



Posted: Friday, November 13, 2015

NOTICE AND CALL OF A SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a special meeting on
MONDAY, NOVEMBER 16, 2015 at 4:00 PM
In the Trinidad Town Hall located at 409 Trinity Street

NO CLOSED SESSION

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **APPROVAL OF AGENDA**
- IV. **ITEMS FROM THE FLOOR**
(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- V. **CONSENT AGENDA – No consent items.**
- IX. **DISCUSSION/ACTION AGENDA ITEMS**
 - 1. Discussion/Decision regarding reconsideration of City Letter on Homan Subdivision.
 - 2. Discussion/Decision regarding Planning Commissioner Appointment.
- X. **ADJOURNMENT**



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 26 PAGES

1. Discussion/Decision to regarding reconsideration of City Letter on Homan Subdivision.

AGENDA ITEM

Date: November 16, 2015

Item: RECONSIDERATION OF THE LETTER SENT TO THE CALIFORNIA COASTAL COMMISSION ENCOURAGING PROTECTION OF SCENIC VIEWS AS A CONDITION OF THE HOMAN SUBDIVISION OFF STAGECOACH RD.

November 16th update:

The project proponent Dr. John Homan was not notified of this item on the prior November 10th agenda, and has requested that the City hear both sides of this issue and reconsider their letter accordingly.

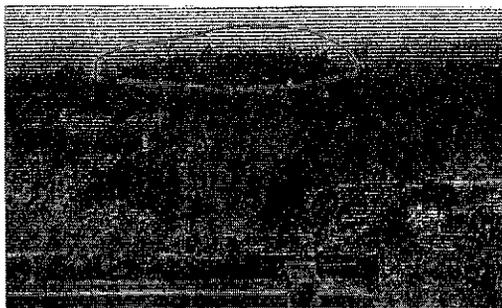
Original November 10th Staff Report:

Summary:

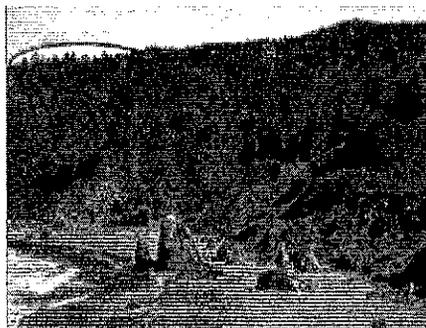
A coastal development permit for a 6 lot subdivision fronting Stagecoach Rd. and Anderson Lane has been approved by the County Planning Commission, upheld upon appeal to the Board of Supervisors, and is now being appealed to the California Coastal Commission. One of the appellants are requesting that the City send a letter to the Coastal Commission as follows:

Whereas the views from Trinidad Head and coastal points south are of unique national significance, and important to the City's tourism economy, we hereby request the California Coastal Commission to require modifications to the subdivision that will fully protect the natural unbroken forested character of this ridgeline in all public coastal viewpoints including Trinidad Head and coastal points south.

The appellant has provided the following images showing the location of the ridge in question.



Taken from the "Trinidad Head Upper" vantage point, this photo includes the ridge on the Homan Parcel (circled in brown).



taken from the "Trinidad Head Lower" vantage point, this photo is featured on the Trinidad Tourism Website today. The ridge on the Homan Parcel is circled in red.

The Board of Supervisors recently heard the appeal of the Planning Commission decision, and while denying the appeal, they did approve the following additional conditions related to views:

*(10) "To ensure that future development is subordinate to the surrounding area

consistent with the Trinidad Area Plan (TAP), the following measures shall be implemented during the Coastal Development Permit and Design Review process for Lots 4 and 5:

(a) No trees shall be removed within 100 feet of the southerly property line of Lot 4, within 50 feet of the western property line of Lot 4, within a circular area with a 75-foot radius centered at the confluence of Lot 6, Lot 2 and the access road, or within 50 feet of the eastern property line of Lot 5 unless the visual analysis determines that the remaining trees and vegetation provides significant screening from public viewpoints, or if such trees are deemed a hazard by a qualified forestry professional or arborist. Trees identified on the tentative map to be removed for access improvements and public utility purposes are not subject to these requirements.

(b) The highest point of a structure shall not exceed 30 feet vertically measured from the highest point of the foundation, nor 35 feet from the lowest point of the foundation. If it is determined that a proposed structure will not be subordinate to the surrounding area, further height reductions may be necessary.

(c) Structures shall be painted with dark earth tones.

(d) A visual resources impact analysis shall be required in order to assure that the structure will be subordinate to the surrounding area. This analysis requires that story poles be erected to create an accurate silhouette of the proposed project. In addition, any visible glazing identified in the analysis shall use anti-glare treatment."

Staff have not had the opportunity to discuss with the appellant whether these conditions fully address their concerns or not. Staff will attempt to do so prior to the meeting.

Staff Recommendation:

1) Consider whether to provide a letter to the Coastal Commission regarding this project.

