

## **CONDITIONS OF APPROVAL**

Approval of the Special Permit is conditioned upon the following terms and requirements, which must be fulfilled before final issuance of a building permit:

1. The project shall be developed in accordance with the Site Plan received August 22, 2023.
2. The applicant shall limb trees and trim/remove bushes along the north property fence line west of the proposed ADU driveway entrance to provide the 250-foot site distance (from 10 feet off of the road surface) along Fieldbrook Road required to meet County standards.
3. The applicant shall apply for and obtain an encroachment permit for the construction of a residential driveway on Fieldbrook Road [reference: County Code section 411-11 (a)(b)]. The permit will require the driveway entrance to be surfaced with asphalt concrete or portland cement concrete. The paved area shall extend a minimum of 25 feet back from the edge of the existing roadway pavement and be flared a minimum of 30 feet at the intersection with the County road. The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet [reference: County Code sections 314-109.1.2.2.5 and 411-51 (b)(3)]. A surfaced swale shall be required at the road edge to allow drainage to flow across the new entrance.

### **On-Going Requirements that must be satisfied for the life of the project.**

1. The project shall be developed, operated, and maintained as described in the Project Description, site plan, and as conditioned herein. Changes in the project other than Minor Deviations from the Plot Plan as provided in Humboldt County Code Sec. 312-11.1 shall require a modification of this permit.
2. The applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of the Department of Public Works Land Use Division.
3. A surfaced swale is required at the road edge to allow drainage to flow across the new entrance.
4. Site visibility must be maintained at the driveway entrance and Fieldbrook Road [reference: County Code section 341-1 et seq.].
5. Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, new and existing fences are not allowed within the public right

of way of County maintained roads. If an existing fence is within the public right of way, it shall be relocated outside of said right of way. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

6. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries. All outdoor lighting for the second unit shall be subordinate to the primary unit's outdoor lighting.
7. The proposed project shall adhere to all of the applicable provisions set forth in Section 314-69.05.3 of Humboldt County Code.

### **Informational Notes:**

1. The applicant is responsible for receiving all necessary permits and/or approvals from other State and local agencies.
2. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. The applicant 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. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.
5. If cultural 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, ground stone 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 is ultimately responsible for ensuring compliance with this condition.**