



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: June 4, 2015

To: Humboldt County Planning Commission

From: Kevin R. Hamblin, Director of Planning and Building Department

Subject: **Dayton Murray** Parcel Map Subdivision
Application Number 9517
Case Number PMS-14-010
Assessor Parcel Number (APN) 018-121-041-000
400 feet north of the intersection of Fern Street and Brogan Way, Eureka

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	7
Zoning Map	8
Assessor Parcel Map	9
Aerial Map	10
Project Proposal Map/Tentative Parcel Map	11
Attachments	
Attachment 1: Recommended Conditions of Approval	12
Exhibit A – Department of Public Works Conditions	17
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	32
Attachment 3: Applicant's Evidence in Support of the Required Findings	42
Attachment 4: Referral Agency Comments and Recommendations	45
Attachment 5: Draft Addendum to Initial Study and Previously Adopted Mitigated Negative Declaration	47

Please contact Steven Lazar, Senior Planner, at 707.268.3741, or by email at slazar@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 4, 2015	Parcel Map Subdivision	Steven Lazar

Project Description: A Parcel Map Subdivision of a parcel that is approximately $\frac{3}{4}$ -acre into three (3) parcels ranging in size from 6,980 square feet to 22,800 square feet). An exception to the Lot Frontage requirements is requested to allow for the creation of one (1) "flag" lot. The parcel is currently vacant. The current proposal involves re-subdivision of a parcel that was created through a recent Minor Subdivision (PMS-08-06 Maciel / Parcel Map #3574). A similar request (PMS-14-009 Barnhart) involving re-subdivision of a nearby separate and contiguous property (created by Parcel Map #3574) into 4 new parcels is being processed concurrently with this proposal. All parcels will be served with community water and sewer by Humboldt Community Services District.

Project Location: The project is located in Humboldt County, in the Eureka area, on the west side of Brogan Way, approximately 400 feet north of the intersection of Fern Street and Brogan Way.

Present Plan Land Use Designation: Residential Low Density (RL) Eureka Community Plan (ECP) Density: 1-6 dwelling units per acre. Slope Stability: Low (1) to Moderate (2) Instability.

Present Zoning: Residential One-Family specifying a 6,000 square foot minimum parcel size (R-1*).

Assessor Parcel Number: 018-121-041-000

Applicant

Dayton and Susan Murray
5716 Christine Drive
Eureka, CA 95503

Owner

(same as applicant)

Agent

Mike O'Hern
Kelly- O'Hern Associates
3240 Moore Ave
Eureka, CA 95501

Environmental Review: An Addendum to a previously adopted Mitigated Negative Declaration (SCH# 2010062087) has been prepared for the project.

Major Issues: None.

State Appeals Status: Project is not located within the Coastal Zone.

MURRAY PARCEL MAP SUBDIVISION
Case Number PMS-14-010
Assessor's Parcel Number 018-121-041-000

RECOMMENDED COMMISSION ACTION:

1. Describe the application as a part of the Consent Agenda
2. Call for public testimony regarding the agenda item.
3. If no one requests discussion, make all the following motion to approve the application as a part of the Consent Agenda:

Move to adopt the Addendum pursuant to Section 15164 of the State CEQA Guidelines and make all of the required findings for approval of the Parcel Map Subdivision, based on evidence in the staff report, and approve the application on the Consent Agenda subject to the recommended conditions.

Executive Summary

The project involves a minor subdivision of a parcel that is approximately $\frac{3}{4}$ -acre into three (3) parcels ranging in size from 6,980 square feet to 22,800 square feet. The parcel is currently vacant and is suitable for residential development. All parcels will be served with community water and sewer by Humboldt Community Services District.

The current proposal involves re-subdivision of a parcel that was created through a recently completed Minor Subdivision of a 2.3-acre parcel (PMS-08-06 Maciel / Parcel Map #3574). A similar request (PMS-14-009 Barnhart) involving re-subdivision of a nearby separate and contiguous property (also created by Parcel Map #3574) into 4 new parcels is being processed concurrently with this proposal.

The previous subdivision (PMS-08-06 Maciel) was approved by the Planning Commission in August 2010. In March 2014, a parcel map conforming to the approved tentative map was filed with the County Recorder. Following this, Parcel 2 (0.74 acres –net) and Parcel 3 (0.83 acres – net) of the map were purchased separately by Rex Barnhart & Dayton Murray, respectively. Parcel 1 currently remains under the ownership by the subdivider (Maciel). The new owners of Parcels 2 and 3 (of the Maciel subdivision) are now seeking to re-subdivide, dividing Parcel 2 into four (4) parcels, and Parcel 3 into three (3) parcels, resulting in the creation of five (5) new parcels in addition to the two (2) existing lots (seven (7) total parcels between the Barnhart and Murray subdivisions). During consideration of the prior (Maciel) subdivision, to comply with Housing Element policy requiring meeting of the planned midpoint density target, preparation of an Ultimate Development Plan (UDP) was completed and approved. As the Maciel subdivision proposal would only result in a density of 1.28 units/acre (not meeting the midpoint density target), the submitted UDP showed the potential to meet the midpoint of 3.5 units/acre (8 units/2.23 acres) through future re-subdivision. The conceptual re-subdivision scenario rendered under the UDP governed future lot development, requiring that structures and other development features observe setbacks from these theoretical future boundary lines. Combined with the Barnhart subdivision proposal (PMS-14-009) being processed concurrently, approval of these proposed subdivisions will help more precisely implement the goal of achieving the density target for this area, though via a slightly different subdivision design.

An exception to the Lot Frontage requirements is requested to allow for the creation of a "flag" lot, as well as an adjustment to the timing of future subdivision improvements. The Exception Requests are more fully described in Attachment 3. With regard to the flag lot exception, access to proposed Parcel 1 will share a 20 foot wide access easement with Parcel 3 of the Barnhart development. An exception to lot frontage is required because the lot will not have a minimum of 50 foot of frontage on Brogan Way. The purpose of the exception is to better utilize

the property which is deeper than the standard lot dimension and to promote infill. This modified design will benefit both subdivisions (Barnhart and Murray). With regard to the exception request for deferral of improvements, the applicant has requested flexibility to complete the improvements in sequential order prior to initiating construction of each residence such that the work is completed in an orderly and effective manner. The build out of frontage improvements for both the Barnhart and Murray subdivisions will be completed in six increments as set forth in the exception request. The applicants believe that this pacing and division of costs will make the project more economically viable to the applicant or future developer. This improvement timing arrangement is supported by Public Works and the subdividers will enter into a subdivision agreement.

The project site and neighboring subdivision proposal (PMS-14-009 Barnhart) are both located in the Cutton area on the west side of Brogan Way north of Fern Drive. The majority of the project parcel is relatively flat, slightly sloping to the northwest. A break in slope occurs near the center of proposed Parcel 1, and separates the more level portions of the property from the steeper topography which defines approximately the northernmost third of the property to be divided. A paved private road, Brogan Way, will be further improved as part of the proposed re-subdivision. Both Humboldt #1 Fire Protection District and the Humboldt Community Services District recommend approval of the project.

The Department previously prepared and circulated a draft Negative Declaration during approval of the earlier Minor Subdivision (PMS-08-06 Maciel). An Addendum has been prepared for the proposed re-subdivision (including the adjacent subdivision proposal by Barnhart), concluding that further subdivision was previously contemplated during review of the prior project, and therefore will not result in additional potential for impacts or require new mitigation measures.

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all responding referral agencies, Planning Staff has found that the applicant has submitted evidence in support of making all of the required findings for approving the Parcel Map Subdivision, and requested exceptions to the local subdivision regulations.

Alternatives

The Planning Commission could elect not to approve the project and require the applicant to submit further evidence or to modify the project. These alternatives may be implemented if your Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, planning staff does not recommend further consideration of either alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 15-**

**Case Number PMS-14-010
Assessor's Parcel Number 018-121-041-000**

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

WHEREAS, Dayton Murray 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, as the lead agency, has found the project subject to environmental review pursuant to the State CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Parcel Map Subdivision for the proposed project (Case Number PMS-14-010); and

WHEREAS, Attachment 3 in the Planning Division staff report includes two requests for Exceptions to the Local Subdivision Regulations, prepared pursuant to 325-9 of the County Code. The Land Use Division has reviewed and supports the exceptions requested, and believes the required findings can be made; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on June 4, 2014.

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

1. The Planning Commission adopts the proposed Addendum to the previous Negative Declaration in Attachment 5, as required by Section 15074(b) of the CEQA guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Number PMS-14-010 based on the submitted evidence; and

3. The Planning Commission conditionally approves the Parcel Map Subdivision as recommended in the Planning Division staff report for Case Number PMS-14-010; Assessor's Parcel Number 018-121-041-000.

Adopted after review and consideration of all the evidence on June 4, 2015.

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

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

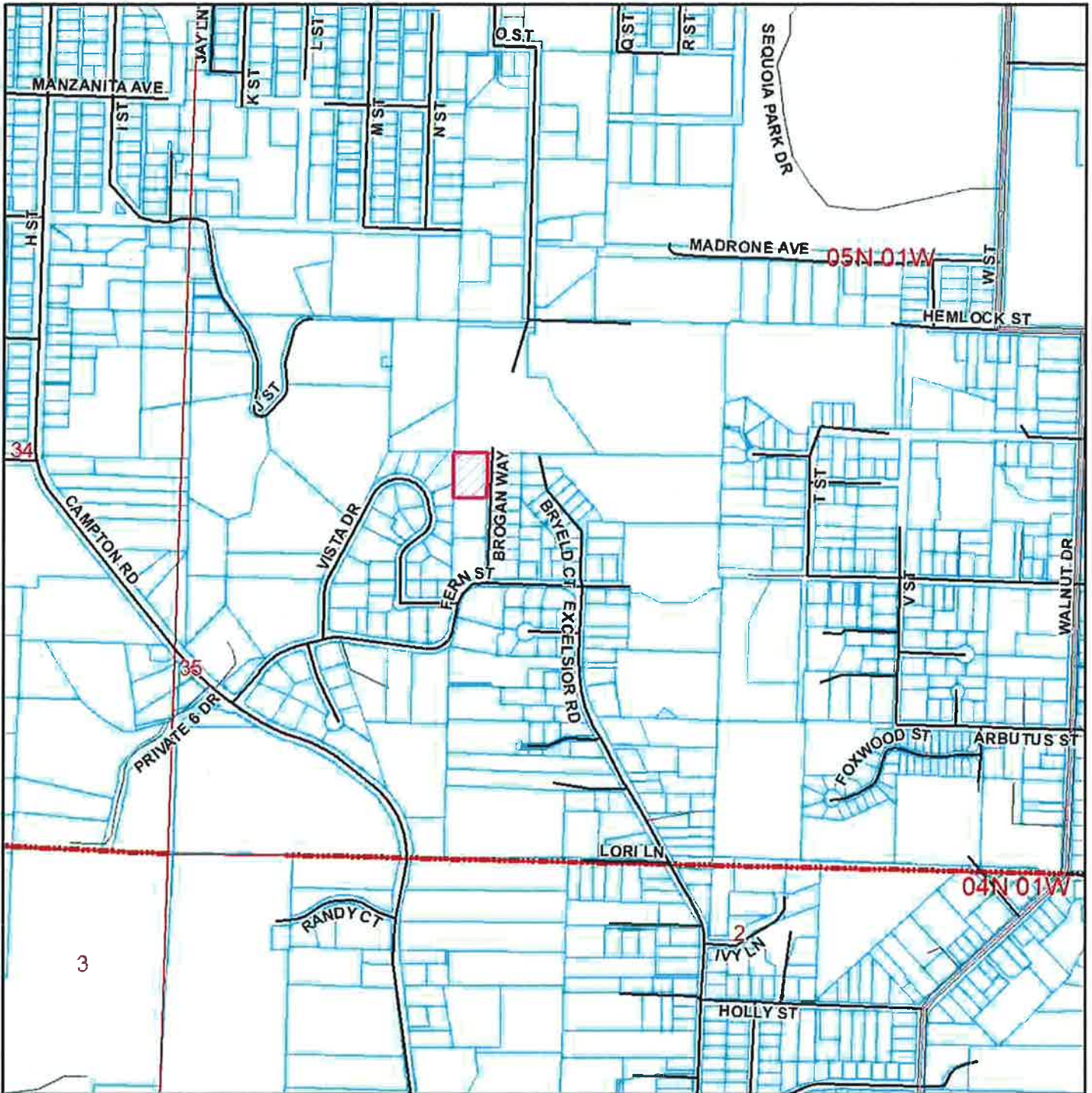
ABSENT: Commissioners:

DECISION:

Robert E. Morris, Chair

I, Catherine Munsee, Clerk 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.