Attachments:

Staff Report for the Board of Supervisors
Conditions of approval for the project as permitted by the County Board of Supervisors (two files, one for Planning Department, one for Public Works)



November 10, 2015

Bob Merrill
North Coast District Manager
California Coastal Commission
1385 8th St., Suite 130
Arcata, CA 95521

Re: Appeal of Homan Subdivision

Dear Mr. Merrill,

At their November 10th City Council Meeting, the Trinidad City Council unanimously (5-0) approved the following letter to the Coastal Commission regarding the current appeal of the Homan subdivision:

Whereas the views from Trinidad Head and coastal points south are of unique national significance, and important to the City's tourism economy, we hereby request the California Coastal Commission to require modifications to the subdivision that will fully protect the natural unbroken forested character of this ridgeline in all public coastal viewpoints including Trinidad Head and coastal points south. There appears to be at least one option for subdividing the original property which preserves most of the proposed lots, yet also preserves the views of the trees on the affected ridgeline.

Thank you for your consideration of the City's input as you review this appeal.

Daniel Berman
City Manager

For the Trinidad City Council

cc Trinidad City Council
Trinidad Planning Commission
Melissa Kraemer, Coastal Commission Planner
Trevor Parker, Trinidad City Planner

sent electronically on 11/10/2015 hard copy to follow



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
K-3

Hearing Date: October 6, 2015

To: Board of Supervisors

From: Kevin R. Hamblin, Director, Planning and Building Department *S. Werner for*

Subject: Appeal of Planning Commission Approval of the Homan Major Subdivision and Coastal Development Permit
Case Number FMS-08-002A, CDP-08-025A
Assessor Parcel Number 515-191-037-000
Trinidad area

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing and receive the staff report and public comment.
2. Based on the findings in the staff report and testimony received about the project, deny the appeal and approve the Homan Major Subdivision and Coastal Development Permit application subject to the modified conditions of approval.
3. Direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the agent and any other interested party.
4. Close the public hearing.

Prepared by *Trevor Estlow*
Trevor Estlow, Senior Planner

CAO Approval *Amy Olsen*

REVIEW:	Auditor	County Counsel	Human Resources	Other
		<i>JMB</i>		

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor
Seconded by Supervisor

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

Ayes

Nays

Abstain

Absent

SEE ACTION SUMMARY

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING: Fees submitted by the appellant are deposited into Planning and Building Department Current Planning Revenue Account 1100-277-608000. Any costs incurred by this appeal that exceed the applicant's appeal fee will be covered by the Current Planning Division's FY 2015-16 General Fund Allocation.

DISCUSSION:

Project Description

The matter for consideration by the Board is an appeal (Attachment A) of the Planning Commission's July 16, 2015 approval (Attachment B) of the Final Map Subdivision and Coastal Development Permit application by John and Kalrin Homan for a subdivision of an approximately nineteen acre parcel into six parcels.

Summary

The project includes a phased Final Map Subdivision to create six (6) parcels ranging in size from approximately 2.2 acres to 6.9 acres. The objective is to create separate legal lots consistent with a 2-acre minimum parcel size, suitable for residential development, while protecting sensitive habitat and visual qualities. The project will be developed in two phases. The existing approximately 19-acre parcel is developed with one residence. The property has frontage on Anderson Lane and Stagecoach Road. Access is from a private road from Anderson Lane, which serves the single-family home on the property and two off-site residences. A similar Final Map Subdivision was previously proposed on the subject site to create nine (9) parcels. In response to input received on that project, the current application was modified to reduce the number of parcels (9 to 6), limit driveway encroachments off Stagecoach Road to one, and limit tree removal (a total of 40 trees will be removed to permit development of road improvements). A 50 foot wide tree preservation buffer and building setback is proposed to be established along the full length of Stagecoach Road. Development will comply with all stream and wetland buffer setbacks set forth in the Trinidad Area Plan (TAP) and therefore no exceptions to these buffers are necessary. All new development will be served by on-site domestic water wells and wastewater disposal systems.

Basis of Appeal

The basis of the appeal is set forth in the appeal letter submitted by Robert Vogel, which was received by the Planning and Building Department - Planning Division on July 24, 2015 (Attachment A). This appeal was timely filed in accordance with County Code.

Planning Commission Decision

On July 16, 2015, the Planning Commission approved the project by adopting Resolution No. 15-21, with a 7-0 vote after review of the staff report and supplemental information and after consideration of public testimony (Attachments B, C and D).

Staff Recommendation

Planning staff recommends that the Board deny the appeal, uphold the Planning Commission decision and approve the project subject to the recommended conditions with clarifying language as suggested in the Coastal Commission response to the appeal.

