



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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3015 H Street Eureka CA 95501  
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: May 7, 2020

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Parkinson Parcel Map Subdivision**  
Case Number PLN-2019-15667  
Assessor Parcel Number (APN) 504-161-001  
55 Glendale Drive, Arcata area

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Please contact Trevor Estlow at (707) 268-3740, or by email at [testlow@co.humboldt.ca.us](mailto:testlow@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

**Hearing Date**  
May 7, 2020

**Subject**  
Parcel Map Subdivision

**Contact**  
Trevor Estlow

**Project:** A Minor Subdivision of an approximately 19-acre parcel into two parcels of 5.5 acres and 13.5 acres. The parcel is currently developed with a single-family residence and detached Accessory Dwelling Unit that will remain on proposed Parcel 1. An exception to the State FireSafe Regulations has been requested and approved by Calfire to allow the subdivision to be served by a road that does not meet the Category 4 road width due to an existing tunnel under State Highway 299. The parcels will be served by on-site water (wells) and on-site wastewater treatment systems.

**Project Location:** The project is located in the Arcata area, on both sides of Glendale Drive, approximately 350 feet north from the intersection of Glendale Drive and Essex Springs Road, on the property known as 55 Glendale Drive.

**Present Plan Designation:** Residential Agriculture (RA); Humboldt County General Plan. Density: one unit per 5 – 20 acres. Slope Stability: High Instability.

**Present Zoning:** Unclassified (U)

**Case Numbers:** PLN-2019-15667

**Assessor Parcel Number:** 504-161-001

**Applicant**  
Linda Parkinson  
55 Glendale Drive  
McKinleyville, CA 95519

**Owner(s)**  
same as applicant

**Agent**  
Points West Surveying Co.  
Michael Pulley  
5201 Carlson Park Dr., Ste. 3  
Arcata, CA 95521

**Environmental Review:** Project requires environmental review.

**Major Issues:** None

**State Appeal Status:** Project is not appealable to the California Coastal Commission.

## PARKINSON PARCEL MAP SUBDIVISION

Case Number PLN-2019-15667

Assessor Parcel Number 504-161-001

### Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

*Adopt the Mitigated Negative Declaration and to make all of the required findings for approval of the Parcel Map Subdivision, including the exception request to allow a reduced right-of-way and road width, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Parkinson project subject to the recommended conditions.*

**Executive Summary:** The project consists of a subdivision of an approximately 19-acre parcel into two parcels of 13.5 acres (Parcel 1) and 5.5 acres (Parcel 2). The parcel is currently developed with a single-family residence and an Accessory Dwelling Unit that will both remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. Each parcel is developed with a well to provide water and on-site wastewater treatment systems will serve each parcel.

The project site is located in the Arcata area, along Glendale Drive, just north of a tunnel that goes under State Highway 299. The project site is located within the State Responsibility Area (SRA) for fire protection, which requires certain road width requirements, namely, all access must meet a minimum road Category 4 standard. The tunnel does not meet the minimum width for a Category 4 road, therefore, an exception request was required to be submitted to Calfire. This exception request (Attachment 3) was reviewed by Calfire and determined that modifying the tunnel is unfeasible and unreasonably expensive. The approval by Calfire (Attachment 5) did not require specific mitigation but did suggest that the residents in the area develop an evacuation plan that describes safe procedures for outgoing evacuees and incoming emergency personnel.

All responding referral agencies have recommended approval or conditional approval of the project. Project approval is conditioned upon meeting their requirements. The Department has prepared and circulated a draft Mitigated Negative Declaration and has determined that the project, as proposed, mitigated and conditioned, will not have a significant effect on the environment.

Based on the on-site inspection, a review of Planning Division reference sources, and comments from all responding referral agencies, Planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision per the Recommended Commission Action.

**Alternative 1:** The Planning Commission could elect not to approve the exception request submitted by the applicant and require the applicant to provide additional right of way and road width to mitigate the narrow tunnel. This alternative should be implemented if your Commission is unable to make all of the required findings to support the exception. Planning Division staff and Public Works staff has found that the required findings can be made and supports the exception. Consequently, planning staff does not recommend further consideration of this alternative.

**Alternative 2:** The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Case Number PLN-2019-15667  
Assessor Parcel Number 504-161-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Parkinson Parcel Map Subdivision.**

**WHEREAS**, the owners submitted an application and evidence in support of approving the Parcel Map Subdivision; and

**WHEREAS**, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision (Case Number PLN-2019-15667); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on May 7, 2020.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Planning Commission that:

1. The Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program in Attachment 4 is adopted; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-15667 support approval of the project based on the submitted evidence; and
3. The Parcel Map Subdivision Case Number PLN-2019-15667 is approved as recommended and conditioned in Attachment 1.

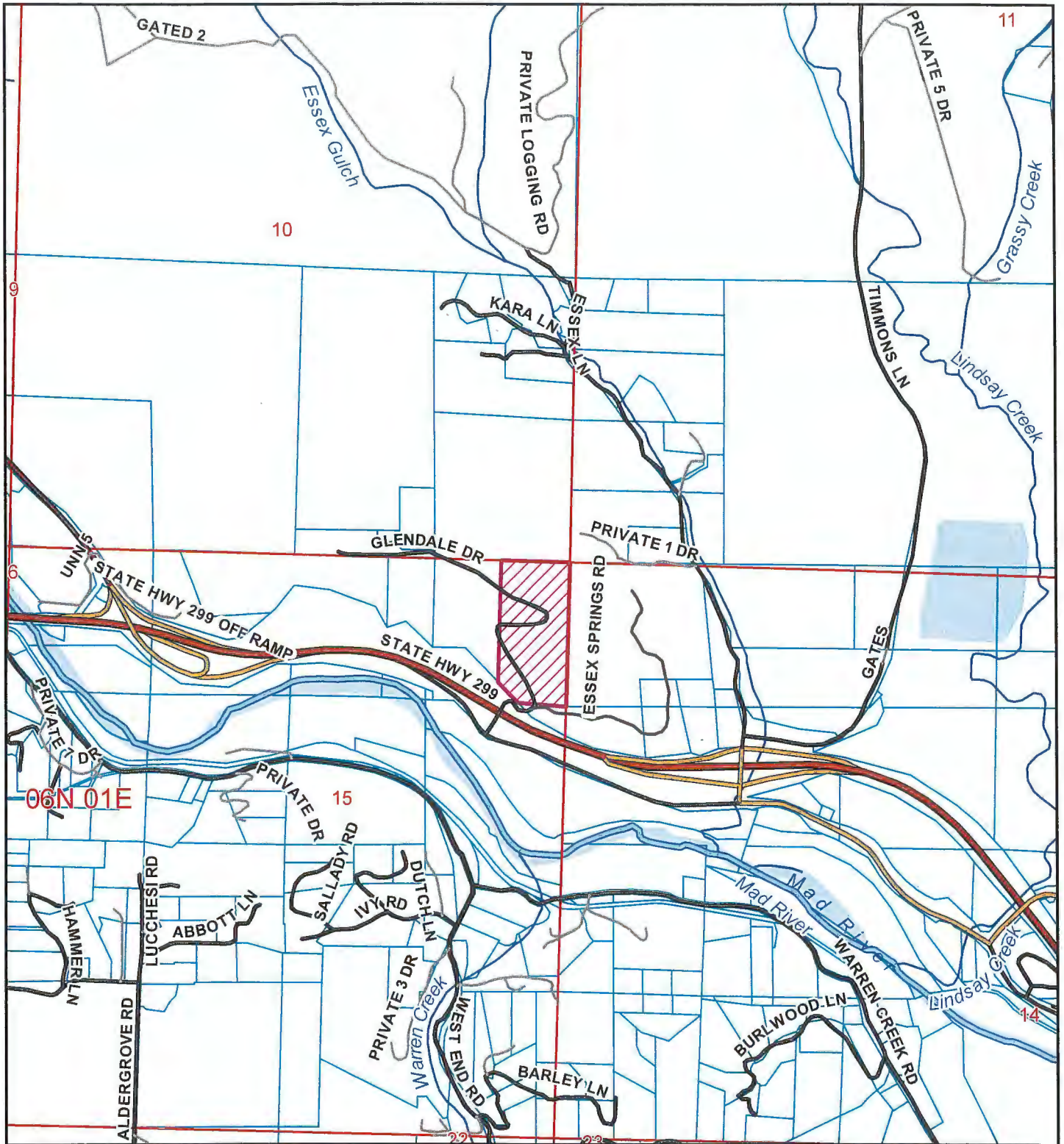
Adopted after review and consideration of all the evidence on May 7, 2020.

The motion was made by Commissioner \_\_\_\_ and seconded by Commissioner \_\_\_\_.

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSTAIN:       Commissioners:  
ABSENT:        Commissioners:  
DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
John H. Ford  
Director, Planning and Building Department