Catherine Munsee, Clerk



LOCATION MAP

**PROPOSED MURRAY
PARCEL MAP SUBDIVISION
EUREKA AREA**

PMS-14-010

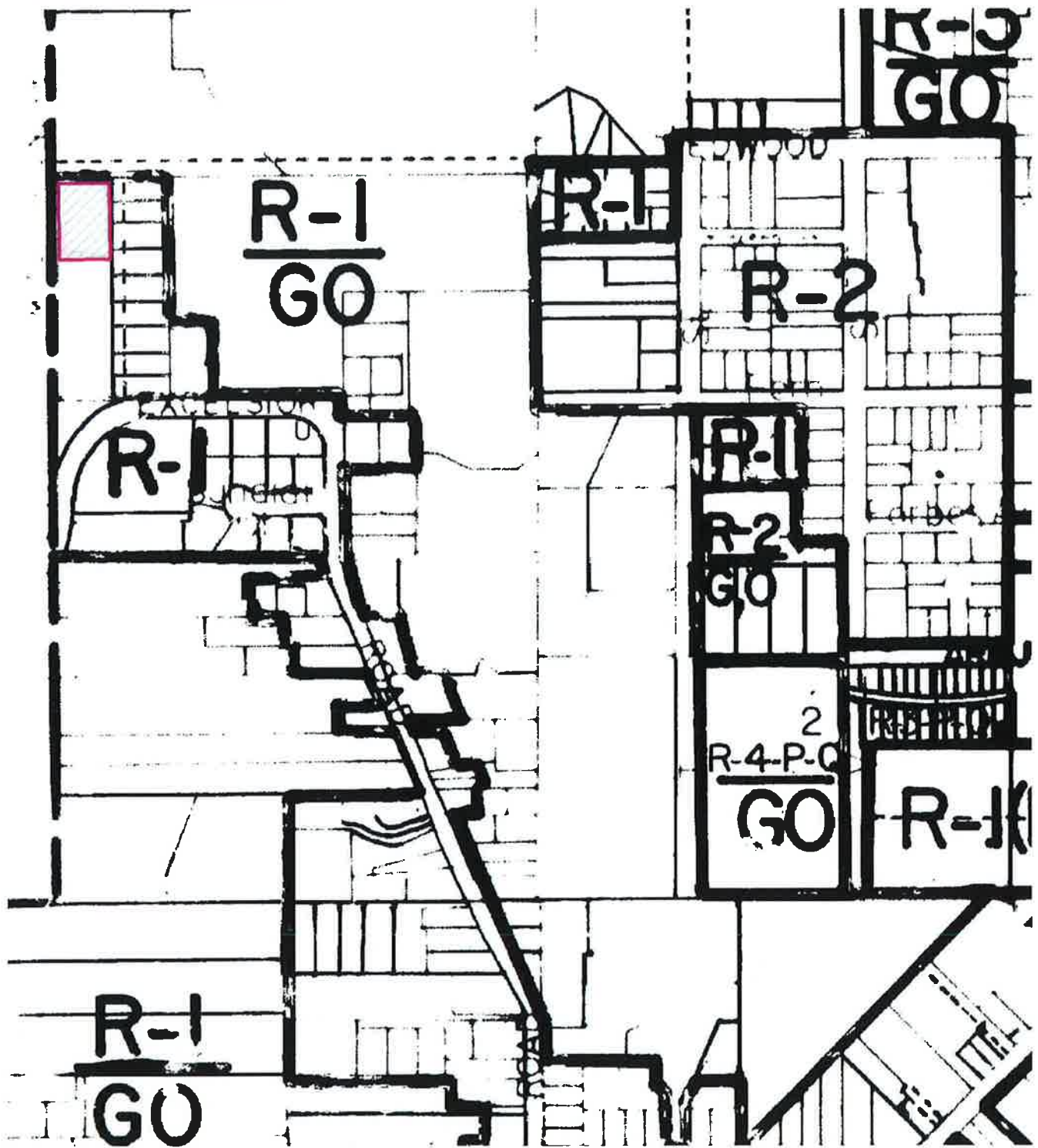
APN: 018-121-041

T05N R01W S35 HB&M (Eureka)

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.





PROJECT AREA =

ZONING MAP

**PROPOSED MURRAY
 PARCEL MAP SUBDIVISION
 EUREKA AREA
 PMS-14-010
 APN: 018-121-041
 T05N R01W S35 HB&M (Eureka)**

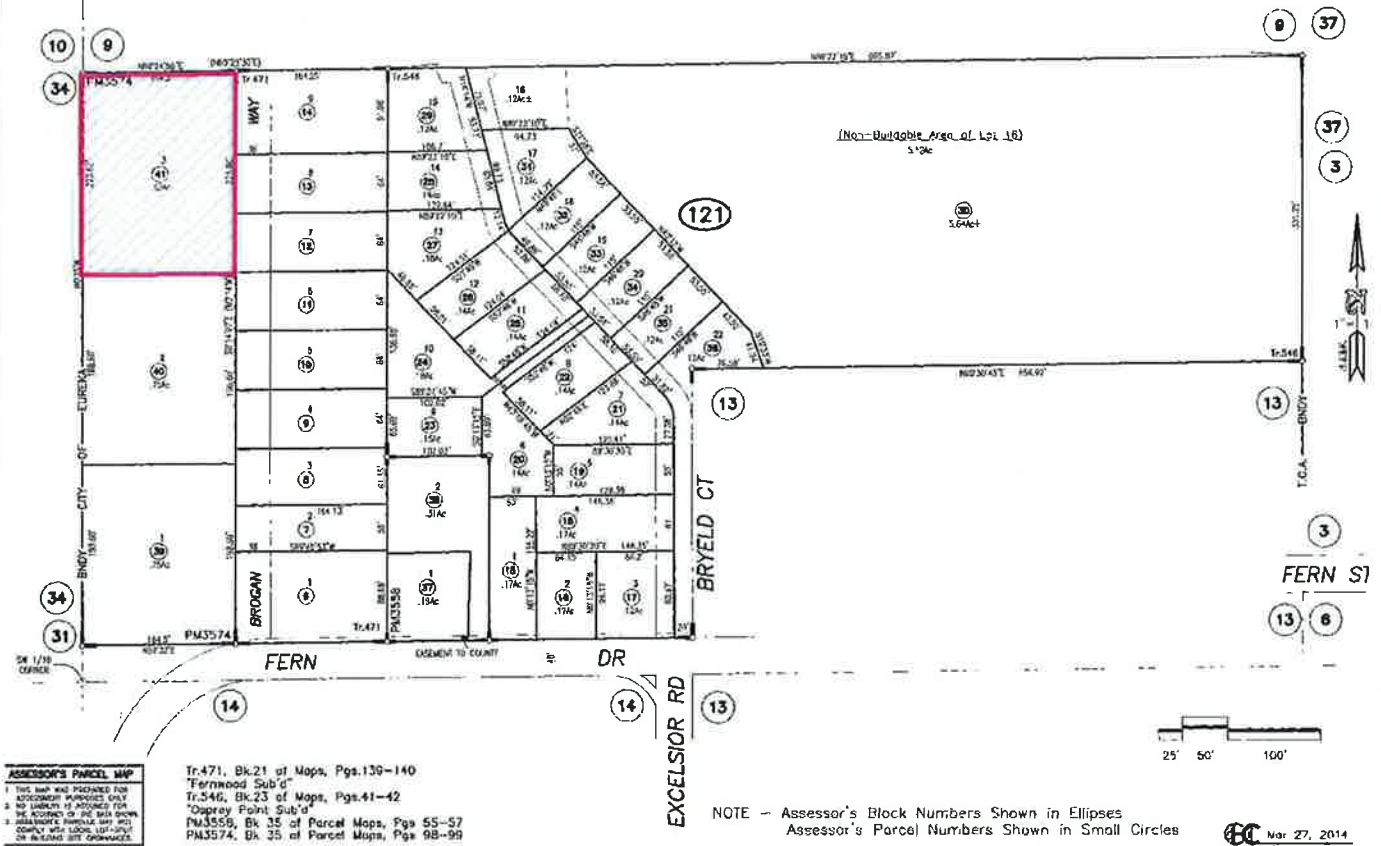


MAP NOT TO SCALE

Assessor's Map Bk. 18, Pg.12
County of Humboldt, CA.

PTN SW1/4 SEC. 35, T5N, R1W H.B.& M.

018-12



ASSESSOR'S PARCEL MAP

1. THIS MAP WAS PREPARED FOR ASSASSOR'S PURPOSES ONLY.
2. NO WARRANTY IS ASSURED FOR THE CORRECTNESS OF THE DATA SHOWN.
3. JURISDICTIONAL PARCEL MAPS MUST COMPLY WITH LOCAL, STATE AND FEDERAL REGULATIONS AND ORDINANCES.

Tr.471, Bk.21 of Maps, Pgs.130-140
"Fernwood Sub'd"
Tr.546, Bk.23 of Maps, Pgs.41-42
"Daguer Point Sub'd"
PM3556, Bk. 35 of Parcel Maps, Pgs 55-57
PM3574, Bk. 35 of Parcel Maps, Pgs 98-99

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

EC Mar 27, 2014

PROJECT SITE =

ASSESSOR PARCEL MAP
PROPOSED MURRAY
PARCEL MAP SUBDIVISION
EUREKA AREA
PMS-14-010
APN: 018-121-041
T05N R01W S35 HB&M (Eureka)

MAP NOT TO SCALE



AERIAL MAP

**PROPOSED MURRAY
PARCEL MAP SUBDIVISION
EUREKA AREA
PMS-14-010**

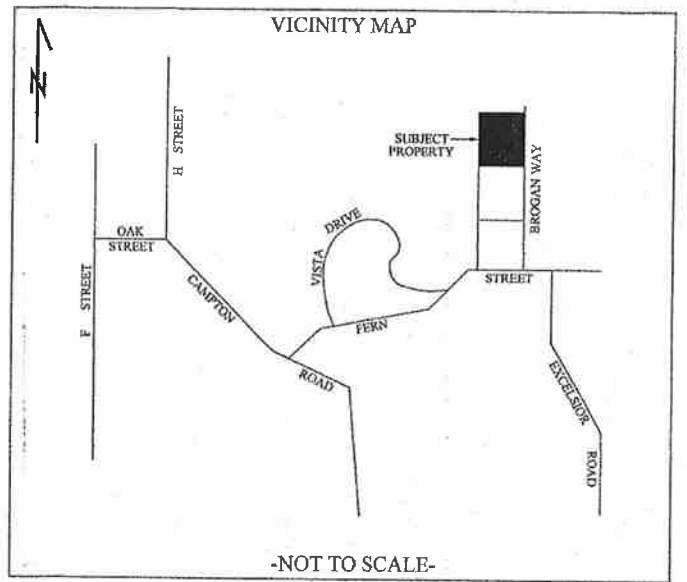
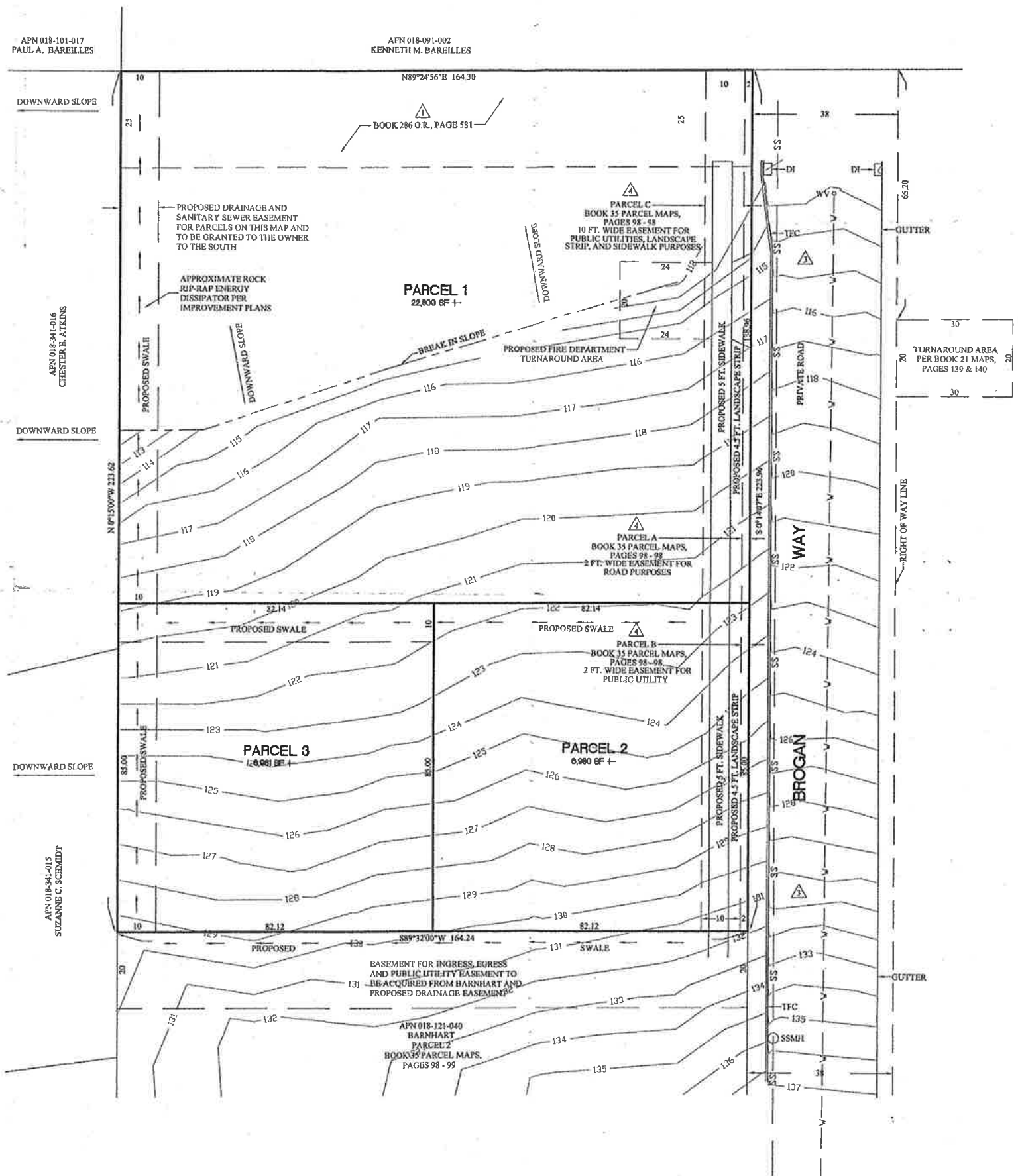
**APN: 018-121-041
T05N R01W S35 HB&M (Eureka)**