Staff Discussion on the Issues on Appeal

The appellant does not deny that the Planning Commission is empowered to act in the capacity of the Design Assistance Committee. However, the appellant alleges in his appeal that the Planning Commission does not have the authority to grant exceptions as stated in Section 3.40

B.5 of the Trinidad Area Plan (TAP) where the prescriptive standard for siting design for structures can be met by an alternative design. The appellant cites to Section 3.40 B.5 which states:

"New development proposed within Coastal Scenic and/or Coastal View Areas which cannot satisfy the prescriptive standards listed in Section 3.40 B.3 & 4, respectively shall be referred to the Design Assistance Committee." (emphasis added)

The Homan subdivision meets all of the siting design criteria in 3.40.B.3 but one pertaining to building setbacks. This design standard in Section 3.40B.3.c.3 states:

"Setbacks from property lines and public roads shall be no less than 50 feet from a public road, nor 230 feet from a property line. In areas significantly developed, 50% or greater, where setbacks shall be the average of the setbacks of existing structures." (emphasis added)

The 230 foot setback from property lines reference mentioned above has been previously identified as a typographic error in the plan text and should read "30 feet" (Note: this exact provision was correctly reflected in the North Coast Area Plan also adopted in 1990). Further, the Homan subdivision is located in an area where more than 50% of the surrounding properties are developed. While the "average setback" accommodate would typically apply to neighborhoods where a further reduction below the prescriptive setback of 50 feet from a public road and 30 feet from property line might be sought, this is not the case as the Homan neighborhood consists of large lots and average building setbacks much larger than the prescriptive standard. The setback averages calculated in this area were:

Front yard setback	89 feet;
Rear yard setback	149 feet;
Side yard setback	137 feet.

Applying these setback minimums to a two-acre parcel proposing a hypothetical 40-foot by 40-foot structure would result in a parcel 314 feet wide and 278 feet deep. While it is physically possible to meet the standards on a two-acre parcel, the project site is constrained by riparian and wetland buffers as well as geologic setbacks limiting developable areas. To apply these average setbacks to the creation of the new parcels on the Homan property would greatly affect the size, shape and layout of the subdivision lots. Further, by allowing this one exception, the subdivision can be approved with six parcels where the potential for nine parcels exists and still remain compatible with the goals and objectives of the TAP.

The appellant states "It is not appropriate to apply these sections to cases where project alternatives are available that would meet the prescriptive standards. These sections apply to cases where an existing lot is constrained such that it cannot be developed for its planned use consistent with TAP standards." The appellant further argues that if the Planning Commission were permitted to grant this flexibility to siting design standards it would "clearly violate the letter and spirit of the Coastal Act."

Staff disagrees. First, the Coastal Act provisions in Public Resources Code Section 30251 incorporated by reference into the TAP provide the framework for the Coastal Scenic provisions at issue:

"30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as

those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

This language does not specify a minimum building setback standard from roads or property lines nor does it restrict the application of policy to existing lots or where project alternatives are not available. Instead the key provisions call for the protection of coastal views, minimization of alterations to landforms, and visual compatibility with the character of surrounding area. For areas of high scenic value, characterized as Coastal Scenic by the TAP, such development must be subordinate to the character of the setting.

Second, the language of the TAP itself is not restricted to existing lots or where there is no other feasible alternative. According to Section 3.40 B.5 (Design Assistance Committee) of the TAP states:

"New development proposed within Coastal Scenic and/or Coastal View Areas which cannot satisfy the prescriptive standards listed in Section 3.40 B. 3 & 4, respectively shall be referred to the Design Assistance Committee. The Design Assistance Committee, as defined in the implementation phase of the Local Coastal Program, shall ensure that the proposed development is compatible with the goals and objectives of this plan." (emphasis added)

Were it the intent of the County to apply this provision to new development on only existing lots or where there were no other feasible alternative this section would have included wording to this effect. However, the language used is "new development proposed within the Coastal Scenic and/or Coastal View areas". This language uses no such limiting wording.

Lastly, Section 3.40.B.3.d of the TAP states:

"d. Proposed development which cannot satisfy these prescriptive standards but is in conformance and compatible with the goals and objectives of this section and the Area Plan, may be submitted to the Design Committee for review and approval."

Again, the language governing development in Coastal Scenic Areas echo the exception allowance in Section 3.40.B.5 above that grants to the Design Assistance Committee, in this case, the Planning Commission, as hearing officer, where no committee has been formed by the Board of Supervisors pursuant to Section 313-19.1.4 of the Zoning Regulations (Authority and Composition of the Design Review Committee), the authority to grant relief from the siting design standards when it finds the exception to be "in conformance and compatible with the goals and objectives of this section and the Area Plan."

This was the approach taken by the Planning Commission with respect to the average setback exception. Findings for approval (3.40 B.5.a -- k) made by the Planning Commission are listed below with explanations of each:

- a. Consistency and compatibility with applicable elements of the County's General Plan. Project complies -- see Planning Commission staff report General Plan Consistency discussion beginning on page 35.
- b. Alteration of natural landforms caused by cutting, filling, grading or clearing necessary for a building site is minimized and, as appropriate, integrated with the project. Project complies -- see Planning Commission staff report Visual Resources discussion beginning on page 38.