**LOCATION MAP**

**PROPOSED PARKINSON  
PARCEL MAP SUBDIVISION  
FIELDBROOK AREA**

**PLN-2019-15667**

**APN: 504-161-001**

**T06N R01E S15 HB&M (Arcata North)**

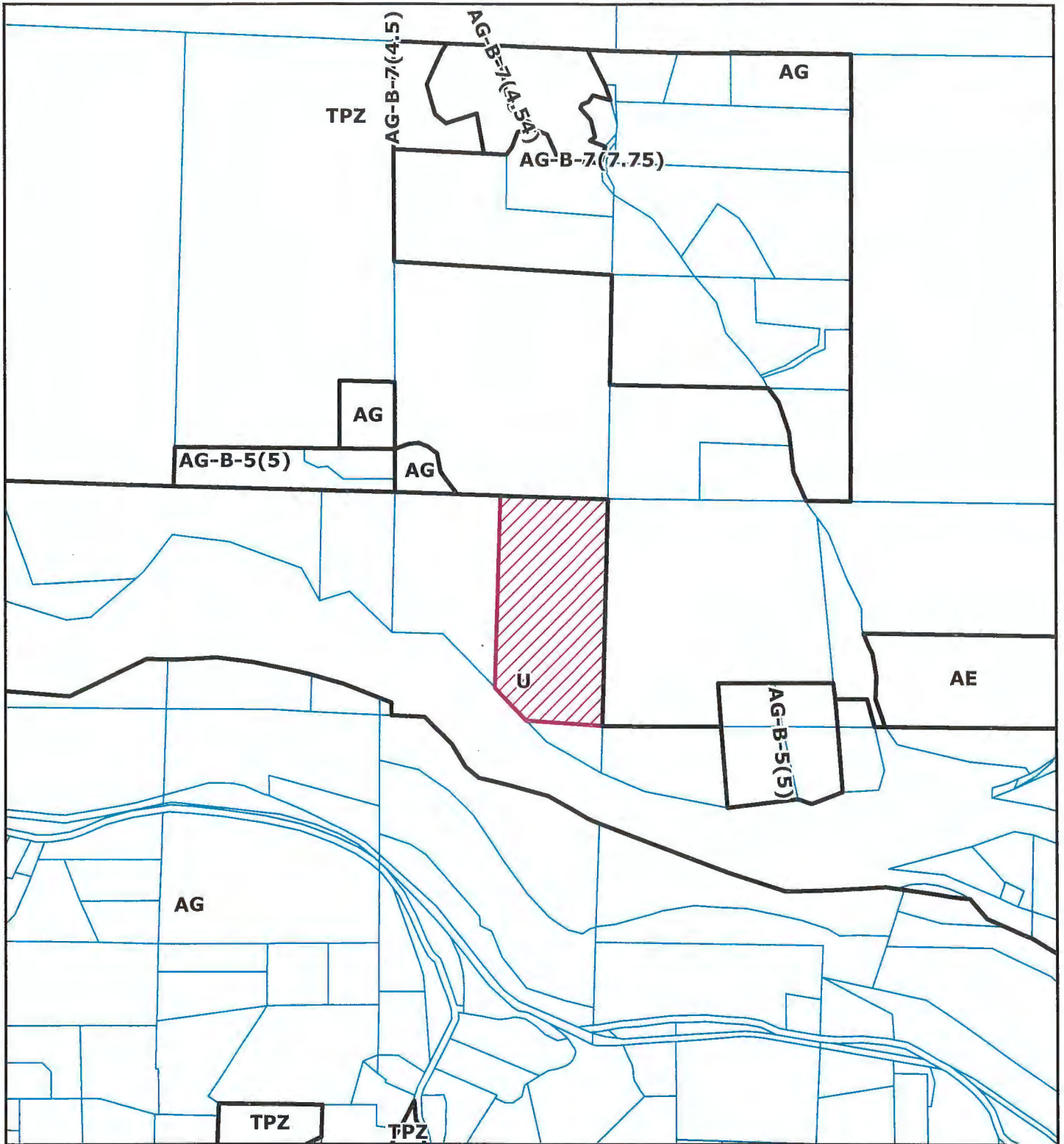
Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 500 1,000 1,500  
Feet





**ZONING MAP**


**PROPOSED PARKINSON  
 PARCEL MAP SUBDIVISION  
 FIELDBROOK AREA  
 PLN-2019-15667  
 APN: 504-161-001**

**T06N R01E S15 HB&M (Arcata North)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

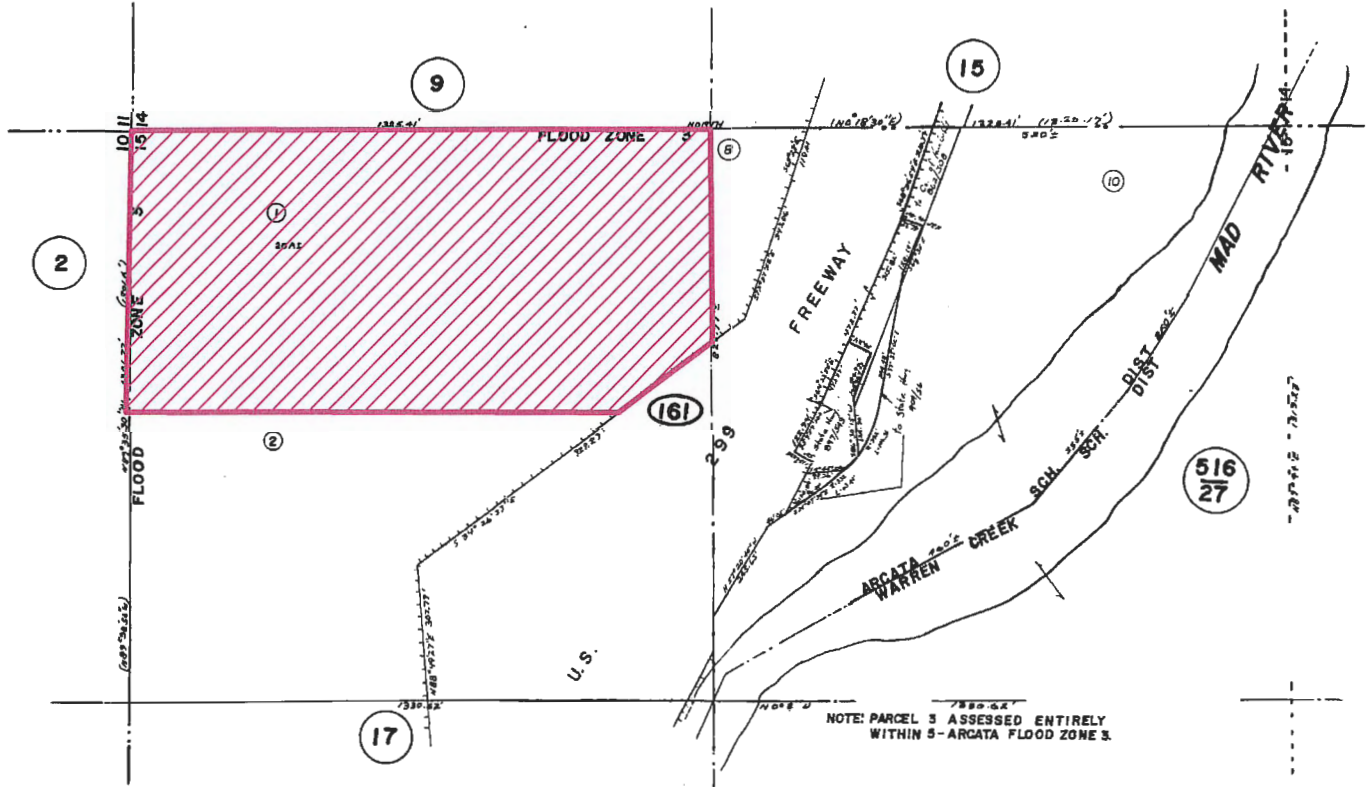
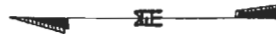


0 250 500 750 1,000  
 Feet

E 1/2 OF NE 1/4 SEC 15, 6N 1E

504-16  
T.C.A. 53-006  
1" = 200'  
LS 11-122

LS19P34



**ASSESSOR PARCEL MAP  
PROPOSED PARKINSON  
PARCEL MAP SUBDIVISION  
FIELDBROOK AREA**

Project Area = 

**PLN-2019-15667  
APN: 504-161-001  
T06N R01E S15 HB&M (Arcata North)**

MAP NOT TO SCALE

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



**AERIAL MAP**

**PROPOSED PARKINSON  
PARCEL MAP SUBDIVISION  
FIELDBROOK AREA**

**PLN-2019-15667**

**APN: 504-161-001**

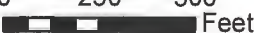
**T06N R01E S15 HB&M (Arcata North)**

Project Area = 

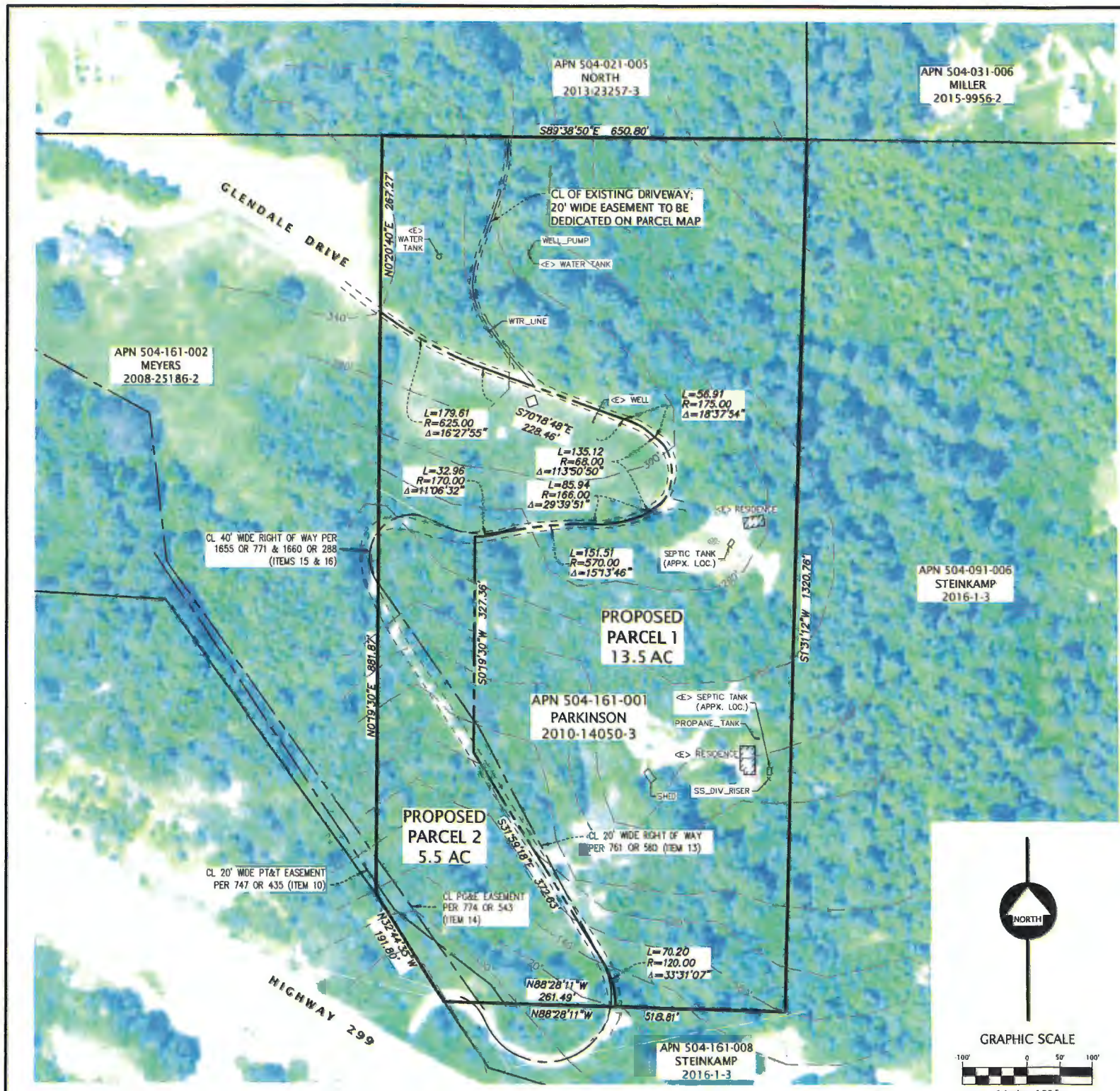
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 500  
Feet

