



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: September 5, 2019

To: Humboldt County Planning Commission

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

Subject: **L & A Enterprises** Parcel Map Subdivision
Application Number 13982
Case Number PMS-18-001
Assessor Parcel Number 508-251-055, 510-133-013
1445 Nursery Way, McKinleyville area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Aerial Map	10
Tentative Parcel Map	11
Attachments	
Attachment 1: Recommended Conditions of Approval	12
Exhibit A - Department of Public Works Conditions	16
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	26
Attachment 3: Applicant's Evidence in Support of the Required Findings	32
Attachment 4: Referral Agency Comments and Recommendations	33

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

AGENDA ITEM TRANSMITTAL

Meeting Date September 5, 2019	Subject Parcel Map Subdivision	Contact Trevor Estlow
--	--	---------------------------------

Project Description: A Minor Subdivision of an approximately 16-acre parcel into one parcel of 1.4 acres and a 14.6-acre Remainder Parcel. The parcel is currently developed with a commercial structure that will remain on proposed Parcel 1 with the proposed Remainder remaining vacant. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District.

Project Location: The project site is located in the McKinleyville area, at the north end of Nursery Way, on the south side of Hiller Road, approximately 350 feet north of the intersection of Nursery Way and Heartwood Drive on the property known as 1445 Nursery Way.

Present Plan Land Use Designation: Commercial Services (CS), Residential, Medium Density (RM), Mixed Use (MU). Humboldt County General Plan, McKinleyville Community Plan (MCCP). Density: CS: n/a, RM: 7 – 30 units per acre, MU: 16 units per acre max. Slope Stability: Relatively Stable.

Present Zoning: Residential Multiple Family with a Qualified combining zone (R-3-Q), Community Commercial (C-2).

Application Number: 13982

Case Number: PMS-18-001

Assessor Parcel Numbers: 508-251-055, 510-133-013

Applicant L & A Enterprises Anne Pierson 1200 W. Harris Street Eureka, CA 95501	Owner same as applicant	Agent Whitchurch Engineering Darren Tully 610 9 th Street Fortuna, CA 95540
--	-----------------------------------	---

Environmental Review: Project is exempt from environmental review per Section 15315 of the CEQA Guidelines.

Major Issues: None.

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

L & A ENTERPRISES PARCEL MAP SUBDIVISION
Case Number PMS-18-001
Assessor Parcel Numbers 508-251-055, 510-133-013

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:

Move to adopt the exemption and make all of the required findings, based on evidence in the staff report and approve the application on the Consent Agenda subject to the recommended conditions.

Executive Summary: The applicant is proposing a subdivision of an approximately 16-acre parcel into one parcel of 1.4 acres and a 14.6-acre Remainder Parcel. The parcel is currently being developed with a Frito-Lay warehouse and distribution facility which will remain on proposed Parcel 1. The designated Remainder parcel will be vacant. Both parcels will be served with water and sewer by the McKinleyville Community Services District.

The site is in the center of McKinleyville surrounded by a mix of residential and commercial development with the Town Center to the north. The parcel was created by a Lot Line Adjustment in 2006 and is accessed via the north end of Nursery Way. The parcel also has frontage along Hiller Road.

A preliminary drainage report was prepared and 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. The applicant has proposed stormwater detention to address additional runoff created by the future development. This is required in order to comply with Section 3310.5 of the McKinleyville Community Plan (MCCP) which states: "Development shall only be allowed in such a manner that the downstream peak flows will not be increased." Additionally, the applicant has demonstrated compliance with the "MS4 Permit" which applies to stormwater discharges from small municipal separate storm sewer systems (MS4) and can require Low Impact Development (LID) techniques. Public Works has reviewed the proposal and will incorporate the design in the improvement plans.

According to the County's Web GIS system, wetlands were identified on the northerly portion of the parcel just south of Hiller Road. A Wetland Delineation prepared by James Regan (September 2018) identified both 1- and 2-parameter wetlands at various locations on site. The MCCP defines wetlands according to the criteria utilized by the California Department of Fish and Wildlife (1-parameter) and requires a 50-foot buffer. These wetlands and associated buffers are mapped on the Tentative Map and will not be impacted by the proposed subdivision. The wetlands will also be mapped on the Development Plan to assure they remain protected.

The site is relatively flat, with a less than one percent slope towards the north. The geologic hazards map for this area shows the soils to be relatively stable. There are no flood hazards on the property, no mapped archaeological resources, and no mapped biological resources.

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved 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: 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 19-**

Case Number PMS-18-001; Assessor Parcel Numbers 508-251-055, 510-133-013

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the L & A Enterprises Parcel Map Subdivision.

WHEREAS, Darren Tully, on behalf of the owner, 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 found the project categorically exempt from environmental review pursuant to Section 15315, Class 15 of 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 No. PMS-18-001); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 5, 2019.

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

1. The proposed Parcel Map Subdivision is categorically exempt from environmental review pursuant to Section 15315 of the CEQA Guidelines; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number PMS-18-001 support approval of the project based on the submitted evidence; and
3. The Parcel Map Subdivision Case Number PMS-18-001 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on September 5, 2019.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:

NOES: Commissioners:

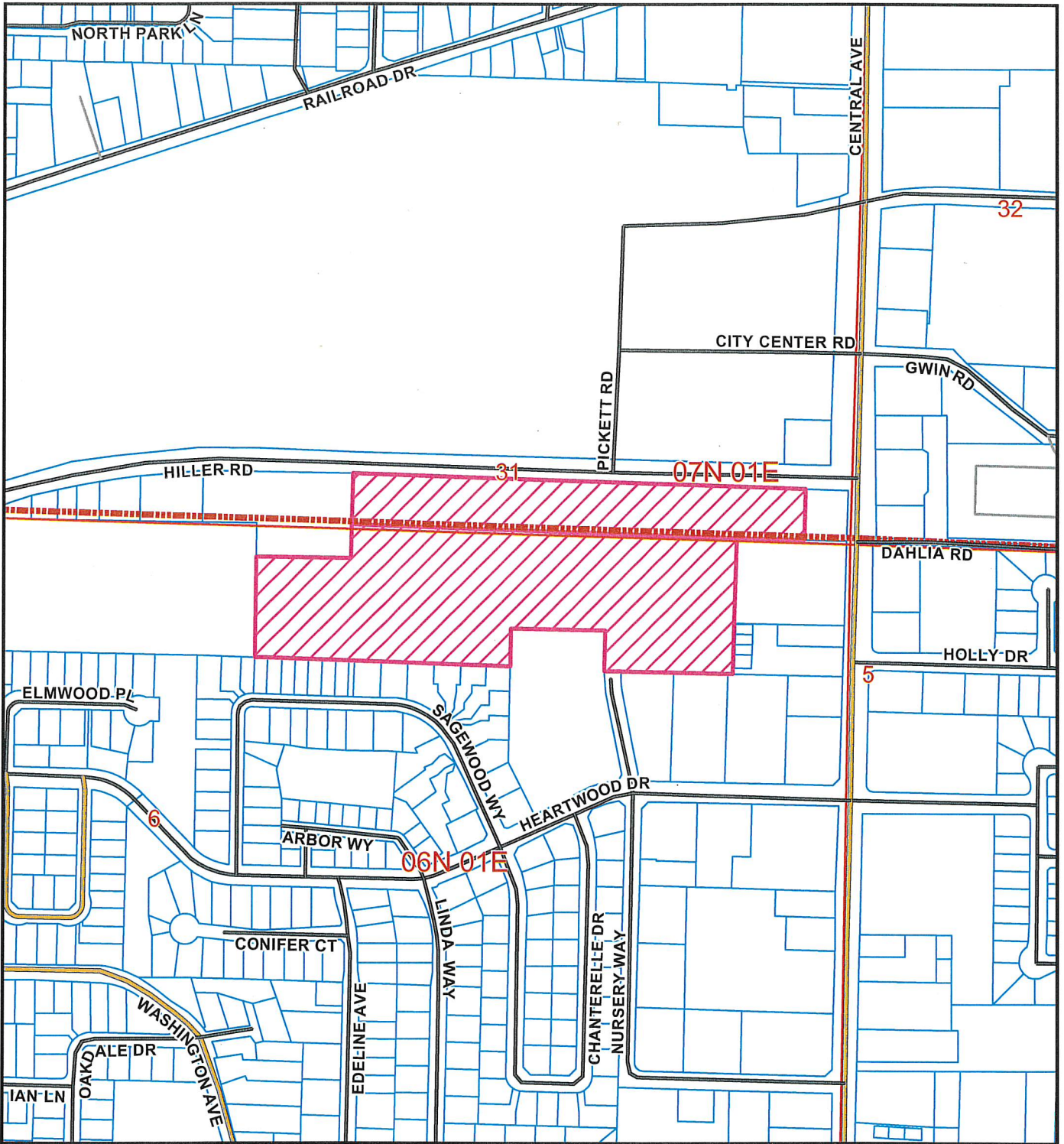
ABSTAIN: Commissioners:

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



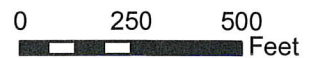
LOCATION MAP

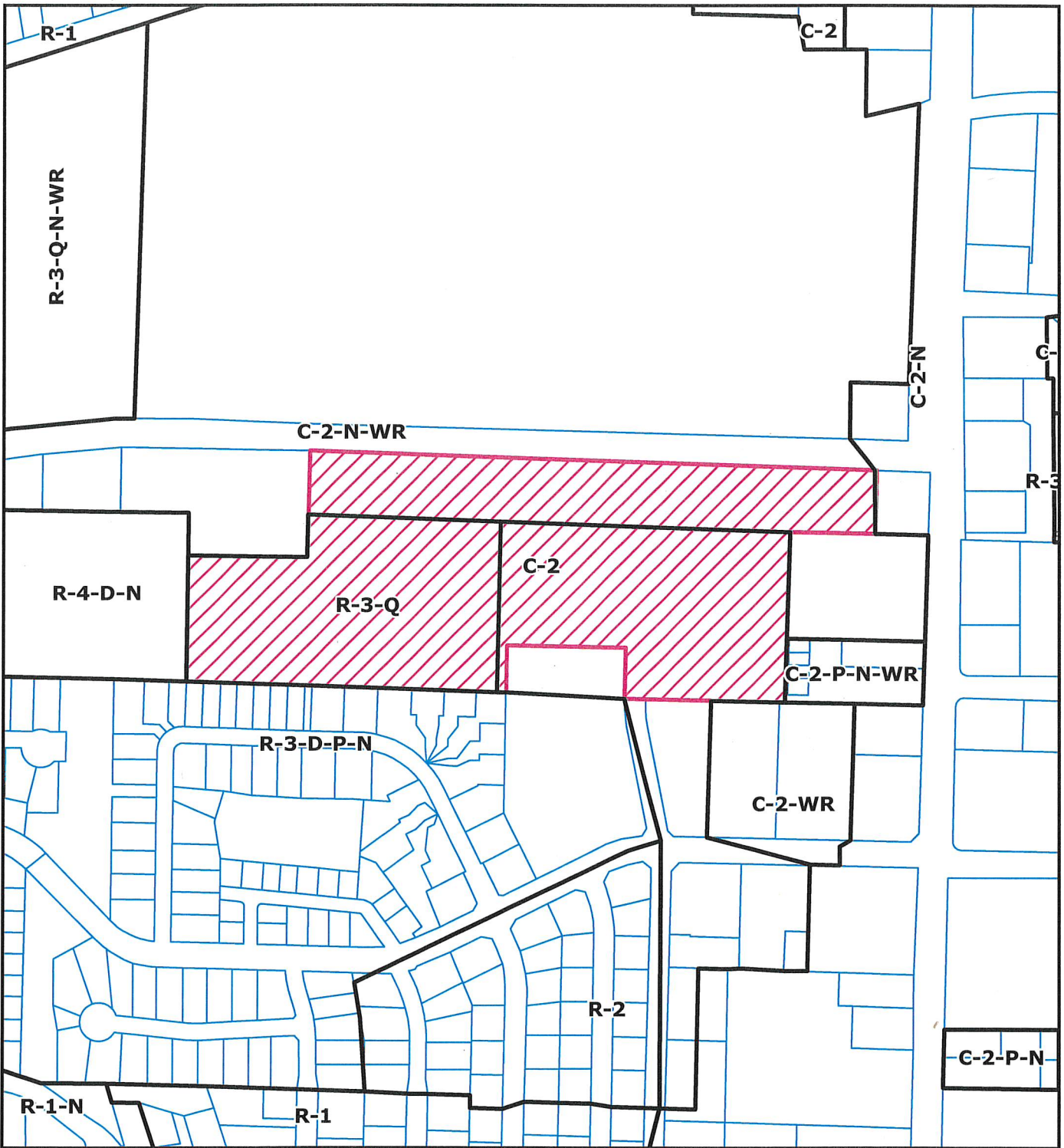
**PROPOSED L & A ENTERPRISES LLC
 PARCEL MAP SUBDIVISION
 MCKINLEYVILLE AREA
 PMS-18-001**