Project Area = 

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



0 250
Feet



NOTES

1. THIS TENTATIVE MAP PROPOSES THE SUBDIVISION OF AN EXISTING 0.84 ACRE PARCEL INTO THREE PARCELS.
2. WATER AND SEWER SERVICES ARE AVAILABLE FROM HUMBOLDT COMMUNITY SERVICES DISTRICT (HCSD).
3. CONTOUR INTERVAL: 1.0 FOOT CONTOURS ARE BASED ON A FIELD SURVEY. BENCHMARK - TOP OF BRASS DISK IN CONCRETE IN MONUMENT WELL, WITH COVER AT INTERSECTION OF BROGAN WAY AND FERN STREET - ELEVATION = 148.08 FEET.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN PER BOOK 35 PARCEL MAPS, PAGES 98 - 99.
5. THIS PROPERTY MAY BE ENCUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
 - ⚠ BOOK 286 O.R., PAGE 581 - EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - ⚠ BOOK 846 O.R., PAGE 452 - EASEMENT FOR PUBLIC ROAD (FERN STREET) GRANTED TO THE COUNTY OF HUMBOLDT - NOT SHOWN HEREON.
 - ⚠ INSTRUMENT NO. 1996-28780-6 AND INSTRUMENT NO. 2014-004031-4 - DECLARATION OF ROAD MAINTENANCE ASSOCIATION FOR BROGAN WAY - SHOWN HEREON.
 - ⚠ BOOK 35 PARCEL MAPS, PAGES 98 - 99 - PARCEL "A", PARCEL "B" AND PARCEL "C" SHOWN THEREON - SHOWN HEREON.
6. ADDRESS: NO ADDRESS HAS BEEN ASSIGNED.
7. PROPOSED SIDEWALK AND LANDSCAPE STRIP ARE PER MACIEL IMPROVEMENT PLANS.

LEGEND

- DI DROP INLET
- WV WATER VALVE
- TFC TOP FACE OF CURB
- SSMH SANITARY SEWER MANHOLE
- W— WATER MAIN
- SS— SANITARY SEWER MAIN



AGENT/SURVEYOR:
MICHAEL J. O'HEARN
KELLY O'HEARN ASSOCIATES
3240 MOORE AVENUE
EUREKA, CA 95501
442-7283

OWNER:
DAYTON MURRAY
5716 CHRISTINE DRIVE
EUREKA, CA 95503
442-6588

APN 018-121-041
TENTATIVE PARCEL MAP
FOR
DAYTON MURRAY
IN
SW 1/4 SECTION 35 T8N, R17W, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
AUGUST, 2014 SCALE 1" = 15'

COUNTY OF HUMBOLDT
STATE OF CALIFORNIA
KELLY O'HEARN ASSOCIATES
EUREKA, CALIFORNIA

ATTACHMENT 1

RECOMMENDED 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 on the Department of Public Works referral dated February 3, 2015, 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 Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the PG&E stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Humboldt #1 Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. Prior to recordation of the Parcel Map, the applicant shall submit a letter from the Humboldt Community Services District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
7. No water and sewer services shall be located within a driveway area. Water service meter boxes and sewer lateral clean-outs are to be placed in the sidewalk area. No trees or large shrubs shall be planted within a 10 feet of any water and sewer services (due to the proposed landscape strip between the road and the proposed sidewalk).
8. Prior to issuance of the building permits, the Applicant shall make payment for all outstanding Humboldt County Planning and Building Department - Planning Division fees. Cost report available at the Humboldt County Planning and Building Department - Planning Division.
9. 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 \$96 per parcel = \$192.00) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Division, 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.
10. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed

at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.

11. Parkland dedication fees of **\$4,380.00** shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka, CA. Alternately, a parkland dedication fee of **\$2,190.00** may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for secondary dwelling units on Parcels 1, 2, and 3. Release from the Conveyance and Agreement may be pursued upon payment of the **\$2,190.00** parkland dedication fee balance. A copy of the Conveyance and Agreement form with *pro-rata* updated dedication payments amounts for each lot calculated will be provided by the Planning Division upon the election of this option by the applicant once the Parcel Map is prepared and approved for recordation. These fees may be paid for by individual lot owners on a *pro-rata* basis at the time individual lot owners apply for a permit to construct a second or secondary dwelling unit. Should the applicant elect to enter into a Conveyance and Agreement, legal document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$292.00) will be required.
12. The applicant shall coordinate with the Department of Fish & Wildlife and Land use Division of Public Works, to integrate Low Impact Development strategies to the greatest extent possible, in order to ensure that there will be no net increase in post-construction stormwater runoff. These measures may include but are not limited to: pervious surface technologies for parking areas, driveways, or other surfaces, disconnected downspouts, and additional grassy swales or detention basins to maximize pervious surfaces and capture and maintain on-site stormwater percolation and treatment. These techniques should be included to the greatest extent possible in future improvement plans associated with this Project.
13. The applicant shall submit three (3) copies of a Development Plan for all parcels to the Planning Division for review and approval. The map shall be a minimum of 11 inches by 17 inches (11" x 17"). The plan 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) Development standards for parcels: applicable yard setbacks, maximum lot coverage, maximum building height, dimensioned setbacks to property lines and easements.
 - (2) Parking area detail and improvements: Two (2) parking spaces shall be shown on Parcels 1 and 2; five (5) parking spaces on Parcel 3. All parking to be located outside of the front yard setback consistent with Humboldt County Code Section 314-109.1.
 - (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.
 - (4) Topography of the land in 1-foot contour intervals. The steep slope shall be shown on the northern portion of proposed Parcel 1.
 - (5) Proposed improvements including streets, sidewalks, landscape strips, driveways, drainage and storm water facilities, community services facilities, access easements, recreational trails, and emergency access and vehicle turn-around, as applicable.
 - (6) Building envelopes (including area for parking spaces outside of front yard setback) and easements; an Emergency Vehicle Turnaround on Parcel 3.
 - (7) LID measures incorporated into the improvement plans for the project.

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, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
- Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition.

(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." All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan.

(3) "Utilities associated with the subdivision shall be placed underground, where feasible."

(4) (if applicable) "Development rights for secondary dwelling units have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."

(5) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project (construction of two single family residences) could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:

- Prohibition of open fireplaces.
- Heating should be provided using clean fuels (electricity or natural gas), when feasible.
- If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."

(6) In the event a Subdivision Agreement for sequential timing of subdivision frontage improvements is not entered into between the subdivider and the County prior to filing of the Parcel Map, the following note shall be included:

"Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Exhibit A to Attachment 1 for the subdivision shall be completed to the satisfaction of the Department of Public Works as a condition of building permit issuance for each parcel created by this subdivision."

(7) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

(8) The steep slope on the northern portion of Parcel 1 is wet, contains wetland species and is likely functioning as a seep. Disturbance and vegetation clearing on the slope is prohibited and could potentially result in slope failure. Native vegetation shall be retained.

14. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Planning Division (enclosed in the final approval packet). Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$292.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.

13. **Prior to hearing**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. (Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.)

Informational Notes

1. To minimize costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division. The applicant should submit the listed item(s) for review as a package as early as possible before the desired date for final map checking and recordation. Post application assistance by the Assigned Planner, with prior appointment, will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. Copies of all required forms and written instructions are included in the final approval packet.

Each item evidencing compliance except legal documents to be recorded should note in the upper right hand corner:

Assessor's Parcel No. _____ Condition _____
(Specify) (Specify)

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

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover). Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition.

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. This project is located within an area targeted for evaluation under a Development Impact Study, where new development benefitting from the sewer infrastructure improvements completed under the Martin Slough Interceptor (MSI) project, may be subject to payment of Development Impact fees. Once established, these fees will serve to fund transportation improvements in the Greater Eureka Area. They are part of a Mitigation Program created within the Certified EIR for the MSI project (SCH No. 202082043), and are referenced in a subsequent Memorandum of Understanding (2006) and Memorandum of Agreement (2009) executed between the City of Eureka and County of Humboldt.
5. This project is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover the processing of the Subdivision or Special Permit shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.
6. 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



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

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

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF MURRAY, APN 018-121-041, PMS 14-010 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 0.84 ACRES INTO 3 LOTS

DATE: 02/03/2015

The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Kelly-O'Hern Associates dated 08/2014, and dated as received by the Humboldt County Planning Division on 10/28/2015.

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

(a) **BROGAN WAY (not county maintained):**

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels within the subdivision in a manner approved by this Department.

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

The applicant shall cause to be dedicated to the County of Humboldt a PUE over the entire area of the access easement for the road.

Sidewalks: Applicant shall cause to be dedicated on the subdivision map a non-exclusive 10 foot wide easement for sidewalk purposes lying adjacent to the right of way of the access roads within the subdivision. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department. This easement may overlap a public utility easement.

Irrevocable dedication: Applicant shall cause to be irrevocably dedicated on the subdivision map to the County of Humboldt any access, PUE, sidewalk, and/or slope easements created on the subdivision map. The dedication shall be made in a manner approved by this Department. The County will most likely reject this offer of dedication at this time.

- (b) **DRAINAGE EASEMENT:** Based upon the grading plan for the subdivision, a drainage easement for the benefit of the parcels within the subdivision may be needed. In addition, if the applicant is not draining into the drainage inlet on Brogan Way, a drainage easement or "right to discharge" may be needed from APN 018-091-002. The easements shall be dedicated in manner, width, and location as approved by this Department.
- (c) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

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

- 1.7 **PRIVATE ROAD:** 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."

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.

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.

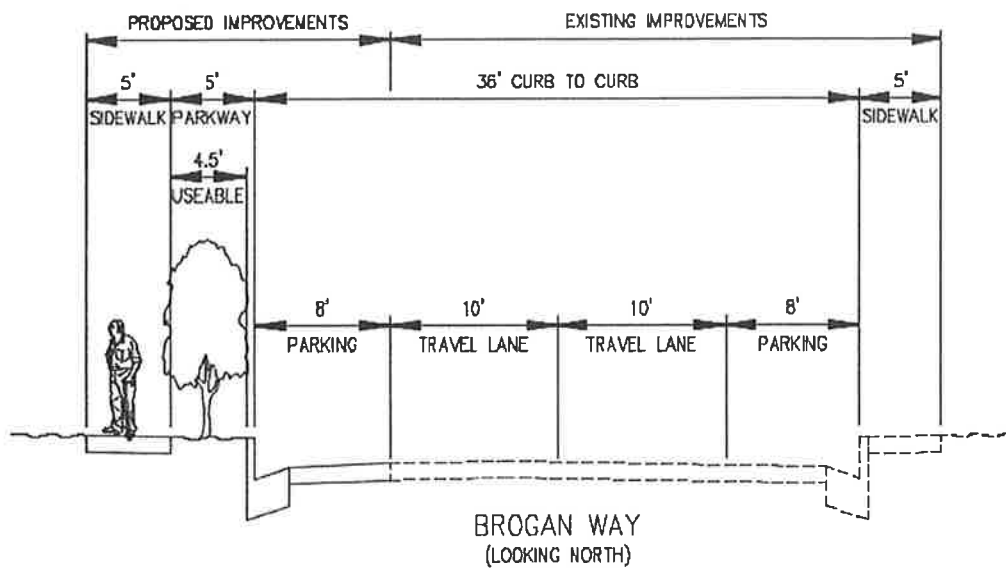
Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

- 2.4 **TRAFFIC CONTROL DEVICES:** Street name and traffic control devices may need to be placed as required and approved by this Department.

In addition, pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation.

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) All intersections (including driveways) must conform to Humboldt County Code Section 341 regarding visibility.
- (b) Along the frontage of the subject property, **BROGAN WAY** shall be improved to the typical sections shown below. Improvements include: paved road widening; Caltrans Type A2-6 Portland Cement Concrete (PCC) curb and gutter; 5 foot wide landscape strip (4.5' useable); and a 5 foot wide PCC sidewalk. Future driveways shall be constructed to Urban Driveway No. 1 standard plan. In the landscape strip, install street trees spaced approximately 50 feet on center.

