



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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

Hearing Date: August 5, 2021

To: Humboldt County Planning Commission

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

Subject: **McKinleyville Murray Rd (Beau Pre Heights) Parcel Map  
Subdivision Extension**  
Case Number PLN-2020-16851  
Assessor Parcel Numbers 510-011-015, 510-011-017, 511-111-059,  
and 511-161-004.

<b>Table of Contents</b>	<b>Page</b>
Agenda Item Transmittal Form	2
Recommended Action and Executive Summary	3
Draft Resolution	5
<b>Maps</b>	
Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Aerial Photo	11
Tentative Map	12
<b>Attachments</b>	
Attachment 1: Conditions of Approval	14
Attachment 2: Original Conditions of Approval	15

Please contact Leiloni Shine at (707) 671-6928, or by email at [Leiloni@landlogistics.com](mailto:Leiloni@landlogistics.com) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 5, 2021	Parcel Map Subdivision Extension	Leiloni Shine

**Project:** A two year extension of a Final Map Subdivision of approximately 197.3 acres formerly known as Norton Creek Estates, now termed Beau Pre Heights Subdivision) into 79 residential parcels ranging in size from 1.03 acres – 4.79 acres, and an open space parcel encompassing streamside management areas and wetlands. The Tentative Map will also protect an approximate 36-acre Sitka spruce forest stand deemed a “rare natural community” by the Department of Fish and Wildlife. Pursuant to Section 322.5-1 *et seq.* H.C.C., an exemption to the solar access standards was requested for all lots based on the fact that all lots in the proposed development are greater than one acre and lot configuration does not constrain solar access. The proposed subdivision would include a small (3.4 acre) community park and series of trails, open to the general public for pedestrian and bicycle use. The project site is accessed from the south via Murray Road and from the north via Norton Road, both of which are two-lane roadways as they approach the site. A portion of the project area is located within the designated Approach Zone (Zone C) for the Arcata-Eureka Airport, however, the proposed densities do not exceed those currently allowed (4 units/acre) for this zone and would not adversely impact the airport. The Arcata-Eureka Airport is located approximately one mile to the northwest of the site. The project includes Street Name Assignments to name the proposed new unnamed access roads that are to serve the proposed subdivision. The project will be served by community water and on-site septic systems. If approved, the extension will extend the life of the tentative map to June 14, 2023. **No change to the original project is proposed. This is the third extension requested and if approved, the extension will expire on June 14, 2023.**

**Project Location:** This project is located in Humboldt County, in the McKinleyville area, on the north side of Murray Road, approximately 4,300 feet east from the intersection of Murray Road and Warner Avenue, on the properties known to be in Sections 28, 29, 32, and 33 of Township 07 North, Range 01 East, Humboldt Base & Meridian.

**Present Plan Designation:** Residential Estates (RE2.5-5), Density: (Cluster) Range is 2.5 to 5 acres per unit; Airport Safety Review (AP), Density: Must comply with most recent Airport Land Use Compatibility Plan (ALUCP); McKinleyville Community Plan (MCCP), 2017 General Plan.

**Slope Stability:** Low Instability (1) and Moderate Instability (2)

**Present Zoning:** Agriculture General (AG), Minimum lot size of 0.5 acres, if any parcel is subdivided, the resulting density must be consistent with the General Plan, the parcel must be rezoned to the appropriate B-7 size designation, and as necessary, other enforceable restrictions to maintain consistency with the General Plan shall be required (B-7(0.5)), Airport Safety Review (AP), Noise Impact (N), Streamside Management Areas and Wetlands (WR).

**Case Number:** PLN-2020-16851

**Assessor Parcel Number:** 510-011-015, 510-011-017, 511-111-059, and 511-161-004.

**Applicant**  
McKinleyville Murray Rd. LLC  
Dan Johnson  
5251 Ericson Way  
Arcata, CA 95521

**Owner(s)**  
same as applicant

**Agent**  
Danco Communities  
Chris Dart  
5251 Ericson Way  
Arcata, CA 95521

**Environmental Review:** The original project was subject to environmental review and an Environmental Impact Report was adopted by the Planning Commission. No new environmental review is required.

**Major Issues:** None

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

**McKinleyville Murray Road (Beau Pre Heights)**  
**PARCEL MAP SUBDIVISION EXTENSION**

Case Number PLN-2020-16851

Assessor Parcel Number 510-011-015, 510-011-017, 511-111-059, and 511-161-004.

**RECOMMENDED COMMISSION ACTION:**

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

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

**Staff Analysis of the Evidence Supporting the Required Findings**

Sections 66452.6(e) and 66463.5(c) of the California Government Code (Subdivision Map Act) and Sections 326-21 and 326-31 (Filing of Final and Parcel Maps) of the Humboldt County Code establishes the authority to grant time extensions for approved or conditionally approved tentative maps when it can be found that the findings and conditions of the original project have not changed significantly.

Recommendation:

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

Staff Analysis:

A two-year extension of a Parcel Map Subdivision (PLN-2020-16851) originally approved by the Planning Commission on June 2, 2011, followed by the appeal period resulting in an effective date for the map of June 14, 2011. The project consisted of a Major Subdivision of a 197.3 acre parcel into 79 parcels ranging in size from 1.03-4.79 acres and an open space parcel encompassing streamside management areas and wetlands. The subject property is undeveloped. Water is provided by the McKinleyville Community Services District. **No change to the original project is proposed.**

The applicant states that the conditions of the property have not changed since the original application/approval of FMS-06-11. This is the third applicant requested extension and, if approved, the tentative map will expire on June 14, 2023.

