

## ATTACHMENT 1

### Exhibit 1A

#### Recommended 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:

#### Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the enclosed Department of Public Works referral dated **February 2, 2023**, shall be completed or secured to the satisfaction of that department, with the exception of requirements 2.4(b)(1) and 2.4(b)(2) for Fire Safe road width and turnarounds as an exception to these standards was approved by CALFIRE. 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, said map to identify net and gross acreage for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Arcata Fire District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
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 shall include the following site development details:
  - A. Mapping
    - (1) Topography of the land in 2-foot contours.
    - (2) Proposed access, parking lanes and pedestrian ways
    - (3) Two (2) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.
    - (4) Building locations and easements.
    - (5) Development envelope for Parcel 1.
  - 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 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 Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, and the County Planning and Building Department; 3. The professional archaeologist, Tribes and County 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.
- (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 (construction potential single family residences) 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. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (4) "Setbacks from all property lines shall be a minimum of 30 feet as required by the state Fire Safe requirements."
- (5) "All development on Parcel 1 shall occur within the identified development envelope unless a seasonally appropriate botanical survey has been completed which identifies that proposed development will not adversely impact sensitive species."
- (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" on forms provided by the Humboldt County Community Development Services—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 **\$446.00** plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.

8. Parkland dedication fees of \$3,652.89. shall be paid to the Humboldt County Planning and Building Department, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$1,217.63 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Parcels 1 and 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$1,217.63 parkland dedication fee balance per parcel. 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 will be required.
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 shall be paid to the Humboldt County Community Development Services—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. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.

**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. The PMS 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.