

ATTACHMENT 1A

CONDITIONS OF APPROVAL

The conditions of approval, effective December 27, 2018, 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 1A

Revised* Conditions of Approval for the Humboldt Hill Land and Cattle Parcel Map Subdivision

***Revised per Planning Commission hearing on December 13, 2018**

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 Department of Public Works referral dated ~~November 5, 2018~~ **Revised December 13, 2018 Revised per Planning Commission** included herein as Exhibit A 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 Parcel Map be submitted for review and approval.
4. 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 \$110.00 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.
5. 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 the following site development details:
 - A. Mapping
 - (1) Topography of the land in 10-foot contour intervals;
 - (2) Details showing conformance with provisions of the County's Fire Safe Regulations (Section 3111-1 et seq. H.C.C.), including but not limited to:
 - a. Road and driveway access standards including emergency access road (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500 gallon individual emergency water supply, etc.)

- d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).
- (3) The location of all necessary easements, including water line and other utility easements as necessary;
- (4) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;
- (5) Location of "cleared" areas for residential development and geological hazard/non-buildable areas per Fault Evaluation Report (FER) prepared by SHN Consulting Engineers dated November 2016. These areas shall be staked in the field by a licensed surveyor to assure they correspond with the areas indicated in the FER.
- (6) Proposed improvements including streets, sidewalks, driveways, drainage and storm water detention facilities, community services facilities, access easements, and emergency access and vehicle turn-around, as applicable, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program.
- (7) Areas below the 30% slope break labeled "non-buildable".
- (8) Five-acre useable area suitable for parkland pursuant to Eureka Community Plan policy 4420.

B. Notes to be placed on the Development Plan:

- (1) "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire 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. 5. 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.

The applicant is ultimately responsible for ensuring compliance with this condition."

- (2) "Prior to any ground disturbing activities, the applicant shall convene a pre-construction meeting on-site describing the heightened chance of finding buried archaeological resource and the procedure to be followed if archaeological deposits are uncovered."
- (3) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(2) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (4) "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 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."
- (5) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 4:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan."
- (6) If applicable "Development rights for secondary dwelling units have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (7) "Any brush clearing or tree removal must be conducted outside of the bird breeding season (March 1 – August 15) in order to avoid a "take" as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 *et seq.*). If any brush or trees must be removed within the breeding season, the Project proponent shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests."

- (8) "Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Exhibit A to Attachment 1 for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.13 of the above-mentioned Subdivision Requirements."
 - (9) "The subdivision is considered a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. Development of low impact development techniques other than those included on the improvement plans shall require a site-specific analysis to demonstrate conformance with this standard."
 - (10) "The policies of the Eureka Community Plan (§4420.2) requires at least five acres of usable parkland be dedicated for parkland. The land dedication shall be required when at least 51 lots are created through subdivision. While the dedication of parkland shall not be required until 51 lots are created, no subdivision of land shall occur without a determination being made as to where the park will be located in the future plan."
 - (11) "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."
6. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels 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 \$415.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map
 7. **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 \$2,330.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2018 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,280.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
 8. The subdivider shall execute an assignable option to reserve the area dedicated for parkland such that it is available for development when the 51st lot is created. The form of the option agreement shall be approved by County Counsel.
 9. The owners of the subject parcel shall execute and file the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by

Section 314-43.2 of the Humboldt County Code. A copy of the required form will be provided in the final approval packet.

