

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT  
RECOMMENDING THE BOARD OF SUPERVISORS CERTIFY COMPLIANCE WITH THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT (CEQA)**

**Resolution Number 22-102**

**Record Number PLN-16400-CUP**

**Assessor's Parcel Number: 015-111-006, 015-111-012, and 015-111-013**

**WHEREAS**, the **Lucas & Myrtle Mini-Storage Center** project submitted an application and evidence in support of approving a Conditional Use Permit (CUP) to develop a mini-storage center;

**WHEREAS**, the Humboldt County Planning Commission held a duly noticed public hearing on September 15, 2022, and reviewed, considered, and discussed the CEQA document, along with the application for a CUP and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:**                      **Project Description:** The proposed Lucas & Myrtle Mini-Storage Center (project) includes a lot line adjustment, minor zone boundary adjustment, CUP, and the construction and operation of a mini-storage center in unincorporated Humboldt County in the Myrtletown area of Eureka. The site originally consisted of three parcels. An approved lot line adjustment allowed the parcels to be reconfigured into two parcels in February 2022—a small 5,500-square-foot (sf) residential lot on the northern end of the site and a remaining lot of approximately 2.1 acres to be commercially developed. Associated with the lot line adjustment was the adjustment of the site's zoning boundary between the Neighborhood Commercial zone (C-1/GO) and Apartment Professional residential zone (R-4/GO, Q). The home and garage in the northeast corner would become its own separate parcel. The remaining structures on the project site would be removed and replaced with an office/caretaker building with 1,800 square feet on the first floor and 1,800 square feet on the second floor. The remaining commercial area would be developed and used as a mini-storage center. This area would be equivalent to a lot area coverage of less than 45 percent on the 86,269-sf lot. The building appearance would be typical of other existing mini-storage companies in the Humboldt Bay area.
- EVIDENCE:**                      a) Project File: PLN-16400-CUP

   b) The project description in the Mitigated Negative Declaration (MND) provides a complete description of all activities associated with the project.
- 2. FINDING:**                      **Lead Agency:** The County of Humboldt is designated as the lead agency for permitting the Lucas & Myrtle Mini-Storage Center.

   a) For purposes of CEQA, the County of Humboldt was designated as the lead agency per CEQA Guidelines Sections 15050(a) and 15051, for the project because the County is the public agency with the greatest responsibility for supervising or approving the project as a whole.
- 3. FINDING:**                      **CEQA.** The requirements of CEQA have been complied with. An IS/MND was prepared for the project and circulated for public review. The conclusion of the MND is that there are not any potentially significant impacts that cannot be mitigated.

- EVIDENCE:**
- a) The CEQA document includes an analysis of the proposed project. The IS/MND was circulated for public review from July 15, 2022, to August 13, 2022 (SCH# 2022070274).
  - b) The MND reflects the County's independent judgment and analysis.
  - c) The Planning Commission has considered the proposed MND together with the analysis and all public and agency comments received during the public review process and the whole record.
  - d) The MND includes ten (10) mitigation measures that have been incorporated into a Mitigation Monitoring and Reporting Program which is being adopted as part of the project.

**4. FINDING**                      The County has fulfilled the obligations under Assembly Bill (AB) 52 (CEQA 21080.3.1) consulting with tribes to determine if there is the potential for tribal cultural resources associate with the site.

- EVIDENCE**
- a) A letter offering an opportunity for tribal consultation pursuant to AB 52 was sent to all local tribal officials on November 24, 2020. No requests for consultation were received.

**5. FINDING**                      **Areas of No Impact.** Based upon the findings of the MND, and as discussed in Chapter 2 of the MND, Agriculture and Forestry, Energy, Hazards and Hazardous Materials (c through g), Hydrology and Water Quality (c[4], d, e), Land Use Planning, Mineral Resources, Noise (c), Population and Housing, Recreation, and Wildfire, were determined to not have any environmental impact and were not evaluated in the MND.

- EVIDENCE**
- a) The project site does not include any farmland, forest land, or timberland, or land zoned for these uses thus there could be no impact.
  - b) No wasteful, inefficient, or unnecessary consumption of energy resources is planned. Because of the nature of the project, it is anticipated that the mini-storage center would use very little energy resources.
  - c) The project would not store, transport, or use hazardous materials. The project site is accessed from either Lucas Street or Myrtle Avenue. The project would not impair or physically affect any adopted emergency response plan or evacuation plan. The project would not require the closure of any public or private streets or roadways and would not impede access of emergency vehicles to the project site or any surrounding areas.
  - d) No aspect of the project would impede or redirect flood flows as the project site is not within a flood zone. There are no conditions associated with the project that would result in a conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
  - e) With approval of the above-noted discretionary permits the project would not disrupt or divide the physical arrangement of the community, and it was determined that the project would not conflict with any adopted land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.
  - f) There are no known mineral resources or mining operations in the area and thus there is no impact.

- g) There are no private airstrips in the project area; therefore, the project would not be within the vicinity of a private airstrip.
- h) The project does not include any new homes or new roads or other growth-inducing infrastructure. Therefore, the project would not induce substantial unplanned population growth in the area either directly or indirectly.
- i) Because the project does not propose residential development and would not increase the population in the area, the project would not substantially increase the demand for public parks.
- j) The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity.