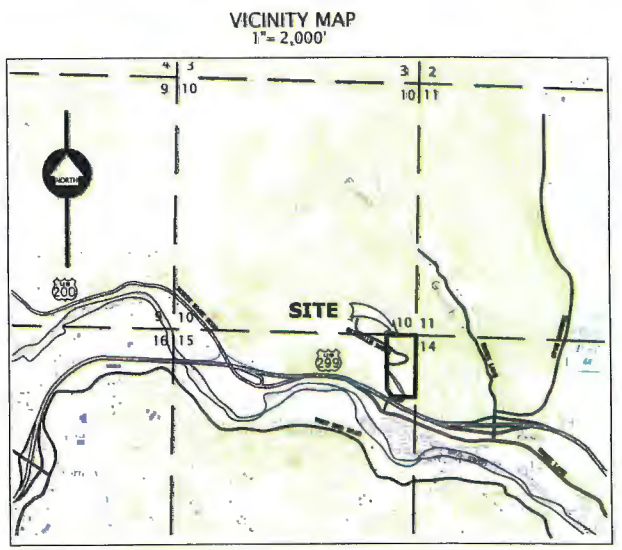






**PROJECT NOTES**

- 1) The map illustrates a proposed subdivision of APN 504-161-001 into 2 parcels. The subdivision of the approximately 19 acre parcel will result in proposed Parcel 1 of approximately 13.5 acres and proposed Parcel 2 of 5.5 acres (exact acreage of Parcel 1 depends on additional survey of the east line of Section 15. Proposed Parcel 1 is developed with 2 single family residences. Proposed Parcel 2 is currently vacant. Access to the proposed vacant parcel is via the existing roadway, shown on maps as Dayton Murray Road, Essex Gulch Road, and Glendale Drive. Parcels on this road have Glendale Drive addresses. No trees are proposed to be removed. No grading is proposed.
- 2) The parcel is zoned *Unclassified* and has a General Plan Designation of *Residential Agriculture 5-20 (RA5-20)* in the Fieldbrook Glendale Community Plan. Adjacent properties to the west are similarly zoned and planned. Adjacent parcels to the east are zoned *Unclassified* and *TPZ*. Adjacent parcels to the north are zoned *Agriculture* and *TPZ*. Adjacent parcels to the south (on the south side of Highway 299) are zoned *Agriculture*.
- 3) The property is shown on official maps as Zone D or Zone X, areas of minimal flooding (FIRM Community Panel No. 06023C 0695F). No hazardous areas, historic buildings, or archaeological sites are known to exist on or immediately adjacent to the property.
- 4) Boundary lines and existing easements of record are based on a Preliminary Title Report prepared by Fidelity National Title Company, Order No. FFHO-FTO181155H-PG, dated 5/10/2019. Boundary lines are based on ties to monuments shown on Book 40 of Surveys, Page 9 along the west line of the subject parcel. *All easements of record are shown on this Tentative Map and will appear on the recorded subdivision map.*
- 5) Topography is shown at 20 foot intervals based on contours taken from the USGS Quad map "Arcata North."
- 6) The parcels are/will utilize on-site water and waste water. Soils testing has been performed by SHN Engineering & Geologists per report dated 6/19/2019. See Figure 2 for test pit locations and Figure 3 for proposed primary and reserve field locations. Both current residences utilize solar facilities for electricity.
- 7) Roadway easements will be dedicated on the final Parcel Map. A 40 foot wide easement will be dedicated over Glendale Drive through the length of the parcel; a 20 foot wide easement will be dedicated for the existing access road to the North parcel.
- 8) An Exception Request for the undercrossing of Glendale Drive under Highway 299 has been granted by CDF for this project.



**PARCEL INFORMATION**

Current Parcel Area:	19.03 ± Acres 828,965 Square Feet
Proposed Parcel One Area:	13.53 ± Acres 589,385 Square Feet
Proposed Parcel Two Area:	5.50 ± Acres 239,580 Square Feet

**PROJECT DATA**

Owner / Applicant: Linda Parkinson  
 APN: 504-161-001  
 Mailing Address: 55 Glendale Drive, McKinleyville, CA 95519

Applicant: 55 Glendale Drive, McKinleyville, CA. 95519  
 Mailing Address: Mckinleyville, CA. 95519  
 Phone: 707-362-7484  
 Agent: Michael Pulley, Points West Surveying

Mailing Address: 5201 Carlson Park Drive, Suite 3, Arcata, CA. 95521  
 Phone: 707-840-9510  
 Fax: 707-840-9542  
 Email: Pulley@PointsWestSurveying.com

Zoning: RA5-20  
 Residential Agriculture  
 5 acre min. lot size

Building Setbacks: Front: 25'  
 Side: 10'  
 Rear: 20'  
 Accessory: 5'

**EASEMENT NOTES**

- Easements and encumbrances of record per the Preliminary Title Report listed in Project Note 4 are as follows:
- Item 3: Easement for a railroad granted to Humboldt Bay and Trinidad Logging and Lumber Company per 48 Deeds 321  
 LOCATION: Adjacent to old County Road, said road does not fall upon subject parcel
  - Item 4: Rights of public to use the old County Road across the southerly portion of property per 48 Deeds 321  
 LOCATION: Old County Road does not fall on subject parcel
  - Item 5: Easement for right to divert and take waters from Mad River for conveyance to City of Eureka per 71 Deeds 457  
 LOCATION: Subject property does not abut Mad River
  - Item 6: Easement for 20 foot wide right of way granted to McCloskey & Kane per 129 Deeds 177  
 LOCATION: Not specified
  - Item 7: Easement for 20 foot right of way granted to McCloskey per 166 Deeds 219  
 LOCATION: Not specified
  - Item 8: Easement for 20 foot wide right of way for ingress, egress and public utilities granted to Pacific Telephone & Telegraph per 77 OR 309  
 LOCATION: "Centerline as surveyed as staked", not otherwise specified
  - Item 9: Easement for 20 foot wide right of way for ingress, egress and public utilities granted to Pacific Telephone & Telegraph per 114 OR 535  
 LOCATION: "Centerline as surveyed as staked", not otherwise specified
  - Item 10: Easement for 20 foot wide right of way for ingress, egress and public utilities granted to Pacific Telephone & Telegraph per 747 OR 435  
 LOCATION: Southwest corner of subject property, shown hereon
  - Item 13: Easement for 20 foot wide right of way granted to McCloskey & Murray per 761 OR 580  
 LOCATION: Southerly portion of existing road, shown hereon
  - Item 14: Easement for right of way for electric pole line granted to Pacific Gas & Electric per 774 OR 543  
 LOCATION: Southwest corner of subject property, shown hereon
  - Item 15: Easement for 40 wide right of way for ingress, egress and public utilities granted to Baccelli per 1655 OR 771  
 LOCATION: Adjacent Meyers parcel, beneficial easement
  - Item 16: Easement for 40 foot wide right of way for ingress, egress and public utilities granted to Parkinson per 1660 OR 288  
 LOCATION: Adjacent Meyers parcel, beneficial easement



**SURVEYOR'S STATEMENT**

This map was prepared by me, or under my direction, and is based upon a field survey.

SIGNED: *[Signature]*  
 DATED: 6/24/2019

Michael D. Pulley  
 L.S. No. 7793  
 Expiration: 12/31/2019



**APN 504-161-001 TENTATIVE MAP**  
 for  
**LINDA PARKINSON**  
 NE 1/4 SECTION 15, T6N, R1E,  
 HUMBOLDT MERIDIAN

IN THE UNINCORPORATED AREA OF GLENDALE,  
 HUMBOLDT COUNTY, STATE OF CALIFORNIA  
 JUNE 2019

SCALE: 1" = 100' SHEET 1 OF 1



## Attachment 1

### Conditions of Approval for the Parkinson Parcel Map Subdivision

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

#### Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral dated August 16, 2019 included herein as Exhibit A shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval.
4. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$100.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
5. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:
  - A. Mapping
    - (1) Topography of the land in 10-foot contour intervals;
    - (2) Details showing conformance with provisions of the County's Fire Safe Regulations (Section 3111-1 et seq. H.C.C.), including but not limited to:
      - a. Road and driveway access standards including emergency access road (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
      - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
      - c. Emergency water standards (i.e., placement of fire hydrants, 2,500 gallon individual emergency water supply, etc.)
      - d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

- (3) The location of all necessary easements, including water line and other utility easements as necessary;
- (4) Four (4) off-street parking spaces on both parcels consistent with Section 314-109.1 Humboldt County Code;
- (5) Location of forested buffer and fire break along the northerly and easterly property lines.

B. Notes to be placed on the Development Plan:

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

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

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

- (2) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(2) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (3) "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."

- (4) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 4:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan."
  - (5) "Any brush clearing or tree removal must be conducted outside of the bird breeding season (March 1 – August 15) in order to avoid a "take" as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 *et seq.*). If any brush or trees must be removed within the breeding season, the Project proponent shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests."
  - (6) "Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Exhibit A to Attachment 1 for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.2 of the above-mentioned Subdivision Requirements."
  - (7) "The property owner is responsible for the establishment and maintenance of a forested buffer and shaded fire break along the northern and eastern boundaries of Parcel 1 consistent with the plan for fuel treatment developed in consultation with Calfire for the life of the development."
  - (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
6. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$424.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map
  7. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,456.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2020 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](http://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 \$2,406.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.*
  8. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission and/or Board decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

9. Unless subdivision improvements in Attachment 1, Exhibit A, are completed or a Subdivision Agreement is entered into prior to filing of the Parcel Map, a Notice of Subdivision Improvement Requirements shall be recorded for the subdivision pursuant to Government Code Section 66411.1. The Notice shall be on forms provided by the Planning Division and all applicable recording fees shall apply.
10. The property lies adjacent to lands zoned Timberland Production Zone 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 northern and eastern parcel boundaries 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

**Informational Notes:**

1. To reduce costs the applicant is encouraged to bring in written evidence\* of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division. 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. Copies of all required forms and written instructions are included in the final approval packet.