**APN: 508-251-055, 510-133-013
 T06N R01E S06 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.





ZONING MAP

**PROPOSED L & A ENTERPRISES LLC
 PARCEL MAP SUBDIVISION
 MCKINLEYVILLE AREA
 PMS-18-001**

**APN: 508-251-055, 510-133-013
 T06N R01E S06 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.

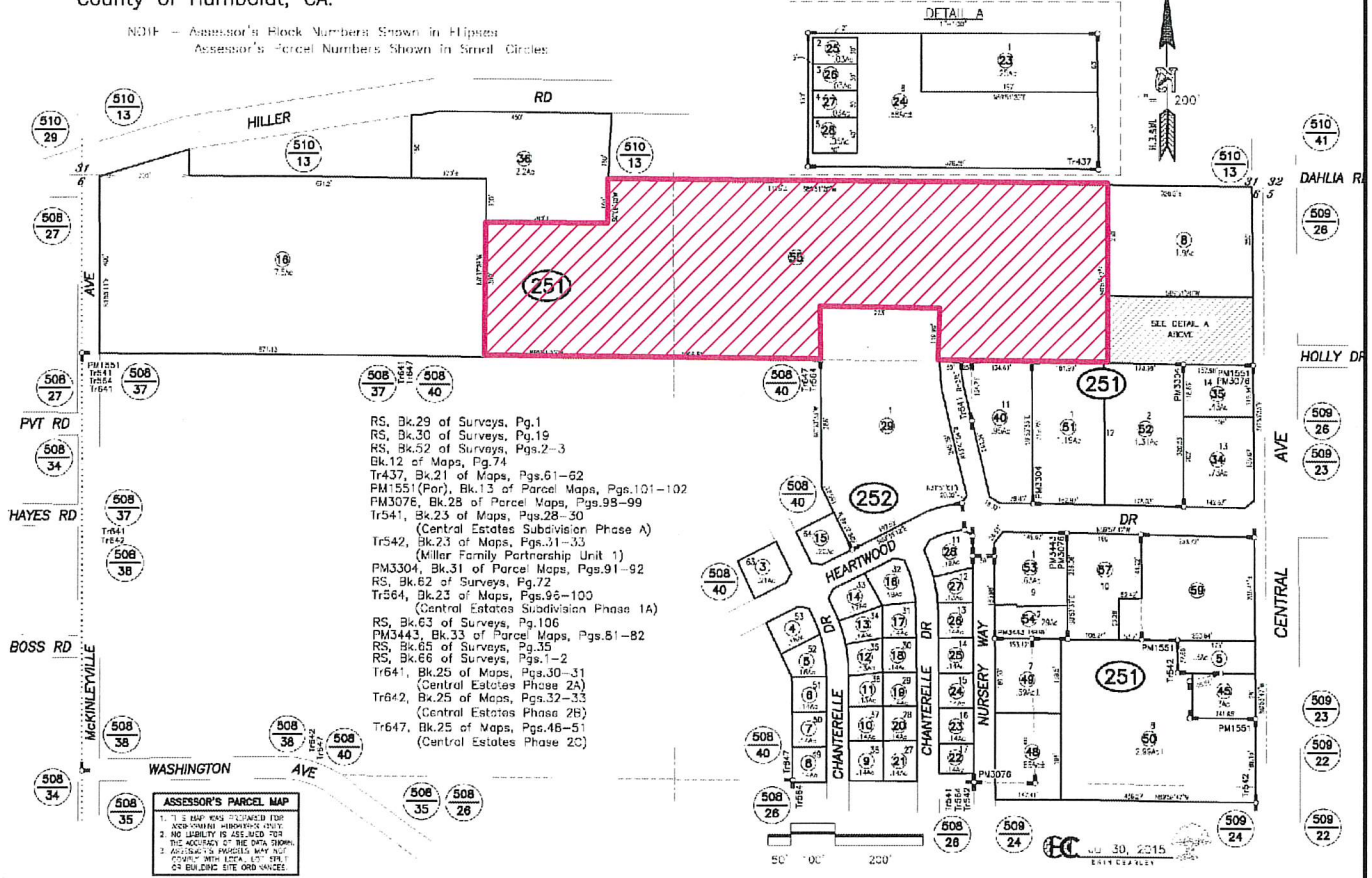


Assessor's Map Bk. 508, Pg. 25
County of Humboldt, CA.

N1/2 of NE1/4 SEC 6, T6N R1E, HBM

508-25

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles



- RS, Bk.29 of Surveys, Pg.1
- RS, Bk.30 of Surveys, Pg.19
- RS, Bk.52 of Surveys, Pgs.2-3
- Bk.12 of Maps, Pg.74
- Tr437, Bk.21 of Maps, Pgs.61-62
- PM1551 (Par), Bk.13 of Parcel Maps, Pgs.101-102
- PM3076, Bk.28 of Parcel Maps, Pgs.98-99
- Tr541, Bk.23 of Maps, Pgs.28-30
- Tr542, Bk.23 of Maps, Pgs.31-33
- (Miller Family Partnership Unit 1)
- PM3304, Bk.31 of Parcel Maps, Pgs.91-92
- RS, Bk.62 of Surveys, Pg.72
- Tr564, Bk.23 of Maps, Pgs.95-100
- (Central Estates Subdivision Phase 1A)
- RS, Bk.63 of Surveys, Pg.106
- PM3443, Bk.33 of Parcel Maps, Pgs.81-82
- RS, Bk.68 of Surveys, Pg.35
- RS, Bk.66 of Surveys, Pgs.1-2
- Tr641, Bk.25 of Maps, Pgs.30-31
- (Central Estates Phase 2A)
- Tr642, Bk.25 of Maps, Pgs.32-33
- (Central Estates Phase 2B)
- Tr647, Bk.25 of Maps, Pgs.46-51
- (Central Estates Phase 2C)

ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED IN THE
 2009-2010 FISCAL YEAR
 2. NO LIABILITY IS ASSUMED FOR
 THE ACCURACY OF THE DATA SHOWN
 3. ADJACENT PARCELS MAY NOT
 CORRELATE EXACTLY WITH THE
 2009 BUILDING SITE ORDANCES