- c. That setbacks from roads and property lines are appropriate to protect the scenic and visual qualities of the site. Project complies - see Planning Commission staff report Visual Resources discussion beginning on page 38.
- d. Exterior lighting is compatible with the surroundings and is not directed beyond the boundaries of the parcel. Project complies - see Planning Commission staff report, item 4, on page 39.
- e. Vegetation common to the area should be used to integrate the manmade with the natural environment, to screen and soften the visual impact. Project complies - see Planning Commission staff report, item 6, on page 39.
- f. Where feasible, new and existing utilities should be underground. When above-ground facilities are the only alternative, they should be as unobtrusive as possible. Project complies - new utilities associated with the subdivision will be located underground; existing overhead utilities will be relocated underground where feasible.
- g. Off-premise signs, which are needed to direct visitors to commercial recreation as permitted in the Area Plan, shall be attractively designed in keeping with the surroundings and clustered at appropriate locations. Such clustered signs should have a single design theme. Project complies - no off-premise signs are proposed.
- h. Timber harvest and activities related to timber management exempt from CDF regulations shall conform to timber harvesting visual standards for Special Treatment Areas. Project complies - see Planning Commission staff report, item 7, on page 40.
- i. Where views from public roads to the coast or coastal waterways are of concern, the height, width and setbacks from roads and parcel lines shall be considered to retain as much of the existing view as possible. Project complies - see Planning Commission staff report Visual Resources discussion beginning on page 38.
- j. Views from public trails, beaches or public recreation areas into the development site shall also be considered. Project complies - see Planning Commission staff report Visual Resources discussion beginning on page 38.
- k. Solar collectors for on-site use shall be exempt from this review. Not applicable.

Staff finds that the above findings can be made and that the Planning Commission is authorized to determine that the proposed development is compatible with the goals and objectives of the TAP.

In addition to the above findings for approval, Planning staff received referral comments on August 28, 2015 via email from the California Coastal Commission in response to the appeal (Attachment F). In the email, the Commission states that it is their understanding that the majority of the issues raised in their comment letter dated November 13, 2014 have been addressed. These issues include the authority of the Planning Commission raised by the appellant. The letter does, however, make recommendation that the Board of Supervisors in its consideration of the appeal consider adding additional conditions to assure that development on the proposed lots be subordinate to the character of the area, including views from public vantage points such as Trinidad Head. While it is understood that future homesite development on the lots created by the Homan subdivision will require the new owner to obtain a separate coastal development permit before proceeding with development, Planning staff acknowledges that adding clarity to the Development Plan prepared the subdivision map used to guide these applications as to how these protections will be applied is worthy of attention. Accordingly, the Planning staff has

drafted with the agreement of the applicant clarifying wording which will ensure that future development is subordinate to the character of the surrounding area. Staff is recommending that this additional language be added to the Development Plan (Condition number 7.B) to read as follows:

- (10) "To ensure that future development is subordinate to the surrounding area consistent with the Trinidad Area Plan (TAP), the following measures shall be implemented during the Coastal Development Permit and Design Review process for Lots 4 and 5:
- (a) No trees shall be removed within 100 feet of the southerly property line of Lot 4 or within 50 feet of the eastern property line of Lot 5 unless the visual analysis determines that the remaining trees and vegetation provides significant screening from public viewpoints, or if such trees are deemed a hazard by a qualified forestry professional or arborist.
 - (b) The highest point of a structure shall not exceed 30 feet vertically measured from the highest point of the foundation, nor 35 feet from the lowest point of the foundation. If it is determined that a proposed structure will not be subordinate to the surrounding area, further height reductions may be necessary.
 - (c) Structures shall be painted with dark earth tones.
 - (d) A visual resources impact analysis shall be required in order to assure that the structure will be subordinate to the surrounding area. This analysis requires that story poles be erected to create an accurate silhouette of the proposed project. In addition, any visible glazing identified in the analysis shall use anti-glare treatment."

It is recommended that the Board include this condition wording in their action to deny the appeal and grant approval of the Homan Final Map Subdivision and Coastal Development Permit.

FINANCIAL IMPACT: There may be an effect on the General Fund. The appellant has paid in full the appeal fee associated with this appeal. Any costs incurred by this appeal that exceed the applicant's appeal fee will be covered by the Current Planning Division's FY 2015-16 General Fund Allocation.

OTHER AGENCY INVOLVEMENT: The project was referred to the applicable referral agencies for comments and recommendations. The Draft Mitigated Negative Declaration was circulated to State agencies pursuant to the California Environmental Quality Act. The California Coastal Commission was contacted and submitted comments on the appeal (Attachment F).

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board of Supervisors can uphold the appeal and deny the project. This alternative should be implemented if the Board is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, staff does not recommend further consideration of this alternative.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

- Attachment A: Appeal letter submitted by Robert Vogel
- Attachment B: Resolution of the Planning Commission, Resolution No. 15-21
- Attachment C: Planning Commission Staff Report
- Attachment D: Planning Commission Supplemental Information Items #1, #2, #3 and #4
- Attachment E: Section 3.40 of the Trinidad Area Plan
- Attachment F: Email from Coastal Commission dated August 28, 2015

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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 446-7388

AVIATION 839-5401

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

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-8540
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 HOMAN, APN 515-191-037, FMS-08-02, CDP-08-025
FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 19 ACRES
INTO 6 LOTS**

**DATE: 11/14/2014
10/06/2015 revised by Board of Supervisors**

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 LACO Associates dated 09/08/2014, and dated as received by the Humboldt County Planning Division on 10/16/2014.

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.