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

Assessor's Parcel No. \_\_\_\_\_, Exhibit "A", Condition \_\_\_\_\_  
(Specify) (Specify)

2. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

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

**ATTACHMENT 1 – EXHIBIT A**  
**PUBLIC WORKS SUBDIVISION REQUIREMENTS**

EXHIBIT A



DEPARTMENT OF PUBLIC WORKS  
**C O U N T Y O F H U M B O L D T**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ON-LINE	PUBLIC WORKS BUILDING				CLARK COMPLEX
WEB: CO.HUMBOLDT.CA.US	SECOND & L ST., EUREKA				HARRIS & H ST., EUREKA
	FAX 445-7409				FAX 445-7388
	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741	LAND USE
	BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540	445-7205
	ENGINEERING	445-7377	PARKS	445-7651	
	FACILITY MANAGEMENT	445-7493	ROADS	445-7421	

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

**TO:** Trevor Estlow, Senior Planner

**FROM:** Robert W. Bronkall, Deputy Director *RB*

**RE:** SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE  
PARKINSON, APPLICATION # PLN-2019-15667, APN 504-161-001, FOR  
APPROVAL OF A TENTATIVE MAP, CONSISTING OF 19 ACRES INTO 2  
PARCELS

**DATE:** 08/16/2019

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*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 Points West Surveying Co. dated June 2019, and dated as received by the Humboldt County Planning Division on June 24, 2019.**

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 PROOF OF LEGAL ACCESS:** Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 40 feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance]
- 1.5 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.6 FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.
- 1.7 PRIVATE ROADS:** Pursuant to County Code Section 324-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 324-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:



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

(a) **PRIVATE ROAD:** (Glendale Drive - Non-County maintained 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 within the subdivision in a manner approved by this Department. The easement shall be 40 feet in width.

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 within the subdivision and shall be dedicated in manner, width, and location as approved by this Department.

(b) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

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

**1.8 LINES OF OCCUPATION:** Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.

**2.0 IMPROVEMENTS**

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

- (a) Pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation.
- (b) Street name signs shall be provided at all road intersections. In State Responsibility Areas, street name signs shall also comply with County Code Section 3113-11.

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

Due to the street naming discrepancies, the applicant shall provide Public Works with a map from the Planning & Building Department showing the official names of the roads. [Reference: Subdivision Ordinance Appendix Section 6-1; County Code Section 442-9 and 422-10]

- (c) Within the subdivision, fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with County Code Section 3114-5.
- (d) A "Dead End" sign shall be installed on the south side of the tunnel on Glendale Drive.

**2.2 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION:** When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- (a) The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*. The subdivision improvements shall be completed prior to issuance of an occupancy permit, or within twenty-four months of the date that the building permit was issued.
- (b) The following note shall be placed on the development plan:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* are shown on the improvement plans prepared by \_\_\_\_\_, dated \_\_\_\_\_, and are signed as approved by the County on \_\_\_\_\_. Contact the Land Use Division of the Department of Public Works for details."

### 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

<NONE>

### 5.0 MAINTENANCE

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

Based upon the tentative map, it appears that the following non-county maintained road, known as Glendale Drive, will need to be maintained by a maintenance plan.

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 2

### Staff Analysis of the Evidence Supporting the Required Findings

To approve this project, the Planning Commission must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

A. *Subdivision Required Findings:*

1. That the proposed subdivision together with the provisions for its design and improvement is consistent with the County's General Plan, Open Space Plan, and Open Space Action Program.
2. That the tentative subdivision map conforms to the requirements and standards of the County's subdivision regulations.
3. That the proposed subdivision conforms to all requirements of the County's zoning regulations.
4. The proposed subdivision is not likely to cause substantial environmental damage.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:
  - a. The project is either categorically or statutorily exempt; or
  - b. There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
  - c. An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

**Staff Analysis:**

**A.1. General Plan Consistency:** The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt County General Plan.

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Designations Section 4.8	Residential Agriculture (RA) Applies to large lot residential uses that typically rely upon on-site water and wastewater systems Density: one unit per 5-20 acres.	The project consists of a subdivision of the approximately 19-acre parcel into two parcels of 13.5 acres (Parcel 1) and 5.5 acres (Parcel 2). The parcel is currently developed with a single-family residence and detached Accessory Dwelling Unit (ADU) that will remain of proposed Parcel 1. The parcels will be served with on-site water and on-site wastewater treatment systems. Single-family residential development is principally permitted under the RA land use designation.
Land Use Chapter 4  Rural Lands Subdivision Standards	Rural subdivision standards contained in this Chapter require adequate water for domestic use, adequate sewage disposal capability, adequate building site free from hazards and adequate recorded access to a publicly maintained road. Standard RL-S4.	The applicant has submitted well testing information from the existing wells which were reviewed by the Division of Environmental Health and found that each parcel will have adequate water availability. In addition, on-site sewage disposal designs for both resultant parcels were submitted. This information was also reviewed by the Division of Environmental Health they recommended approval of the on-site sewage disposal plans. A Soils Report was submitted to demonstrate an adequate building site for proposed Parcel 2. The Building Division reviewed and approved this Soils Report. The parcel is accessed by Glendale Drive, a private road that becomes a County Road after it passes under State Highway 299.
Land Use Chapter 4  Forestland-Residential Interface (FRI)	Forestland-Residential Interface standards contained in this Chapter require adequate forested buffers between residential lands and industrial timberlands as well as the establishment of fire breaks and open space adjacent to forestlands. Standard FR-S2	The northern and eastern property lines border lands zoned Timberland Production Zone (TPZ) and the parcel is within a high fire hazard severity zone. The subdivision will be required to maintain an adequate forested buffer and fire break consistent with recommendations from Calfire. This will be included in the Development Plan such that future owners are aware of the requirement to provide this feature and maintain it.

<p>Safety Element Chapter 14</p> <p>Geologic and Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The subject property is located within an area of high geologic instability (Humboldt County General Plan Geology, General Plan Map) and is not within the Alquist-Priolo Fault Hazard Zone. An R-1 Engineering Geologic and Soils Report was prepared by SHN Engineers and Geologists. The Building Division reviewed the report and found that an adequate building site exists on proposed Parcel 2.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>According to FIRM Panel 695, the property is outside of the 100-year flood zone. The property is located at approximately 300 feet in elevation and is not subject to tsunami run-up hazards or levee or dam inundation.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. The property is also within the Arcata Fire Protection District, who provides structural fire protection as well as responding to medical emergencies. Both agencies recommended approval of the project.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation</p>	<p>The project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. The NWIC recommended a cultural resource study and consultation with the local Tribes. Upon further consultation with the Blue Lake Rancheria and the Wiyot Tribe, it was recommended that the project be approved with no further study provided a note regarding inadvertent discovery is included in the recorded Development Plan. This is included in the Conditions of Approval.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>There are no mapped watercourses on the subject property. The California Natural Diversity Database indicates that the parcel is potential habitat for the bank swallow. The project was referred to the California Department of Fish and Wildlife and they did not respond with any concerns.</p>

**A.2. Subdivision Regulations:** The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.).

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The subdivision will divide the parcel, siting the two residences on one parcel and creating a vacant parcel suitable for development. Evidence submitted by the applicant, staff site inspections and referral agency comments indicate that the proposed lots will be suitable for residential use.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	<p>The parcel is accessed by Glendale Drive, a private road with a 40-foot right of way. The road begins just south of State Highway 299 and then travels through a tunnel under the highway. An exception request has been submitted and approved by Cal Fire to allow an exception to the road width. The applicant also submitted a 325-9 exception to the Department of Public Works, and they can support the exception to the road width (Attachment 5).</p> <p>Due to the size of the parcel, a preliminary drainage study was not required as the parcels are already developed and can accommodate stormwater runoff on-site. The Department of Public Works has provided Subdivision Requirements that require a complete hydraulic and drainage report.</p>
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Both parcels will be served with existing wells. Both parcels will be served by on-site wastewater treatment systems. The County Division of Environmental Health (DEH) has reviewed the well logs and sewage disposal plans and recommended approval of the project (Attachment 5).
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way unless an exception is granted.	See above.



Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Government Code § 66411.1 Improvement Timing	Unless the subdivider voluntarily enters into an agreement with the County establishing the timing of the work, fulfillment of reasonable on- and off-site construction requirements are deferred until issuance of a permit or other grant for development of the created lot, except where found to be necessary for the public health and safety or for orderly development of the surrounding area. If not completed prior to parcel map recordation or under agreement with the County, a Notice of deferred construction of subdivision improvements shall be filed concurrently with the parcel map.	Section 2.2 of the Public Works Subdivision Requirements (Attachment 1, Exhibit A), provides options for the subdivider should they enter into a Subdivision Agreement or not.
Structural Fire Protection Government Code § 66474.02	Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.	The site of the proposed subdivision is in the State Responsibility Area (SRA) for fire protection, within an area of high fire hazard severity. The site is also within the Arcata Fire Protection District, who provide structural fire protection and suppression services to the area, consistent with the standards for eligibility entities found in §66474.02(a)(2)(A) of the Government Code. With the exception granted by Calfire addressing the road width, the project complies with the standards found within the local Fire Safe Regulations (FSR).

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
314-17.1.5 and 322-3.1 Housing Element Densities	<p>The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.</p>	<p>The project will divide the parcel to create a vacant parcel suitable for residential development. Although this parcel was not utilized by the Department of Housing and Community Development in determining compliance with housing element law, the project will provide an additional dwelling unit to the County's housing stock. Therefore, the project is consistent with this requirement.</p>

Further, pursuant to H.C.C. Section 325-9, in order to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
That there are special circumstances or conditions affecting said property.	As stated in the applicant's request for exception, the existing road travels through a 14.5-foot wide arched tunnel under State Highway 299. The exception would allow for division of the parcel such that (1) an additional parcel can be created, and (2) the build out promoted by the Plan and Zoning may be achieved.
That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.	This parcel is currently planned and zoned to support a subdivision. Calfire has granted an exception to the road width due to the fact that modifying the tunnel is unfeasible and unreasonably expensive. The proposed subdivision will result in two parcels consistent with the General Plan and the Unclassified zoning.
That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the subject property is located.	There is no indication that the development of the surrounding lands will be adversely impacted by this exception. All referral agencies have recommended approval of the subdivision.

**A.3. Zoning Compliance and Development Standards:** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Unclassified (U) §314-8.1	Single family dwellings and general agriculture are principally permitted uses.	The project consists of a subdivision of the approximately 19-acre parcel into two parcels of 13.5 acres (Parcel 1) and 5.5 acres (Parcel 2). The parcel is currently developed with a single-family residence and detached Accessory Dwelling Unit (ADU) that will remain of proposed Parcel 1. The parcels will be served with on-site water and on-site wastewater treatment systems. Single-family residential development is principally permitted under the Unclassified zone classification.
<b>Development Standards</b>		
Minimum Parcel Size:	6,000 square feet	Parcel 1: 13.5 acres Parcel 2: 5.5 acres
Minimum Yard Setbacks per Zoning: SRA Setbacks apply	Front: 30' Side: 30' Rear: 30'	Existing development complies. Setbacks for future development will be required to meet standards at time of Building Permit.
Maximum Ground Coverage	35%	Existing development complies. Lot coverage for future development will be required to meet standards at time of Building Permit.
Maximum Structure Height	35 feet	Existing development complies. Height limits for future development will be required to meet standards at time of Building Permit.