The Planning Department has circulated requests for input relative to the extension petition and has received no comments against the petition being granted. It is staff's opinion that the findings and conditions of the original project, effective June 14, 2011, have not changed significantly based on the following staff analysis, and are applicable to the proposed extension because:

1. The parcel's zoning, Agriculture General (AG) with a combining zone for Special Building Site (B-7), Airport Safety Review (AP), Noise Impact (N), and Streamside Management Areas and Wetlands (WR), for which conformance findings were made, has not changed.
2. The General Plan Land Use designation, Residential Estates (RE2.5-5), and Airport Safety Review (AP), for which a consistency finding was made, has not changed.
3. The applicable development standards, for which the original project was evaluated, have not changed.

4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject and as administered by other departments or agencies have not changed.
6. The original project was subject to environmental review and an Environmental Impact Report (SCH# 2008072050) was adopted by the Planning Commission as required by Section 21081 and Section 15091 of the CEQA Guidelines. The County has received no evidence indicating that additional review under CEQA is necessary.

Humboldt Community Services District responded to the referral and recommended conditional approval upon water system improvements being required. Public Works responded to the referral and recommended approval of the extension. No other responses were received.

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

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



**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 21-**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE MCKINLEYVILLE MURRAY  
RD. [BEAU PRE HEIGHTS] PARCEL MAP SUBDIVISION EXTENSION APPLICATION.**

**CASE NUMBER: PLN-2020-16851; ASSESSOR PARCEL NUMBER: 510-011-015, 510-011-017, 511-  
111-059, and 511-161-004.**

**WHEREAS**, the owner submitted an application and evidence in support of approving the two year Final Map Subdivision Extension of an approximately 197.3 acre parcel into 79 residential parcels ranging in size from 1.03-4.79 acres and an open space parcel; and

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

**WHEREAS**, at their June 2, 2011 hearing, the County Planning Commission adopted an Environmental Impact Report for the subject project in accordance with the California Environmental Quality Act (CEQA); and

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

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

1. The Planning Commission considered the previously adopted Environmental Impact Report;
2. The findings in H.C.C. [§ 326-21] in the Planning Division staff report supports approval of Case Number: PLN-2020-16851 based on the submitted evidence.
3. Parcel Map Subdivision Extension Case Number PLN-2020-16851 is approved as recommended and conditioned in the Planning Division staff report and Attachment 1.

Adopted after review and consideration of all the evidence on August 5, 2021.

The motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

AYES: Commissioners:

NOES: Commissioners:

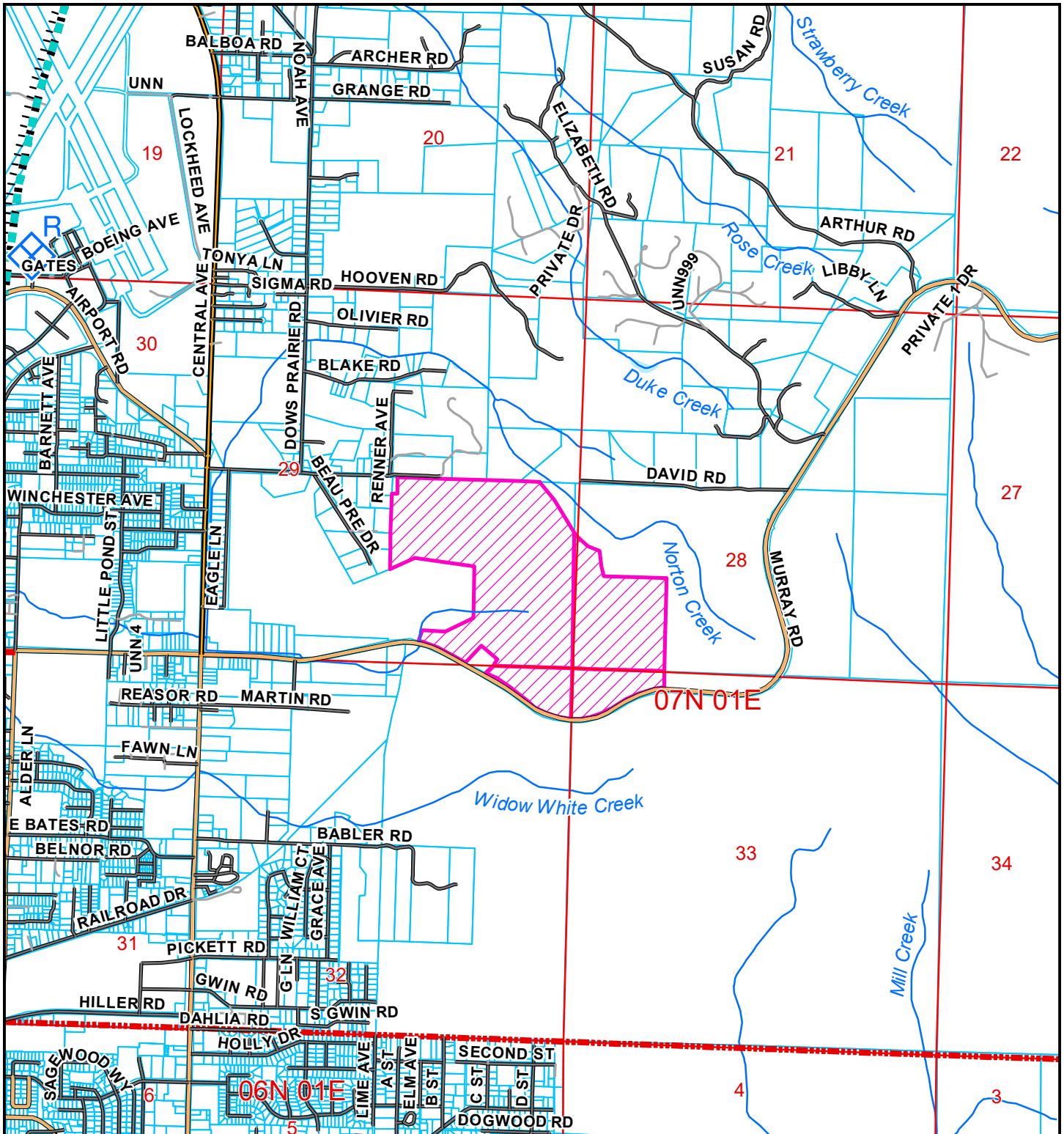
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
John H. Ford,  
Director, Planning and Building Department



