2020	X	
County Division of Environmental Health	X	Approval		X
Northwest Information Center	X	Comments		X
Arcata Fire Protection District	X	Approval	X	
McKinleyville Community Services District	X	Approval	X	
California Department of Fish and Wildlife				
Wiyot Tribe	X	Conditional Approval		X
Blue Lake Rancheria	X	Conditional Approval		X
Bear River Band of the Rohnerville Rancheria	X	Conditional Approval		X
PG&E	X	Comments		X

**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT****CURRENT PLANNING**
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 446-7245**RECEIVED****JAN 22 2020****McK. C.S.D.**

1/22/2020

Project Referred To The Following Agencies:

County Counsel, Environmental Health, PW Land Use, Supervising Planner, CSD, FPD, RWQCB, School District, Cal Fish & Wildlife, Bear River Band, Blue Lake Rancheria, NWIC, Wiyot Tribe, PGE

Applicant Name Judy Davis **Key Parcel Number** S10-101-011-000**Application (APPS#)** PLN-2019-16070 **Assigned Planner** Steve Lazar 707-268-3741

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.**Return Response No Later Than: 2/6/2020**Planning Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us Fax: (707) 268 - 3792**We have reviewed the above application and recommend the following (please check one):**

- ☒ Recommend Approval. The department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested conditions attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____**DATE:** 27 MAR 2020**PRINT NAME:** Gregory P. Orsini General Manager



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
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Other Comments: _____

DATE: Jan 29, 2020 PRINT NAME: Ed Laidlaw