**A.4. Public Health, Safety and Welfare:**

The project will not be detrimental to the public health, safety and welfare nor will it be materially injurious to properties or improvements in the area because:	Evidence supporting the finding:
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 4 - Agency Recommendations
The proposed project is consistent with the general plan.	See previous discussion
The proposed project is consistent with the zoning.	See previous discussion
The proposed project will not cause environmental damage.	See following discussion

**A.5. Impact on Residential Density Target:** See discussion under Section 2 above.

**A.6. Environmental Impact:**

As required by the California Environmental Quality Act, the initial study conducted by the Planning and Building Department, Planning Division (Attachment 4) evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.

**Because the project was found subject to CEQA and a Mitigated Negative Declaration was prepared, the provisions of Section 711.4 of the California Fish and Game Code apply to this project.** The applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,456.75. [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 the \$50 document handling fee. This fee is effective through December 31, 2020 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Wildlife Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at [www.dfg.ca.gov](http://www.dfg.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 \$2,406.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required. This requirement appears as Condition #7 of Attachment 1.

### ATTACHMENT 3

#### Applicants' Evidence In Support of the Required Findings

Document	Date Received by Planning	Location
Tentative Subdivision Map	June 24, 2019	Attached
Application Form	June 24, 2019	On file with Planning
Current Deed	June 24, 2019	On file with Planning
Preliminary Title Report	June 24, 2019	On file with Planning
R-1 Soils Report	September 11, 2019	On file with Planning
Calfire Exception Request for Road Width	June 24, 2019	Attached
325-9 Exception Request for Road Width	January 27, 2020	Attached
On-Site Sewage Disposal Calculations	June 24, 2019	On file with Planning
Well Log Completion Report	June 24, 2019	On file with Planning



COUNTY OF HUMBOLDT  
 PLANNING AND BUILDING DEPARTMENT  
 CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501 Fax: (707) 268-3792 Phone: (707) 445-7541  
<http://www.co.humboldt.ca.us/planning/>

Date: 1/31/18  
 To: CAL FIRE  
 Attn: Chris Ramey, 118 S. Fortuna Blvd., Fortuna CA 95540  
 From: Trevor Estlow, [teslow@co.humboldt.ca.us](mailto:teslow@co.humboldt.ca.us)  
 Subject: Exception Request from Humboldt County Fire Safe Regulation

Section(s): 3111-8

APN: 504-161-001

Property Owners Name: Linda Parkinson

Situs Address: 55 Glendale Dr., McKinleyville, CA 95519

Building Permit Application Number: (if applicable) N/A

Enclosed please find a request for an exception to the Humboldt County Fire Safe Regulations. Please review this request and contact **Trevor Estlow** of this office with your agency's decision.

ATTACHMENTS:

- Exception Request Form
- SRA Standard Exception for Small Parcels with Fuel Modification Mitigations Checklist
- January 1, 2004 letter from CAL FIRE Re: Project Review Input Basic to All Development Projects
- Plot Plan
- Other: \_\_\_\_\_

*Staff Use Only*

Receipt # C9632 (\$100.00 fee) Date Accepted: 1/30/18 By: TE Date Mailed to CDF: 3/1/18  
 Zoning: U Standard Setbacks: 30 Front; 30 Rear; 30 Side  
 Date Parcel Created: 1960 Approximate Size of Parcel in Acres: 20

**Packet MUST contain all 10 pages to be considered complete**

PROPERTY OWNER: Linda Parkinson APN: 504-161-001

EXCEPTION REQUEST FORM

Humboldt County Fire Safe Regulations

Exceptions to standards within the Humboldt County Fire Safe Regulations and mitigated practices will be allowed by the County where it can be shown that the exception provides the same overall practical effect as these regulations towards providing defensible space<sup>1</sup> (Section 3111-8 Humboldt County Code).

1. This request is for an exception from Section(s) 3112-3 of the Humboldt County Fire Safe Regulations which requires (briefly describe standard or practice (e.g. 30 foot building setback)). Road Category 4 road.

2. This request will provide the same overall practical effect as the Fire Safe Regulations towards defensible space because (specify the material facts that support the granting of the exception) See attached

(Attach additional sheet(s) if necessary)

3. The following specific mitigation measures are proposed as part of this exception request (list any measure(s) to be used to meet the intent of the fire safe standard or practice (e.g. use of fire resistive building construction (Class A Roof, etc.) to achieve equivalent of a 30 foot building setback)) See attached

4. Attached is a plot plan showing the proposed location and sitting of the exception and / or mitigation measures described above.

<sup>1</sup> Defensible Space is defined as the area within the perimeter of the parcel where basic wild land fire protection practices are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter used is the area encompassing the parcel excluding the physical structure itself. The establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification and fuel modification measures characterize the area.

Exemption Request Form, Continued....

2. The proposed parcel currently has no existing structures, except 2 older 3 sided horse sheds, which will probably be removed prior to any potential construction. There are very few large trees in the primary potential building site. Only 6 redwood & fir at the north property line & 3 cedar trees on the south east. All will be pruned up the required 6' from ground level. The field is currently overgrown with blackberries, grasses, heather & coyote bush. All flammable vegetation will be removed & maintained annually.

3. There are currently 8 parcels/homes on Dayton Murray Rd., plus 3 on Essex Springs Rd., all served by the tunnel at Glendale Dr. This subdivision is a potential 5 acre, single residence parcel. It currently has no development and any new structures will follow all new building and construction standards, following all local and state building codes.

This proposed minor subdivision is consistent with planned growth for the area, and was recently approved by the General Plan revisions. The proposed parcel gains access via Dayton Murray Rd. There are currently 11 parcels/residences being served via this road and the tunnel under US Rt. 299 at Glendale Dr. The paved & unpaved sections of the road have varying widths of 16-20 ft., with an easement of 20-50 ft., depending on topography. The tunnel is large enough to allow passage of large logging trucks and delivery trucks without any problems. The tunnel is the only pinch point in access to these properties. All the existing properties are within the Arcata Fire Protection District and pay Arcata Fire Taxes.



# SRA Standard Exception for Small Parcels

PROPERTY OWNER: Linda Parkinson APN: 504-161-001

## CHECKLIST FOR PROVIDING FUEL MODIFICATION MITIGATION ON SMALL PARCELS EXISTING PRIOR TO JANUARY 1, 1992, TITLE III, DIV. 11, CHAPTER 5 SECTION 115-2(B)(3)

Note: If you cannot meet the Fire safe 30' setback requirement and your parcel is less than one (1) acre in size (and created prior to January 1, 1992), then you can agree to meet the following fuel modification and building construction standard. Your compliance with these standards will achieve the same practical effect as a 30' setback.

Parcel is conditioned to initially provide, and annually maintain the following Fuel Modification and Building Construction Mitigations.

### FUEL MODIFICATION:

1. Remove flammable vegetation: See page 4 of this exemption for list.
2. Mow grasses to less than six inches tall within 30 feet of any structure.
3. Cut off limbs of remaining large trees up from ground level at least six feet; and cut those within 10 feet of a structure.
4. Thin small trees so that outer branches are no closer than 10 feet from the next tree's branches.
5. Plant or cultivate only lawns and / or succulents and / or herbaceous perennials and / or plants not on the very flammable vegetation list.
6. Irrigate to maintain the parcel's allowed vegetation green and healthy; or remove them.
7. Remove dead vegetation accumulations; and flammable natural debris; and flammable man-made storage items and debris.

### BUILDING CONSTRUCTION:

1. Class A Roofing
2. Firebrand resistant siding: no shakes, shingles or other material that provides cracks for capturing burning embers or that will produce firebrands. Use of at least Class B roof assemblies as siding is suggested where this style is demanded. Chapter 43 UBC CA Amended Volume 1 – one hour rated wall standard meets the intent fully, but is not specifically required.
3. Eaves, balconies, unenclosed roofs and floors, exposed support members used in stilt / cantilevered designs, and other similar structures are either one-hour rated (Chapter 43 UBC CA Amended Volume 1) on the exposed undersides and support members; or skirt protected from firebrand exposure and capture; or heavier timber construction. No flammable material storage (firewood, etc.) is to be allowed under or within 30 feet.

#### Exception:

- a. Cantilevered Decks or balconies not exceeding six (6) feet in depth.
- b. Decks less than five (5) feet off the ground and built over slopes of less than ten (10) percent and less than 400 square feet in area.

Framing members for Heavier Timber Construction shall comply with the following dimensions:

Columns or posts shall not be less than six (6) inches in any dimension. Beams and girders shall be not less than six (6) inches in width and not less than eight (8) inches in depth. Joists shall be not less than four (4) inches in width. Flooring shall be not less than three (3) inches in thickness.

#### Exception:

Width of joist and thickness of flooring can be reduced to two (2) inches in dimension, provided joists are spaced no further than sixteen (16) inches on center.

---

I agree to meet all of the above FUEL MODIFICATION and BUILDING CONSTRUCTION STANDARDS:

Please sign here: Linda Parkinson Date: 2/22/18

# FUEL MODIFICATION MITIGATIONS CHECKLIST

## HIGHLY FLAMMABLE PLANTS:

P = A Pterophyte Plant: The worst possible plant to allow in and around subdivisions.

