

ATTACHMENT A

**Resolution Adopting the Mitigated Negative Declaration
for the Proposed Garden Apartments Multifamily Development**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of July 24, 2018

RESOLUTION NO. 18-75

RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED GARDEN APARTMENTS MULTIFAMILY DEVELOPMENT CASE NUMBERS GPA-18-001, ZR-18-001, CDP-18-001, NOM 18-005; ASSESSOR PARCEL NUMBERS: 016-152-020, 016-152-021, 016-152-022, & 016-222-001

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA) Humboldt County Planning as the lead agency carried out an Initial Study and subsequently prepared a Mitigated Negative Declaration for the proposed Garden Apartments Multifamily Development; and

WHEREAS, a Notice of Completion of the Initial Study/Mitigated Negative Declaration for the Proposed Garden Apartments Multifamily Development was filed with the State Clearinghouse on May 15, 2018 (State Clearinghouse No. 2018052040); and

WHEREAS, a Notice of Public Hearing and Intent to Adopt a Mitigated Negative Declaration was published in accordance with Public Resources Code section 21092 and CEQA Guidelines section 15072 on May 15, 2018 and was sent by mail to organizations and individuals who requested such notice. The Notice of Public Hearing and Intent provided for a public comment period commencing on May 15, 2018 and ending on June 15, 2018; and

WHEREAS, a Notice of Public Hearing and Intent to Adopt a Mitigated Negative Declaration contained substantially all of the information required by Public Resources Code section 21092 and CEQA Guidelines section 15072 and was published in the manner required by law, and was consequently made in full accordance with CEQA, notwithstanding any minor errors, which were not prejudicial; and

WHEREAS, the Mitigated Negative Declaration describes the environmental impacts of the proposed project, and concludes that although the proposed project could have potentially significant impacts on the environment, there will not be any significant impacts in this case because mitigation measures have been incorporated into the project that reduce all the potentially significant environmental impacts to less than significant levels; and

WHEREAS, the County received public and agency comments on the submitted document; and

WHEREAS, on June 21, 2018, the Humboldt County Planning Commission held a duly noticed public hearing to receive testimony on the adequacy on the proposed project and Mitigated Negative Declaration; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was reviewed and considered by the Planning Commission, consistent with the requirements of the California Environmental Quality Act (CEQA) prior to making its recommendations; and

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WHEREAS, on June 21, 2018 the Planning Commission voted to recommend that the Humboldt County Board of Supervisors adopt the Mitigated Negative Declaration for the proposed Garden Apartments Multifamily Development and approve the project with an additional conditions of approval; and

WHEREAS, the Humboldt County Board of Supervisors held a duly noticed public hearing to review and consider and receive testimony on the Mitigated Negative Declaration and the proposed Garden Apartments Multifamily Development on July 24, 2018; and

WHEREAS, the Board of Supervisors deliberated the matter on July 24, 2018 as part of a public meeting held in accordance with the Ralph M. Brown Act;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Humboldt, having received, reviewed, and considered the entire record, both written and oral, relating to the Mitigated Negative Declaration, finds as follows:

1. The foregoing recitals are true and correct.
2. The Mitigated Negative Declaration for the proposed Garden Apartments Multifamily Development identifies and describes potential significant effects that may occur as a result of the project which, with implementation of the mitigation measures identified, are mitigated to levels that are less than significant.
3. Based on the lead agency's independent judgment and analysis, there is no substantial evidence in the record as a whole that would support a fair argument that the proposed project as mitigated may have a significant effect on the environment.

BE IT FURTHER RESOLVED that, having made the findings contained and fully incorporated herein, the Board of Supervisors hereby adopts the Mitigated Negative Declaration for the Garden Apartments Multifamily Development; and

BE IT FURTHER RESOLVED that the Board of Supervisors, in accordance with CEQA 15074, hereby incorporates and adopts all of the mitigation measures described in the Mitigation and Monitoring Plan, which is incorporated by reference as if set forth in its entirety herein; and

BE IT FURTHER RESOLVED that the individual parts of this resolution are severable, such that if one or more parts are determined to be invalid, all the other parts will remain in full force and effect.

The Director of Planning shall promptly file a Notice of Determination as provided in California Code of Regulation, Title 14, section 15075.

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Dated: July 24, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors


Adopted on motion by Supervisor Bass, seconded by Supervisor Fennell, and the following vote:

AYES:	Supervisors	Bohn, Fennell, Bass, Wilson, Sundberg
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California