- 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 **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.
- 1.5 **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.
- 1.6 **DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) **ANDERSON LANE (3N500):**

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Culverts & Bridges: In addition, the access easement shall include a 50 foot wide strip centered on the existing creek/stream/river for a length of 50 feet.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated to the County of Humboldt a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes in a manner approved by this Department. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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.

(b) STAGECOACH ROAD (3N400):

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Culverts & Bridges: In addition, the access easement shall include a 50 foot wide strip centered on the existing creek/stream/river for a length of 50 feet.

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.

(c) 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 40 feet in width.

A turn-around area shall be provided at the end of road as shown on the tentative map, or as otherwise approved by the Department.

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.

- (d) **DEVELOPMENT RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on lots 4, 5, and 6 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.
- (e) **SUBDIVISION RIGHTS:** Applicant shall cause lots 4, 5, and 6 to be conveyed to the County of Humboldt the rights to further subdivide the lots created by this subdivision until such time as UNNAMED ACCESS ROAD is improved to a minimum standards outlined in the fire safe regulations. Per Fire Safe Regulations, a category 3 road is required for roads serving 3 to 8 parcels; a category 4 road is required for roads serving 9 or more parcels. 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.
- (f) **NON-VEHICULAR ACCESS:** Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 1 foot wide non-vehicular access strip adjacent to lot 2 on Stagecoach Road and adjacent to lot 2 and lot 3 on Anderson Lane. The location shall be as shown on the tentative map, or as otherwise approved by this Department. Said easement shall be dedicated in manner and location as approved by this Department.
- (g) **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 easement(s) as necessary to accommodate the NBU.

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

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.

2.3 **ROAD NAMES:** The access road to lots 2, 3, 4, 5, and 6 shall be named as approved by the Planning & Building Department - Planning Division.

2.4 **TRAFFIC CONTROL DEVICES:** Street name and traffic control devices may need to be placed as required and approved by this Department. Signage and pavement marking per the current MUTCD shall be required at the intersection of the UNNAMED ACCESS ROAD and Anderson Lane.

2.5 **ACCESS ROADS:** The surface of the access road(s) shall conform to the *Structural Section* requirements within this document. The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

(a) All intersections (including driveways) must conform to Humboldt County Code Section 341 regarding visibility. This will require the removal of some trees to achieve improved visibility.

(b) The intersection of the subdivision access road and the County road shall be constructed in conformance with the standards for a private road intersection as illustrated in Caltrans standards.

When the County road is paved, the access road shall be paved for a minimum of 50 feet from the edge of the County road.

(c) **ANDERSON LANE (3N500):** Along the frontage of the subject property, Anderson Lane is paved approximately 17 feet wide. Along the frontage of the property, applicant shall widen the road to 18 feet wide (paved) with 2 foot wide bladed shoulders on each side. Applicant shall construct drainage swales and/or ditches as required by the

Department. The Department can support a flexible design to preserve as many trees as possible.

(d) ~~STAGECOACH ROAD (3N400): Along the frontage of the subject property, Stagecoach Road varies in width from approximately 18 feet to 23 feet. Along the frontage of the property, applicant shall widen the road to 20 feet (paved) with 5 foot wide bladed shoulders on the east side. Applicant shall construct drainage swales and/or ditches as required by the Department. It is the intent that no trees will be removed for road widening. However, trees may need to be removed to construct the residential driveway to lot 1. [This item was deleted by the Board of Supervisors on 10/03/2015, subject to Cal Fire approval.]~~

(e) The **UNNAMED ACCESS ROAD** will serve approximately 7 Lots, onsite and offsite. The road shall be constructed as a Category 4 road from Anderson Lane to the lot 3 driveway. The remainder of the road shall be constructed as a Category 3 road being paved 16 feet wide with 2 foot wide bladed shoulders on each side.

A paved turnaround conforming to Fire Safe Regulations shall be constructed as shown on the Tentative Map, subject to Cal Fire approval.

(f) The access road from a County maintained road to the subject property; and all access road(s) (including driveways) within the subject property, shall be certified by a Civil Engineer registered by the State of California to be in conformance with SRA Fire Safe Regulations as adopted by the County of Humboldt; in conformance with any exceptions approved by the Director of Building & Planning Department of the County of Humboldt; and in conformance with any exceptions approved by Cal Fire. Conformance shall include, but is not limited to: width of traveled way; roadway grade; curve radius; roadway surface; turnouts; turnaround areas; and maximum length of dead-end road. Certification shall be made in a manner approved by this Department.

In the event that the Civil Engineer is unable to certify that the road(s) are in conformance, the applicant shall cause construction plans to be prepared by a Civil Engineer that show what improvements need to be constructed to bring the road(s) into conformance. The plans shall be submitted for review by this Department. Once the construction plans are authorized for construction by the Department and the applicant constructs the improvements, the engineer shall certify that the road(s) are in conformance.

(g) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.

(h) Nothing is intended to prevent this Department from approving alternate typical sections, structural sections, drainage systems, and road geometrics based upon sound engineering principals as contained in, but not limited to, the Humboldt County Roadway Design Manual, Caltrans Highway Design Manual, Caltrans Local Programs Manual, Caltrans Traffic Manual, California Manual on Uniform Traffic Control Devices (MUTCD), and AASHTO's A Policy of Geometric Design of Highways and Streets (AKA "The Green Book"). Engineering must not be in conflict with Humboldt County Code or County adopted guidelines and policies.