ASSESSOR PARCEL MAP

**PROPOSED L & A ENTERPRISES LLC
 PARCEL MAP SUBDIVISION
 MCKINLEYVILLE AREA
 PMS-18-001**

**APN: 508-251-055, 510-133-013
 T06N R01E S06 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.

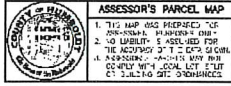
N

 MAP NOT TO SCALE

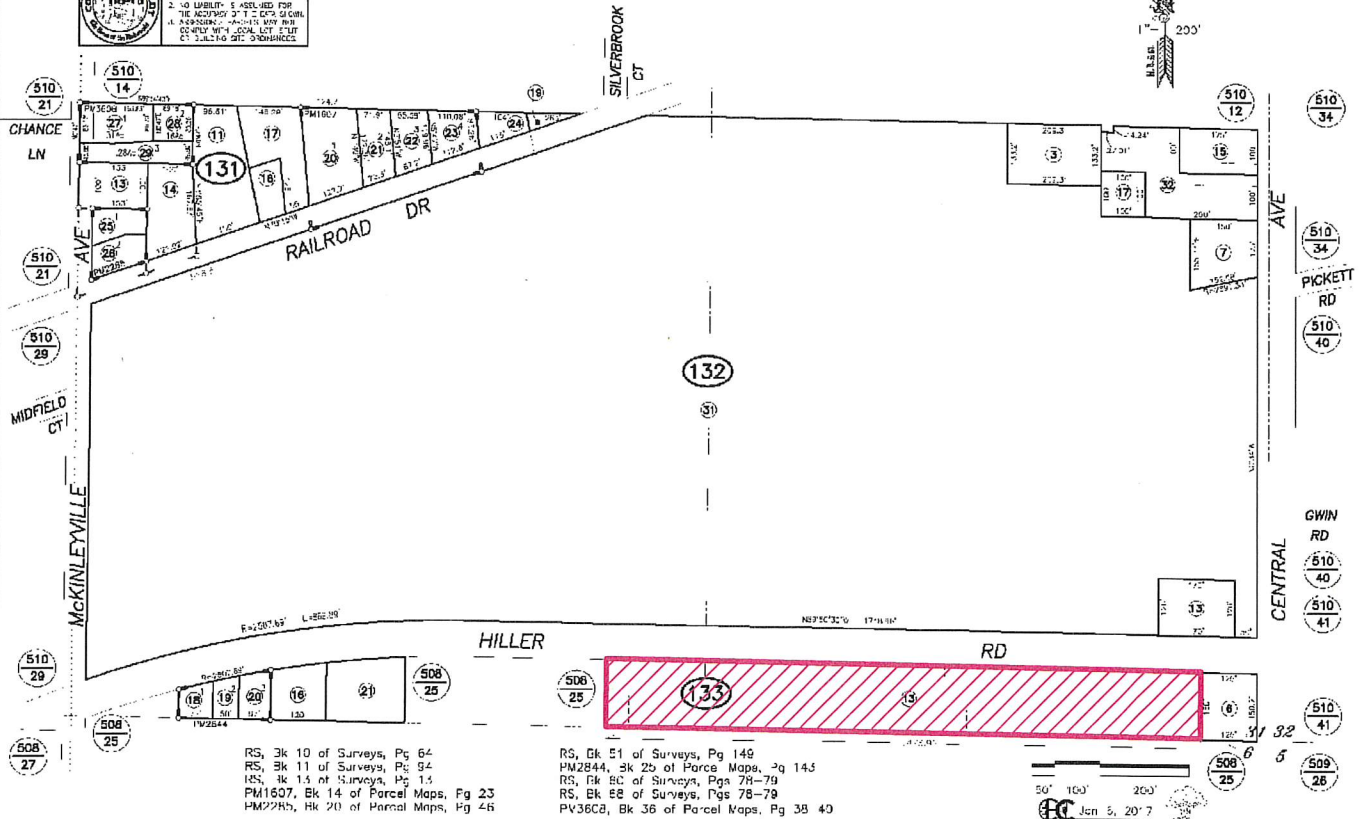
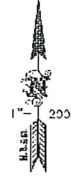
Assessor's Map Bk. 510, Pg. 13
 County of Humboldt, CA.

S1/2 OF SE1/4 SEC 31, T7N R1E, HB&M

510-13

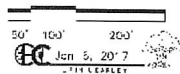


NOTE - Assessor's Book Numbers Shown in Triangles.
 Assessor's Parcel Numbers Shown in Small Circles



RS, Bk 10 of Surveys, Pg 64
 RS, Bk 11 of Surveys, Pg 64
 RS, Bk 13 of Surveys, Pg 13
 PM1607, Bk 14 of Parcel Maps, Pg 23
 PM2285, Bk 20 of Parcel Maps, Pg 46

RS, Bk 51 of Surveys, Pg 146
 PM2844, Bk 26 of Parcel Maps, Pg 145
 RS, Bk 6C of Surveys, Pgs 78-79
 RS, Bk 6E of Surveys, Pgs 78-79
 PV36C8, Bk 36 of Parcel Maps, Pg 38 40