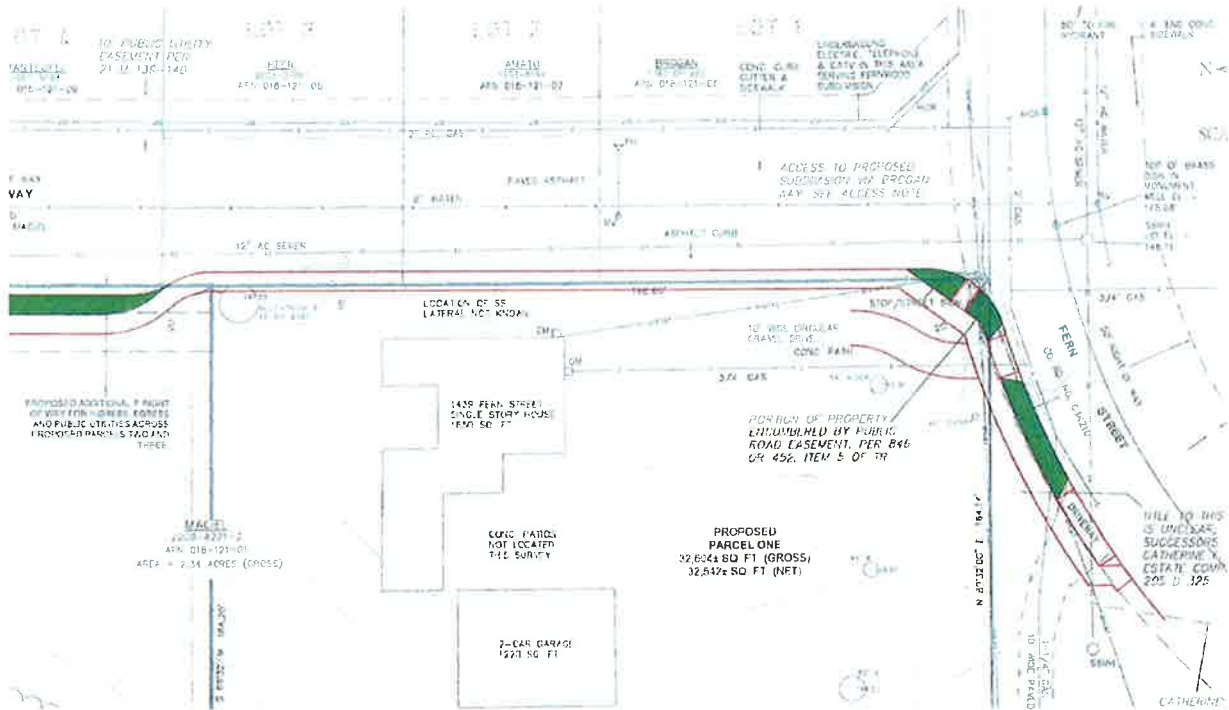


above: *Parcels 1 and 2 frontage*

- (c) **BROGAN WAY OFFSITE DEFERRED IMPROVEMENTS:** Complete all deferred improvements as referenced in the Maciel Subdivision Parcel Map Agreement, executed on March 4th 2014. This includes paved shoulder widening, Caltrans Type A1-6 curb and gutter and 5 foot wide curb adjacent sidewalk. Brogan Way along APN 018-121-039 shall be designated with red curb for NO PARKING.
- (d) **FERN STREET (C3K210) OFFSITE DEFERRED IMPROVEMENTS:** Complete all deferred improvements as referenced in the Maciel Subdivision Parcel Map Agreement, executed on March 4th 2014. This includes constructing a curb return with a radius of 20 feet shall be constructed at the intersection of Fern Street and Brogan Way. The curb return shall have an ADA compliant curb-ramp (Caltrans Detail B, Type F).

Retrofit the one existing driveway apron to the Urban Driveway No. 1 standard plan; abandon one existing driveway apron.

Behind the existing curb, construct a 5 foot wide landscape strip (4.5' useable) and 5 foot wide PCC sidewalk. In the landscape strip, install one (1) street tree.



Above: Diagram showing offsite deferred subdivision improvements on Brogan Way and Fern Street

- (e) The widening of Brogan Way may require the reconstruction of the existing road to provide a uniform centerline grade compatible with the proposed curb grade. This is necessary in order to provide an adequate cross slope to the proposed gutter. Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross sections will be necessary to ensure proper drainage. In addition, existing utilities may need to be adjusted and/or relocated at the expense of the applicant.
- (f) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (g) 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.

- (h) 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.

2.6 **DRIVEWAYS:** 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 25 feet from the edge of the County road (or 20 feet from the back of sidewalk).

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 **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES.** When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Post Master. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk easement or other easement, as approved by this Department.

Note: The Post Office may not require a NBU for this project. Applicant shall provide written statement from Post Office representative if no NBU will be required.

- 2.12 **GATES:** Residential driveway gate(s) must not create a traffic hazard and must provide an appropriate turnaround in front of the gate.
- 2.13 **COMPLETION OF SIDEWALK IMPROVEMENTS:** Sidewalk improvements for each parcel may be deferred until such time as a building permit is issued. Each building permit issued will require before final inspection that an ADA accessible sidewalk be constructed to connect the subject lot to the existing pedestrian network outside of the subdivision. Depending on the lot being built upon, this may include constructing sidewalk in front of numerous vacant lots within the subdivision. Sidewalk improvements must be completed prior to the "final" of the building permit. Any sidewalk damaged during construction will need to be replaced prior to the "final" of the building permit.

Offsite sidewalk improvements along APN 018-121-039 (previously deferred thru an executed parcel map subdivision agreement on March 4, 2014) cannot be deferred and must be completed before the subdivision map is filed with the County recorder.

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.

- 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.
- 3.4 **DETENTION FACILITIES:** This project drains into Martin Slough which is an impacted watershed. The scope of this subdivision exceeds the threshold established in the City of Eureka's General Plan Sections 4.D.6 and 4.D.7 and detention facilities are required. 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.

4.0 GRADING

- 4.1 **GRADING PLAN:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(1), the applicant shall submit an engineered preliminary (rough) grading plan addressing the entire project construction area to this Department for review and approval. The purpose of the grading plan is to establish building pads that will drain to the roads (or other approved drainage course) without creating lot drainage from one lot to flow across the buildable area of adjacent lots.
- 4.2 **GRADING CRITERIA:** Each lot shall have a building pad graded to a maximum of 2% per Humboldt County Code Section 331-14 (H)(3)(d), unless waived by this Department. Building pads shall be of a sufficient size to accommodate anticipated future structures.

The elevation of the building pad shall be established so that a driveway from the building pad to the back of sidewalk will have a minimum slope of 1% and a maximum slope of 16%.

If sidewalk is not required, then the driveway slope will be measured to the back of driveway apron.

- 4.3 **CONSTRUCTION TIMING:** Grading within the subdivision or off-site rights of way shall **not** occur prior to approval of a grading plan by this Department. Construction of improvements or grading for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.
- 4.4 **DATUM:** Grading plans shall be tied into elevation datum approved by this Department.
- 4.5 **EROSION CONTROL:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1), an erosion control plan (aka, sediment control plan, Storm Water Pollution Prevention Plan, etc.) addressing erosion from storm water runoff and wind shall accompany the grading plan.

5.0 MAINTENANCE

- 5.1 **MAINTENANCE OF IMPROVEMENTS:** The improvements to be constructed as part of this subdivision will not be maintained by the County. Pursuant to Humboldt County Code

Section 323-2 (b) regarding Private Lanes, the Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department. More than one maintenance plan may be required.

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

- A maintenance plan for all facilities within the proposed subdivision.
- A maintenance plan for the non-county maintained road known as Brogan Way.

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

A maintenance plan is not required for driveways; as driveways serve only one parcel. A maintenance plan is *optional* for roads that serve only two parcels. A maintenance plan is required for roads serving three or more parcels.

A maintenance plan for projects that contain detention facilities shall include, but is not limited to, the following:

- (a) A schedule for the periodic monitoring of the detention facilities. At a minimum, the detention facilities shall be monitored at least once each year between April 15 and October 15.
- (b) A system to monitor the basins in a timely manner after significant rain fall events.
- (c) Monitoring shall be done by a qualified professional as approved by this Department.
- (d) Monitoring shall include an annual written report identifying (1) the condition of the facilities; (2) the recommended maintenance needed for the facilities to function as originally constructed or as required by subsequent regulation; and (3) certification that the maintenance was completed to the satisfaction of a qualified professional. The report shall be submitted no later than October 31 of each year to this Department.
- (e) A financially secured procedure that will ensure that maintenance is identified and subsequently performed in a timely manner.
- (f) For infiltration basins, wet weather testing of the percolation rate of the basin consistent with Department of Environmental Health standards for determining the percolation rates for septic systems. Percolation rate testing shall be done every five (5) years.

5.2 **MAINTENANCE AGREEMENTS:** Any agreements regarding the maintenance of the detention facilities between the applicant and a public entity or Homeowners Association may be required to be approved by County Counsel and the County Risk Manager.

6.0 **DEVELOPMENT PLAN:** Add a note on the development plan to the satisfaction of the Department that states essentially the following:

*"The Maciel Subdivision (of which the Murray subdivision is a part of) was approved with requirements to construct improvements. At the time the subdivision map was filed, the improvements were not completed. The developer has entered into a subdivision agreement with the County to defer construction of these improvements. This agreement is on file with the Department of Public Works - Land Use Division. **The subdivision improvements specified in the agreement must be completed within the timelines specified in the agreement.** In addition, any subdivision improvements deferred as part of the Murray Subdivision must be completed before issuance of a building permit. **In general, building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.**"*

7.0 **LANDSCAPING**

<NONE>

// END //



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

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

AVIATION 839-5401


ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Lazar, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

DATE: 02/03/2105

RE: **MURRAY SUBDIVISION, APN 018-121-041, PMS 14-010**

TURN AROUND: Applicant has proposed a fire department turnaround area on Parcel 1. This does not appear to be needed. Book 21 of Maps Pages 139 & 140 has previously established an emergency turn around easement on APN 018-121-014 that was dedicated to the County of Humboldt.

DRAINAGE: If the applicant is not draining into the drainage inlet on Brogan Way, a drainage easement or "right to discharge" may be needed from APN 018-091-002.

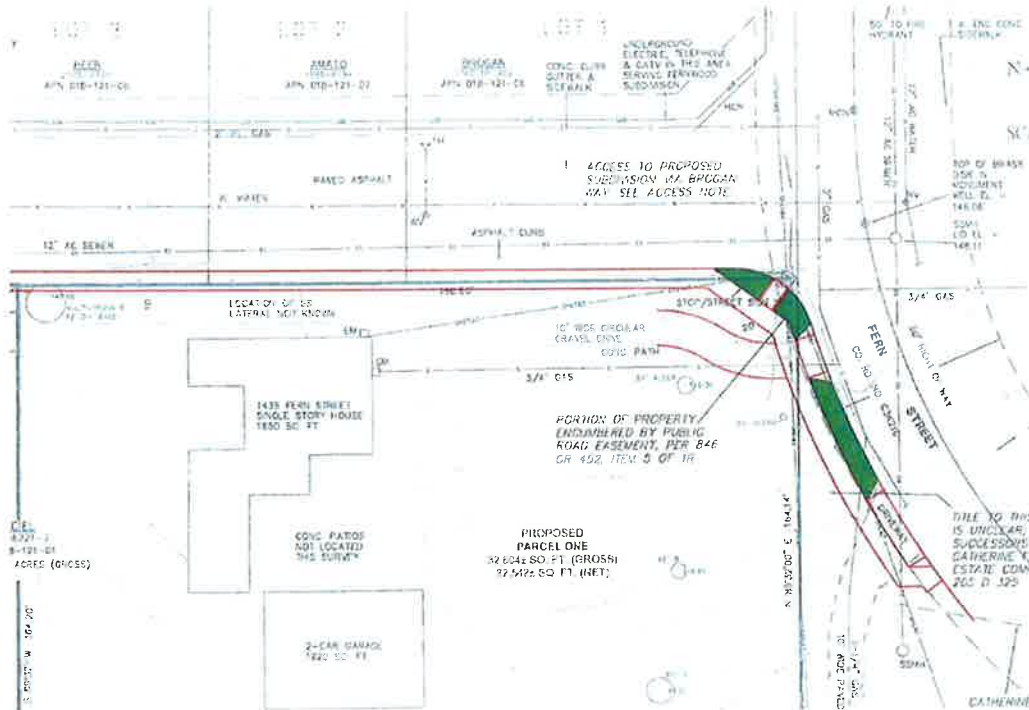
PRELIMINARY SUBDIVISION REPORT: A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code Section 323-6(c).

FLAG LOT NOTE: Planning Division of the Planning & Building Department will need to determine if the access serving parcel 3 and future parcel 1 (application PMS 14-009 for APN 018-121-040) will be considered a driveway with an address from the primary street –or– a named access road with a new street name.

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

NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES: Applicant may wish to coordinate with the proposed subdivision PMS 14-010 for a combined/common location of the neighborhood box unit that will benefit both subdivisions. If approved by the Post Office, there would only be one NBU serving both subdivisions.