## 6. FINDING

### **Environmental Impacts Found to Be Less Than Significant:**

The MND determined that there would be a less-than-significant impact on one or more aspects of following resources: Aesthetics, Air Quality, Geology and Soils (a through f), Greenhouse Gas Emissions, Hydrology and Water Quality (a through c[3]), Noise (b), Public Services, Transportation, and Utilities and Service Systems.

### **EVIDENCE**

- a) There would be temporary visual impacts during construction and permanent changes of the character of the site once construction is completed and 25 redwood trees are removed. The storage unit appearance would be typical of other existing mini-storage companies in the Humboldt Bay area (e.g., steel with a stone, white and autumn red color palette). Apart from the western boundary, the project site is in an urbanized area with many existing lighting sources. Lighting is conditioned to comply with county standards for streetlights in the municipal code.
- b) Altogether, the project would develop approximately 0.85 acre of the site (or 43 percent), which is below the maximum development potential (100 percent, as there is no maximum ground coverage in the C-1 zone) that would have been permitted under the existing zoning for the site. Accordingly, the project is consistent with the site's planned density in the General Plan. Therefore, the project would not obstruct implementation of the North Coast Unified Air Quality Management District (NCUAQMD) Attainment Plan for fugitive dust (PM10). NCUAQMD's Rule 110 thresholds. Therefore, construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated as nonattainment under an applicable federal or state ambient air quality standard.
- c) Since the project area is not traversed by a known active fault and is not within 200 feet of an active fault trace, surface fault rupture is not considered to be a significant hazard for the project site. Therefore, the project would not expose people or structures to substantial adverse effects from a fault rupture. The project site is relatively flat with elevations that range from approximately 59 to 78 feet above mean sea level. The County's Web GIS identifies the seismic safety of the project site as low instability and shows that historic landslides have not occurred in the project area in the past.
- d) The Bay Area Air Quality Management District (BAAQMD) has developed project screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant impacts related to Greenhouse Gas (GHG) emissions.

The applicable screening criteria detailed in the MND would not exceed the 1,100 metric tons (MT) of carbon dioxide equivalent (CO<sub>2</sub>e)/year GHG threshold established by the BAAQMD for land use projects, other than permitted stationary sources. Due to the limited size of the project, particularly the small number of vehicle trips that would be generated and limited use of energy, there would be no significant sources of GHGs either during construction or during routine operation.

- e) The project area is subject to the State Water Resources Control Board general permit for municipal separate storm sewer systems (MS4 General Permit). Adherence to the MS4 General Permit standards and the requirements described above would ensure that the project would not result in substantial erosion or siltation onsite or offsite.
- f) The project would not involve the use of high-impact activities such as pile driving. The piece of equipment that may produce the highest level of vibration is a roller, which can produce a level of 0.2 inches per second peak particle velocity at a distance of 25 feet. This level of vibration may be perceptible for short period of time when equipment is operated close to the nearest residences, but this would only occur for a small part of the construction period. This level of vibration would not be high enough to cause damage to building structures. Also, because work would be done during daytime hours, there would be no sleep disturbance due to heavy equipment vibration.
- g) The project is required to meet all applicable fire codes set forth by the State Fire Marshal and the county's building code. The project may result in a slight incremental increase in the demand for emergency services; however, the size, location, and type of project would not place an undue hardship on the fire department since they are presently servicing the site as well as areas adjacent to the site.
- h) The project is consistent with the existing General Plan land use designations and zoning and would not generate trips that were not previously anticipated in the county's current countywide traffic model. The project would locate self-storage services in proximity to existing developed areas and would therefore have a neutral or positive impact on Vehicle Miles Traveled.
- i) The project is consistent with the land use and zoning designations for the site and would be required to construct any utilities infrastructure necessary to serve the project, as well as pay fees which fund the operation of the facilities and the construction of major infrastructure. Minor additional infrastructure would be constructed within the project site to tie the project into the major systems, but these facilities would be constructed in locations where site development is already occurring as part of the overall project.

## 7. FINDING

**Environmental Impacts Mitigated to Less Than Significant:** The MND identified potentially significant impacts on Biological Resources, Cultural Resources, Noise, Tribal Cultural Resources, and Mandatory Findings of Significance.

### EVIDENCE

- a) **Biological Resources and Mandatory Findings.** Potentially significant impacts 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service will be mitigated to a less-than-significant level by adopting the

Mitigation Monitoring and Reporting Program (MMRP) included in Appendix 1b.

No special-status plant surveys were conducted on the project site. However, to ensure that site development does not affect special-status plant or amphibian species, **Mitigation Measure BIO-1** is included in the MMRP. BIO-1 would require seasonally appropriate botanical surveys and preconstruction amphibian surveys be conducted prior to site development and avoidance of special-status plant and wildlife species. **Mitigation Measure BIO-2** would include preconstruction nesting bird surveys and establishment of buffers if necessary ensure removal of 23 conifer trees would have no impacts on nesting raptors and migratory birds protected by federal and state laws. To ensure light pollution to the adjacent Myrtle town gulch wildlife habitat is minimized, light fixtures near to or facing the western boundary to the wetland gulch are to be fully shielded downward-facing light-emitting diode (LED) bulbs under **Mitigation Measure BIO-3**. To ensure that the project's landscaping activities do not affect special-status species through displacement and invasion of wetland habitats, **Mitigation Measure BIO-4**, *Landscaping with native plants*, is included.