GENUS SPECIES	COMMON NAME
<b>TREES:</b>	
Abies spp.	Fir
Acacia spp.	Acacia
Cedrus spp.	Cedar
Chamaecyparis spp. Except dwarf	Cypress, Cedar
Cupressocyparis spp.	Cypress
Cupressocyparis	Cypress
P Eucalyptus Cladocalyx	Sugar Gum
P Eucalyptus globules	Blue Gum
P Eucalyptus viminalis	Manna Gum
Larix spp.	Larch
Palms (if fronds left untrimmed)	Plum
Picea spp.	Spruce
P Pinus spp. (including Dwarf mugo)	Pine
Schinus spp.	Pepper Tree
Tamarix spp.	Tamarisk
Taxodium spp.	Bald Cypress
Taxus spp. Except dwarf	Yew
Thuja spp.	Arbor-Vitae
Tsuga spp.	Hemlock
<b>SHRUBS:</b>	
P Adenostoma fasciculatum	Chamis, Greasewood
P Adenostoma sparsifolium	Red Shank
Artemisia californica	California Sagebrush
P Baccharis pilularis consanguinea	Coyote Brush
Cytisus, Genista, Spartium	Brooms
Dodonaea Viscosa	Hopseed Bush
Erigonum spp.	Buckwheat
P Juniperus spp.	Juniper (bush/tree)
<b>GROUND COVERS:</b>	
P Baccharis spp. (when overgrown)	Coyote Bush
Hedera canariensis	Algerian Ivy
P Juniperus spp.	Juniper
<b>PERENNIALS:</b>	
Bamboo spp.	Bamboo
Coraderia selloana	Pampas Grass
Miscanthus spp.	Grasses
Muehlenbergia spp.	Deer Grasses
Pennisetum setaccum	Fountain Grasses
Salvia melilifera	Black Sage


**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

118 S. Fortuna Blvd  
 Fortuna, CA 95540  
 (707) 725-4413  
 Website: [www.fire.ca.gov](http://www.fire.ca.gov)



Ref: 7100 Planning  
 Date: March 29<sup>th</sup>, 2019

To: Humboldt County Planning and Building Department – Planning Division  
 3015 H Street  
 Eureka, CA 95501

**RE: BASIC PROJECT REVIEW INPUT ON ALL DEVELOPMENT PROJECTS**

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on all projects for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion  
 CALFIRE Humboldt – Del Norte Unit

For **Kurt McCray**, Unit Chief

**FIRE SAFE**
**General:**

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However, CAL FIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

**Local Responsibility Areas:**

Should this project include Local Responsibility Area (LRA) lands, CAL FIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CAL FIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

**State Responsibility Areas:**

Should this project include State Responsibility Area (SRA) lands, the following are CAL FIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance

provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.

2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
  - a) California Fire Code (CFC) — for overall design standards
  - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
  - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
  - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:
  - a) During the declared fire season CAL FIRE increases its preparedness level for the purpose of suppressing wildland fires in the SRA. Response to non-fire incidents in the SRA or to areas outside of the SRA are usually predetermined through Cooperative Fire Protection Agreements with the agency having fiscal responsibility for fire protection. When cooling weather, rain, and snow are sufficient to reduce the fire threat, CAL FIRE then reduces its preparedness level by reducing seasonal staff, and closing outlying stations.
  - b) It is not CAL FIRE's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code.
  - c) Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.
6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

## RESOURCE MANAGEMENT

CAL FIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CAL FIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

## CANNABIS PROJECTS

### **Local Responsibility Areas:**

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

### **State Responsibility Areas:**

Should this project include State Responsibility Area (SRA) lands, the following are CAL FIRE's minimum input.

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

### **General Recommendations:**

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health & Safety Code 11379.6 states that oil extraction with flammable or volatile solvents is prohibited within 300 feet of a residential occupancy. HSC 11362.769 Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with California Fire Code. Specifically, Chapter 38 Plant Processing and Extraction Facilities and Chapter 53 Compressed Gases.
4. All materials hazardous and non-hazardous associated with oil extraction and plant process shall be utilized in conformance Chapter 38 of the California Fire Code. Manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance.
5. Humboldt County Ordinance 55.4.11(u) (a) states; "Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise." Failure to shield artificial light during the night creates a light pollution that is easily mistaken for a fire. As a result, a CAL FIRE wildland fire response may be initiated and ultimately terminated as a false alarm. This false alarm may result in citation and/or fine to the violator.

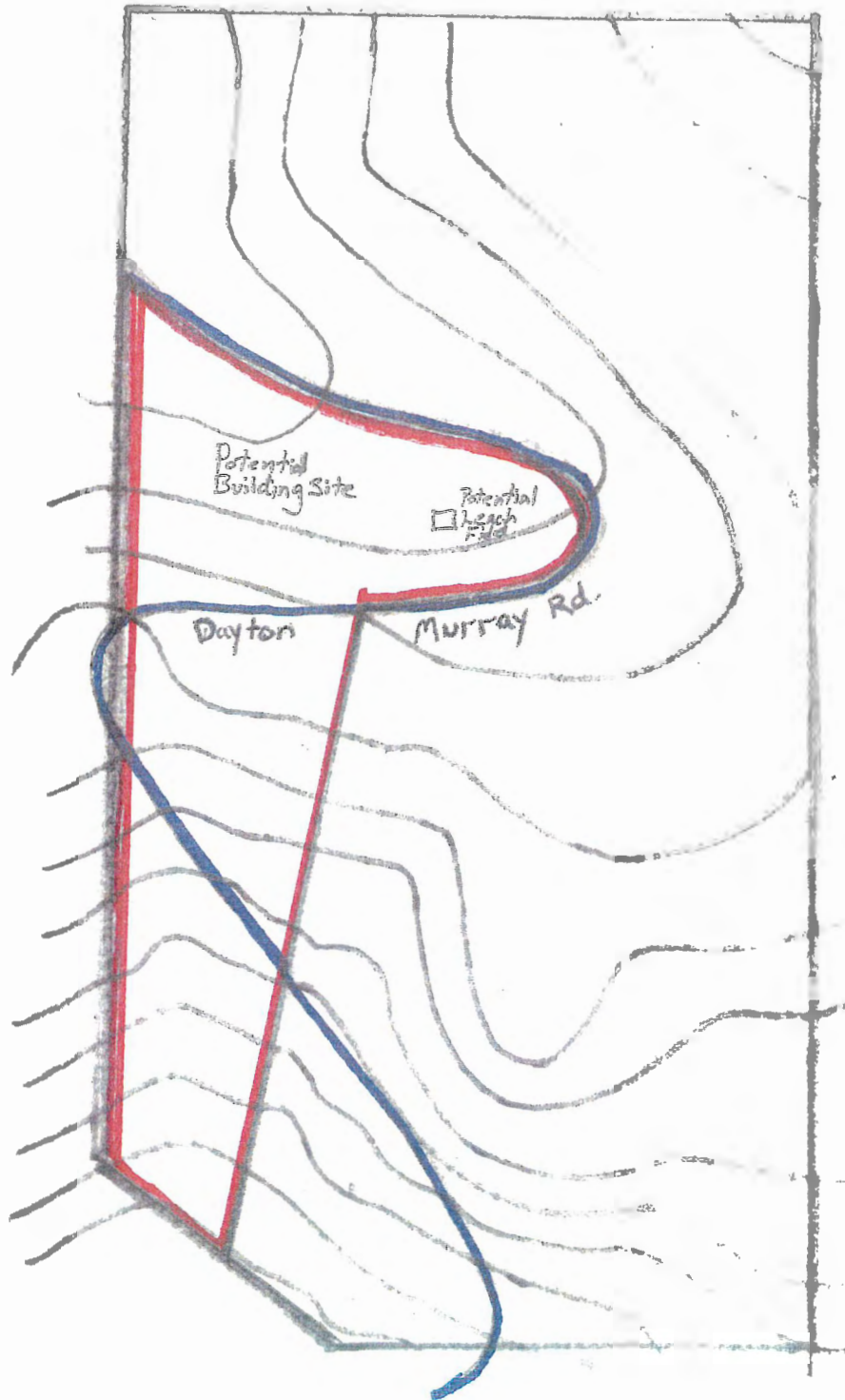
AP# 504-161-001

Linda Parkinson - Owner

55 Glendale Dr.

McKinleyville, CA 95519

 Proposed Subdivision





**POINTS WEST SURVEYING CO.**  
5201 Carlson Park Drive, Suite 3 Arcata, CA 95521

707.840.9510 Phone 707.840.9542 Fax

**David A. Crivelli**  
crivelli@pointswestsurveying.com

**Michael D. Pulley**  
pulley@pointswestsurveying.com

January 27, 2020

Trevor Estlow  
Planning Division  
3015 H St  
Eureka, CA 95501



Re: Petition for Exception Request to Required Road Width for Parkinson Minor Subdivision, APN 504-161-001

Dear Mr. Estlow

Pursuant to Humboldt County Code Section 325-9, I am requesting an exception to the road width requirements, as specified by Code Section 324-1(b), to allow the Applicant Linda Parkinson to pursue subdivision of her parcel without widening the portion of Glendale Drive located within a tunnel under California Highway 299. Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

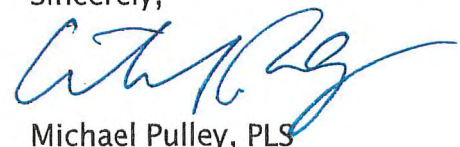
- 1) *That there are special circumstances or conditions affecting said property.*
- 2) *That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.*
- 3) *That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.*

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air and public health, safety, convenience and general welfare.

A portion of Glendale Drive approximately 200 feet long passes under California Highway 299 in a tunnel. A modification to this tunnel to allow widening of the road is unfeasible and unreasonably expensive. This is a special circumstance affecting this property and others on this portion of Glendale Drive. Cal Fire has already granted an Exception Request for this tunnel on this project, dated 3/30/2018.

The granting of this exception is necessary for the Applicant to realize the subdivision potential of her property. Since the project, as proposed, satisfies other requirements for land subdivision, granting this exception does not appear to provide special privileges unavailable to others. The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Sincerely,



Michael Pulley, PLS



**ATTACHMENT 4**

**Draft Initial Study and Mitigated Negative Declaration**

## **Project Information**

**Project Title:** Parkinson Parcel Map Subdivision

### **Lead Agency**

Humboldt County Planning and Building Department – Planning Division  
3015 H Street  
Eureka, CA 95501  
(707) 445-7541

### **Property Owners**

Linda Parkinson  
55 Glendale Drive  
McKinleyville, CA 95519

### **Project Applicant**

Same as owner

### **Project Location**

The project site is located in the Arcata area, on both sides of Glendale Drive, approximately 350 feet north from the intersection of Glendale Drive and Essex Springs Road, on the property known as 55 Glendale Drive.

### **General Plan Designation**

Residential Agriculture (RA); Humboldt County General Plan; density one unit per 5 – 20 acres.

### **Zoning**

Unclassified (U).

### **Project Description**

A Minor Subdivision of an approximately 19-acre parcel into two parcels of 5.5 acres and 13.5 acres. The parcel is currently developed with a single-family residence and detached Accessory Dwelling Unit that will remain on proposed Parcel 1. An exception to the State FireSafe Regulations has been requested and approved by Calfire to allow the subdivision to be served by a road that does not meet the Category 4 road width due to an existing tunnel under State Highway 299. The parcels will be served by on-site water (wells) and on-site wastewater treatment systems.

### **Baseline Conditions: Surrounding Land Uses and Setting**

The project site is located along Glendale Drive, just north of State Highway 299. It is in an area surrounded by larger timberland parcels and rural residential parcels.