ASSESSOR PARCEL MAP

**PROPOSED L & A ENTERPRISES LLC
 PARCEL MAP SUBDIVISION
 MCKINLEYVILLE AREA
 PMS-18-001**

**APN: 508-251-055, 510-133-013
 T06N R01E S06 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.



MAP NOT TO SCALE



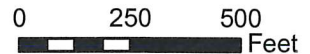
AERIAL MAP

**PROPOSED L & A ENTERPRISES LLC
 PARCEL MAP SUBDIVISION
 MCKINLEYVILLE AREA
 PMS-18-001**

**APN: 508-251-055, 510-133-013
 T06N R01E S06 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.



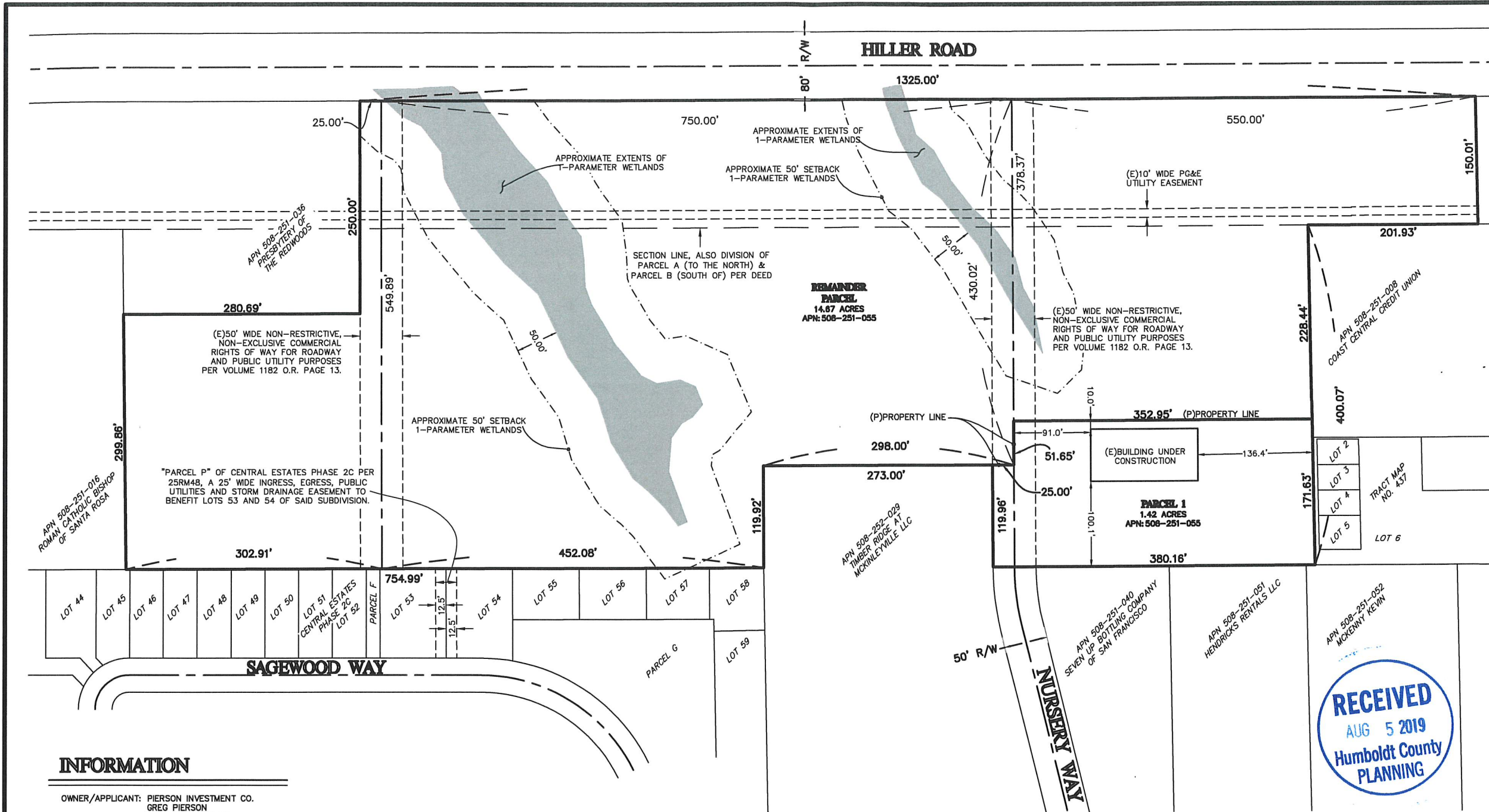
REVISIONS	BY



WHITCHURCH ENGINEERING, INC.
 610 9th Street Fortuna, California 95540 Phone (707) 725-0925

PIERSON TENTATIVE MAP
 NURSERY WAY, MCKINLEYVILLE, CA
 APN: 508-251-055
 1-707-268-1800

Date 5-2-19
 Scale AS NOTED
 Design DPT
 Drawn NRG
 Job NEL1601
 Sheet **1**



INFORMATION

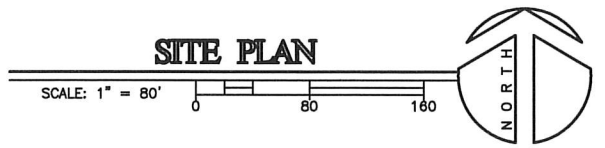
OWNER/APPLICANT: PIERSON INVESTMENT CO.
 GREG PIERSON
 1200 W. HARRIS ST
 EUREKA, CA 95503
 707-268-1800

ENGINEER: WHITCHURCH ENGINEERING, INC.
 610 9TH STREET
 FORTUNA, CA 95540
 707-725-6926
 ATTN: DARREN TULLY

SITE ADDRESS: NURSERY WAY, MCKINLEYVILLE, CA
 APN: 508-251-055

PARCEL AREAS	GROSS	NET
EXISTING:	16.09 ACRE	0
PARCEL 1:	14.63 ACRE	13.53 ACRE
PARCEL 2:	1.46 ACRE	1.30 ACRE

ZONING: C2
 WATER SUPPLY: MCKINLEYVILLE COMMUNITY SERVICES DISTRICT.
 SEWAGE DISPOSAL: MCKINLEYVILLE COMMUNITY SERVICES DISTRICT.



LEGEND

- SUBJECT PARCEL BOUNDARY LINE
- NEIGHBORING PARCEL BOUNDARY LINE
- CENTERLINE OF ROADWAY
- EASEMENT LINE

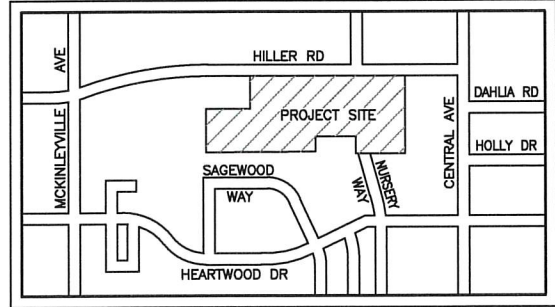
NOTES

- ALL EASEMENTS OF RECORD ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE RECORDED PARCEL MAP.
- FOR CONSTRUCTION DETAILS ON PARCEL 1 IMPROVEMENTS SEE HUMBOLDT COUNTY PLANNING PERMITS:
 -BUILDING PERMIT #BLD-42426-NA
 -ENCROACHMENT PERMIT #EP 18074
 -ENCROACHMENT PERMIT #EP19009

ABBREVIATIONS

- (E) EXISTING
- (P) PROPOSED
- APN ASSESSORS PARCEL NUMBER
- R/W RIGHT OF WAY

VICINITY MAP NOT TO SCALE



This drawing or drawing set shall not be used for construction unless a jurisdictional stamp (County, City, State, Federal) has been issued on the drawing, stating "FOR PERMIT" or similar verbiage, a wet signed professional engineer's stamp, and permit documents have been issued for the project.

ATTACHMENT 1

CONDITIONS OF APPROVAL

Approval of the tentative map is conditioned on the following terms and requirements which must be satisfied before the Parcel Map may be recorded.

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions in the Department of Public Works referral dated August 7, 2019 revised, included herein as Exhibit A of Attachment 1, 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 Department requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot areas, as confirmed by survey, shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. Cost report will be made available at the Humboldt County Planning Department.
5. 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 \$110.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Department, 3015 H Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
6. The applicant shall submit at least three (3) copies of a Development Plan for all parcels 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 shall include the following site development details:
 - A. Mapping:
 - (1) Topography of the land in 1-foot contours.
 - (2) Development standards including: setbacks, maximum lot coverage, maximum height, and parking spaces for proposed Parcel 1 as shown on Building Permit #46426.
 - (3) Proposed improvements including streets, sidewalks, driveways, drainage and storm water detention facilities, community services facilities, access easements, and emergency access and vehicle turn-around, as applicable, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program.

- (4) Wetland areas and buffers labeled "unbuildable". Note that wetlands are defined per the McKinleyville Community Plan. Should the definition of wetlands change to match the Humboldt County General Plan, a revised Development Plan may be submitted.

B. Notes to be placed on the Development Plan:

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

If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) is to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

- (2) "Hours of construction for on- and off-site improvements shall be restricted to Monday thru Friday from 7:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm, with no construction activity on Sunday."
- (3) "Utilities associated with the subdivision shall be placed underground, where feasible."
- (4) "If a building permit is requested for construction of a residential structure or structures on any proposed parcels within four (4) years of the recordation of the Parcel Map, the fee in-lieu of parkland dedication required pursuant to H.C.C. §314-110.1 shall be paid by the then record owner of the parcel or parcels being developed for residential use as a condition to the issuance of the Building Permit for such development. The amount of the fee in-lieu of dedication shall be determined by the Planning Division in the manner provided by the regulations."
- (5) "The subdivision is considered a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. Development of low impact development techniques other than those included on the improvement plans shall require a site-specific analysis to demonstrate conformance with this standard."
- (6) "Wetlands are defined according to the criteria utilized by the California Department of Fish and Wildlife." Should the definition change to match that of the Humboldt County General Plan, a revised Development Plan may be submitted.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The term of the approved Tentative Map 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
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		
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	

	CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388	
LAND USE		445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF PIERSON, APN 508-251-055, PMS18-001, APPS# 13982, FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 11.5 ACRES INTO 1 PARCEL AND A REMAINDER PARCEL.

DATE: 05/02/2018
08/07/2019 revised

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 revised tentative map prepared by Whitchurch Engineering, Inc dated May 2, 2019, and dated as received by the Humboldt County Planning Division on August 5, 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 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.