10. The applicant must record a Notice of Lot Line Adjustment prior to the recordation of the Parcel Map.
11. 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 Planning Commission and/or Board 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.
12. Unless subdivision improvements in Attachment 1, Exhibit A, are completed or a Subdivision Agreement is entered into prior to filing of the Parcel Map, a Notice of Subdivision Improvement Requirements shall be recorded for the subdivision pursuant to Government Code Section 66411.1. The Notice shall be on forms provided by the Planning Division and all applicable recording fees shall apply.
13. Pursuant to the referral comments provided by the Humboldt Community Services District, annexation of APNs 307-031-052 and 307-031-024 into the Humboldt Community Services District is required before service will be provided and the Parcel Map can be filed with the County Recorder.
14. The owner shall execute and cause to be recorded a "Deed Restriction and Hold Harmless Agreement" as required per Section 336-5(i) of the Humboldt County Code, the Geologic Hazards Ordinance, on forms provided by the Planning Division. A legal document review and County notary fee (currently \$135.00) shall be paid to the County, along with the applicable recordation fees.
- 15.* The applicant shall record a "Conditional Certificate of Compliance" for the designated remainder per §66424.6(d) of the Subdivision Map Act on forms provided by the Planning Division. The fees/improvements required as conditions of this Certificate of Compliance need not be completed until a permit or other grant of approval for development of this Remainder parcel is issued by the County of Humboldt. 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 \$271.00 plus applicable recordation fees) will be required. The Conditional Certificate of Compliance shall also be noted on the Parcel Map. The condition to be included on this document are:

"Prior to issuance of any permit or grant of approval for the development of the designated remainder, the property owner shall:

- ~~a. Pay to the Planning Division the deferred Parkland fee of \$1,462.34 (or \$731.17 with conveyance of SDU rights).~~
- b. Pay to the Planning Division the deferred map revision fee of \$110 required by ordinance of the Humboldt County Board of Supervisors to cover the cost of the Assessor in updating parcel boundary information.

- c. Prepare and record a parcel map for the Remainder parcel or receive a waiver from the Parcel Map requirements pursuant to Section 326-34 of the Humboldt County Code."

- 16. An interpretive sign recognizing the original wagon road shall be installed at a location deemed appropriate by the author of the Cultural Resource Investigation or another qualified archaeologist. The text of the sign shall read as follows:

Bucksport to Goose Lake Prairie Wagon Road

Decker Hill Road

The construction of the original wagon road from Eureka with the area that later became Hydesville began in 1850 in this location. It linked and for years was the main route connecting Humboldt Bay with the Eel River Valley.

In 1872, work began on a low-elevation road near the bay. In 1919, this route saw service as a detour while the Redwood Highway (101) was being built. In 1921, when the detour was abandoned, the Humboldt Times reported that:

"Humboldt Hill, for a season the terror of local motorists and the dread of tourists, is now a thing of the past as a part of the road system of the county, and there is no need for travelers going up there."

Examples of high quality all weather signage is included in the Cultural Resource Investigation, Appendix E.

Informational Notes:

- 1. To reduce 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 (Namely: Condition(s) 3-15). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (currently \$95.00). Copies of all required forms and written instructions are included in the final approval packet.

* Each item evidencing compliance should note in the upper right hand corner:

Assessor's Parcel No. _____, *Exhibit "A", Condition* _____
(Specify) *(Specify)*

- 2. 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 might 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 §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

3. The term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.

Attachment 1B

Conditions of Approval for the Lot Line Adjustment

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE PROJECT:

1. 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 \$271.00 per notice plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. 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 \$80.00) as required by the County Assessor shall be paid to the County Community Development Services, 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.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **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.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF HUMBOLDT HILL LAND AND CATTLE CO., APPLICATION # 13784, APN 307-041-007, PMS #17-015, APPS# 13784 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 223 ACRES INTO 4 PARCELS

**DATE: 08/27/2018
11/05/2018 Revised
12/13/2018 Revised per Planning Commission**

The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Kelly-O'Hern dated February 2018, and dated as received by the Humboldt County Planning Division on March 07, 2018.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

1.1 EXPIRATION OF TENTATIVE MAP: Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

- 1.2 MAP TYPE:** Applicant must cause to be filed a subdivision map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

If the project includes a lot line adjustment with adjacent parcel(s), the lot line adjustment shall be recorded prior to the filing of the subdivision map. The subdivision map may show the lot line adjustment parcel(s) outside of the subdivision map's distinctive border.