## LOCATION MAP

**PROPOSED MCKINLEYVILLE MURRAY ROAD LLC'  
EXTENSION  
TRINIDAD AREA  
PLN-2020-16851**

**Project Area =** 

**Coastal Zone Boundary** 

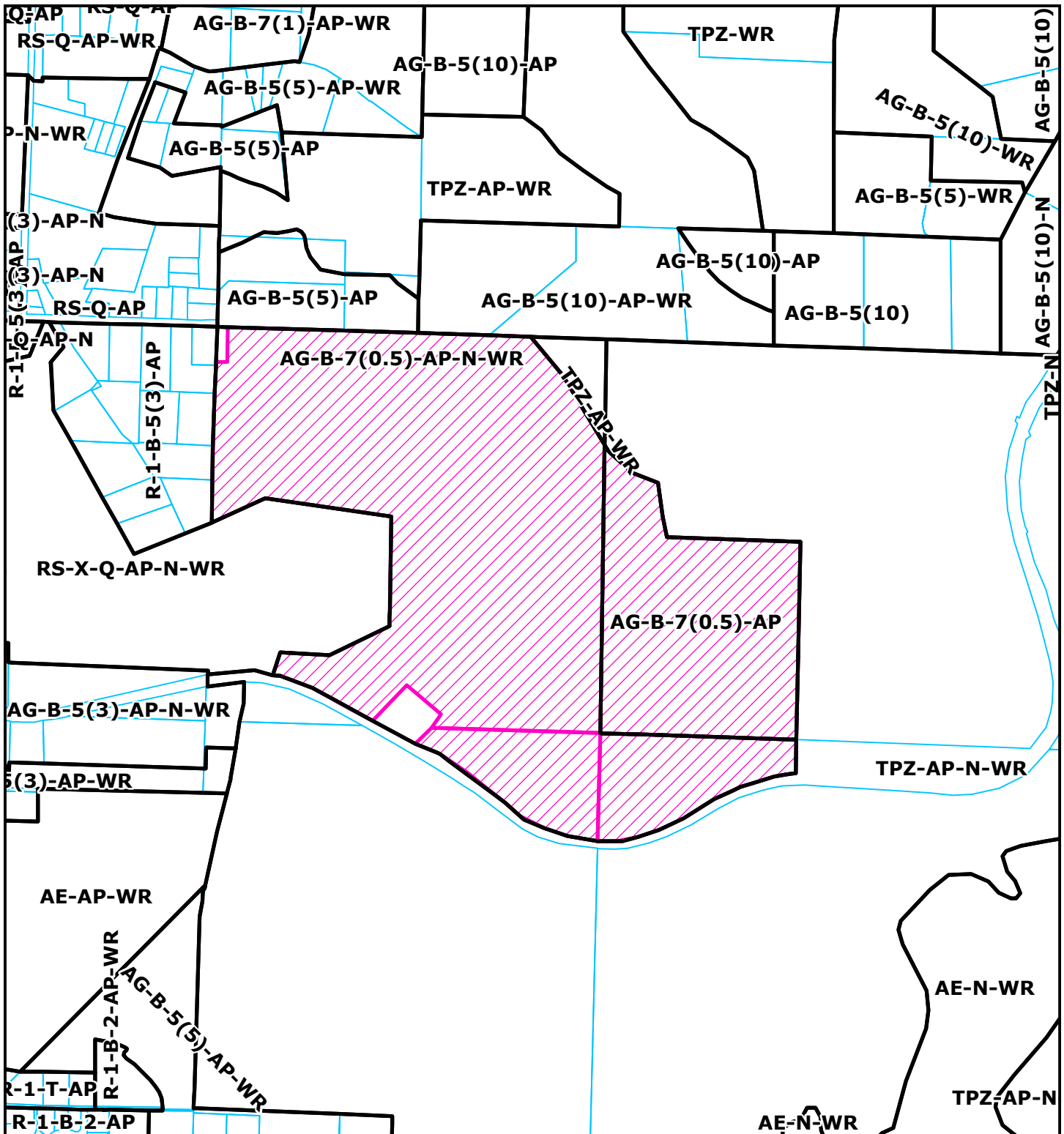
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

**APN: 510-011-015\*YhU**

**T07N R01E S28, 29, 32, 33 HB&M (Arcata North)**

0 750 1,500 2,250  
Feet





# **ZONING MAP**

## **PROPOSED MCKINLEYVILLE MURRAY ROAD LLC' EXTENSION TRINIDAD AREA PLN-2020-16851**

**Project Area =** 

**Coastal Zone Boundary** 

**APN: 510-011-015 YhU**

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.