SHN prepared a site-specific wetland delineation report (SHN 2021). Wetlands were delineated within three parcels owned by Jim and Judy Paye (APNs 015-111-006, 015-111-012, and 015-111-013) as well as a portion of the County-owned parcel to the west (APN 015-111-008) for a total study area of approximately 3.3 acres. The report determined and mapped a matrix of three-parameter seasonal and perennial wetlands on the County-owned parcel, west of the project area, a location between 50 and 100 feet from the parcel boundary. The wetland delineation did not specify a hydrological or biological justification that greater buffers were required to protect the resource from the development (SHN 2021). It is not anticipated that the existence and operation of the project facilities on the terrace would significantly affect the continued existence or ecological functioning of the riparian forest as designed and mitigated herein. The project site has up to 25 evergreen trees (mostly redwood, few Sitka spruce and shore-pine) that will be removed as a direct result of the proposed project. These trees are not here considered to be riparian given their location more than 600 feet from the adjacent mapped stream. **Mitigation Measure BIO-5** and **BIO-6** are designed to protect riparian habitats and aquatic resources from potential impacts during project construction.

- b) **Cultural Resources and Tribal Cultural Resources.** There are no known significant archaeological or historic-period cultural resources in the limits of the project area, and at this time, no further archaeological studies are recommended for the project, as it is currently proposed. Although discovery of cultural resources during project construction is not anticipated, **Mitigation Measure CUL-1** is included in the MMRP to ensure that potential project impacts on inadvertently discovered cultural resources are eliminated or reduced to a less-than-significant level. Similarly, due to the potential of discovering unknown human remains during proposed construction activities, **Mitigation Measure CUL-2** is included. As required by AB 52, the County sent requests for formal consultation to three local tribes—the Bear River Band of the Rohnerville Rancheria, Wiyot Tribe, and Blue Lake Rancheria. The county did not receive requests for formal consultation from any tribe.

- c) **Noise.** As described in the County's General Plan, heavy equipment and power tools used during construction of permitted structures, which includes the project, are not subject to the County short-term noise standards. Although the project is not technically subject to the noise limits from the General Plan, the project's construction noise could still cause an increase in ambient noise levels at nearby residences. Consequently, to ensure that impacts from construction noise levels are reduced to a less-than-significant level, **Mitigation Measure NOI-1** is incorporated in the MMRP to limit the operation of tools or equipment used in construction, drilling, repair, alteration, or demolition to between the hours of 8 a.m. and 5 p.m. Monday through Friday, and between 9 a.m. and 5 p.m. Saturdays. No heavy equipment related construction activities shall be allowed on Sundays or holidays.

**8. FINDING**

**CEQA Comments from the Public:** One comment letter was received as a result of the circulation of the CEQA IS/MND. The County has considered all of the CEQA comments submitted from the public up to this point, including those that were submitted after the comment period established by CEQA. None of the comments change or alter the conclusion of the MND.

**EVIDENCE**

- a) The one commentor, a neighbor, request that the new mini storage unit have ample on-site parking and does not interfere or increase the burden with regard to public parking areas on Lucas that are used by the businesses and residences on the 1900 block of Myrtle Avenue.
- b) Approximately nine off-street parking spaces would be provided near the office and entrance from Lucas Street. Operationally, many visitors to the facility would conceivably temporarily park in front of their respective rental units before departing the premises and traffic generated by the center is anticipated to be less than the average traffic to and from commercial uses allowed in the neighborhood commercial zone district. The usual traffic for established mini storage facilities is significantly less than for retail, grocery, and restaurant businesses.

**9. FINDING**

**Mitigation Monitoring or Reporting:** A Mitigation Monitoring and Reporting Program has been prepared which ensures adequate monitoring of the mitigation measures to avoid and mitigate for potential significant environmental effects.

**EVIDENCE**

- a) MMRP attached as Attachment 1b.



## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Planning Commission does hereby recommend that the Humboldt County Board of Supervisors:

- Adopt the findings set forth in this resolution; and
- Adopt the Mitigated Negative Declaration; and
- Adopt the Mitigation Monitoring and Reporting Program included as Attachment 1b.

Adopted after review and consideration of all the evidence on **September 15, 2022**.

The motion was made by COMMISSIONER Noah Levy and second by COMMISSIONER Brian Mitchell and the following ROLL CALL vote:

AYES: COMMISSIONERS: Peggy O'Neill, Melanie McCavour, Brian Mitchell, Alan Bongio, Noah Levy  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS: Thomas Mulder, Mike Newman  
ABSTAIN: COMMISSIONERS:  
DECISION: Motion Carries 5/0/2

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.

  
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John Ford, Director  
Planning and Building Department