MACIEL SUBDIVISION AGREEMENT: The existing subdivision agreement must be modified prior to the project being presented to the Planning Commission for approval. This project and the adjacent project (APN 018-121-040, Barnhart, PMS 14-009) are both responsible for completing the off-site deferred subdivision improvements on APN 018-121-039. At the time that the Maciel subdivision was approved, these improvements were required to be constructed along the frontage of Parcel 1 of the Maciel subdivision. Because the frontage improvements to Parcel 1 of Maciel Subdivision were not constructed as part of the Maciel subdivision, these deferred improvements are now off-site improvements for the Murray subdivision. The timing of who is responsible to complete these improvements is based upon who wants to build first. It is the responsibility of the original subdivider (Maciel), this subdivider, and Barnhart to address financial responsibility for these improvements.



Above: Diagram illustrating the offsite deferred subdivision improvements on Brogan Way and Fern Street

The subdivider may continue to defer the off-site improvements until development of the parcels in the Murray subdivision are developed. At that time, the improvements to both the Murray subdivision and off-site improvements to Parcel 1 of the Maciel subdivision must be completed.

LOT GRADING: Grading should be considered when designing the parcel layout for a proposed project. Slopes as well as setbacks from slopes may result in a smaller buildable area of a parcel. Applicant is advised to adjust parcel dimensions to accommodate any contemplated structures. If necessary, the applicant is advised to submit a revised tentative map prior to the project being presented to the Planning Commission.

The County Grading Ordinance (Sections 331-14 (H)(2)(b) & 331-14 (H)(2)(c) Humboldt County Code) and Chapter 18 of the California Building Code both require setbacks to property lines from top and toe of slopes. Additional setbacks may be required per the soils report.

Preliminary (rough) grading may result in cut/fill slopes (including benches/terraces) extending beyond the building setbacks into the developable portion of a parcel.

This Department recommends a minimum useable building pad of 40 feet in width by 70 feet in depth. This Department can support reducing the size of a building pad based upon submittal of a parcel specific site plan showing how proposed structure(s) can be built on a smaller building pad. Development guidelines and restrictions for constructing structures on smaller pads need be included on the development plan.

Due to the terrain, lot grading for all of the parcels in the subdivision will need to be constructed at the time that the first parcel is developed.

CALIFORNIA FISH AND WILDLIFE COMMENTS: Planning & Building Department received comments from California Fish and Wildlife that include recommendations for the design of the subdivision. If these recommendations will be included as a condition of approval as part of the project, the Department recommends that the applicant review these requirements and ensure that the tentative map as proposed can accommodate those recommendations. The Department understands that these recommendations are as follows:

1. Because this Project will result in an increase in impervious surfaces, all future development on the Project site should integrate Low Impact Development (LID) strategies to the greatest extent possible, in order to ensure that there will be **no net increase** in post-construction stormwater runoff. LID is a cost effective and useful Best Management Practice (BMP) and examples are readily available at:

<http://srcity.org/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtechManual.aspx>, and: <http://www.ci.eureka.ca.gov/depts/pw/stormwater.asp>
and: <http://water.epa.gov/polwaste/green/>.

In addition to the vegetated swales which are included in the current improvement plans, we would like to see further LID strategies such as pervious surface technologies for parking areas, driveways, or other surfaces, disconnected downspouts, and additional grassy swales or detention basins to maximize pervious surfaces and capture and maintain on-site stormwater percolation and treatment. These techniques should be included to the greatest extent possible in future improvement plans associated with this Project to ensure that there will be no net increase in post-construction stormwater run-off.

2. As noted in the 2009 field review, the northern portion of the parcel (proposed Parcel 1) has a steep slope that terminates at a private driveway. The slope is wet, contains wetland species and is likely functioning as a seep. Disturbance and vegetation clearing on the slope could potentially result in slope failure and should be avoided. Development should be adequately set-back from the top-of-slope, and native vegetation should be retained.

// 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 applicants have submitted evidence in support of making **all** of the following required findings.

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

1. That the proposed subdivision, together with the provisions for its design and improvements, 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 subdivision 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 (the mid point of the density range specified in the plan designation), 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; 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.

B. CEQA: 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. The project either:

- a) is categorically or statutorily exempt; or
- b) has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
- c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

A.1. General Plan Consistency: The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Eureka Community Plan (ECP) and in Chapters 2-4 of the Framework Plan (FRWK).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use: §2732 (ECP)	Residential Low Density (RL) Primary and compatible uses include single family residential use. Density Range = 1 - 6 dwelling units per acre.	The property is currently vacant. The proposed re-subdivision will create three additional parcels suitable for residential development. Single-family residential development is principally permitted under the RL land use designation.
Water and Wastewater Facilities: §4500 (ECP)	New development shall be located within existing developed areas or in areas with adequate public services.	The western boundary of the property abuts the Eureka City limits. The parcel is within an urban area and is served with community water and sewer by Humboldt Community Services District (HCSD). Both HCSD and the Division of Environmental Health have recommended approval of the project.
Housing: §2400 (ECP)	Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.	The proposed subdivision will result in three vacant parcels suitable for residential development.
Hazards: §3100 (ECP)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards. §3200 Geologic §4700 Fire §3300 Flood Hazards	The project site is located in an area mapped as having low to moderate slope instability ratings. An R-2 Soils Report prepared by A.M. Baird Engineering & Surveying (dated January 19, 2010) was reviewed and approved by the County Building Division during consideration of the earlier tentative map. There are no known faults in the vicinity, nor is the property within a mapped Alquist-Priolo Special Study Zone. Referral comments have not identified any concerns regarding the suitability of the lots for typical residential development. The proposed subdivision site is in an area of low fire hazard. The parcel is not within the State's Responsibility Area (SRA) for fire protection. Conditions of Approval require review and approval of all fire protection related subdivision improvements by the Humboldt #1 Fire Protection District. The parcel is within flood zone "C", areas of minimal flooding.

<p>Sensitive and Critical Habitats: §3400 (ECP)</p>	<p>To protect designated sensitive and critical resource habitats.</p>	<p>Based on the Resource Protection maps, there does not appear to be any designated sensitive or critical resource habitats in the immediate project vicinity though the upper reaches of Martin Slough lie approximately 500 feet northwest of the parcel to be divided. The area of subdivision is bounded by roads and existing residential development. During review of the prior subdivision, the project site was visited by members of the Department of Fish & Game who did not located any sensitive or critical resource habitat on-site. Tree removal of assorted second growth redwood was performed following approval of the prior subdivision. The Conditions of Approval include a requirement that a Development Plan be created which includes a notation restricting vegetation clearing and disturbance beyond the break in slope of proposed Parcel 1, to protect a small seep in this area.</p>
<p>Cultural Resource Protection: §3500 (ECP)</p>	<p>New development shall protect cultural, archeological and paleontological resources.</p>	<p>The project was referred to the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria, the Wiyot Tribe and the Northwest Information Center (NWIC). NWIC recommended further study and consultation with the local tribes. After consultation with the local tribes, it was determined that a study was not warranted, but an informational note regarding inadvertent discovery be included. Conditions of approval put the applicant on notice that if archaeological resources are found during excavation on the property, all work is to be stopped and a qualified archaeologist is to be consulted for recommendations</p>
<p>Parkland §4400 (ECP)</p>	<p>To establish recreational facilities to meet the needs of Eureka residents.</p>	<p><u>Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$100,000/acre or: $3(2(130 \times 2.45/43,560)) \times \\$100,000 = \\$4,380.00$ without the conveyance of secondary dwelling unit rights; or <u>\$2,190.00</u> with the conveyance of secondary dwelling unit rights on each parcel.</u></p>

Parkland Dedication Fee Calculations

	130.00	The ECP requires 130 square feet of parkland dedication per person for new subdivisions
X	<u>2.45</u>	Persons per average Eureka household
	318.50	Parkland dedication per average household in square feet
/	<u>43,560</u>	Square feet per acre
	0.0073	Parkland dedication per average household in acres
X	3	Number of parcels being created by the subdivision,
X	2	Number of dwellings per legal parcel or lot, including potential second units
X	100%	Percentage of these parcels within the ECP Area
X	<u>\$100,000</u>	Value of one acre of land in the vicinity of the subdivision project
	\$4,380.00	Parkland Dedication In-lieu Fee for the Murray Subdivision

A2. 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 three parcels, each suitable for single family residential development. Evidence submitted by the applicant, staff site inspections and referral agency comments indicate that the lots will be suitable residential locations.

<p>Access and Drainage 324-1</p>	<p>Improvements shall be required for the safe and orderly movement of people and vehicles.</p>	<p>The property is served by Brogan Way, a County road developed with curb, gutter and sidewalk that meets a road Category 4 standard. Per the Eureka Community Plan, a drainage report was not required. A Preliminary Drainage Analysis was prepared by LACO Associates and was reviewed by the Land Use Department of Public Works, who noted that the report identifies a way in which storm water runoff from the subdivision can be addressed. Additional refinement will be needed during preparation of the improvement plans for the subdivision.</p> <p>Comments from the Department of Fish & Wildlife recommend integration of Low Impact Development (LID) Strategies to the greatest extent feasible. Implementation of LID measures was included as part of the earlier subdivision design, and will be further integrated into the newly proposed parcels to be created. It should be noted that the parcel to be divided is located within the MS4 permit area for stormwater, which will require incorporation of LID as a standard component on all new development projects, approved (within areas covered by the Municipal Stormwater permit) after July 1st, 2015. Further incorporation of LID has been included as a Condition of Approval.</p>
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<p>Government Code § 66411.1 Improvement Timing</p>	<p>Unless the subdivider voluntarily enters into an agreement with the County establishing the timing of the work, fulfillment of reasonable on- and off-site construction requirements are deferred until issuance of a permit or other grant for development of the created lot, except where found to be necessary for the public health and safety or for orderly development of the surrounding area. If not completed prior to parcel map recordation or under agreement with the County, a Notice of deferred construction of subdivision improvements shall be filed concurrently with the parcel map.</p>	<p>The applicant is requesting that they be allowed to complete frontage improvements within a specific timing sequence set forth in the exception request filed by Barnhart and Murray to insure their orderly and effective completion. The request is acceptable to the Department of Public Works with a Subdivision Agreement to memorialize this incremental approach. Notice of deferred construction improvements will be provided in the Development Plan to be recorded with the parcel map, informing the owner and their successors in interest of their development obligations. The proposed parcels are served by Brogan Way, which is nearly fully-developed, with two travel lanes plus a parking lane along the eastern developed side of the road. Granting of the improvement timing exception will not prevent orderly development from resulting. Adequate access to the subdivision will be available in the interim period preceding future residential build out.</p>
<p>Sewer & Water 324-1(d)</p>	<p>Sewer and water systems shall be constructed to appropriate standards.</p>	<p>Water and sewer service is available through the Humboldt Community Services District, who have recommended approval of the proposed further re-subdivision.</p>

<p>322-3.1 Housing Element Densities</p>	<p>Subdivisions shall 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 (the mid point of the density range specified in the plan designation), 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>Complies. The proposed project will subdivide an approximately 0.84 acre parcel into three parcels. The "mid-point" density for the RL designation in the Eureka Community Plan is 3.5 dwellings per acre. The proposed creation of three (3) parcels exceeds the midpoint density of the RL designation and is in conformance with the County Housing Element.</p>
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Two exceptions to subdivision standards are requested: 1) to allow for the development of a "flag lot"; and 2) to adjust the improvement timing to allow for sequential installation of the required frontage improvements. Pursuant to H.C.C. Section 325-9, to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

<p>Summary of Applicable Requirement</p>	<p>Evidence That Supports the Zoning Finding</p>
<p>That there are special circumstances or conditions affecting said property.</p>	<p>Flag Lot: The lot area supports the creation of three (3) parcels but the usable lot width (excluding greenway open space) would not allow all lots to front on Brogan Way and maintain the required 50 feet of lot frontage.</p> <p>Frontage Improvement Timing: The proposed parcels are served by Brogan Way, which is nearly full-developed. To ensure continuity of improvements, the work should progress from the south to the north. Deferral of the remaining frontage improvements to accommodate a sequential installation will therefore not prevent orderly development from resulting.</p>

<p>That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.</p>	<p>Flag Lot: If the exception to allow the flag lot design is granted, the proposed subdivision will result in three (3) parcels consistent with the current zoning and general plan designation. The lots will be similar to other lots within the neighborhood, and the subdivision is in keeping with the configuration of the site, existing pattern of development, and the character of the immediate area.</p> <p>Frontage Improvement Timing: The incremental build-out of the subdivision and frontage improvements will ensure orderly development and eliminate a patchwork of improvements that could create a safety hazard. The progression of the home development will be directly associated with the timing of the improvement work performed.</p>
<p>That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the subject property is located.</p>	<p>Flag Lot: The fire department has recommended approval of the flag lot design.</p> <p>Frontage Improvement Timing: The existing road is sufficiently providing access to all current residents. There is no indication that the development of the surrounding lands will be adversely impacted by this exception. All referral agencies have recommended approval of the subdivision.</p>

A3. 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
Residential Single-Family with a minimum parcel size of 6,000 square feet (R-1*) §314-6.2	One-family dwellings are principally permitted uses.	The proposed subdivision will create three additional parcels suitable for residential development.
Development Standards		
Minimum Parcel Size	6,000 sq. ft. or more	Proposed Parcel 1: 22,800 square feet Proposed Parcel 2: 6,980 square feet Proposed Parcel 3: 6,981 square feet
Minimum Yard Setbacks per Zoning:	Front: 20' Side: 5' Rear: 10'	The parcel is currently vacant with no development proposed. Future development must comply with this standard.
Maximum Ground Coverage	35%	The parcel is currently vacant with no development proposed. Future development must comply with this standard.
Maximum Structure Height	35 ft.	The parcel is currently vacant with no development proposed. Future development must comply with this standard.

