

CONDITIONS OF APPROVAL

APPROVAL OF THE TENTATIVE FINAL MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE FINAL MAP MAY BE FILED WITH THE COUNTY RECORDER.

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 June 3, 2024, included herein as Attachment 1C 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 Final Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel, if applicable.
4. To better accommodate circulation and siting of future building sites, minor adjustments to the design of the tentative map (parcel boundaries, driveway & road locations, etc.) may be performed, subject to review and approval by the Planning Division and Public Works Land Use Division.
5. Prior to filing of the Final Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. Prior to filing of the Final I Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
7. Prior to filing of the Final Map, the applicant shall submit a letter from the United States Postal Service stating that the project meets their requirements for mailbox units. This condition shall be administered by the Department of Public Works.

8. Prior to filing of the Final I Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. A Cost report will be made available at the Humboldt County Planning Department.
9. 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 \$129.00 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.
10. 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; and
 - (2) Building envelopes with leach fields and the location of all necessary easements, including water line, water source, and other utility easements as necessary; and
 - (3) Four (4) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code; and
 - (4) Location of Streamside Management Area (SMA) labeled "unbuildable"; and
 - (5) Location of forested buffer and fire break along the easterly boundary of Parcel 1; and
 - (6) A 50-foot setback along the interior of the southwestern parcel line of Parcel 2; and
 - (7) Details showing conformance with provisions of the State Fire Safe Regulations, 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.).

B. Notes to be placed on the Development Plan:

- (1) "If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area 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, groundstone 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 and successors are ultimately responsible for ensuring compliance with this condition."

- (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 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) “Hours of construction activity shall be limited to Monday through Friday from 7:00 am to 6:00 pm, and Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan.”
- (4) "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.7. of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (5) “Vegetation removal shall occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that’s not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee shall consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist shall re-survey the area before work resumes.”
- (6) “Invasive plant species shall not be used in landscaping. CDFW recommends the use of native plants appropriate to coastal northern California, which provide aesthetic and habitat values while requiring minimal watering and maintenance.”
- (7) “The area along the easterly parcel boundary of Parcel 1 shall be maintained as a forested buffer and fire break.”
- (8) “Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Attachment 1C for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.10 of the above-mentioned Subdivision Requirements.”

- (9) "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 superseded 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."
11. 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 \$460.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
 12. Both parcels shall be part of the small water system and easements shall be provided to each parcel to allow conveyance of water from the wells and tanks to each parcel.
 13. Proposed Parcel 1 lies adjacent to managed timberlands and is subject to standards for fire protection within the Wildland Urban Interface (WUI) zone. The applicant shall develop a plan for fuel treatment in consultation with Calfire in order to maintain the eastern parcel boundary as a forested buffer and shaded fire break consistent with the Humboldt County Community Wildfire Protection Plan. The plan's fuel treatment recommendations shall be incorporated into the Development Plan.
 14. The applicant is required to pay for permit processing on a time and material basis as set forth in the latest 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 and upon file close out. 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.

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 Attachment that are administered by the Planning Division (Namely: Conditions 1-14). 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. 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. If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area 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.

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3. 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.
4. CDFW recommends formally closing the old logging road connecting the two resultant parcels where the wetland seep feeds into a seasonal swale. This can be done by planting a few native understory species or taking another minimally impactful

approach (i.e., avoid ground disturbance in the wetland). Suitable plants for that area would include sword fern (*Polystichum munitum*), salmonberry (*Rubus spectabilis*), thimbleberry (*Rubus parviflorus*), and red elderberry (*Sambucus racemosa*), among others.

5. As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 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.
6. The term of the approved Tentative Final 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.