- 2.6 **DRIVEWAYS:** All access openings (existing and proposed) shall conform to Humboldt County Code Section 341 regarding visibility. All access openings (existing and proposed) shall intersect the road at a 90° angle, unless otherwise approved by this Department.

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 25 feet from the edge of the County road.

Any proposed access openings to the County road will require encroachment permits from this Department. The proposed access openings will be evaluated after application is received.

All access openings (existing and proposed) shall be shown on the improvement plans.

- 2.7 **STRUCTURAL SECTION:** The access road(s) shall be constructed to a structural section recommended in the soils report and as approved by this Department.

- (a) **For paved road surfaces,** the structural section shall include a minimum of 0.2 foot of Caltrans Type B hot mix ("asphalt") over 0.67 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural section of all roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by this Department. Based upon soil conditions, this Department may also require a geotextile fabric to be placed on top of the sub grade.

When widening hot mix ("asphalt") roads, the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavements. The location of the sawcut shall be approved by this Department based upon the condition of the existing road surface.

- (b) Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way,** unless approved in writing by this Department.

- 2.8 **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.

- 2.9 **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.

2.10 **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.

2.11 **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 a NBU for this project.

2.12 **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.

2.13 **PHASING:** The project proposes two (2) phases. Roadway improvements shall be completed for all roads within or adjacent to each phase.

- Phase 1 will include frontage improvements to Anderson Lane within the limits of the subject property; frontage improvements to Stagecoach Road within limits of the subject property; and improvements to the unnamed access road adjacent to lot 2 and 3 up to the northerly line of lot 3.
- Phase 2 will include remainder of improvements.

2.14 **SHARED DRIVEWAYS (OPTIONAL):** Due to terrain, the applicant may wish to make a common driveway that serves lots 4 and 5.

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.

4.0 GRADING

- 4.1 **SOILS REPORT:** Pursuant to Humboldt County Code Section 331-14 (E)(5), applicant shall provide a soils engineering report that addresses the entire subdivision. The report shall include sufficient detail to enable the Building Official to issue building permits for each lot within the subdivision.

Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(3), the Applicant shall file a copy of the soils engineering report with the Chief Building Official

- 4.2 **GRADING PLAN:** It is optional for the applicant to grade building pads as part of the project.

Applicant shall demonstrate that driveways to potential building pads can be built in conformance with County Visibility Obstruction Regulations (Humboldt County Code Section 314-1 et seq.) and Protection and Control of County Roads (Humboldt County Code Section 411-1 et seq.). If the project is located within the State Responsibility Area (SRA), applicant shall demonstrate that the driveway also complies with SRA requirements (Humboldt County Code Section 3111-1 et seq.).

- 4.3 **CONSTRUCTION TIMING:** Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by this Department. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

- 4.4 **DATUM:** Grading plans shall be tied into elevation datum approved by this Department.

- 4.5 **EROSION CONTROL:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1), an erosion control plan (aka, sediment control plan, Storm Water Pollution Prevention Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

For construction sites equal to or greater than one (1) acre, a Notice of Intent (NOI) and permit registration documents are required to be filed with the State Water Quality Control Board. A copy of the State's receipt of the approved NOI shall be provided to this Department prior to the start of construction.

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 needed

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 UNNAMED ACCESS ROAD.

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 //

ATTACHMENT 1
Revised* Conditions of Approval for Subdivision
***Revised per Board of Supervisors meeting on October 6, 2015**

APPROVAL OF THE TENTATIVE MAP IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS
WHICH MUST BE SATISFIED BEFORE THE FINAL MAP MAY BE RECORDED:

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 ~~November 14, 2014~~ **October 6, 2015 revised by Board of Supervisors** 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 lot or parcel.
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 \$96 per parcel) as required by the County Assessor's Office shall be paid to the 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. 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 (currently \$95.00) shall be paid to the 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.
6. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
7. The applicant shall submit three (3) copies of a Development Plan for all parcels to the Planning Department 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) 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 (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.).
- (2) Details showing conformance with road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, turnaround, etc.) per the requirements of the Department of Public Works – Land Use Division (LUD) (see memo dated November 14, 2014).
 - (3) Development standards for all parcels: existing buildings, building sites, setbacks, maximum lot coverage, maximum building height, four (4) parking spaces for each parcel independently accessible and outside the front yard setbacks per Section 313-109.1 HCC and Appendix §4-2(a) of the Subdivision Regulations.
 - (4) Existing roadway improvements, reserved right-of-ways, all existing structures, utility lines and easements, areas of major vegetation, and limits of tree removal.
 - (5) Road improvements and turnarounds, location of fire water storage, utilities, and easements required by this subdivision. If applicable, areas of on-site drainage detention shall also be shown.
 - (6) Location of geological hazard/non-buildable areas per Fault Evaluation Report prepared by LACO Associates dated March 2008.
 - (7) Location of a riparian buffer and wetland buffer along the unnamed stream. These areas shall be labeled "non-buildable". Location of a split rail fence or other symbolic wildlife friendly fencing along the SMA/Wetland Buffer.
 - (8) Topography of the land in 2-foot contours.
 - (9) The location of all waterline easements.
 - (10) Location of 50' tree preservation buffer along Stagecoach and Anderson Lane.
- B. Notes to be Placed on the Development Plan:
- (1) "All flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be disposed of by chipping, burying, burning or removal to a landfill site approved by the County."
 - (2) "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(1) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
 - (3) "The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in "state responsibility" designated areas. Exceptions to the 30-foot setback requirement may be pursued upon

demonstration of providing the "same practical effect" of the setback through a combination of construction material choices, non-flammable vegetative buffers, and other design features. Contact the Planning and Building Department for further information."

