

## ATTACHMENT 1

### CONDITIONS OF APPROVAL

Approval of the Coastal Development Permit and Special Permit are conditioned upon the following terms and requirements which must be fulfilled.

#### For the Lot Line Adjustment

1. Prior to September 30, 2023, a Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
  - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
  - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
  - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
  - d. 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 \$430 per notice plus \$300 for each additional legal description plus applicable notarization and recordation fees). (Fees subject to change.)
2. Prior to filing the Notice of Lot Line Adjustment, 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 \$106 per parcel) as required by the County Assessor shall be paid to the Humboldt County Planning Department, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
3. Prior to filing the Notice of Lot Line Adjustment, the applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
4. Prior to filing the Notice of Lot Line Adjustment, the applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been 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 Notice of Lot Line Adjustment to satisfy this condition. Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such

property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

5. A Coastal Development Permit or Coastal Waiver shall be obtained from the California Coastal Commission prior to recordation of the Notice of Lot Line Adjustment.

#### **For Demolition and Restoration**

6. Prior to October 20, 2023, the applicant shall demolish and remove all constructed elements and imported fill from the site including the partially constructed house, the temporary road partially on parcel 18, and all imported fill material and the parcel shall be returned to preconstruction grades.
7. Prior to initiation of any grading or demolition activity and prior to September 1, 2023, the applicant shall obtain a grading permit from Humboldt County based upon plans showing both existing and reconstituted finished contours, with the finished contours being based on pre-construction LiDAR topographic data available on the Humboldt County GIS system.
8. In order to compensate for the damage to Environmentally Sensitive Habitat Area and the applicant shall implement a restoration plan to compensate for the damage on a 1.5:1 basis of compensation area to impact area. Prior to issuance of a grading permit, the Final ESHA Restoration Plan shall be approved by the Planning Director in consultation with the Wiyot Area Tribes and the California Department of Fish and Wildlife. The Final ESHA Restoration Plan shall include the specific location of eight *alnus rubra* (red alder) and two *salix hookeriana* (willow) trees to be planted and shall specify the area to be monitored for re-establishment of *rubus ursinus* (native California blackberry). The Final ESHA restoration plan shall include success criteria for to be monitored over a 3-year monitoring period. The restoration plan shall not be deemed satisfied until the success criteria has been met for a period of 3 consecutive years.
9. Prior to issuance of a grading permit the applicant shall install a temporary construction exclusion fence around the limits of demolition and grading.
10. The applicant shall submit a restoration monitoring report documenting implementation of the Final ESHA Restoration Plan no later than December 31<sup>st</sup> of each year for the first 3 years after project approval. The report shall identify whether the success criteria established in the restoration plan is being achieved. If the success criteria is not being achieved the biologist shall provide remedial actions to ensure the success criteria is achieved in succeeding years.
11. The property owner shall complete annual monitoring for invasive species and hand-removal of invasive species from the ESHA areas and areas immediately adjacent to the ESHA areas until a qualified biologist confirms that no invasive species are present within the ESHA areas. A report of annual invasive species monitoring shall be made available to the County upon request.
12. The split rail fence or other simple wood fence shall be constructed at or above the 40-foot elevation contour or along the relocated property line. The fence design shall be submitted for approval of both the planning Director and the Wiyot Area Tribes prior to installation. Prior to any disturbance associated with the fence the applicant shall contract with a tribal

monitor to be present during construction of the support posts. The tribal monitor shall be on-site during all fence post support construction.

13. Prior to issuance of a grading permit, the applicant shall contract with a tribal monitor to be present during any earth disturbing activity.
14. The applicant is responsible for reimbursing the Tribes for all tribal monitoring required by this permit.
15. A Coastal Development Permit or Coastal Waiver or correspondence indicating that none is required shall be obtained from the California Coastal Commission prior to issuance of the grading permit.