**T07N R01E S28, 29, 32, 33 HB&M (Arcata North)**

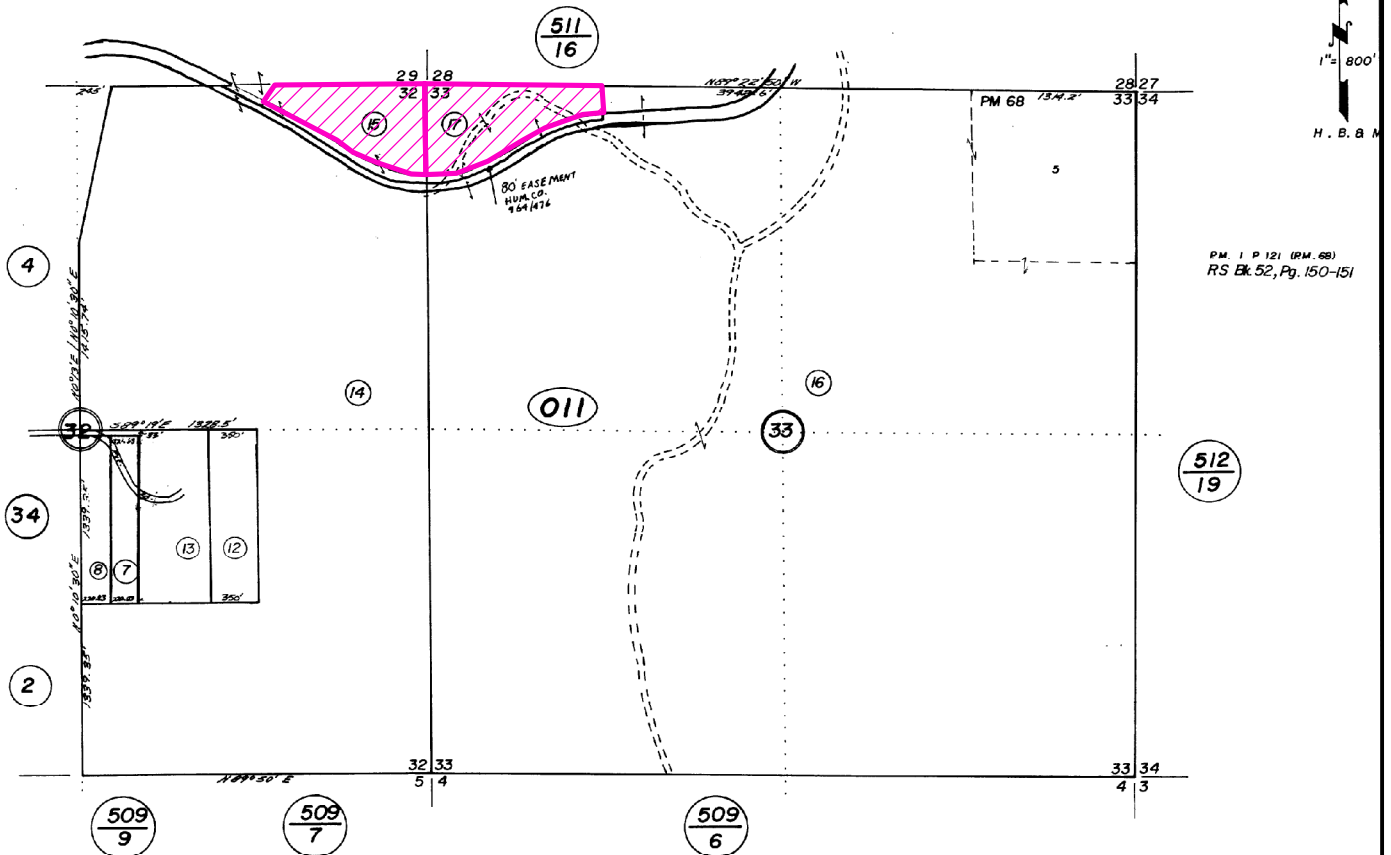
**0 250 500 750 1,000 1,250 Feet**



SEC. 33 & POR. SEC.32 T.7N., R.1E.

Tax Area Code

510-01



L.S. 10 Pg. 42.5  
L.S. 13 Pg. 168  
R.S. Bk. 33, Pg 6

Assessor's Maps Bk. 510 - Pg. 01  
County of Humboldt, Calif.

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

## ASSESSOR PARCEL MAP

PROPOSED MCKINLEYVILLE MURRAY ROAD LLC  
EXTENSION  
TRINIDAD AREA  
PLN-2020-16851

Project Area = 

Coastal Zone Boundary 

APN: 510-011-015 et al

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.

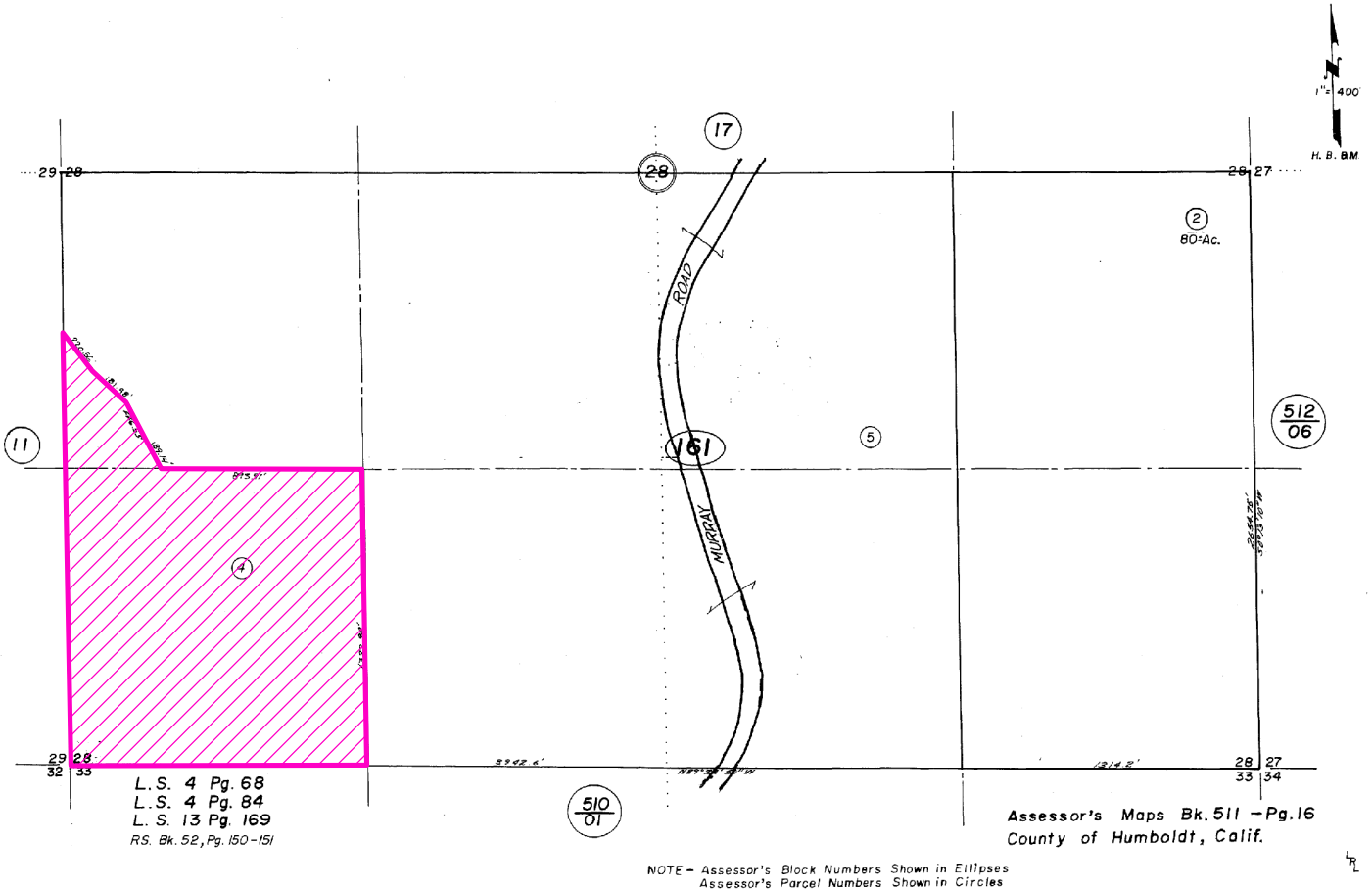
T07N R01E S28, 29, 32, 33 HB&M (Arcata North)