- (4) "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 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."
- (5) "Development within the Riparian Corridor shall be limited to the uses as listed in Section 3.30 of the Trinidad Area Plan (TAP). Please contact the Planning Division at 445-7541 prior to commencing any new development in the mapped Streamside Management Area."
- (6) "All development shall conform to the recommendations of the Fault Evaluation Report prepared for the project by LACO Associates dated December 2008. Site specific soils and/or geologic reports may be required as part of a future building permit application if a building is proposed to be located outside of the area identified in the Geotechnical Report for the project."
- (7) "Road access and turnaround area shall be consistent with the County's Fire Safe Ordinance Regulations."
- (8) "The mapped 50 foot buffer along Stagecoach Road and Anderson Lane is intended to minimize the removal of large trees and provide a visual buffer. Only trees that are deemed a hazard by a qualified forestry professional or arborist can be removed within this buffer."
- (9) "No second unit shall be authorized or constructed on Lot No. 6 unless an on-site wastewater suitability study is prepared to demonstrate that a specific septic system design will function appropriately to accommodate the additional wastewater on site and the Fault Evaluation Report is amended to include the proposed building site."
- *{10) **"To ensure that future development is subordinate to the surrounding area consistent with the Trinidad Area Plan (TAP), the following measures shall be implemented during the Coastal Development Permit and Design Review process for Lots 4 and 5:**
 - (a) **No trees shall be removed within 100 feet of the southerly property line of Lot 4, within 50 feet of the western property line of Lot 4, within a circular area with a 75-foot radius centered at the confluence of Lot 4, Lot 2 and the access road, or within 50 feet of the eastern property line of Lot 5 unless the visual analysis determines that the remaining trees and vegetation provides significant screening from public viewpoints, or if such**

trees are deemed a hazard by a qualified forestry professional or arborist. Trees identified on the tentative map to be removed for access improvements and public utility purposes are not subject to these requirements.

(b) The highest point of a structure shall not exceed 30 feet vertically measured from the highest point of the foundation, nor 35 feet from the lowest point of the foundation. If it is determined that a proposed structure will not be subordinate to the surrounding area, further height reductions may be necessary.

(c) Structures shall be painted with dark earth tones.

(d) A visual resources impact analysis shall be required in order to assure that the structure will be subordinate to the surrounding area. This analysis requires that story poles be erected to create an accurate silhouette of the proposed project. In addition, any visible glazing identified in the analysis shall use anti-glare treatment."

8. The applicant shall cause to be recorded a "Notice of Development Plan and Geologic Report" on forms provided by the Humboldt County Planning Division. Contact the Planning Division for a copy of the required form and instructions. 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 \$295.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
9. The property owner shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 313-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required form.
10. A 2,500 gallon emergency water supply shall be developed for each parcel prior to the recordation of the respective Final Map for each phase. For undeveloped parcels, this requirement may be deferred until issuance of building permit for development on the parcel. A note to this effect shall appear on the Development Plan.
11. The applicant shall convey future development rights to the County of Humboldt for secondary dwelling units on Parcels 4 - 6. Release from this conveyance may be pursued at such time that road access from the County Road to the parcels is upgraded to "Road Category 4" standards. The applicant shall initiate action on a "Conveyance and Agreement" 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 \$295.00) will be required.
12. Permanent, irreversible water rights and easement shall be shown on the subdivision map and referenced by any deed conveying the parcels shown on the Final Map.
13. The applicant shall furnish the Planning Division with a letter from the Division of Environmental Health indicating that DEH has no objection to the recordation of the Parcel Map.
14. **Prior to public hearing**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,260.00. [Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment

will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.] 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, 2015 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 \$2,210.00 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.

Note: If a required filing fee is not paid for the project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the State Fish and Game Code).

15. All vegetation/tree removal and subsequent maintenance must be conducted outside of the bird nesting season (generally March 1 – August 15) in order to avoid '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 hazard trees must be removed within the breeding season, the Permittee shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests.
16. Completion of the mitigation measures as set forth in Attachment 4 (Mitigated Negative Declaration). The applicant shall be responsible for all staff costs involved in carrying out responsibilities for mitigation. These costs shall be charged using the most current County burdened hourly rate. A deposit may be collected to cover anticipated costs, if required by the Planning Director.
17. The applicant shall obtain a Timberland Conversion Permit from the California Department of Forestry and Fire Protection prior to the removal of any trees.
18. The applicant shall:
 - a) use dust control techniques when excavating to minimize dust problems on adjacent parcels,
 - b) reseed disturbed areas prior to winter rain, and
 - c) take all precautions necessary to avoid the encroachment of dirt or debris on adjacent properties.