A4. Public Health, Safety and Welfare

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

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

B. 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.	<p>As lead agency, the Department prepared an addendum to a previously adopted Initial Study and Negative Declaration. The previous initial study prepared for the prior (Maciel) minor subdivision evaluated the project for any adverse effects on fish and wildlife resources. Based on the information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the re-subdivision proposed under the project will have any potential adverse effect either individually or cumulatively, on fish and wildlife resources or the habitat upon which wildlife depends. The environmental document on file includes a detailed discussion of all relevant environmental issues.</p> <p>Because an Addendum was prepared and no changes were required to the Negative Declaration, the provisions of Section 711.4 of the California Fish and Game Code do not apply to this project. Within five (5) days of the effective date of the approval of this project, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. This requirement appears as a Condition of Approval.</p>

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Date Received by Planning	Location
Tentative Subdivision Map	October 28, 2014	Attached in Maps Section
Application Form	October 28, 2014	On file with Planning
Preliminary Title Report	October 28, 2014	On file with Planning
Grant Deed	October 28, 2014	On file with Planning
Preliminary Drainage Analysis	February 27, 2015	On file with Planning
Exception Request	March 17, 2015	Attached

March 17, 2015

Steve Lazar, Senior Planner
Planning & Building Department
3015 H Street
Eureka, CA 95501



**RE: 325-9 EXCEPTION REQUEST
PMS 14-009 (BARNHART) AND PMS 14-010 (MURRAY)
COMPLETION OF IMPROVEMENTS**

Normally, all the deferred subdivision improvements are completed prior to any of the lots being developed. We are requesting an exception pursuant to County Code Section 325-9 to allow the incremental build-out of frontage improvements to both of our subdivisions. Build-out of both subdivisions will be in the following order:

1. Complete construction of deferred off-site improvements from Maciel Subdivision and Brogan Way frontage improvements to Parcel 4 of PMS 14-009.
2. Complete construction of Brogan Way frontage improvements to Parcel 3 of PMS 14-009
3. Complete construction of Brogan Way frontage improvements to Parcel 2 of PMS 14-009
4. Complete construction of Brogan Way frontage improvements to Parcel 1 of PMS 14-009 and Parcel 3 of PMS 14-010
5. Complete construction of Brogan Way frontage improvements to Parcel 2 of PMS 14-010
6. Complete construction of Brogan Way frontage improvements to Parcel 1 of PMS 14-010

The following facts justify this request:

1. That Brogan Way is already paved to provide two travel lanes plus a parking lane on the developed side of the road (opposite the proposed subdivision). That the existing road provides adequate access for the existing lots (opposite the subdivision) and the proposed lots.
2. That the exception request will allow for slow, incremental build-out of both subdivisions in an economic climate where the cost of construction all the improvements at one time is prohibitive.
3. That the incremental build-out of the subdivision will be done in such a manner that all of the completed lots will extend the full build-out of Brogan down the hill; providing each lot with access along a fully developed Brogan Way to Fern Street.

Sincerely,

Two handwritten signatures in blue ink are present. The first signature is clearly legible and reads "Pey Barnhart". The second signature is more stylized and less legible, appearing to be "Steve Lazar".

March 17, 2015

Steve Lazar, Senior Planner
Planning & Building Department
3015 H Street
Eureka, CA 95501



**RE: 325-9 EXCEPTION REQUEST
PMS 14-009 (BARNHART) AND PMS 14-010 (MURRAY)
FLAG LOT RIGHT OF WAY WIDTH**

The proposed subdivisions seeks to utilize a common driveway to serve Parcel 1 of PMS 14-009 and Parcel 3 of PMS 14-010. The proposed flag lot width (and right of way width) is 20 feet; less than what is required by County Code.

The following facts justify this request:

1. That the common driveway will serve only two lots; and that those lots do not have the potential for further subdivision. That the access road is narrow and does not require a 40 foot wide right of way.
2. That the exception request will maximize the land available for development and reduce the encumbrances on the property for a right of way that is larger than what is necessary for the common driveway.
3. That the exception only involves Parcel 1 of PMS 14-009 and Parcel 3 of PMS 14-010.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Lazar", with a horizontal line underneath.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Building Inspection Division	Approval	On file with Planning
Land Use Division	Conditional Approval	Memorandum dated February 3, 2014 Subdivision Requirements - Attached as Exhibit A, Attachment 1
Division Environmental Health	Approval	On file with Planning
Department of Fish & Game	Conditional Approval	On file with Planning
Humboldt #1 Fire Protection District	Approval	On file with Planning
Northwest Information Center	Conditional Approval	On file with Planning
Wiyot Tribe	Conditional Approval	On file with Planning
Bear River Band of the Rohnerville Rancheria	Conditional Approval	On file with Planning
Humboldt Community Services District	Conditional Approval	On file with Planning
City of Eureka	No Response	
Regional Water Quality Control Board	No Response	

Werner, Steve

From: Lazar, Steve
Sent: Friday, May 15, 2015 4:17 PM
To: Werner, Steve
Subject: FW: PMS -14-009 (Barnhart) & PMS-14-010 (Murray) - Subdivision Exception Requests
Attachments: Barnhart & Murray Exception Request.pdf

FYI

From: Bronkall, Bob
Sent: Friday, May 15, 2015 4:12 PM
To: Lazar, Steve
Cc: Freed, Ken
Subject: RE: PMS -14-009 (Barnhart) & PMS-14-010 (Murray) - Subdivision Exception Requests

Steve-

The Department supports the exception request for Flag Lot Right of Way Width.

“Completion of Improvements” exception request: In this particular instance the Department agrees that the concept of incrementally completing the subdivision makes sense. This in turn will require that the applicants develop both projects in a specific sequence. If at a later date, the applicant(s) chooses to construct the project(s) in a different sequence, it will require that frontage improvements be completed down the hill to the lot being proposed for development. While the incremental approach appears suitable for frontage improvements in this instance, it is not suitable for lot grading; lot grading for all of the lots in the subdivision need to be done at the time that the first lot is developed.

The Department believes that applicant may find that the cost savings of this approach may be limited due to 1) the expense for contractor re-mobilization; 2) staff time to process revised subdivision agreements each time that a lot is developed; and 3) there may be logistical issues with PG&E and HCSD that preclude this approach.

However, the Department can support this exception request as a demonstration project as to feasibility of this type of build-out.

Sincerely,

Robert W. Bronkall, PE, LS
Deputy Director
County of Humboldt | Department of Public Works | Land Use Division
tel: 707.445.7205 fax: 707.445.7388 e-mail: bbronkall@co.humboldt.ca.us
office: Clark Complex | 3033 "H" Street, Room 17 | Eureka | CA | 95501
mail: 1106 Second Street | Eureka | CA | 95501

From: Lazar, Steve
Sent: Thursday, May 14, 2015 1:32 PM
To: Bronkall, Bob
Subject: PMS -14-009 (Barnhart) & PMS-14-010 (Murray) - Subdivision Exception Requests

ATTACHMENT 5

ADDENDUM TO INITIAL STUDY AND PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

MACIEL MINOR SUBDIVISION
(now re-subdivision by Barnhart & Murray)

SCH NO. 2010062087

APN 018-121-01 (now APN's 018-121-40 & -41)
Eureka area, Humboldt County

DRAFT

Prepared By
Humboldt County Planning & Building Department
3015 H Street, Eureka, CA 95501

May 2015

Background

Modified Project Description and Project History – In August 2010, a Minor Subdivision (PMS-08-06 Maciel) was approved by the Planning Commission. The tentative map involved a division of a 2.3-acre parcel into three parcels ranging in size from 31,227 square feet (net) to 35,203 square feet (net). The parcel to be divided was already host to a single family residence. In March 2014, the approved tentative map was filed with the County Recorder. Following this, Parcel 2 (0.74 acres –net) and Parcel 3 (0.83 acres – net) of the map were purchased separately by Rex Barnhart & Dayton Murray, respectively. Parcel 1 currently remains under the ownership by the subdivider (Maciel). The aforementioned new owners of Parcels 2 and 3 of the Maciel subdivision are now seeking to re-subdivide, dividing Parcel 2 into four (4) parcels, and Parcel 3 into three (3) parcels, resulting in the creation of a total of 5 new parcels. During consideration of the prior Maciel subdivision, to comply with Housing Element policy requiring meeting of the planned midpoint density target, preparation of an Ultimate Development Plan (UDP) was completed. Though the proposed Maciel subdivision would only result in a density of 1.28 units/acre, the submitted UDP showed the potential to meet the midpoint of 3.5 units/acre (8 units/2.23 acres) through future re-subdivision. The conceptual re-subdivision scenario rendered under the UDP governed future lot development, requiring that structures and other development features observe setbacks from these theoretical future boundary lines, or prove the feasibility of an alternate re-subdivision concept (meeting the midpoint density) to allow relaxation or reconfiguration of setbacks and other restrictions.

Though the prior subdivision resulted in the creation of only 3 parcels, environmental review and public noticing for the project included disclosure and consideration of potential re-subdivision through the concept of the UDP. While a change in the parcel configuration is proposed under the two re-subdivision proposals currently under consideration, no change in resulting compliance with the cumulative midpoint density target (8 parcels) will result. The re-subdivision is generally consistent with an in-fill concept and therefore will not result in an unanticipated or accelerated environmental impact not featured in the prior analysis.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. *Substantial changes are proposed in the project which require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous ND; B) significant effect previously examined will be substantially more severe than shown in the previous ND;*

C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

- No substantial changes are proposed which would require major revisions to the previously approved Negative Declaration. None of the proposed changes to the project will increase the severity of previously identified potentially significant effects.
- No substantial changes to the project will result in a new environmental effect. Any potential impacts of significance have been mitigated through the project design currently proposed.
- All feasible mitigation measures have been incorporated into the new project design. No additional mitigation is required. Since the project has been modified to effectively mitigate for all identified potential impacts, an addendum remains appropriate.

The purpose of this Addendum is to provide for new analysis of the proposed changes included with the current project (re-configuration of a previously considered subdivision concept resulting in a total of 8 parcels) as this was not evaluated under the previously adopted Negative Declaration.

Summary of Significant Project Effects and Mitigation Recommended

The Current Parcel Maps submitted for the proposed Barnhart and Murray minor subdivisions reflect the revised project design.

Other CEQA Considerations

Staff suggests no further changes to the project as currently proposed.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the Negative Declaration was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete. Furthermore, it is concluded that: the current project will not have one or more significant effects not discussed in the previous MND. Also, significant effects previously examined will not be substantially more severe than shown in the previous MND. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

CONCLUSION

Based on these findings it is concluded that an Addendum to the adopted Negative Declaration is appropriate to address the requirements under CEQA for the current project proposal. All of the findings and mitigation requirements of the Mitigated Negative Declaration are applicable to the current project proposal.

APPENDICES

Maciel Parcel Map Subdivision

- Appendix A. Project description (Agenda Item Transmittal) dated August 5, 2010
- Appendix B. Humboldt County Planning Commission Resolution Adopting the Negative Declaration
- Appendix C. Initial Study and Mitigated Negative Declaration including Mitigation Measures

APPENDIX A

Project description (Agenda Item Transmittal) dated August 5, 2010

AGENDA ITEM TRANSMITTAL

TO: Humboldt County Planning Commission
FROM: Kirk Girard, Director of Community Development Services

MEETING DATE: August 5, 2010	AGENDA ITEM: <input type="checkbox"/> Public Hearing Item <input checked="" type="checkbox"/> Consent Agenda PARCEL MAP SUBDIVISION AND SPECIAL PERMIT	CONTACT: Steven Lazar
---------------------------------	---	--------------------------

Before you is the following:

PROJECT DESCRIPTION: A Parcel Map Subdivision of an approximately 2.3-acre parcel into three parcels ranging in size from 31,227 square feet (net) to 35,203 square feet (net). The parcel is currently developed with a single family residence which will remain on proposed Parcel 1. An exception to the curb return radius has been requested for the frontage of proposed Parcel 1 due to the location of the existing residence, associated landscaping, utility pole, and the existing access off of Fern Street. The reduced right of way will be 38' in width. A Special Permit is requested to allow for the removal of approximately 70 spruce and redwood trees over 12" diameter in advance of the future improvements associated with the proposed subdivision and subsequent residential development. An Ultimate Development Plan has been prepared to demonstrate that the subdivision will not prohibit the ability to achieve the "mid-point" density required under the Housing Element. All parcels are or will be served with community water and sewer by Humboldt Community Services District.

PROJECT LOCATION: The project is located in Humboldt County, in the Eureka area, on the north side of Fern Street, approximately 502 feet west from the intersection of Excelsior Road and Fern Street, on the property known as 1439 Fern Street.

PRESENT PLAN LAND USE DESIGNATION: Residential Low Density (RL) Eureka Community Plan (ECP)

Density: 1-6 dwelling units per acre. **Slope Stability:** Low (1) to Moderate (2) Instability.