- 1.5 FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.

- 1.6 PRIVATE ROADS:** Pursuant to County Code Section 323-2(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 323-2(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."

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

(a) PUBLIC ROAD: (NURSERY WAY)

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

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

PUE: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way for the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

(b) PUBLIC ROAD: (HILLER AVENUE)

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 40 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt a 10 foot wide easement for public sidewalk purposes lying adjacent to the right of way of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision. This easement may overlap a public utility easement.

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.

- (c) MID TOWN TRAIL:** Prior to issuance of a building permit, a 20 foot wide easement for the mid town trail shall dedicated to the County of Humboldt. The location of the easement shall connect between the existing stub to the south to an appropriate end point at Hiller Road that will allow the trail to continue across Hiller Road and through APN 510-132-031. The easement shall be dedicated in a manner, width, and location approved by this Department.

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 CONSTRUCTION PLANS: Construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet

size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work.

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the local fire response agency and public utility companies having any facilities within the subdivision prior to construction authorization by this Department.

Construction plans shall be tied into elevation datum approved by this Department. Projects located within McKinleyville Community Services District (MCSD) area shall be tied to MCSD elevation datum unless waived by this Department.

Unless otherwise waived by this Department, record drawing ("As-Built") plans shall be submitted for any road, drainage, landscaping, and pedestrian improvements that are constructed as part of this project. Record drawing plans must be prepared by a Civil Engineer registered by the State of California. Once approved by this Department, one (1) set of "wet stamped" record drawings on 22" x 34" mylar sheets shall be filed with this Department.

2.2 CONSTRUCTION PERIOD: Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

2.3 ADA FACILITIES: All pedestrian facilities shall be ADA compliant. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).

Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

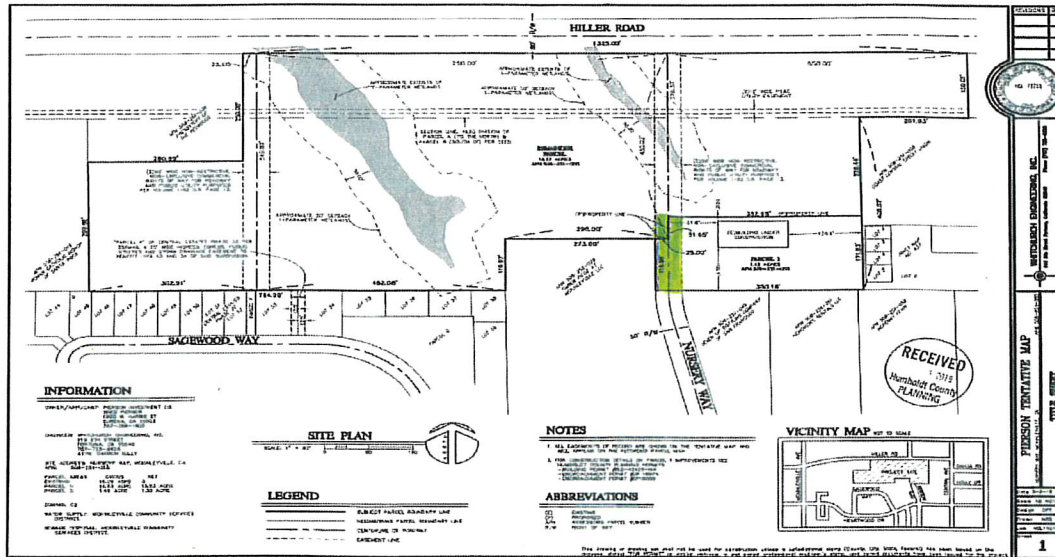
2.4 TRAFFIC CONTROL DEVICES & SIGNS: Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- (a) A barrier to prevent vehicular traffic shall be erected on Nursery Way at the northern end of the constructed roadway.
- (b) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker.
- (c) Additional signing and striping may be required by the Department upon review of the improvement plans. This includes, but is not limited to, centerline striping, two way left turn lane striping, bicycle lane striping, edge lines, dead end road signs, no outlet signs, speed limit signs, warning signs, etc...

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

- (a) **NURSERY WAY** shall have a curb to curb distance of 34 feet. The road shall be striped with bike lanes and a centerline stripe. The road shall have Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter, 4.5 foot wide landscape strip, and 5 foot sidewalk on each side.

Within the landscape strip, install street trees spaced every 25 feet.



Picture 1: Limits of Nursery Way improvements highlighted in green

- (b) **MID TOWN TRAIL** shall be constructed as a paved trail 10 feet in width with 5 foot wide landscape strip on each side within a 20 foot wide corridor. The trail shall be constructed prior to issuance of an occupancy permit on the Remainder Parcel.
- (c) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (d) Nothing is intended to prevent this Department from approving alternate typical sections, structural sections, drainage systems, and road geometrics based upon sound engineering principals as contained in, but not limited to, the Humboldt County Roadway Design Manual, Caltrans Highway Design Manual, Caltrans Local Programs Manual, Caltrans Traffic Manual, California Manual on Uniform Traffic Control Devices (MUTCD), and AASHTO's A Policy of Geometric Design of Highways and Streets (AKA "The Green Book"). Engineering must not be in conflict with Humboldt County Code or County adopted guidelines and policies.
- (e) Applicant shall remove and replace any public curb, gutter, sidewalk, flowline drain, or pavement found by this Department to be broken, uplifted, or damaged that fronts or is within the subdivision.
- (f) All road intersections shall conform to Humboldt County Code Section 341 regarding visibility.

- (g) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

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

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 50 feet from the edge of the County road.

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

That portion of a structure used for the parking of vehicles must be setback a minimum of 20 feet from easements created as a condition of tentative map approval for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. If a development plan is prepared for this project, the development plan shall note this minimum setback condition and indicate graphically the location of the setback line on the lots.

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

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

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

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

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

2.8 UNKNOWN IMPROVEMENTS: Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.

2.9 UTILITIES: The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities,

relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.

If any utilities are required to be installed as a condition of tentative map, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at the subdivider's expense.

Applicant shall remove any abandoned utilities (natural gas, electrical, cable tv, etc.,) within the public right of way fronting the subdivision or within the subdivision as directed by this Department.

2.10 PERMITS: An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.11 GATES: Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

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. In preparation of drainage plans, applicant shall comply with the Community of McKinleyville County Storm Water Management Program.

3.3 STORM WATER QUALITY: Applicant shall include within the project site the implementation of Best Management Practices (BMPs) to prevent storm water pollution. BMPs include, but are not limited to, stenciling drainage inlets. A storm water filtration system shall be constructed to the satisfaction of this Department. A note shall be placed on the development plan indicating this.

3.4 DETENTION FACILITIES: Pursuant to McKinleyville Community Plan Policy 3310 (5), this project is required to construct detention facilities in a manner and location approved by this Department. In general, storm flows from the 100-year (Q_{100}) storm shall be detained so as to release water from the site at a rate no greater than the predevelopment 2-year (Q_2) storm flows. Contact this Department regarding any questions.