In addition, Best Management Practices for erosion and sediment control are to be utilized to minimize construction related impacts. These measures shall include:

- Restricting ground disturbance to the dry season,
- Installation of a silt fence on the downslope perimeter of the construction site,
- Limiting the concentration of runoff and armoring any high velocity discharge areas,
- Prohibiting downslope sidelaying of disturbed soils, and
- Staging of equipment be conducted on paved areas above where possible.

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 (Namely: Conditions 3 - 17). 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 Planner on Duty, or 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 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 except legal documents to be recorded should note in the upper right hand corner:

Assessor's Parcel No. _____, Condition _____.
(Specify) (Specify)

2. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains.
3. The Coastal Development Permit shall be effective for 24 months to coincide with the tentative parcel map approval. Extension of the permit and map may be secured in accordance with the Humboldt County Code. Please contact the Humboldt County Planning Division for details.



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

2. Discussion/Decision regarding Planning Commissioner Appointment.

DISCUSSION AGENDA ITEM

Monday, November 16, 2015

Item: Discussion/Decision Regarding Planning Commissioner Appointment.

Background: The recent resignation of Commissioner Kathleen Lake has left the Commission with one vacant position for a term through December 2016.

The current commissioners are:

Chair: Mike Pinske	resident	Term expires December 2016
Diane Stockness	resident	Term expires December 2018
Lisa Espejo	Trinidad area resident	Term expires December 2018
Richard Johnson	Trinidad area resident	Term expires December 2018

As of the Wednesday, November 04 deadline, the city received (3) letters of interest for (1) vacant position from residents **Cliff Poulton, Doren Morgan, and Ben Hawkins**. The applicants all live inside the city limits.

Recommended Action: Appoint (1) member to the Planning Commission for the remaining term through December 2016

Attachments:

- (3) Letters of Interest

Ben Hawkins
330 View Avenue
P.O. Box
Trinidad CA 95570

November 2, 2015

Trinidad City Council
P.O. Box 390
Trinidad, CA 95570

RECEIVED 10/30/2015

Dear City Council Members,

I am writing at this time to let you know that I am interested in the open position on the Trinidad City Planning Commission. I currently reside at 330 View Avenue and I have lived in Trinidad for the past thirteen years. I previously lived in Ferndale and have been living on the Humboldt North Coast for a total of seventeen years.

I currently enjoy my work as an electrician. I have held this position for the past twelve years. I have worked in the community for over 13 years. I have also been a Trinidad Volunteer Fire Fighter for the past four years and I am currently enrolled in courses to complete my EMT certification at HSU.

My interest in serving on the Trinidad Planning Commission at this time stems from my interest in the ongoing planning and development of the Trinidad community. I enjoy all of the activities that our area has to offer including: surfing, kayaking, fishing, long distance cycling, beaches, hiking and running the trails. I also enjoy our community resources such as the library, restaurants, museum and aquarium. I hope to be of service on the planning commission to support the town development for next generation of Trinidad residents.

I feel my experiences living, working, and playing in this community over the past thirteen years have provided me with the needed perspective to understand and work together toward common goals and processes to provide planning for Trinidad into the future. Through my experience working as an electrician and in the construction industry, I have developed a good understanding in the building permitting process. My experiences as a fire fighter have allowed me to provide needed service to families and neighbors at a time of crisis, with a good understanding of Emergency Management Service planning, and community needs

I look forward to hearing from you regarding the position for Trinidad City Planning Commission.

Thank you,

Ben Hawkins

Honorable City Council Members
City of Trinidad, CA

RECEIVED OCT 28 2015

10/28/15

I am interested in the open position on the Planning Commission and I meet the minimum qualifications of residency and local voter registration. I am a licensed General Contractor and have been for over 30 years. I have experience as a property owner and developer here, in Trinity County, in the Bay Area and in Oregon. I am currently the Property and Special Projects Manager for the City of Arcata and was the Public Works Superintendent there for most of the previous 4 years. Through those positions and activities I have experienced a fair amount of exposure to planning and zoning issues and have a reasonable understanding of the processes involved. I am open minded, creative and fair.

Please consider me for this position

Best Regards

Cliff Poulton

PO Box 649

811 Underwood St.

Trinidad, CA 95570

City of Trinidad

From: Doren Morgan [doren.morgan2013@gmail.com]

Sent: Monday, November 02, 2015 1:28 PM

To: cityclerk@trinidad.ca.gov

Subject: Interest in serving on Planning Commission

RECEIVED 11/03 2015

To Whom It May Concern:

I would be interested in helping serve our community as I am a new homeowner here in Trinidad. I live here full time and work in Arcata. I am from a fourth generation family here in Humboldt County. We are very fortunate to have such a nice community and I would like to help keep it that way.

Please consider my offer if not for the Planning Commission, then for other positions or as an adviser in whatever capacity is appropriate.

Sincerely,

Doren Morgan
160 Scenic Drive
Trinidad, CA

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