**Other Public Agencies Whose Approval Is or May Be Required** (permits, financing approval, or participation agreement): Humboldt County Public Works Department, Division of Environmental Health, Building Division, Calfire, California Department of Fish and Wildlife.

**Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?** No. If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? n/a

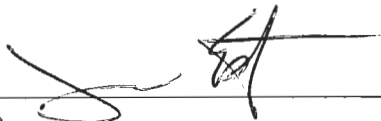
*Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*

**Environmental Factors Potentially Affected:** The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources       | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils                   | <input type="checkbox"/> Greenhouse Gas Emissions            | <input type="checkbox"/> Hazards/Hazardous Materials        |
| <input type="checkbox"/> Hydrology/Water Quality         | <input type="checkbox"/> Land Use/Planning                   | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population/Housing                  | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                      | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service               | <input type="checkbox"/> Wildfire                            | <input type="checkbox"/> Mandatory Findings of Significance |

**Determination:** On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** (EIR) is required.
- I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only those effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature 

Date FEB. 6, 2020

Trevor Estlow, Senior Planner  
Printed Name

Humboldt County Planning  
and Building Department  
For

## Evaluation of Environmental Impacts

- (1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- (4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- (5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (California Code of Regulations, title 14 Section 15063(c) (3) (D)). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review. **N/A**
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. **N/A**
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project. **N/A**

**Environmental Checklist**

**Checklist and Evaluation of Environmental Impacts:** An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the **Checklist**, the following definitions are used:

**"Potentially Significant Impact"** means there is substantial evidence that an effect may be significant.

**"Potentially Significant Unless Mitigation Incorporated"** means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

**"Less Than Significant Impact"** means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

**"No Impact"** means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

I. <b>Aesthetics.</b> Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

**Discussion:**

**(a-d) Less Than Significant Impact:** The project site is not within an area mapped or designated with scenic vistas or resources nor is it in the Coastal Zone where specified areas of scenic values are mapped and certified by the state. The proposed subdivision is consistent with the current zoning and general plan designation, and is consistent with the planned build-out of the area. The parcels will be served by Glendale Road, a private road. The site is heavily wooded and the development is not visible from the nearest public road (State Highway 299). The proposed building site on Parcel 2 is within a previously cleared area and will remain screened from view from State Highway 299. The Department finds no evidence that the division of the parcel within an area characterized as rural residential will have a substantial adverse aesthetic impact. There is no indication that the project will significantly increase light or glare or effect nighttime views in the vicinity.

<p><b>II. Agriculture and Forestry Resources.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

**Discussion:**

**(a-e) No Impact:** Neither the subject property nor adjacent lands are within a Williamson Act contract. The site is not mapped as containing prime agricultural soils. The site does not contain unique farmland and is not used for agricultural purposes. The neighborhood is characterized by rural residential development with on-site water and wastewater services. The proposed subdivision is consistent with the existing zoning and general plan designation. One-family residential is a primary and compatible use within the RA designation and is principally permitted in the U zoning district. General agriculture is an allowed use, however, the site is heavily timbered and fairly steep, which restricts traditional agricultural activities. The Department finds no evidence that the project will result in a significant adverse impact on agricultural resources.

III. <b>Air Quality.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

**Discussion:**

**(a-e) Less than Significant:** The project site is located within the North Coast Air Basin and the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD). The North Coast Air Basin generally enjoys good air quality, but has been designated non-attainment (does not meet federal minimum ambient air quality standards) for particulate matter less than ten microns in size (PM<sub>10</sub>). To address this, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM<sub>10</sub> standard exceedance, and identifies cost-effective control measures to reduce PM<sub>10</sub> emissions, to levels necessary to meet California Ambient Air Quality Standards. These include transportation measures (e.g., public transit, ridesharing, vehicle buy-back programs, traffic flow improvements, bicycle incentives, etc.), land use measures (infill development, concentration of higher density adjacent to highways, etc.), and combustion measures (open burning limitations, hearth/wood burning stove limitations; NCUAQMD 1995).

The proposed subdivision divides a parcel developed with two residential units to create one vacant parcel suitable for residential development. The project would not: (1) obstruct implementation of the applicable air quality plan; (2) violate air quality standards; (3) contribute substantially to an existing or projected air quality violation; (4) expose sensitive receptors to substantial pollutant concentrations; or (5) create objectionable odors.



IV. Biological Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

**Discussion:**

**(a – e) Less Than Significant with Mitigation Incorporated:** There are no mapped watercourses on the subject property. The California Natural Diversity Database indicates that the parcel is potential habitat for the bank swallow. The project was referred to the California Department of Fish and Wildlife and they did not respond with any concerns. Nonetheless, in order to comply with the Migratory Bird Treaty Act and Fish and Game Code, tree removal and brush clearing must be conducted outside of the nesting season. This measure is included in Mitigation Measure No. 1.

**(c, f) Less Than Significant:** The project site is not within an adopted or proposed habitat conservation plan. The area is developed to suburban residential levels. The Department finds no evidence that the project will result in a significant adverse impact on any habitat conservation plan.

**Mitigation Measure No.1.** The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be 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 work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."

<b>V. Cultural Resources.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

**Discussion:**

**(a) No Impact:** No historical resources have been documented on site. The site is developed with two residences of fairly modern construction (1980's), therefore, the project will have no impact on historical resources defined in California Environmental Quality Act (CEQA) §15064.5.

**(b,d) Less Than Significant with Mitigation Incorporated:** Pursuant to AB52, the project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. The NWIC recommended a cultural resource study and consultation with the local Tribes. Upon further consultation with the Blue Lake Rancheria and the Wiyot Tribe, it was recommended that the project be approved with no further study provided a note regarding inadvertent discovery is included in the project. If archaeological resources are encountered during construction activities, the contractor will execute Mitigation Measure No. 2. by halting construction and coordinating with a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines and appropriate tribes so resources can be evaluated so that there is not a substantial adverse change in the significance of an archaeological resource. The project is not expected to disturb any human remains, including those interred outside of formal cemeteries. However, implementation of Mitigation Measure No. 2 has been included in the event that human remains are accidentally discovered during construction.

**(c) No Impact:** No paleontological, geologic, or physical features are known to exist on the proposed project site; therefore, the project will not directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature.

**Mitigation Measure No. 2.** The following note shall be place on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional

archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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

VI. Energy. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

**Discussion:**

**(a-b) Less Than Significant Impact:** The project will result in minor energy consumption during construction of one residence and the on-going occupation of the homes. Minimal improvements to the existing road system will be required and is not anticipated to utilize excessive energy. Therefore, a less than significant impact will occur.

VII. Geology and Soils. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

**Discussion:**

**(a) Less Than Significant impact:** There are no known earthquake faults located within the site.

**(i-iv) Less Than Significant impact:** The project site is located outside an Alquist-Priolo Earthquake Fault Zone. The proposed project divides one parcel into two. One parcel will be vacant and suitable for residential development. Therefore, an R-1 Engineering and Geologic Report was prepared to demonstrate an adequate building site. The County Building Division reviewed and approved the Report. The existing and proposed development will not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction. The project is not within an area subject to landslides; therefore the project will not expose people or structures to risk of lost, injury, or death involving landslides.

**(b) Less Than Significant impact:** Any future development or road improvements will utilize appropriate Best Management Practices (BMPs) which will prevent soil erosion and loss of topsoil.

**(c) Less Than Significant impact:** The project is not located on geologic units or soils that are unstable or that will become unstable as a result of the project. The project will not result in the creation of new

unstable areas either on or off site due to physical changes in a hill slope affecting mass balance or material strength.

VIII. Greenhouse Gas Emissions. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**Discussion:**

**(a-b) Less Than Significant Impact:** In 2002 the California legislature declared that global climate change was a matter of increasing concern for the state's public health and environment, and enacted law requiring the California Air Resources Board (CARB) to control GHG emissions from motor vehicles (Health & Safety Code §32018.5 et seq.). In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state's climate change policy and set GHG reduction targets (health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. While methodologies to inventory and quantify local GHG emissions are still being developed, recommendations to reduce residential GHG emissions include promoting energy efficiency in new development.

The proposed project involves the division of a parcel into two, creating one vacant parcel suitable for residential development. Eventual construction on the vacant parcel will contribute temporary, short-term increases in air pollution from equipment usage. Because of the temporary nature of the greenhouse gas contributions, coupled with the modest quantity of emission, the proposed project would not have a significant impact on the environment, nor conflict with applicable plan, policy, or regulation for the purposes of reducing greenhouse gas emissions. Future residential use would emit limited greenhouse gases.

IX. Hazards and Hazardous Materials. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?			X	
<p><b>Discussion:</b></p> <p><b>(a-g) Less Than Significant impact:</b> The project site is not included on a list of hazardous material sites, nor does the proposed subdivision involve routine transport, use or disposal of hazardous materials. The project site is over five miles from the nearest airport (California Redwood Coast – Humboldt County Airport). There are no private airstrips within the vicinity of the project site. The site will not result in unanticipated risk to the occupants of the site. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of, or physically interfere with, an adopted emergency response plan. The site is within the Arcata Fire Protection District. Future development of the site will require compliance with the Uniform Fire Code and UBC. According to the Fire Hazard Severity map, the parcel is located in a high fire hazard area. Arcata Fire Protection District approved the proposed project. For these reasons, the Planning Division expects that the subdivision will not result in significant impacts in terms of hazardous materials.</p>				

X. Hydrology and Water Quality. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:				
(i) result in substantial erosion or siltation on- or off-site;			X	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
(iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

**Discussion:**

**(a-e) Less than significant Impact:** The proposed subdivision is consistent with the planned density of the area, in terms of both the County's Housing Element and the recently adopted Humboldt County General Plan 2017. The project site is an area that relies upon on-site water and wastewater systems. The applicant has submitted well logs from the existing wells. The Division of Environmental Health (DEH) reviewed this information and found that each parcel will have adequate water availability. DEH has not identified any concerns with regard to the project interfering with groundwater recharge. The Department finds no evidence indicating that the subdivision will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality. According to the Flood Insurance Rate Map, the project site is located outside the 100- and 500-year floodplains. The project site is not within a mapped dam or levee inundation area, and is outside the areas subject to tsunami run-up. The site is at an elevation of approximately 300 feet. A drainage report was not required due to the large parcel sizes and the ability to accommodate stormwater runoff on-site. The project was reviewed by Public Works and they recommended as a condition of approval that the applicant submit a complete hydraulic report and drainage plan for their approval. No streams, creeks or other waterways will be altered as a result of this subdivision. The Department finds no evidence that the proposed project will result in significant hydrologic or water quality impacts.