PRESENT ZONING: Residential One-Family specifying a 6,000 square foot minimum parcel size (R-1*).

ASSESSOR PARCEL NUMBER: 018-121-01

APPLICANT
MACIEL, RHONDA
1439 Fern Street
Eureka, CA 95503
Tel: (707) 443-7743

OWNER(S)
(Same as Applicant)

AGENT
BARRY KOLSTAD Land Surveyor
c/o Dylan Kolstad
2214 Plunkett Road
Bayside, CA 95524
Tel: (707) 822-2718

ENVIRONMENTAL REVIEW:
 Environmental Review is required

MAJOR ISSUES:
 None.

STATE APPEAL STATUS:
 Project is not located within the Coastal Zone.

APPENDIX B

Humboldt County Planning Commission Resolution Adopting the Negative Declaration

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 10-35**

Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the

**MACIEL PARCEL MAP SUBDIVISION & SPECIAL PERMIT APPLICATION
CASE NUMBERS: PMS-08-06 & SP-09-53; ASSESSOR PARCEL NUMBER 018-121-01**

WHEREAS, Dylan Kolstad, on behalf of Rhonda Maciel, submitted an application and evidence in support of approving the Parcel Map Subdivision and Special Permit; 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 project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division prepared a draft Mitigated Negative Declaration, included in Attachment 5, which indicates that the project meets all requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15074 of the Public Resources Code; 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 subdivision (Case Numbers: PMS-08-06 & SP-09-53);

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

1. The Planning Commission approves the proposed Mitigated Negative Declaration in Attachment 5, as required by Section 15074(b) of the CEQA guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: PMS-08-06 & SP-09-53 based on the submitted evidence; and
3. The Planning Commission conditionally approves the proposed Parcel Map Subdivision and Special Permit as recommended in the Planning Division staff report for Case Number: PMS-08-06 & SP-09-53.

Adopted after review and consideration of all the evidence on **August 5, 2010**.

The motion was made by Commissioner Mayo and seconded by Commissioner Emad.

AYES: Commissioners: Mayo, Emad, Gearheart, Nelson and Smith

ABSENT: Commissioners: Faust and Krebs

I, Kirk Girard, 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.

Kirk Girard, Director of Community Development Services By: Siana Watts
Siana Watts, Clerk

APPENDIX C

Initial Study and Draft Mitigated Negative Declaration

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street
PO Box 3044
Sacramento CA 95812-3044

From: County of Humboldt
Community Development Services Planning Division
3015 H Street
Eureka CA 95501

County of Humboldt
County Clerk
825 Fifth Street
Eureka CA 95501

931445
CAROLYN CRNICH
Humboldt County Clerk
OCT 22 2010
BY 2 Halman

Contact: Steve Lazar
Telephone: 707-268-3741

POSTED THROUGH
DEC 06 2010
Humboldt County Clerk

Lead Agency (if different from above)
Address:

Contact:
Telephone:

Applicant: Rhonda Maciel
1439 Fern Street
Eureka, CA 95503

APN: 018-1211-000
Case No.: PMS-08-00
SP-09-53

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number 2010062087

Project Title: Maciel Minor Subdivision

Project Location: The project is located in Humboldt County, in the Eureka area, on the north side of Fern Street, approximately 502 feet west from the intersection of Excelsior Road and Fern Street, on the property known as 1439 Fern Street.

Project Description: A Parcel Map Subdivision of an approximately 2.3-acre parcel into three parcels ranging in size from 31,227 square feet (net) to 35,203 square feet (net). The parcel is currently developed with a single family residence which will remain on proposed Parcel 1. An exception to the curb return radius has been requested for the frontage of proposed Parcel 1 due to the location of the existing residence, associated landscaping, utility pole, and the existing access off of Fern Street. The reduced right of way will be width. A Special Permit is requested to allow for the removal of approximately 70 spruce and redwood trees over 12" diameter in advance of the future improvements associated with the proposed subdivision and subsequent residential development. An Ultimate Development Plan has been prepared to demonstrate that the subdivision will not prohibit the ability to achieve the "mid-point" density required under the Housing Element. All parcels are or will be served with community water and sewer by Humboldt Community Service District.

This is to advise that the, Lead Agency or Responsible Agency, Humboldt County Planning Commission has approved the above described project on August 5, 2010 and has made the following determinations regarding the above described project:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not adopted for this project.
5. A statement of Overriding Considerations was was not adopted for this project.
6. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: Planning Division, 3015 H St, Eureka, CA 95501

Signature: 

Title: Planner

Date: 10/21/10

Date Received for filing at OPF: _____

Mitigated Negative Declaration

1. Project title: Maciel Parcel Map Subdivision
2. Lead agency name and address: Humboldt County Community Development Services Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446
3. Contact person and phone number: Steven Lazar, Planner I, Phone: 707-268-3741, Fax: 707-445-7446
4. Project location: The project is located in Humboldt County, in the Eureka area, on the north side of Fern Street, approximately 502 feet west from the intersection of Excelsior Road and Fern Street, on the property known as 1439 Fern Street.
5. Project sponsor's name and address: Rhonda Maciel, 1439 Fern Street, Eureka CA 95503
6. General plan designation: Residential, Low Density (RL). Eureka Community Plan (ECP). Density 1 - 6 du/acre.
7. Zoning: Residential Single-family - 6,000 ft.² minimum parcel size.
8. Description of project: A Parcel Map Subdivision of an approximately 2.3-acre parcel into three parcels ranging in size from 31,227 square feet (net) to 35,203 square feet (net). The parcel is currently developed with a single family residence which will remain on proposed Parcel 1. An exception to the curb return radius has been requested for the frontage of proposed Parcel 1 due to the location of the existing residence, associated landscaping, utility pole, and the existing access off of Fern Street. The reduced right of way will be 38' in width. A Special Permit is requested to allow for the removal of approximately 70 spruce and redwood trees over 12" diameter in advance of the future improvements associated with the proposed subdivision and subsequent residential development. An Ultimate Development Plan has been prepared to demonstrate that the subdivision will not prohibit the ability to achieve the "mid-point" density required under the Housing Element. All parcels are or will be served with community water and sewer by Humboldt Community Services District.
9. Surrounding land uses and setting: The parcel is surrounded by single family residential parcels to the east and west. To the north is a gulch area containing some of the upper reaches of Martin Slough. Many of the parcels in the vicinity are currently developed with single family residences. The entire area is served by community water and sewer. This parcel is not located in the Coastal Zone.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Department of Public Works, Building Inspection Division.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature (Steven Lazar, Planner I)

Date

Printed name

For Humboldt Community Development Services

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue identify:
 - a) The significant criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1. AESTHETICS

Finding: The project will not have a substantial adverse effect on a scenic vista; will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; will not substantially degrade the existing visual character or quality of the site and its surrounding; and will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Discussion: The project site is not within an area mapped or designated with scenic vistas or resources nor is it in the Coastal Zone where specified areas of scenic values are mapped and certified by the State. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The ultimate development pattern will mimic neighboring parcels on the opposite side of Brogan Way, the access road for the proposed new parcels. The Department finds no evidence that the creation of three parcels within an area characterized as urban residential will have a substantial adverse aesthetic impact. Tree removal proposed in association with this project will result in the removal of a stand of mature trees in the interior portions of the parcel. Neighboring Property owners have expressed support for this part of the project given the increased solar gain associated with this conversion. There is no indication that the future development likely to occur on the site will significantly increase light or glare or effect nighttime views in the vicinity.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURE RESOURCES

Finding: The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; will not conflict with existing zoning for agricultural use, or a Williamson Act contract; and will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use.

Discussion: Neither the subject property nor adjacent lands are within a Williamson Act contract. The site is not considered prime or unique farmland and is not used for agricultural purposes. The neighborhood is characterized by urban residential development with services provided by the Humboldt CSD. The proposed subdivision infills an established development pattern. Single-family residential is a primary and compatible use within the RL designation and is principally permitted in the R-1 zoning district. Agriculture is not a use allowed in the R-1 zone, nor are there any intensive ag uses in the immediate vicinity. The area has slopes and valleys that were not historically used for intensive agriculture, unlike other areas of the County, like McKinleyville. Timber harvesting has occurred over the years in this neighborhood and the original settlers of this area likely harvested timber to clear for home sites and most likely had individual gardens. The Department finds no evidence that the project will result in a significant adverse impact on agricultural resources.

3. AIR QUALITY. Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

Finding: The project will not conflict with or obstruct implementation of the applicable air quality plan; will not violate any air quality standard or contribute substantially to an existing or projected air quality violation; will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); will not expose sensitive receptors to substantial pollutant concentrations; and will not create objectionable odors affecting a substantial number of people.

Discussion: Although minimal disturbance can be expected at the time of the construction of future homes and during the road improvements, the subdivision under review at this point will not increase any negative air quality issues for the long term. Where future development will occur, the parcel is relatively flat and will not require significant grading for the roadwork or the future homesites. The additional parcels will increase the amount of traffic thus increasing vehicular exhaust levels slightly, but not at a level that Staff finds to be significant. The Department finds no evidence that the creation of three to (ultimately) eight parcels within an area characterized as urban residential will have a substantial adverse impact on air quality.

4. BIOLOGICAL RESOURCES. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES: NO IMPACT & LESS THAN SIGNIFICANT IMPACT

Finding: The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; will not have a substantial effect, either directly or through habitat modifications, on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service; or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Discussion: Per County resource maps, the northwest portion of the parcel backs up to a gulch area which comprises some of the upper reaches of Martin Slough. The closest portion of the parcel is located over 400 feet from Martin Slough. All residential development will be located beyond the break in slope leading to the gulch. Representatives from the Department of Fish & Game have visited the property and consulted with the applicants on the proposed project activities and associated tree removal. The project site is not within an adopted or proposed habitat conservation plan. The area is developed with fairly dense residential parcels ranging in size from 6,000 ft.² - 2 or 3 acres in size. The subject ± 2.3 acre parcel is one of the larger remaining parcels in the neighborhood that are zoned for 6,000 ft.² parcel sizes. The Department finds no evidence that the project will result in a significant adverse impact on biological resources.

5. CULTURAL RESOURCES. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. CULTURAL RESOURCES

Finding: The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or of an archaeological resource pursuant to §15064.5; will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and will not disturb any human remains, including those interred outside of formal cemeteries.

Discussion: The existing residences are not considered a significant historical resource, nor are there any known structures in the area that meet these criteria. NCIC did not voice concerns regarding the proposed development. Nonetheless, the conditions of project approval include a requirement that a note be placed on the Development Plan protecting archaeological resources should they be found during site development.

6. GEOLOGY AND SOILS. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

not available for the disposal of waste water?

6. c): GEOLOGY AND SOILS: LESS THAN SIGNIFICANT IMPACT

Finding: The project may be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Discussion: According to the County’s slope instability rating maps, the parcel has a slope instability rating of low to moderate. Soils Reports were prepared for the future building sites and subdivision improvements.

6. a), b), d) – e): GEOLOGY AND SOILS: NO IMPACT

Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and landslides; will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Discussion: According to the Alquist-Priolo Earthquake Fault Zoning Map and Framework Plan Geologic Hazards map, the project site is not located within a Special Studies Zone. According to the Framework Plan Geologic Hazards map, the project site is in an area of low and moderate slope instability (see 6. c), and is not located in an area subject to liquefaction. An R-2 Soils Report prepared by A.M. Baird Engineering & Surveying (dated January 19, 2010) was reviewed and approved by the County Building Division. The Building Inspection Division did not identify any issues with expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). The Uniform Building Code requires all structures in Humboldt County to be built in accordance with Zone 4, the most restrictive zone. These issues will be addressed upon the review of future Building Permits. The subject parcel is in an area served by community water and sewer. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The Building Inspection Division did not identify any concerns with regards to site suitability for residential development. The Department finds no evidence that the creation of three parcels within an area characterized as urban residential will have a substantial adverse impact on geology and soils.

7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

7. HAZARDS AND HAZARDOUS MATERIALS: NO IMPACTS

Finding: The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The project will not result in a safety hazard for people residing or working in the project area in terms of the nearby public airport.

Discussion: The project site is not included on a list of hazardous material sites, nor does the proposed subdivision involve routine transport, use or disposal of hazardous materials. According to the Fire Hazard map, the parcel is located in a low fire hazard area. The Humboldt #1 Fire Protection District has recommended approval of the project. Furthermore, the applicant proposes to improve the existing road serving the proposed parcel to be divided. The site is > 2 miles from both Murray Field and the Rohnerville airport, both are public. There are no private airstrips within 25 miles of the site. The Department finds no evidence that the creation of three parcels in an area characterized as urban residential will create, or expose people or property to, hazardous materials, or impair implementation of, or physically interfere with, an adopted emergency response plan.

8. HYDROLOGY AND WATER QUALITY. Would the project:

- | | Potentially Significant | Potentially Significant Unless Mitigation Incorp. | Less Than Significant Impact | No Impact |
|---|--------------------------|---|------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

8: a), b), f) - j): HYDROLOGY AND WATER QUALITY: NO IMPACT

Finding: The project will not violate any water quality standards or waste discharge requirements; will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); will not otherwise substantially degrade water quality; or place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; will not place within a 100-year flood hazard area structures which would impede or redirect flood flows; will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; will not result in inundation by seiche, tsunami, or mudflow.

