



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

On-line Web: <a href="http://humboldtgov.org">humboldtgov.org</a>	Administration 445-7491	Natural Resources 445-7741	Clark Complex Harris & H St., Eureka Fax 445-7388
	Business 445-7652	Natural Resource Planning 267-9542	Land Use 445-7205
	Engineering 445-7377	Parks 445-7651	
	Facility Management 445-7621	Roads 445-7421	

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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Cliff Johnson, Supervising Planner, Planning & Building Department

FROM: Robert W. Bronkall, Deputy Director 

DATE: 06/17/2020

RE: **Ken Bareilles Investment Company, APN 316-086-023**  
**316-191-018-000; 316-191-019-000; 316-086-024-000; 316-174-014-000;**  
**316-174-015-000; 316-174-018-000; 316-174-019-000; 316-175-008-000;**  
**316-175-011-000; 316-175-012-000; 316-175-013-000; 316-175-020-000;**  
**316-175-021-000; 316-186-011-000; 316-186-012-000; 316-186-015-000;**  
**316-186-018-000; 316-186-019-000; 316-186-020-000; 316-191-009-000;**  
**316-191-010-000; 316-191-011-000; 316-191-014-000; 316-191-015-000;**  
**316-191-016-000; 316-191-017-000; 316-233-007-000; 316-233-011-000;**  
**316-233-014-000; 316-233-017-000; 316-233-018-000; 316-233-019-000;**  
**316-233-020-000; 316-233-021-000; 316-171-013-000; 316-172-014-000;**  
**316-172-016-000; 316-172-018-000; 316-172-019-000; 316-172-020-000;**  
**316-172-022-000; 316-172-023-000; 316-172-024-000; 316-174-005-000;**  
**316-174-012-000; 316-174-013-000**  
**GPA 17-005; ZR 17-00; CC17-004; APPS 13475**

On 08/07/2018, Public Works issued a memo to Cliff Johnson regarding the above project. The project identified various improvements that are required in order for the roads and properties to be improved to meet Fire Safe Regulations. Public Works and CAL FIRE were asked to develop a priority for bringing the roads and properties into compliance with Fire Safe Regulations. After consultation with CAL FIRE, Public Works recommends a phased approach to completing this task. The phases are as follows:

**Phase 1: To be completed within 6 months**

- Install Road Name Signs at all intersections (2 signs) to comply with County Code § 3113-1. (CCR 1270.01) Signage shall conform to California Manual of Uniform Traffic Control Devices (CA MUTCD) requirements.
- Install address signs at all driveways to comply with County Code § 3113-1. (CCR 1270.03)
- Install signs for all existing water sources to comply with County Code § 3114-5. (CCR 1270.04)

- Perform and continuously maintain fuel modification to comply with County Code § 3115-1. (CCR 1276.01)
- Establish and continuously maintain defensible space standards to comply with Public Resource Code § 4291. (CCR 1276.02)
- Modify all gates (including driveway gates) to comply with County Code § 3112-13. (CCR 1273.09)
- Form Road Maintenance Associations (RMAs) for all roads. The RMAs will include two components: 1) dues to maintain the roads, and 2) dues for capital improvements to the roads identified in Phase 3. Properties may need to belong to more than one RMA. The following RMAs shall be formed: 1) Roads 1, 2, and 2A; 2) Road 2B; 3) Road 3; 4) Road 4; and 5) Road 5. The RMA dues shall be adjusted annually to account for inflation.

**NOTE:** Public Works has a template document to assist the public in forming an RMA.

- Annual RMA dues for routine maintenance shall be calculated for the following:

Road 1, 2, and 2A:	\$X
Road 2B:	\$X
Road 3:	\$X
Road 4:	\$X
Road 5:	\$X

- Annual RMA dues for capital improvements shall be calculated for the following:

Road 1, 2, and 2A:	\$X
Road 2B:	\$X
Road 3:	\$X
Road 4:	\$X
Road 5:	\$X

- Identify and submit an exception request to CAL FIRE for all structures within 30 feet of a property line per County Code § 3115-2. (CCR 1270.06, CCR 1276.01)
- For both ends of Road 1, post signage indicating the distance to the bridge and state that the bridge is not rated for any load. Signage shall conform to CA MUTCD requirements.
- On Road 1, post signs at the bridge indicating the bridge is not rated for any load. Signage shall conform to CA MUTCD requirements.
- Dedicate rights to subdivide until such time as the access road serving the subject parcel is improved to Road Category 4 standards. This dedication shall be made on the form provided by the County and shall be recorded in the Office of the County Recorder.
- Dedicate rights to construct secondary dwelling units until such time as the access road serving the subject parcel is improved to Road Category 4 standards. This dedication shall be made on the form provided by the County and shall be recorded in the Office of the County Recorder.
- Dedicate a covenant that requires payment in full of all past and current RMAs dues at the time of transfer. The covenant shall also require prepayment in full of the balance of future capital

improvement dues needed to complete the capital improvement projects to the roads. This dedication shall be made on the form provided by the County and shall be recorded in the Office of the County Recorder.