XI. Land Use and Planning. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

**Discussion:**

**(a-b) Less Than Significant Impact:** The project site is designated Residential Agriculture (RA) by the Humboldt County General Plan 2017 and is zoned Unclassified (U) with a 6,000 square foot minimum parcel size. One-family residential is a primary and compatible use within the RA designation and is principally permitted in the U zoning district. The neighborhood is characterized as rural residential. The division of the existing parcel is consistent with the zoning and land use density (one unit per 5 – 20 acres). The proposed subdivision is consistent with the planned build-out of the area, and is consistent with the policies and regulations specified in the Humboldt County General Plan. There are no habitat conservation or natural community conservation plans proposed or adopted for this area. The Department finds there is no evidence that the project will result in significant adverse impact with regard to land use and planning.

XII. Mineral Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Discussion:**

**(a and b) No Impact:** On-site soils and geologic resources are not suitable as commodity materials that would be of value to the region or the state. The site is not designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan.



XIII. Noise. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or ground borne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

**Discussion:**

**(a) Less Than Significant:** This parcel is not located within the Noise Impact combining zone and will not generate a substantial increase in ambient noise levels in the vicinity of the project in excess of local standards.

**(b) Less Than Significant Impact:** Noises generated by the proposed project will result in a temporary increase during home construction because the proposed project may require the use of heavy equipment (excavator, grader, loader and backhoe). The construction does not include equipment that would result in groundborne vibration. These activities are consistent with the current uses at the site and no permanent change in noise from the existing conditions would result from this project.

**(c) Less Than Significant Impact:** The project area is over five miles from the California Redwood Coast – Humboldt County Airport, the nearest airport. The noise impacts associated with the airport are not anticipated to be excessive. Therefore, noise impacts will remain less than significant.

XIV. Population and Housing. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

**Discussion:**

**(a, b) Less Than Significant Impact.** The proposed project divides a parcel into two parcels, creating one vacant parcel suitable for residential development. One-family residential uses are primary and compatible uses within the plan designation and zoning district. The subdivision is consistent with the planned density of the area, one unit per 5 - 20 acres. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

<b>XV. Public Services.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	
<p><b>Discussion:</b></p> <p><b>(a-e) Less Than Significant:</b> Emergency response in the project area is the responsibility of the Arcata Fire Protection District, Calfire and the Humboldt County Sheriff's Office. The proposed project will divide a parcel into two, creating one vacant parcel suitable for residential development. Both parcels will have access from Glendale Road, a private road. The proposed project would not impair fire or police protection services, because the project would not: alter or block existing streets, result in development, or include uses that would require amendment of the County's emergency planning (such as a chemical storage facility or large industrial plant).</p> <p>No new or physically altered government facilities are required as a result of the project. The project would not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. Therefore, <b>a less than significant impact</b> would occur.</p>				

XVI. Recreation. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
<p><b>Discussion:</b></p> <p><b>(a-b) Less Than Significant Impact:</b> The project does not include recreational facilities. The Department finds no evidence that the project will require construction or expansion of recreational facilities which might have an adverse physical effect on the environment.</p>				

XVII. Transportation. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	
<p><b>Discussion:</b></p> <p><b>(a,b) Less Than Significant Impact:</b> The property is accessed by Glendale Road, a private road. Glendale Road begins just south of State Highway 299 and then travels through a 14.5-foot wide arched tunnel under State Highway 299. In order to approve the subdivision, the applicant submitted an exception request to Calfire to allow a reduced road width due to the tunnel restriction. Calfire has granted an exception to the road width due to the fact that modifying the tunnel is unfeasible and unreasonably expensive. The Land Use Division of Public Works has stated that they support the exception request as well.</p> <p>The Department finds there is no evidence that the project will exceed the level of service standard, will result in a change in air traffic patterns, will result in vehicle miles traveled beyond that expected, will result in inadequate emergency access, inadequate access to nearby uses or inadequate parking capacity; or will conflict with adopted policies supporting transportation.</p>				

<b>XVIII. Tribal Cultural Resources.</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	
<p><b>Discussion:</b></p> <p><b>(a-b) Less Than Significant Impact:</b> The project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. The NWIC recommended a cultural resource study and consultation with the local Tribes. Upon further consultation with the Blue Lake Rancheria and the Wiyot Tribe, it was recommended that the project be approved with no further study provided a note regarding inadvertent discovery is included in the project. The standard condition of inadvertent discovery has been included as Mitigation Measure No. 2.</p>				

<b>XIX. Utilities and Service Systems.</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

**Discussion:**

**(a-e) Less than significant:** The Department finds there is no evidence that the project will be inconsistent with the planned build-out of the area or will result in a significant adverse to utilities and service systems. The parcel is not zoned for commercial or industrial uses. The lots will be served by on-site water and on-site wastewater treatment systems. The Department of Environmental Health has recommended approval of the project. The parcel currently drains southerly towards the Mad River. The Division of Public Works reviewed the project and did not identify any drainage issues. The applicant will be required to provide a complete hydraulic report and drainage plan. The Department finds the project impact to be less than significant.

<b>XX. Wildfire.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

**Discussion:**

**(a-d) Less than significant:** The project is located within the State Responsibility Area (SRA) for fire protection and served by the Arcata Fire Protection District. The Arcata Fire Protection District provides a mobile water tender in compliance with the County's Fire Safe Regulations (§3114-3(c)), therefore, individual on-site storage is not mandatory. The project site is within a high fire hazard severity zone. The

County General Plan requires that subdivisions in these areas establish and maintain fire breaks and open space adjacent to forestlands, consistent with Calfire recommendations, and ongoing fire protection management programs developed by qualified experts to ensure defensible space. The Department finds the project impact to be less than significant.

<b>XXI. Mandatory Findings of Significance.</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).			X	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:**

**(a through c) Less Than Significant Impact:** The proposed project divides one parcel into two parcels, creating one vacant parcel suitable for residential development. Staff finds no evidence that the proposed project will significantly degrade the quality of the environment, nor will it have impacts that are individually limited but cumulatively considerable. Based on the project as described in the administrative record, comments from reviewing agencies, a review of the applicable regulations, and discussed herein, the Department finds there is no significant evidence to indicate the proposed project as mitigated will have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

### **Biological Resources**

**Mitigation Measure No. 1.** The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be 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 work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."

*Timing for Implementation/Compliance:* Throughout project construction

*Person/Agency Responsible for Monitoring:* Applicant and successors

*Monitoring Frequency:* Throughout construction

*Evidence of Compliance:* Visible evidence

### **Cultural Resources**

**Mitigation Measure No. 2.** The following note shall be placed on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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

*Timing for Implementation/Compliance:* Throughout project construction

*Person/Agency Responsible for Monitoring:* Applicant and successors

*Monitoring Frequency:* Throughout construction

*Evidence of Compliance:* Visible evidence

## ATTACHMENT 5

### Referral Agency Comments and Recommendation

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection	X	Approval		X
County Public Works, Land Use Division Memorandum dated February 26, 2019	X	Comments	X	
County Public Works, Land Use Division Subdivision Requirements	X	Conditional Approval	(Exhibit A of Attachment 1)	
County Division of Environmental Health	X	Approval		X
Arcata Fire Protection District	X	Approval		X
NWIC	X	Recommend Study		X
Calfire	X	Conditional Approval	X	
California Dept. of Fish and Wildlife				
Wiyot Tribe	X	Conditional Approval		X
Bear River Band of the Rohnerville Rancheria				
Blue Lake Rancheria	X	Conditional Approval		X
PG&E	X	Comments		X





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

ON-LINE WEB: CO.HUMBOLDT.CA.US		PUBLIC WORKS BUILDING SECOND & L ST., EUREKA FAX 445-7409		CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388
	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
	BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
	ENGINEERING	445-7377	PARKS	445-7651
	FACILITY MANAGEMENT	445-7493	ROADS	445-7421
			LAND USE	445-7205

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**LAND USE DIVISION INTER OFFICE MEMORANDUM**

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TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

DATE: 8/16/2019

RE: **PARKINSON, APN 504-161-001, APPLICATION No. PLN-2019-15667**

**PRELIMINARY SUBDIVISION REPORT:** A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code Section 323-6(c).

**ROAD NAMES:** There is a potential discrepancy in the name of Glendale Drive. Various documents indicate different names for this road. The Department recommends that the Planning & Building Department determine the correct name of this road prior to the project being presented to the Planning Commission. Project Note No. 1 on the Tentative Map indicates that road names include Glendale Drive, Essex Gulch Road, and Dayton Murray Road.

**COUNTY CODE 325-9 EXCEPTION REQUEST:** The applicant submitted a County Code 3111-9 exception request for County Code Section 3112-3 (Road Width) relating to Fire Safe Regulations. The Department can support the 3111-9 exception request for the reduced roadway width in the tunnel under State Highway 299. The applicant will need to submit a County Code 325-9 exception request as well. The Department can support this exception request as well.

**NON-COUNTY MAINTAINED ROAD NOTE:** The project will be taking access from an existing non-county maintained road. If a road maintenance association currently exists, this Department recommends that the applicant secure an agreement for annexation prior to the project being presented to the Planning Commission. If an agreement for annexation cannot be reached, then the issue of road maintenance should be discussed/addressed at the Planning Commission meeting.

// END //

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

Humboldt – Del Norte Unit  
118 Fortuna Blvd.  
Fortuna, CA 95540  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)  
(707) 726-1206



Ref: 7100 Planning  
Date: March 30, 2018

John Ford, Director  
Community Development Services Department  
3015 H Street  
Eureka, CA 95501

Property Owner: Parkinson      APN: 504-161-001      Area: 55 Glendale Dr., McKinleyville

County Planner: Trevor Estlow

CAL FIRE has reviewed this exception request following Del Norte County Fire Safe Regulations.

In regard to exception request to: 3112-3 Road Width

Inspection revealed that the description of the area within the exception request is accurate. Essex Springs Road is adequate to serve the parcels that will be created from this proposed subdivision. The required road width cannot be achieved for approximately 200 feet where Essex Springs Road crosses beneath CA HWY 299 with a tunnel. In an wildfire emergency, this narrow tunnel could be a problem for incoming emergency apparatus meeting evacuating residents. However, pursuing a modification to this tunnel is unfeasible and unreasonably expensive.

Mitigation – The road width cannot be achieved due to pre-existing conditions. No mitigation is required. However, it is suggested for the residents of this area to develop an evacuation plan that describes safe procedures for outgoing evacuees and incoming emergency personnel.

CAL FIRE approves this request.

A handwritten signature in blue ink, appearing to read "Chris Ramey".

**Chris Ramey**  
Battalion Chief, Fire Planning  
CALFIRE  
Humboldt – Del Norte Unit  
For Kurt McCray, Unit Chief