If the site conditions do not allow for detention, then infiltration may be considered by the Department as an alternative.

3.5 DRAINAGE FEES: Applicant must conform to Humboldt County Code Section 328.1-16 regarding McKinleyville Drainage Area Fees.

3.6 LOW IMPACT DEVELOPMENT (LID): The subdivision is required to comply with County Code Section 337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual lot may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a lot are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

Each lot in the subdivision is considered a regulated project.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

<NONE>

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

7.1 LANDSCAPING PLAN: A landscape plan is required for all landscaping within the public right of way pursuant to Section 13 of the Appendix to Title III, Division 2, Humboldt County Code. The plans must show the proposed irrigation facilities. The plan shall be prepared by a landscape architect or other qualified professional as approved by this Department. Monument signs, if proposed, and landscaping shall be shown on the plan and shall conform to Humboldt County Code Section 341 regarding visibility. All work and materials shall be warranted for a minimum of 1 year from filing of the subdivision map, unless otherwise approved by this Department. The landscape plan shall be approved by this Department. It must include a minimum of the following:

- (a) List of species to be planted (common name and scientific name).
- (b) An irrigation system. All landscaping that is not drought tolerant shall be maintained by a permanent automatic irrigation system.
- (c) Planting and fertilization method
- (d) Maintenance Manual

- (e) Staking Method for trees
- (f) The plant types must be approved by this Department
- (g) Landscaping within the right of way shall consider appropriate screening for utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, and surface mounted electrical transformers, etc.

7.2 SPECIES: A list of approved trees and shrubs shall be shown on the development plan as the only trees and shrubs permitted in the parkway area, unless otherwise approved by this Department. Utilize native species when appropriate.

7.3 MAINTENANCE: Landscaping along the frontage of public streets is the responsibility of the adjacent lot owner. Landscaping along the frontage of private roads is the responsibility of the road maintenance association for the private road or is the responsibility of the adjacent lot owner.

This Department may maintain landscaping along collector or arterial roads when permanent funding source is made available.

7.4 LANDSCAPING GOALS: When on-site landscaping is required, any unimproved county right of way contiguous with the property shall be incorporated into the landscaping plan. Any landscaping shown within the County right of way shall be in addition to any required landscaping areas and shall not be counted towards meeting a landscaping goal.

// END //

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Planning Commission must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

A. Subdivision Findings: Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (HCC) specify the findings that must be made to approve tentative subdivision maps. Basically, the Hearing Officer may approve a tentative map if the applicants have submitted evidence which supports making all of the following findings:

1. That the proposed subdivision together with the provisions for its design and improvement is consistent with the County's General Plan.
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.

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 and the McKinleyville Community Plan (MCCP).

Plan Section(s)	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Commercial Services (CS): This designation is intended to classify lands that because of their location, access, and availability of services are suitable for commercial development.</p> <p>Residential Medium Density (RM): This designation is used in areas with full urban services and where common-walled units and apartments are appropriate.</p> <p>Mixed Use (MU): This designation is intended for lands in central areas of urban communities where the presence of public utilities and sufficient population base allows the development of pedestrian-oriented, mixed-use (commercial, office and residential) development.</p>	<p>The existing parcel is currently developed with a Frito-Lay warehouse and distribution facility which will remain on proposed Parcel 1. Both parcels have community water and sewer provided by the McKinleyville Community Services District.</p>
<p>Urban Limits: §2600 (MCCP)</p>	<p>New development shall be located within existing developed areas or in areas with adequate public services.</p>	<p>Both proposed parcels are within the Urban Limit line and are served by public water and sewer. The parcels will be served by both Nursery Way and Hiller Road.</p>
<p>Housing: §2400 (MCCP)</p>	<p>Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.</p>	<p>The proposal results in one parcel and a Remainder. The purpose of the subdivision is to create a parcel for the Frito-Lay building such that it can be conveyed separately from the larger parcel. The site was utilized by the Department of Housing and Community Development and identified as providing 100 units on approximately 6.25 acres. This corresponds to the RM designated lands that will not be affected by this subdivision. Therefore, the subdivision complies with this policy.</p>

<p>Hazards: §3200 (MCCP)</p>	<p>New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards. Geologic Fire Flood Hazards</p>	<p>The area of the proposed building site is within Geologic Hazard Rating 0 - "Relatively Stable" and is not within the Alquist-Priolo Fault Hazard Area. The proposed subdivision site is in an area served by the Arcata Fire Protection District. They did not identify any issues with the subdivision. The parcel does not have any flood hazards as shown on FIRM Map #680.</p>
<p>Sensitive and Critical Habitats: §3420 (MCCP)</p>	<p>To protect designated sensitive and critical resource habitats.</p>	<p>According to the County's Web GIS system, wetlands were identified on the northerly portion of the parcel just south of Hiller Road. A Wetland Delineation prepared by James Regan (September 2018) identified both 1- and 2-parameter wetlands at various locations on site. These wetlands and associated buffers will not be impacted by the proposed subdivision. The wetlands will also be mapped on the Development Plan to assure they remain protected. According to the California Natural Diversity Database (CNDDDB), the site is not identified as containing any sensitive or critical habitat.</p>
<p>Cultural Resource Protection: §3500 (FP)</p>	<p>New development shall protect cultural, archeological and paleontological resources.</p>	<p>The Northwest Information Center recommended that a cultural resource study be conducted. In addition, due to the size and setting of the parcel, the Blue Lake Rancheria recommended that the parcel be surveyed by a locally experienced professional. The applicant retained the services of Nick Angeloff who prepared a Cultural Resources Investigation. The report found that the project will not have an effect on significant historic resources provided the standard condition regarding inadvertent discovery is included. This has been made a condition of approval.</p>

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 project will result in the creation of one parcel and a Remainder. The purpose of the subdivision is to create a parcel such that the newly constructed Frito-Lay warehouse building can be conveyed separately. Evidence submitted by the applicant, staff site inspections and referral agency comments indicate that the lots will be suitable for development.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	Proposed Parcel 1 will be served by an extension of Nursery Way within an existing 50-foot right of way. The Remainder parcel will be served by both Nursery Way and Hiller Road. The project has been conditioned to adhere to all road improvement and drainage requirements as recommended by the Land Use Division of the Department of Public Works (LUD) per their Subdivision Requirements dated August 7, 2019 revised.
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Parcel 1 and the designated Remainder parcel are served by community water and sewer provided by the McKinleyville Community Services District (MCSD). MCSD has stated that they have the capacity to serve the subdivision
<p>322-3.1 Housing Element Densities</p> <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 proposal results in one parcel and a Remainder. The purpose of the subdivision is to create a parcel for the Frito-Lay building such that it can be conveyed separately from the larger parcel. The site was utilized by the Department of Housing and Community Development and identified as providing 100 units on approximately 6.25 acres. This corresponds to the RM designated lands that will not be affected by this subdivision. Therefore, the subdivision complies with this requirement.</p>