MAP NOT TO SCALE



S.1/2, SEC. 28, T.7N., R.1E.

Tax Area Code 511-16



## ASSESSOR PARCEL MAP

PROPOSED MCKINLEYVILLE MURRAY ROAD LLC  
EXTENSION  
TRINIDAD AREA  
PLN-2020-16851

Project Area = 

Coastal Zone Boundary 

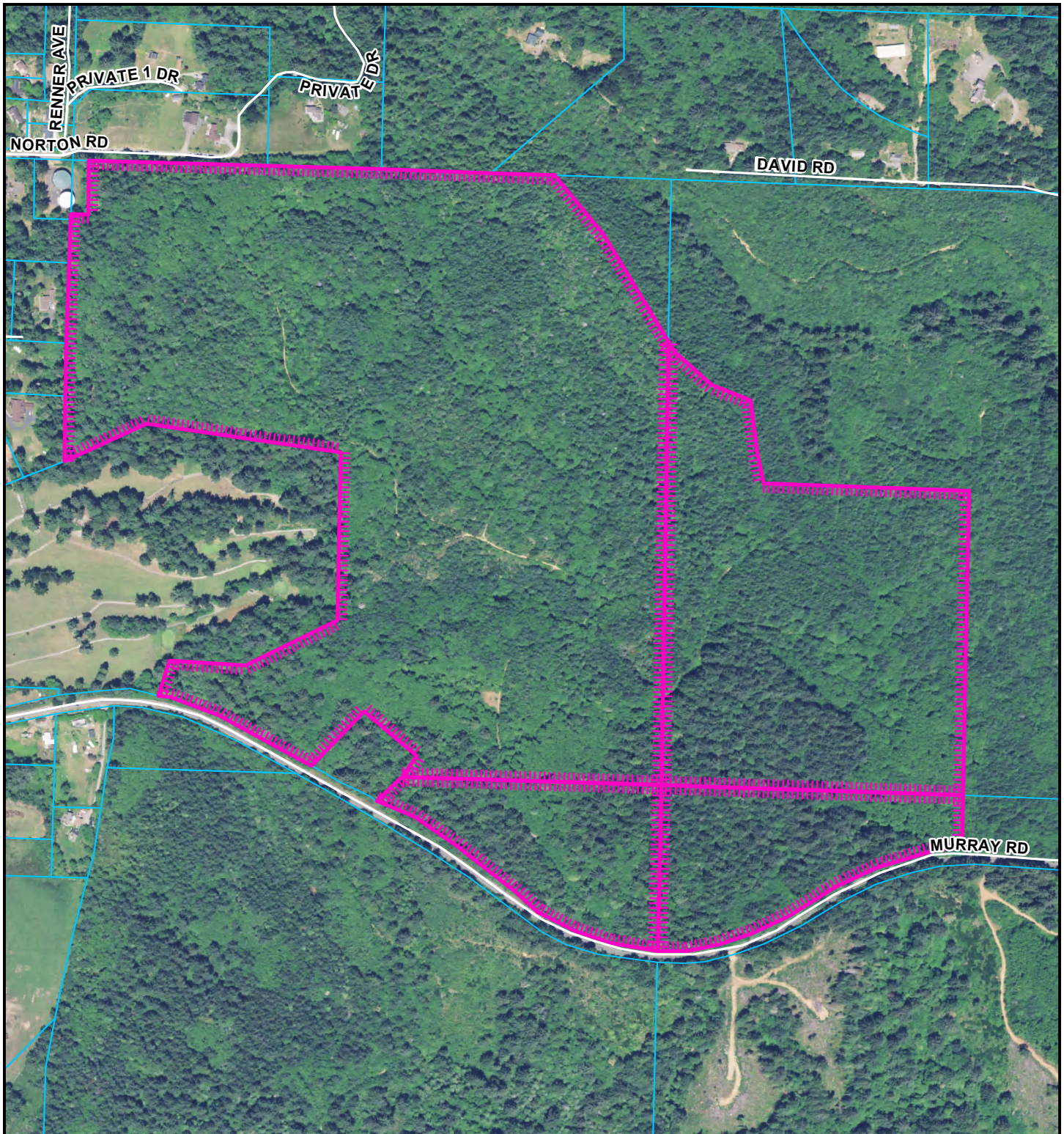
APN: 510-011-015 et al

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.