**Phase 2A:** *To be completed within 12 months, or transfer of the property, whichever occurs first*

- Provide water tanks for all properties to comply with County Code § 3114-1. (CCR 1275.02)
- Submit to Planning & Building bridge ratings for all bridges on driveways. (CCR 1274.06)
- Post all bridges with bridge loading signs to comply with County Code § 3113-7. (CCR 1274.06) Signage shall conform to California Manual of Uniform Traffic Control Devices (CA MUTCD) requirements.
- For all bridges rated less than CAL FIRE standards specified in County Code § 3112-9, construct turnarounds as close as practical to the bridge. If the turnaround is more than 100 feet from the bridge, install signage at the turn around "bridge weight limit XX tons YY feet ahead. Turn around here." Signage shall conform to CA MUTCD requirements.
- County Marijuana Ordinance County Code § 314-55.4.12.2.4 states,

All terms of any permit or exemption approved by the California Department of Forestry and Fire Protection (CAL-FIRE), including a less than three (3) acre conversion exemption or timberland conversion permit.

Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment.

**Phase 2B:** *To be completed within 12 months*

- Submit to Planning & Building bridge ratings for all bridges on roads.
- Post all bridges with bridge loading signs to comply with County Code § 3113-7. (CCR 1274.06) Signage shall conform to CA MUTCD requirements.
- For all bridges rated less than CAL FIRE standards specified in County Code § 3112-9, construct turnarounds as close as practical to the bridge. If the turnaround is more than 100 feet from the bridge, install signage at the turn around "bridge weight limit XX tons YY feet ahead. Turnaround here." Signage shall conform to California Manual of Uniform Traffic Control Devices (CA MUTCD) requirements.

**Phase 3:** *Road 1, 2 and 2A Road Improvements (To be completed within 5 years)*

Road 1, 2, and 2A road improvements are broken into two sub-phases. Phase 3A is to be completed first; followed by other road improvements. Road improvements are to be funded from RMA dues collected each year. Road improvements are to be constructed each year so that the roads are improved to comply with Fire Safe Regulations.

**Phase 3A: Priority Road Improvements**

- Construct turnouts on Road 1 to comply with County Code § 3112-8.
- Pave roads on Road 1 where needed to comply with County Code § 3112-4.
- Provide curve widening on Road 1 to comply with County Code § 3112-6.

**Phase 3B: Secondary Road Improvements**

- Complete all other Road 1, 2, and 2A improvements.

**Phase 4: Road 2B, 3, 4 and 5 improvements (To be completed within 5 years)**

Each of these roads has separate RMAs associated with them. Each road shall construct improvements each year from the dues collected to improve the roads with all improvements completed within 5 years. Mitigations shall be proposed to address the length of dead-end road segments.

**Phase 5: Onsite Improvements to be completed within 24 months, or transfer of the property, whichever occurs first**

- Improve all driveways to comply with County Code § 3112-12.
- Complete mitigation for all structures within 30 feet of a property line to comply with County Code § 3115-2.

**Inspections and Progress:**

- Prior to April 15<sup>th</sup> of each year, submit to the Planning & Building Department a plan of the improvements to be constructed for that year.
- Prior to November 15<sup>th</sup> of each year, submit to the Planning & Building Department a report showing what improvements were done. This report is to include before and after photos of all work and a map showing the location of where the work was performed and where the pictures were taken.
- Prior to November 15<sup>th</sup> of each year, submit to the Planning & Building Department the CPI the dues structure for the next fiscal year that incorporates a *minimum* increase based upon the following consumer price index:

Consumer Price Index prepared by the United States Department of Labor, Bureau of Labor Statistics using the weighted average of Consumer Price Indexes (All Urban Consumers for the State of California)- April of the prior year to April of the current year.

**NOTE:** Public Works / Land Use Division calculates this CPI each year. Contact Land Use for the current CPI.

Dues shall also be increased to cover overspending from the prior year. Nothing is intended to preclude the RMA from increasing its dues by a larger amount to address known or anticipated shortfalls.

*Sample Calculation for year 2015 dues*

1. Determine CPI

B	C	D	E	F	G	H	I	J	K	L
<b>STATE OF CALIFORNIA OFFICE OF THE DIRECTOR - RESEARCH UNIT CONSUMER PRICE INDEX CALCULATOR</b>										
1	Select an Index	California CPI								
2	Select index type	All Urban Consumers								
3	Select beginning month	April								
4	Select beginning year	2013								
		<b>Beginning Index value</b>								
		241.399								
5	Select ending month	April								
6	Select ending year	2014								
		<b>Ending Index Value</b>								
		245.9								
Based upon the Index, Index type, and the time period you have specified, the percent change in the Consumer Price Index is equal to:										
1.9%										

In this case the CPI is 1.9%; or 0.019 in decimal format.

When applying the CPI to the dues place a 1 in front of the decimal format number: 1.019

2. Minimum dues for 2015 would be as follows:

$$2015 \text{ dues} = 2014 \text{ dues} \times 1.019.$$

- Prior to April 15<sup>th</sup> of each year, submit to the Planning & Building Department an accounting of dues collected by each RMA and expenditures made by each RMA. The report shall contain sufficient detail of revenue and expenses so that staff can determine that the RMA is collecting sufficient dues to cover both routine maintenance and capital improvement projects. If staff determines that RMA dues are insufficient to meet the goals of the conditions of approval, the RMA shall increase the dues to meet the minimum revenue necessary to meet the goals of the conditions of approval.

Attachment: LACO Road Exhibit dated 06/10/2020

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PROJECT	TITLOW HILL	BY	CRP	FIGURE 1 of 3
CLIENT	COUNTY OF HUMBOLDT	CHECK	EAB	
LOCATION	HUMBOLDT COUNTY CALIFORNIA	DATE	6/10/2020	JOB NO.
TITLOW HILL ROAD MAINTENANCE PLAN				7451.21

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