Discussion: The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area, in terms of both the County's Housing Element and the Eureka Community Plan (ECP) adopted in 1995. The project site is an area served by community water and sewer. The Humboldt Community Services District (HCSD) has indicated that it is able to provide water and sewer service to the proposed subdivision upon the payment of the appropriate fees. HCSD has not identified any concerns with regard to the project interfering with groundwater recharge. Furthermore, the City of Eureka did not express concerns that the project as proposed would significantly impact the existing drainage within the City. The Department finds no evidence indicating that the subdivision will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality. According to the Flood Insurance Rate Map Panel #775, the project site is located in Flood Zone C, which is defined as "areas of minimal flooding", and is outside the 100- and 500-year floodplains. The project site is not within a mapped dam or levee inundation area, and is outside the areas subject to tsunami run-up. The site is at ± 170' elevation.

In order to address the drainage impacts associated with the proposed subdivision, as a Condition of Approval, the applicant is required to develop an engineered drainage plan to address downstream flows and potential impacts. The drainage plan was reviewed and approved by the Land Use Division of Public Works. All drainage will be dealt with in accordance to this approved plan. No streams, creeks or other waterways will be altered as a result of this subdivision. The Department finds no evidence that the proposed project will result in significant hydrologic or water quality impacts.

8: c) - e): HYDROLOGY AND WATER QUALITY: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Discussion: Given the project's potential for a future increase in impervious surface through the development of both paved access areas and future homes with paved driveways, the applicant is required to provide the P/W Department with a Drainage Report addressing downstream runoff. The project will not alter a stream or river, nor is the project likely to result in flooding on- or off-site.

9. LAND USE AND PLANNING. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9: LAND USE AND PLANNING

Finding: The project will not physically divide an established community; will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and will not conflict with any applicable habitat conservation plan or natural community conservation plan.

Discussion: The project site is designated Residential, Low-Density (RL) by the Eureka Community Plan, and is zoned Residential One-Family with a 6,000 square foot minimum parcel size (R-1*). Single-family residential development is a primary and compatible use within the RL designation and is principally permitted in the R-1 zoning district. The neighborhood is characterized as urban residential. The creation of three parcels for residential development is consistent with the zoning and land use density (one to six dwelling units per acre). The proposed subdivision infills an established development pattern, is consistent with the planned build-out of the area, and is consistent with the policies and regulations specified in the ECP and Framework General Plan. There are no habitat conservation or natural community conservation plans proposed or adopted for this area. The Department finds there is no evidence that the project will result in significant adverse impact with regard to land use and planning.

10. MINERAL RESOURCES. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10: MINERAL RESOURCES

Finding: The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Discussion: The project does not involve extraction of mineral resources. The project site is not, nor is it adjacent to, a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The Department finds there is no evidence that the project will result in a significant adverse impact on mineral resources.

11. NOISE. Would the project result in:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11: a) - c), e,) f): NOISE: NO IMPACT

Finding: The project will not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; will not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; and, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for a project within the vicinity of a private airstrip, the project will not expose people residing or working in the project area to excessive noise levels. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Discussion: The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. No vibrations or groundborne noise level increases are expected by the project. The Department finds no evidence that the creation of three parcels in an area characterized as urban residential will result in a significant adverse noise impact. The parcel is not within 2 miles of either Murray Field at the north end of Eureka or Rohnerville Airport south of Fortuna.

11: d): NOISE: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Discussion: The short-term impacts by construction crews paving the access and building the future houses can be considered less than significant. These are normal sounds that can be expected in residential areas which still have room to grow. They will be temporary in nature.

12. POPULATION AND HOUSING. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

12: POPULATION AND HOUSING

Finding: The project will not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Discussion: The proposed subdivision complies with the median density requirements of the Housing Element. The proposed subdivision will result in the creation of three parcels that would be available for residential development. In order to meet the mid-point density requirement under the Housing Element, the applicant was required to create an ultimate development plan showing the possible future creation of 5 additional parcels within the area involved in the proposed subdivision. This development plan will be recorded and used to review proposals to develop the three parcels currently proposed to be divided. Setbacks will be required from future property lines. Additionally, the building envelopes of future residential units will need to be taken into account during review of intermediate development of the 3 parcels involved in the current minor subdivision. Proposed Parcel 1 is currently developed with a single-family dwelling. Single-family residences are a primary and compatible use within the RL designation and are principally permitted in the R-1 zoning district. The subdivision is consistent with the planned density of the area: one to six dwelling units per acre. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

13. PUBLIC SERVICES.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13: PUBLIC SERVICES

Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, other public facilities.

Discussion: Proposed Parcel 1 will continue to be served by Fern Street, a county maintained road. The remaining parcels will be served by Brogan Way, a private road which provides access to the eastern half of the parcel. Improvements to both the Fern Street and Brogan Way right-of-ways will be accomplished as part of this subdivision. Humboldt Fire District #1 recommended approval of the project as proposed. The project requires the payment of parkland dedication fees in lieu of the creation of a park on the project site. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The project will result in a slight increase in the demand for existing services such as fire protection, police protection, schools and other public facilities, but this increase would be within the capabilities of the existing infrastructure and services, per agency comments. All of the public service agencies have either recommended approval or conditional approval of the project, or had no comment. No issues were identified with regard to the provision, construction or maintenance of public services. The Department finds no evidence that the project will result in a significant adverse impact on public services.

14. RECREATION.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14: RECREATION

Finding: The project will not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Discussion: The project does not include recreational facilities. The project has been conditioned upon payment of parkland dedication fees in lieu of creating a neighborhood park on the site. The Department finds no evidence that the project will require construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

15. TRANSPORTATION/TRAFFIC. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

increase in traffic levels or a change in location that results in substantial safety risks?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

15: b): TRANSPORTATION/TRAFFIC: POTENTIALLY SIGNIFICANT UNLESS MITIGATED

Finding: If mitigated, the project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Discussion: The 1995 Eureka Community Plan (ECP) includes the following level of service standard for the Community Planning Area:

“The County shall strive to maintain a Level of Service of C or better on arterials in the Planning Area. The acceptable level of service goal will be consistent with the financial resources available and the limits of technical feasibility.”

The Transportation Analysis in Appendix A of the Eureka Community Plan also identified several recommended improvements, which are summarized in Table 7 of the Plan.

Since the adoption of the ECP, the City of Eureka prepared the Martin Slough Interceptor EIR (Adopted 9/04, SCH #2002082043) and the Eureka Zoo expansion Mitigated Negative Declaration (MND, Adopted 6/27/03, SCH #2003052119). Both of these documents included updated transportation analyses that addressed traffic impacts in the greater Eureka area, and are incorporated by reference to support this analysis.

County and City of Eureka transportation engineers used the County Transportation Model, Martin Slough Interceptor EIR, Zoo Expansion MND and the Eureka Community Plan Transportation Analyses to identify the required improvements that will “strive to maintain level of service C or better... consistent with the financial resources available and the limits of technical feasibility.” Because the Martin Slough Interceptor EIR includes mitigation that requires “improvements necessary to offset indirect or cumulative circulation impacts,” and the Zoo Expansion MND concluded that existing plus cumulative traffic levels at the intersection of Walnut and Hemlock would result in unacceptable levels of service, improvements are required at this intersection to mitigate traffic impacts to levels less than significant.

Attachment 1 includes a detailed description of the required improvements at Walnut and Hemlock. Traffic impact fees will be required to support these improvements and the applicant will contribute to a fund administered by the County’s Public Works Department to reimburse the costs to the County in making these improvements.

15: a), c) - g): TRANSPORTATION/TRAFFIC: NO IMPACT

Finding: The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), nor cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; will not substantially increase hazards due to a design feature; will not result in inadequate emergency access or parking capacity; and will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Discussion: Because of the LUD's comments, the Department finds there is no evidence that the project will: cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), nor result in a change in air traffic patterns, nor result in inadequate emergency access, inadequate access to nearby uses or inadequate parking capacity, nor increase traffic-related hazards, or conflict with adopted policies supporting transportation. The project meets the requirements of the ALUCP for Murray Field, the closest public airport, which is > 2 miles away. There are no private airstrips nearby and all parking must be provided for on-site.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16: UTILITIES AND SERVICE SYSTEMS

Finding: The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed; or result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or comply with federal, state, and local statutes and regulations related to solid waste.

Discussion: The creation of three parcels for residential development is not expected to negatively impact the utilities and service systems mentioned above. The parcels will be served by community water and sewer; the Humboldt Community Service District has indicated that it will be able to provide the necessary services upon the payment of the appropriate fees. The improvements and maintenance of the existing drainage facility will further mitigate the need for off-site drainage facilities. The Department finds there is no evidence that the creation of three parcels in an area characterized as urban residential will result in a significant adverse effect to utilities and service systems.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

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

17: MANDATORY FINDINGS OF SIGNIFICANCE

Finding: The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Discussion: Based on the project as described in the administrative record, comments from reviewing agencies, a review of the applicable regulations, and discussed herein, the Department finds there is no evidence to indicate the proposed project:

- Will have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, threaten to eliminate a plant or animal community or eliminate important examples of the major periods of California history or pre-history;
- Will have the potential to achieve short-term to the disadvantage of long-term environmental goals;
- Will have impacts that are individually limited but cumulatively considerable; or
- Will have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

17: b) MANDATORY FINDINGS OF SIGNIFICANCE: LESS THAN SIGNIFICANT IMPACT

Finding: The project could have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).

Discussion: Any discretionary land use permit could be considered to have effects that are cumulatively significant. A 3-parcel subdivision in an area where urban services are provided is not considered to be a project of this type. The zoning and land use designations were adopted years ago and specifically contemplate this type of subsequent development. For these reasons, Staff finds this project's individual and cumulative impacts to be less than significant.

19. DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

To mitigate for an increase in demand on existing recreational facilities, applicant shall pay parkland dedication fees as calculated by the Planning Division. No monitoring is required as the project is not mitigated other than the payment of parkland fees which will occur as a condition of approval.

See *Mitigation Measures and Monitoring Plan* below.

20. EARLIER ANALYSES.

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses and state where they are available for review.

City of Eureka's Martin Slough Interceptor EIR (Adopted 9/04, SCH #2002082043) and the Eureka Zoo expansion Mitigated Negative Declaration (MND, Adopted 6/27/03, SCH #2003052119). On file at HCCDS and the City of Eureka.

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measure based on a the earlier analysis.

See 20.a above

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

See 20.a above

P19: MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The following table lists the required mitigation measures, including the method of verification, monitoring schedule, and the responsible party.

Resource(s)	Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Geology and Soils	1	<p>Minimize impacts due to unstable soils.</p> <p>1. All recommendations of the Soils Report shall be adhered to at time of construction. This shall be noted on the Development Plan.</p>	<p>BID inspections during construction. Recordation of Notice of Development Plan / Plan kept on file.</p>	<p>Prior to Building Permit issuance.</p>	<p>Applicant, successors in interest, BID.</p>
Transportation/Traffic	2	<p>Minimize impacts due to inadequate level of service.</p> <p><u>Requirements:</u></p> <p>1. The applicant will contribute to the mitigation fund as described in Attachment 1.</p>	<p>LUD staff inspections, approval of tentative map</p>	<p>Recordation of Parcel Map</p>	<p>Applicant, successors in interest, LUD, BID.</p>
Water Quality	3	<p>The project shall incorporate LID by using landscape-based BMPs sized to treat and infiltrate the storm water runoff volume from all impervious surfaces (e.g. roads, roofs, walkways, patios) produced from:</p> <p>a. The volume of runoff from proposed impervious surfaces produced from the 85th percentile of 24-hour storm event, as determined from the local historical rainfall record; or</p> <p>b. The volume of runoff from proposed impervious surfaces produced by the 85th percentile 24-hour rainfall event, determined using the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, p. 170-178 (1998); or</p> <p>c. The volume of annual runoff from proposed impervious surfaces based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Storm Water Best Management Practices Handbook-Industrial/Commercial (1993).</p>	<p>LUD staff inspections during construction. Recordation of Notice of Development Plan / Plan kept on file.</p>	<p>Prior to Map Recordation / Prior to Building Permit Issuance</p>	<p>Applicant, successors in interest, LUD, BID, RWQCB.</p>

Resource(s)	Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Water Quality	4	The applicants shall secure all necessary permits from Regional Water Quality Control Board (RWQCB). These may include: a Construction General Storm Water Permit, Waste Discharge Requirements, and a 401 Water Quality Certification. In the event that any of these permits are not required, a letter from RWQCB stating this fact will satisfy this condition.	Applicant secures permit(s) or letter(s) from RWQCB	Prior to Map Recordation / Building Permit issuance.	Applicant, successors in interest, Planning Division

HCCDS = Humboldt County Community Development Services Building and Planning Divisions DFG = California Department of Fish and Game
 LUD = Land Use Division of Department of Public Works RWQCB = Regional Water Quality Control Board
 DEH = Environmental Health Division of Health Department CDF = California Department of Forestry and Fire Protection
 NCUAQMD = North Coast Unified Air Quality Management District