T07N R01E S28, 29, 32, 33 HB&M (Arcata North)

MAP NOT TO SCALE





# AERIAL MAP

## PROPOSED MCKINLEYVILLE MURRAY ROAD LLC' EXTENSION TRINIDAD AREA PLN-2020-16851

Project Area = 

Coastal Zone Boundary 

APN: 510-011-015`YhU

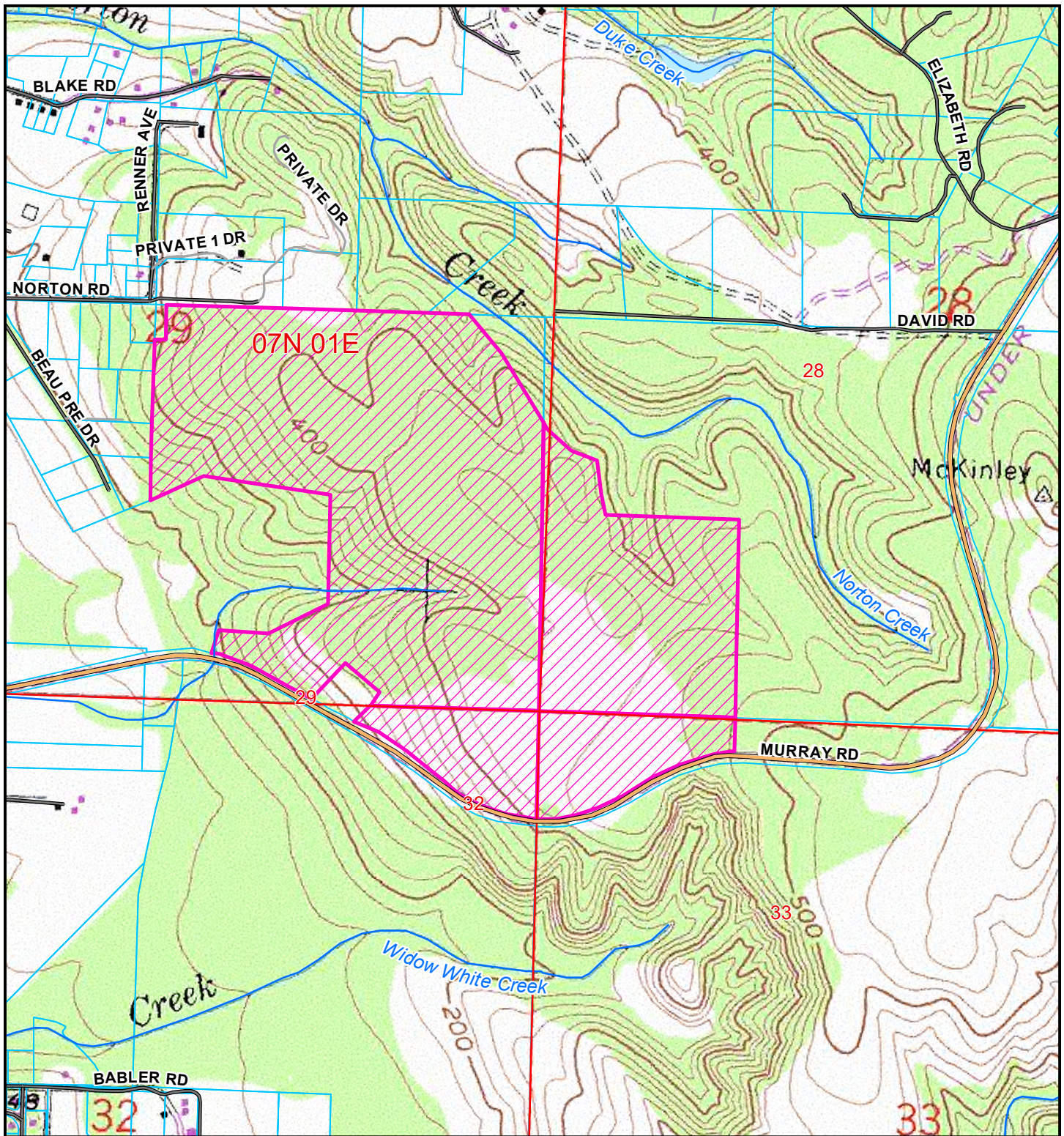
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

T07N R01E S28, 29, 32, 33 HB&M (Arcata North)

0 250 500 750 Feet







# TOPO MAP

## PROPOSED MCKINLEYVILLE MURRAY ROAD LLC' EXTENSION TRINIDAD AREA PLN-2020-16851

Project Area = 

Coastal Zone Boundary 

APN: 510-011-015'YhU

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.