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 PROOF OF LEGAL ACCESS:** Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 50 feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance]
- 1.5 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.6 FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.

1.7 PRIVATE ROADS: Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 323-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

[County Code Section 323-2 appears after Section 324-1 in County Code]

1.8 DEDICATIONS: The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) PROPOSED UNNAMED ACCESS ROAD:

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 50 feet in width, within the boundary of the subdivision.

[Revised by Planning Commission on 12/13/2018]

PUE: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way for the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

The applicant shall cause to be dedicated to the County of Humboldt a PUE over the entire area of the access easement for the road.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department.

(b) DEVELOPMENT RIGHTS: Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on Parcels 1 through 4 until such time as (Unnamed access road) is improved to a minimum Category 4 road standard. This shall be noted on the development plan to be filed with the Planning & Building Department. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department.

(c) SUBDIVISION RIGHTS: Applicant shall cause to be conveyed to the County of Humboldt the rights to further subdivide the parcels created by this subdivision until such time as (Unnamed access road) is improved to a Category 4 standards.

- (d) **DRAINAGE EASEMENT:** To ensure orderly development of adjacent upland properties, applicant shall provide drainage easements to upstream property owners and/or the County as required by this Department. (Also see DRAINAGE section for improvement requirements.)
- (e) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

~~1.9 LINES OF OCCUPATION: Any fences that do not coincide with the property lines shown on the subdivision map need to be adjusted to agree with the subdivision map, or a boundary correction or lot line adjustment must be completed to resolve the discrepancy prior to the map being approved by the County Surveyor. Applicant shall provide prospective buyers with notice of any fences that are not on the property.~~
[Revised by Planning Commission on 12/13/2018].

2.0 IMPROVEMENTS

2.1 **CONSTRUCTION PLANS:** Construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work.

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the local fire response agency and public utility companies having any facilities within the subdivision prior to construction authorization by this Department.

Construction plans shall be tied into elevation datum approved by this Department.

Unless otherwise waived by this Department, record drawing ("As-Built") plans shall be submitted for any road, drainage, landscaping, and pedestrian improvements that are constructed as part of this project. Record drawing plans must be prepared by a Civil Engineer registered by the State of California. Once approved by this Department, one (1) set of "wet stamped" record drawings on 22" x 34" mylar sheets shall be filed with this Department.

2.2 **CONSTRUCTION PERIOD:** Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

~~2.3 ADA FACILITIES: All pedestrian facilities shall be ADA compliant. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).~~

~~Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.~~

~~Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.~~

[Revised by Planning Commission on 12/13/2018].

2.4 ROAD NAMES: The access road shall be named as approved by the Planning & Building Department - Planning Division.

2.5 TRAFFIC CONTROL DEVICES & SIGNS: Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- (a) A stop sign shall be installed on "Unnamed access road" at its intersection with Donna Drive. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- (b) Pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation. (last paragraph for private roads)
- (c) No parking signs shall be installed along both sides of the existing Unnamed Access Road from Donna Drive thru APN 306-181-045 and 307-041-008.
- (d) No parking signs shall be installed along the east side of the Unnamed Access Road fronting APN 306-181-044
- (e) No parking signs shall be installed along the east side of the Unnamed Access Road fronting APN 306-181-034 south of the existing driveway.
- (f) Street name signs shall be provided at all road intersections. In State Responsibility Areas, street name signs shall also comply with County Code Section 3113-11.

For streets that will not be named, address signs shall be posted at the intersection. In State Responsibility Areas, the address signs shall comply with County Code Section 3113-11. In the event that addresses are not available at the time that the subdivision map is filed with the County Recorder, then a note shall be added to the development plan indicating that street address signs shall be posted prior to issuance of a building permit.