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								
Community Commercial (C-2) Residential Multiple Family (R-3)	C-2: Principal uses include professional and business offices, stores of a light commercial character, warehousing, storage and distribution. R-3: Principal uses include two-family dwellings, dwelling groups and multiple dwellings containing four or fewer units per building.	The existing parcel is currently developed with a Frito-Lay warehouse and distribution facility within the C-2 zone. No other development exists or is proposed. Both parcels have community water and sewer provided by the McKinleyville Community Services District.								
Minimum Parcel Size	C-2: 2,000 square feet R-3: 5,000 square feet	Both parcels comply								
Minimum Yard Setbacks per Zoning:	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">C-2</td> <td style="width: 50%; text-align: center;">R-3</td> </tr> <tr> <td>Front: none</td> <td>Front: 20 feet</td> </tr> <tr> <td>Side: none</td> <td>Side: 5 feet</td> </tr> <tr> <td>Rear: 15 feet</td> <td>Rear: 10 feet</td> </tr> </table>	C-2	R-3	Front: none	Front: 20 feet	Side: none	Side: 5 feet	Rear: 15 feet	Rear: 10 feet	Both parcels comply. Future development must comply with standards of the zone.
C-2	R-3									
Front: none	Front: 20 feet									
Side: none	Side: 5 feet									
Rear: 15 feet	Rear: 10 feet									
Minimum Lot Width	C-2: 25 feet R-3: 50 feet	Complies								
Maximum Lot Depth	C-2: n/a R-3: 3 times lot width	Complies								
Maximum Ground Coverage	C-2: none specified R-3: 60%	Existing development complies. Future development must comply with standards of the zone.								
Maximum Structure Height	C-2: 75 feet R-3: 45 feet	Existing development complies. Future development must comply with standards of the zone.								
Combining Zones										
314-32.1 Q - QUALIFIED	The Qualified Combining Zone is intended to be combined with any principal zone in situations where sound and orderly planning indicate that specified principal permitted uses or conditional uses otherwise allowed under the principal zone may be limited or not be allowed with or without a Use Permit, or development standards/restrictions can be added, deleted or modified to implement the General Plan or to implement CEQA mitigation or to limit additional entitlements. The qualified uses shall be specified in the ordinance applying the Q Zone to specific property.	Ordinance No. 2475 (Q-Zone) was adopted on March 13, 2012 to implement the 2010 Housing Element Multifamily Rezoning Program. The Q-Zone set certain restrictions on development within the R-3 zoned lands. As this subdivision does not affect the R-3 zoned lands, the project complies with this policy.								

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, Referral 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.

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

6. Environmental Impact. The following table identifies the evidence which supports finding that the proposed project will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
CEQA Guidelines	Categorically exempt from State environmental review.	Class 15, Section 15315; Minor Land Divisions. CEQA section 15315 categorically exempts the division of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have a slope greater than 20 percent. The unincorporated area of the county does not have any areas directly satisfying the CEQA definition of Urbanized, which generally speaking requires a population center of 50,000. Although the development site is not within the CEQA definition of urbanized, it exhibits characteristics of urban development common to Humboldt County because the parcel is served by both public water and sewer, it is commercially planned and zoned, and is within the mapped Urban Development Boundary per the McKinleyville Community Plan (MCCP). Additionally, the parcel is relatively flat, with a slope of approximately 1% to the northwest. Per the submitted evidence and agency responses, none of the exceptions to the Categorical Exemption per Section 15300.2 of the State CEQA Guidelines apply to this project. The use of this class of exemption for minor subdivision projects within urban areas, as the term is used in the County General Plan and Local Coastal Program, is consistent with previous County practice and the provisions of Section 21083.3 of CEQA.

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Tentative Subdivision Map	Attached in Maps Section
Application Form	On file with Planning
Preliminary Title Report	On file with Planning
Preliminary Drainage Report	On file with Planning
LID Worksheet	On file with Planning
Cultural Resources Investigation dated March 2018	On file with Planning
Wetland Delineation dated September 11, 2018	On file with Planning

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Building Inspection Division	Approval	On file with Planning
Land Use Division	Conditional Approval	Subdivision Requirements - Attached as Exhibit A, Attachment 1
Division Environmental Health	Approval	On file with Planning
California Department of Fish and Wildlife	Comments	Attached
Arcata Fire Protection District	Approval	On file with Planning
McKinleyville Community Services District	Comments	Attached
Northwest Information Center	Conditional Approval	On file with Planning
Wiyot Tribe	Conditional Approval	On file with Planning
Bear River Band of the Rohnerville Rancheria	No Response	
Blue Lake Rancheria	Conditional Approval	On file with Planning
PG&E	No Response	

Estlow, Trevor

From: Olson, Jennifer@Wildlife <Jennifer.Olson@wildlife.ca.gov>
Sent: Tuesday, December 4, 2018 11:36 AM
To: Estlow, Trevor
Cc: Van Hattem, Michael@Wildlife
Subject: RE: L&A Enterprises subdivision comments

Hi Trevor,

It looks like ACOE didn't visit the site for the JD, and I probably should have coordinated with their staff earlier, because it would have been good to discuss some of the complexities of the site that Mike and I observed on the ground (historic modification, current vegetation management).

Regardless, ACOE only considers 3 parameter wetlands, and it's my understanding that the McKinleyville community plan requires the County to use CDFW's wetland definition (USFWS/1-parameter). Given that there were two parameters at many of the plots, at this point I'd recommend that the County require the applicant to delineate at least the two parameter wetlands onsite, and create appropriate buffers as required by the McKinleyville community plan. The wetland and buffer area should be fenced and protected from degradation (via encroachment from development, or from people camping there/other uses, which Mike and I observed during our site visit). This will also ensure that any three-parameter wetlands that may exist in the northwest corner of the parcel (i.e. west of plot 3), where no wetland data points were collected, are protected from encroachment or fill. This area appears to be hydrologically connected to the larger wetland complex that exists to the north (across Hiller Road) and is currently connected via a culvert that drains to the wetland complex to the north. Stormwater facilities should not be located within the wetland area, but stormwater runoff may be directed towards the buffer if designed as part of a low impact development for stormwater management.

Let me know if you need more information on these recommendations. I've cc'd Mike van Hattem as he was on the site visit with us.

Best,
Jen

Jennifer Olson
Environmental Scientist – Coastal Conservation Planning
California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501
(707) 445-5387
jennifer.olson@wildlife.ca.gov



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



2/16/2018

PROJECT REFERRAL TO: McKinleyville Community Services District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, McKinleyville Community Services District, Arcata Fire Protection District

Applicant Name L & A Enterprises - Anne Pierson **Key Parcel Number** 508-251-055-000

Application (APPS#) 13982 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** PMS18-001

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 3/3/2018

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional Information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: WATER MAIN STUBBED ONTO PROPERTY
SEWER MAINLINE EXTENSION WILL BE NECESSARY PRIOR TO DEVELOPMENT

DATE: 03/09/2018

PRINT NAME: Gregory P. Orsini General Manager