T07N R01E S28, 29, 32, 33 HB&M (Arcata North)

0 250 500 750 1,000 1,250 Feet



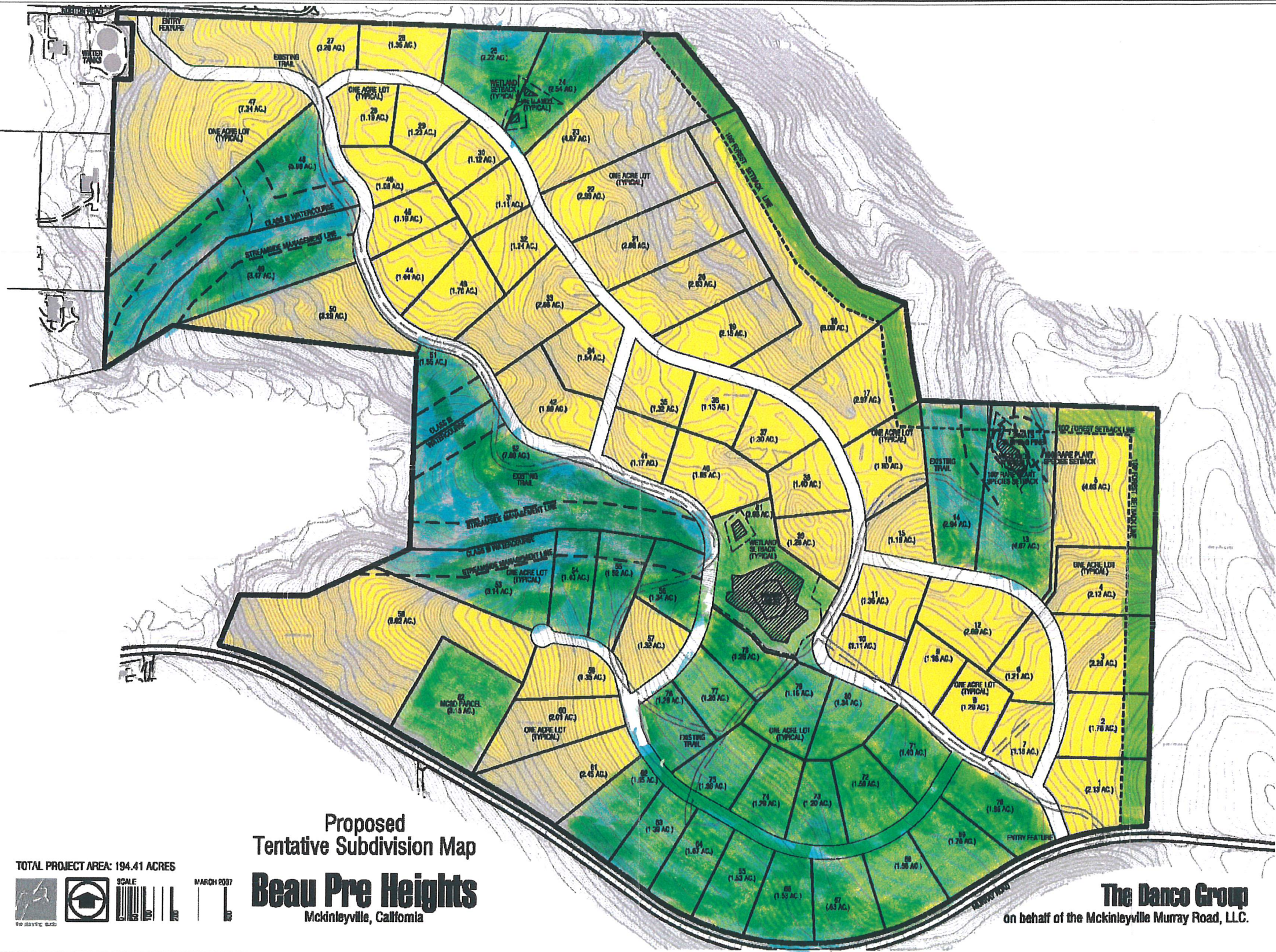






Reduced Density 50-Lot Alternative (areas in green would kept as open space)

Beau Pre Heights



Source: DANCO, April 14, 2010

PLANWEST PARTNERS, INC.



## **ATTACHMENT 1**

### **Conditions of Approval**

**The original conditions of approval shall remain in full force and effect and are not affected by this extension.**

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

## ATTACHMENT 2

### Original Conditions of Approval

#### CONDITIONS OF APPROVAL FOR THE FINAL MAP SUBDIVISION

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS THAT MUST BE SATISFIED BEFORE THE FINAL 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 March 9, 2010, herein as Exhibit A of Attachment 1, 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 Final Map for each phase, identifying both net and gross parcel areas, be submitted for review and approval. The Final Map shall disclose that Lot 80 is created for open space purposes in accordance with Section 2634 of the McKinleyville Community Plan.
- 4) Prior to recordation of the Final Map for each phase, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
- 5) Prior to recordation of the Final Map for each phase, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
- 6) Prior to recordation of the Final Map for each phase, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements per their letter dated. This requirement shall be administered by the Department of Public Works.
- 7) The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The development plan shall be legibly drawn to a convenient scale on 22"x34" (or 24"x36") in black ink, unless approved otherwise by the Department of Public Works. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the development plan mapping requirements of the Department of Public Work Subdivision Requirements for the Development Plan (6.1, 6.2, and 6.3) in their memo dated March 9, 2010, and the following site development details:

#### A. Mapping

- (1) Topography of the land in 2-foot contours.
- (2) Development standards for parcels: building "envelopes" (dwelling site locations with applicable yard setbacks, maximum lot coverage, maximum building height), including shading projections and offsets to demonstrate compliance with solar access provisions, dimensioned setbacks to property lines and easements, and parking area detail and improvements showing conformance with Section 314-109 .1 HCC and as specified by LUD Subdivision Requirements.

- (3) Proposed improvements including streets, sidewalks, driveways, drainage facilities, community services corridors, access easements, recreational trails, and emergency access and vehicle turn-around, as applicable.
- (4) Location of waterline and drainage easements in favor of the McKinleyville Community Services District (MCSD) or the County of Humboldt.
- (5) Street lighting if required by MCSD.
- (6) Location of hydrants as required by the Arcata Fire Protection District.
- (7) Height limits, plan -, sectional-view and / or elevation details to demonstrate conformance with the Solar Access requirements of HCC Section 322 .5.
- (8) Parking spaces as specified by HCC Section 314 - 109.1.
- (9) Residence set back at least 80 feet from the centerline of Murray Road.
- (10) The Earthquake Fault Zone labeled as "non-buildable ".
- (11) All Streamside Management Area (SMA) , Wetland Buffer, and Rare Plant Species setback lines.