- (g) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with County Code Section 3114-5.
- (h) Additional signing and striping may be required by the Department upon review of the improvement plans. This includes, but is not limited to, centerline striping, two way left

turn lane striping, bicycle lane striping, edge lines, dead end road signs, no outlet signs, speed limit signs, warning signs, etc...

2.6 ACCESS ROADS: The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

- (a) The intersection of the Unnamed Access Road with Donna Drive shall conform to Humboldt County Code Section 341 regarding visibility.
- (b) Within the subdivision, the **Unnamed Access Road** shall be a minimum of 20 feet in width from Donna Drive to ~~Berta Road~~ southerly subdivision boundary. The road shall have a paved surface to the south line of APN 306-181-045. [Revised by Planning Commission 12/13/18]
- (c) The Offsite **Emergency Access Road** from the southerly subdivision boundary to Berta Road, shall be a minimum of 12 feet wide (Category 2 Road), per the Cal Fire exception letter dated September 4, 2018. The road shall be a paved surface and is expected to run from the end of the Unnamed Access Road and connect to Berta Road.

If the connection to Berta Road will be gated the following shall apply:

- (1) Turn around areas shall be provided at the gate.
- (2) A regulatory sign indicating “emergency access road – do not block” shall be installed on both sides of the gate. Signage indicating who has the key to the gate shall be posted on the gate.
- (3) Signage and gates shall not be erected along the road in a manner that suggests that access is not allowed.

[Added by Planning Commission on 12/13/18].

2.7 UNKNOWN IMPROVEMENTS: Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.

2.8 UTILITIES: The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities, relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.

If any utilities are required to be installed as a condition of tentative map, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at the subdivider's expense.

Applicant shall remove any abandoned utilities (natural gas, electrical, cable tv, etc.,) within the public right of way fronting the subdivision or within the subdivision as directed by this Department.

2.9 PERMITS: An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.10 NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES. When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Post Master. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk easement or other easement, as approved by this Department.

Note: The Post Office may not require an NBU for this project.

2.11 GATES: Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

2.12 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION: Pursuant to Government Code section 66411.1 improvement timing. Fulfillment of reasonable on- and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or orderly development of the area. The following improvements shall be completed within twenty-four (24) months from the filing date of the parcel map: <NONE>

2.13 PARCEL MAP SUBDIVISION AGREEMENT: When a parcel map is to be filed with the County Recorder and the construction of improvements will be deferred to a later date, the following shall apply:

- (a) For parcel map subdivisions projects with a subdivision agreement, include the following note on the development plan: "This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The developer has entered into a subdivision agreement with the County to defer construction of these improvements. **Subdivision improvements must be completed within the timelines specified in the subdivision agreement. In general, building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision agreement are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."
- (b) For parcel map subdivisions without a subdivision agreement and improvements have not been constructed prior to the filing of the map, include the following note on the development plan: "This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The developer has elected to not enter into a subdivision agreement with the County that would specify the timing of when the deferred improvements must be constructed. **Building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

- (c) The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

3.0 DRAINAGE

- 3.1 **DRAINAGE ISSUES:** Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.
- 3.2 **DRAINAGE REPORT:** Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.
- 3.3 **LOW IMPACT DEVELOPMENT (LID):** The subdivision is required to comply with County Code Section 337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual lot may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a lot are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

- 5.1 **MAINTENANCE OF IMPROVEMENTS:** The improvements to be constructed as part of this subdivision will not be maintained by the County. Pursuant to Humboldt County Code Section 323-2* (b) regarding Private Lanes, the Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department. More than one maintenance plan may be required. [*Section 323-2 is listed in County Code after Section 324-1]

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

A maintenance plan for the non-county maintained road known as the Unnamed Access Road.
A maintenance plan from the end of the subdivision to Berta Road [Clarified by Department of Public Works, on 12/13/2018].

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

A maintenance plan is not required for driveways; as driveways serve only one parcel. A maintenance plan is *optional* for roads that serve only two parcels. A maintenance plan is required for roads serving three or more parcels.

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //