



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 21-431 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 4/6/2021 **In control:** Public Works
On agenda: 4/27/2021 **Final action:** 4/27/2021
Title: Introduction of an Ordinance Amending Section 321-13 (a) and (c) Relating to General Subdivision Regulations, of Title III, Division 2, Chapter 1 of the Humboldt County Code; Amending Section 326-13 (a), (b), and (c), Relating to Final and Parcel Maps, of Title III, Division 2, Chapter 6 of the Humboldt County Code; Amending Sections 411-1 and 411-11 (i) and (j), Relating to Encroachment Permits, of Title IV, Division 1, Chapter 1 of the Humboldt County Code; and Amending Section 341-11 (b), Relating to Visibility, of Title III, Division 4, Chapter 1 of the Humboldt County Code

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. 1 Proposed Ordinance, 3. 2 Pre-Adoption Summary, 4. 3 Post Adoption Summary, 5. 4 CEQA Determination, 6. Public Comment.pdf

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Departmental

SUBJECT:

Introduction of an Ordinance Amending Section 321-13 (a) and (c) Relating to General Subdivision Regulations, of Title III, Division 2, Chapter 1 of the Humboldt County Code; Amending Section 326-13 (a), (b), and (c), Relating to Final and Parcel Maps, of Title III, Division 2, Chapter 6 of the Humboldt County Code; Amending Sections 411-1 and 411-11 (i) and (j), Relating to Encroachment Permits, of Title IV, Division 1, Chapter 1 of the Humboldt County Code; and Amending Section 341-11 (b), Relating to Visibility, of Title III, Division 4, Chapter 1 of the Humboldt County Code.

RECOMMENDATION(S):

That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the attached ordinance for adoption on May 4, 2021 or at least one (1) week away from the date of the Board of Supervisors meeting at which the ordinance is first introduced;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of

- the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; and
4. Direct the Clerk of the Board of Supervisors, within 15 days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)].

SOURCE OF FUNDING:

General Fund (1100)

Road Fund (1200)

DISCUSSION:

The subdivision ordinance adopted on Jul. 19, 1977, has several sections that refer to a minimum deposit which has become inadequate due to inflation over time. Public Works recommends that the deposit amounts in sections 321-13 and 326-13 be removed from County Code and be referenced in the fee schedule. The 2021 fee schedule has established deposits as follows:

Preliminary Review and Application Assistance (§ 321-13) Actual Cost

Preliminary Review (PR)/Application Assistance (AA) (First two hours No Charge; then time charged at actual cost against deposit. Minimum deposit \$250.) (Charges against the deposit include mileage, labor, and 70% overhead rate.)

Subdivision Administration and Inspection (§ 326-13) Actual Cost

Subdivision Administration/Plan Check and Inspection Fees (Administration/Plan Check Deposit: \$2,500 initial deposit for first 5 lots + \$300/lot for each lot beyond first 5) (Inspection Deposit: Deposit of 3% of engineers cost estimate, \$2,500 minimum) Charges against the deposit include mileage, material lab fees, labor, and 70% overhead rate on labor.

The proposed changes in the ordinance enforcing Encroachment Permits will align with Humboldt County Code for abatement of public nuisances and will allow resolution to take place via an administrative hearing rather than restricting negotiation to a court of law. Public Works has coordinated with Planning & Building on implementing a procedure to involve Code Enforcement when voluntary compliance cannot be achieved.

The proposed change to section 341-11(b) regarding visibility corrects a scrivener's error.

The recommended actions are exempt from the California Environmental Quality Act ("CEQA") because they involve minor alterations to land use limitations (CEQA Guidelines 15305) and enforcement actions by agencies (CEQA Guidelines 15321). A Notice of Exemption (NOE) will be completed and filed by the Public Works Department.

FINANCIAL IMPACT:

There is no impact to the General Fund. This item aligns County Code with the current county fee schedule.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents and providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

None

ATTACHMENTS:

Attachment 1 - Proposed Ordinance

Attachment 2 - Pre-Adoption Summary

Attachment 3 - Post-Adoption Summary

Attachment 4 - CEQA Determination

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A