## **B. Notation**

- (1) "The site of the residential subdivision 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 cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover). Pursuant to California Health and Safety Code Section 7050 .5, if human remains are encountered, all work must cease and the County Coroner contacted. The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition.
- (2) "Hours of construction activity shall be limited to Monday through Friday from 8 :00 am to 6:00 pm, Saturday from 9:00 am to 5 :00 pm with no construction activity on Sunday."
- (3) "Water and sewer connection fees are due and payable to the MCSD upon a request for services. "
- (4) Development shall be consistent with the following McKinleyville Design Policies:
  - *All designs shall include the protection of natural landforms through minimizing alteration caused by cutting, filling, grading or clearing.*
  - *All designs shall screen or soften the visual impact of new development through the use of landscaping. If appropriate, species common to the area and known fire resistant plants should be used.*
  - *Where feasible, new utilities shall be underground. When above ground facilities are the only feasible alternative, they shall be sited as unobtrusively as possible.*
  - *Signs shall be limited in size, scale and number.*
- (5) "Development shall conform fully with the Mitigation Measures as set forth in the adopted Final Environmental Impact Report (FEIR) and the Mitigation Monitoring Program. In particular, conformance with the following *individual lot development mitigation measures* shall be demonstrated to the satisfaction of the Planning Division before any development activities , including vegetation clearing and grubbing , are initiated by the property owner or plot plan approval is granted by the County : Mitigation Measure 4.1.2b (SMA Buffer setbacks) ; 4 .2.1 a (Visual Impacts) ; 4 .2 .2a (Scenic Resources) - lot clearing limited to curtilage area (100 feet from residence) ; 4 .3.1 a (Special Status Species Habitat); 4.3 .1 b (Storm Water Management Plan) ; 4.3.1 c (Low Impact Development Strategy) ; 4 .3.2a (Wildlife

Permeable Fencing) ; 4.3.3b (SRA Defensible Space Restrictions) ; 4.7 .1a (Construction Air Quality Measures) ; 4.7. 1 b (Area Source Emissions) that include use of EPA-approved wood stoves , no open burning permitted , homes fitted with outlets on e xterior walls , and residential energy efficiency 20 % beyond Title 24 requirements ; 4.8 . 1 a (Road Noise Impacts) - Residences shall be set back at least 80 feet from the centerline of Murray Road to address potential traffic noise impacts ; 4.8.2a (Construction Days and Hours Limitation); 4.11.1 b-f (Conformance w ith Geological Report Recommendations) ; 4 .11.4 (Wastewater Feasibility Report) ; and 4 .12.4a (Undocumented Hazardous Materials Discovery) . The Planning Division will review the Mitigation Monitoring Program to document conformance with these measures before authorizing any development permits . The Building Divis ion will maintain a copy of these measures on file for Building Plan Check purposes."

- (6) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities . Before commencing a development project , please contact the Planning Division to verify if any standards or requirements have changed."
- (7) The applicant shall cause to be recorded a "Notice of Development Plan and Geological Report " 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 \$190.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map for each phase.
- (8) 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 \$100.00 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.
- (9) A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95 .00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
- (10) Applicant shall comply with the mitigation measures discussed in the Final Environmental Impact Report.
- (11) Parkland dedication in-lieu fees shall be paid in accordance with the provisions of the parkland dedication ordinance. Parkland dedication in-lieu fees shall be paid: **\$60,593** with the conveyance of further residential development rights. (Parkland dedication in-lieu fees are **\$121,186** without the conveyance of further residential development rights) . Should the applicant elect to enter into a Conveyance and Agreement, legal document review f ees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$190 .00) will be required.
- (12) Common open space is proposed as shown on the development plan and landscaping plan. This requires the formation of a homeowners association or other suitable entity to manage this open space dedication. The applicant shall provide documentation of the establishment of a homeowners association for the maintenance of open space and commons areas.

- (13) Prior to recordation of the final map for the first subdivision phase the applicant shall obtain approval for and develop the off-site water tank currently proposed on adjacent land (portion of APN 511 -161-05) under a separate permit application.
- (14) **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2 ,889 .25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Game (DFG) fee plus a \$50 document handling fee.
- (15) Road name assignments shall be obtained from the Planning Division for all unnamed access roads.
- (16) Pursuant to the Humboldt County Fire Safe Regulations, Section 3112-3 , Road Width, the applicant shall convey future development rights to the County of Humboldt for secondary dwelling units and further subdivision of all lots not served by an access road meeting Road Category 4 standards (18 to 20 foot wide travel way) . Release from this conveyance may be pursued at such time that road access from the County Road to the lot is upgraded to "Road Category 4" standards. The applicant shall initiate action on a "Conveyance and Agreement" on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$190 .00) will be required.
- (17) The applicant shall convey future development rights to the County of Humboldt for Lot 80 for any use other than open space purposes consistent with Section 2634 of the McKinleyville Community Plan. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$190 .00) will be required.
- (18) The applicant shall convey an Overflight Easement to the County of Humboldt per the requirements of the adopted Airport Land Use Compatibility Plan (ALUCP).

**Informational Notes:**

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

Assessor's Parcel No . \_\_\_\_\_. Condition \_\_\_\_\_.  
 (Specify) (Specify)

- (2) Under state planning and zoning law (CGC §66000 et seq.), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project' s approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee 's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
- (3) Site preparation and grading work for subdivision improvements will require a Grading Plan from the Land Use Division of Public Works and shall conform to the adopted Mitigation Monitoring Program. Please contact the Land Use Division at 445-7205 for more information concerning permit requirements and processing.

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