



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: November 2, 2017

To: Humboldt County Planning Commission

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

Subject: **Kable Final Map Subdivision and Coastal Development Permit**
Application Number 13693
Case Number FMS-17-005, CDP-17-041
Assessor Parcel Number (APN) 301-111-001-000
380 Artino Street, Eureka Area

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 2, 2017	Final Map Subdivision and Coastal Development Permit	Trevor Estlow

Project: A Final Map Subdivision and Coastal Development Permit to divide an approximately 2.5 acre parcel into five residential parcels ranging in size from 6,080 square feet to 1.75 acres. The parcel is currently developed with one single family residence which will be sited on proposed Parcel 1. The property is served with community water and sewer and proposed access is from Union Street, a paved public road. A portion of proposed Parcel 5 is located within the Coastal Zone. The Applicant is seeking to modify the improvement requirements for Union Street that are required by the Department of Public Works. Pursuant to Section 325-9, the applicant has submitted an exception request to reduce these improvements. **Note: this project was approved under FMS-04-009XM, however, that approval has expired.**

Project Location: The project site is located in Humboldt County, in the Eureka area, on the south side of Artino Street, at the intersection of Artino Street and Union Street, on the property known as 380 Artino Street.

Present Plan Designation: Residential Low Density (RL); Eureka Community Plan (ECP). Density: 1 - 6 dwelling units per acre. Slope Stability: Relatively Stable, Low Instability and Moderate Instability. Residential Low Density (RL); Humboldt Bay Area Plan (HBAP). Density 3 - 7 units per acre.

Present Zoning: Residential One Family, specifying a 6,000 square foot lot size, in Greenway and Open Space Combining Zone (Inland) (R-1*/GO); Residential Single family specifying a 5,000 square foot lot size (Coastal) (RS-5).

Application Number: 13693

Case Numbers: FMS-17-005, CDP-17-041

Assessor Parcel Number: 301-111-001-000

Applicant

Diana Kable
3402 Rocky Lane
Hydesville, CA 95547

Owner

same and Philip Kable

Agent

Environmental Review: Environmental review was completed under the previous project (SCH# 2006012142). None of the conditions under Section 15162 of the State CEQA Guidelines requiring subsequent environmental review apply to this project.

Major Issues: None.

State Appeal Status: Project is appealable to the California Coastal Commission.

KABLE FINAL MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT

Case Number FMS-17-005, CDP-17-041

Assessor Parcel Number 301-111-001-000

RECOMMENDED COMMISSION ACTION:

1. Describe the application as a public hearing;
2. Allow staff to present the project;
3. Open the public hearing; and
4. After receiving testimony, close the public hearing and make the following motion to approve the application:

Consider the Addendum to the previously adopted Negative Declaration adopted on September 4, 2014 for the project, make all of the required findings for approval of the Final Map Subdivision and Coastal Development Permit, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Kable project subject to the recommended conditions.

Executive Summary: The project is a re-approval of a previously approved subdivision that expired May 2, 2017. This proposal is identical to the previously approved project and includes the subdivision of a 2.5 acre parcel into 5 parcels ranging in size from 6,080 square feet to 1.75 acres. The largest parcel, proposed Parcel 5, is significantly encumbered by an intermittent creek running in an east-west trajectory which roughly follows the Coastal Zone boundary and feeds another tributary of Martin Slough. Although the Coastal Zone runs through the parent parcel, no physical improvement is proposed for this area. A Coastal Development Permit is being processed along with the subdivision mostly because the existing "parent" parcel is being divided and some site drainage will be directed over this area. Proposed Parcel 1 is already developed with a residence which will remain. All parcels will be served by community water and sewer.

This parcel is accessed off Union Street, a non-County maintained road. The project will continue to utilize an "extension" of Union Street within the existing 60 foot wide road/utility easement along the parcel's western property line.

The project infills an established residential development pattern in the south Eureka area. Properties on the north, east and west in this neighborhood are developed with a mixture of residential structures, mostly single family residential in nature. This property is less than one-quarter mile northwest of the Eureka Municipal Golf Course.

Pursuant to Section 325-9, the applicant has requested an exception to both the road width and the sidewalk requirements. The exception to the road width requests that Union Street be improved to a reduced width of 24 feet (16 foot travel lane and 8 foot parking lane on one-side) with balance of the street improvement (8 feet) to be constructed on the opposite (west) side of Union Street (APN 301-121-011) when that property is developed (see Attachment 3). No sidewalk is proposed.

The Department of Public Works reviewed the exception request and found that they can support the exception request for the reduced roadway width, but not the elimination of the sidewalk. A memo from Public Works dated October 24, 2017 (Attachment 5) details a modified Typical Section that is consistent with their recommended minimum standard for this roadway.

In order to approve the exception the Planning Commission must find that the conditions set forth in Section 325-9 of the Subdivision Regulations exist for the project. The conditions are:

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

Staff is recommending that the Planning Commission make all of the required findings and grant the exception to the road width subject to the modified street section as described in the Department of Public Works Subdivision Requirements Item 2.6 (a) but not the removal of the sidewalk. This modified Typical Section will permit narrowing of the improved travel way to 16 feet with an 8-foot parking lane but will maintain a sidewalk and landscaping strip. Should the commission wish to grant the exception request to remove the sidewalk requirement, Alternative 1 should be chosen.

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

Alternative 1: The Planning Commission could approve the exception request submitted by the applicant to remove the requirement to install sidewalks along the property frontage.

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-**

**Case Number FMS-17-005, CDP-17-041
Assessor Parcel Number 301-111-001-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Kable Final Map Subdivision and Coastal Development Permit.

WHEREAS, Diana Kable submitted an application and evidence in support of approving a Final Map Subdivision and Coastal Development 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, at their September 4, 2014 hearing, the Planning Commission adopted an Addendum to a previously adopted Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Final Map Subdivision and Coastal Development Permit; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on November 2, 2017

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

1. There is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. Makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers FMS-17-005, CDP-17-041 based on the submitted evidence; and
3. Approves the proposed project applied for as recommended and conditioned in Attachment 1 for Case Numbers FMS-17-005, CDP-17-041.

Adopted after review and consideration of all the evidence on November 2, 2017.

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

AYES: Commissioners:

NOES: Commissioners:

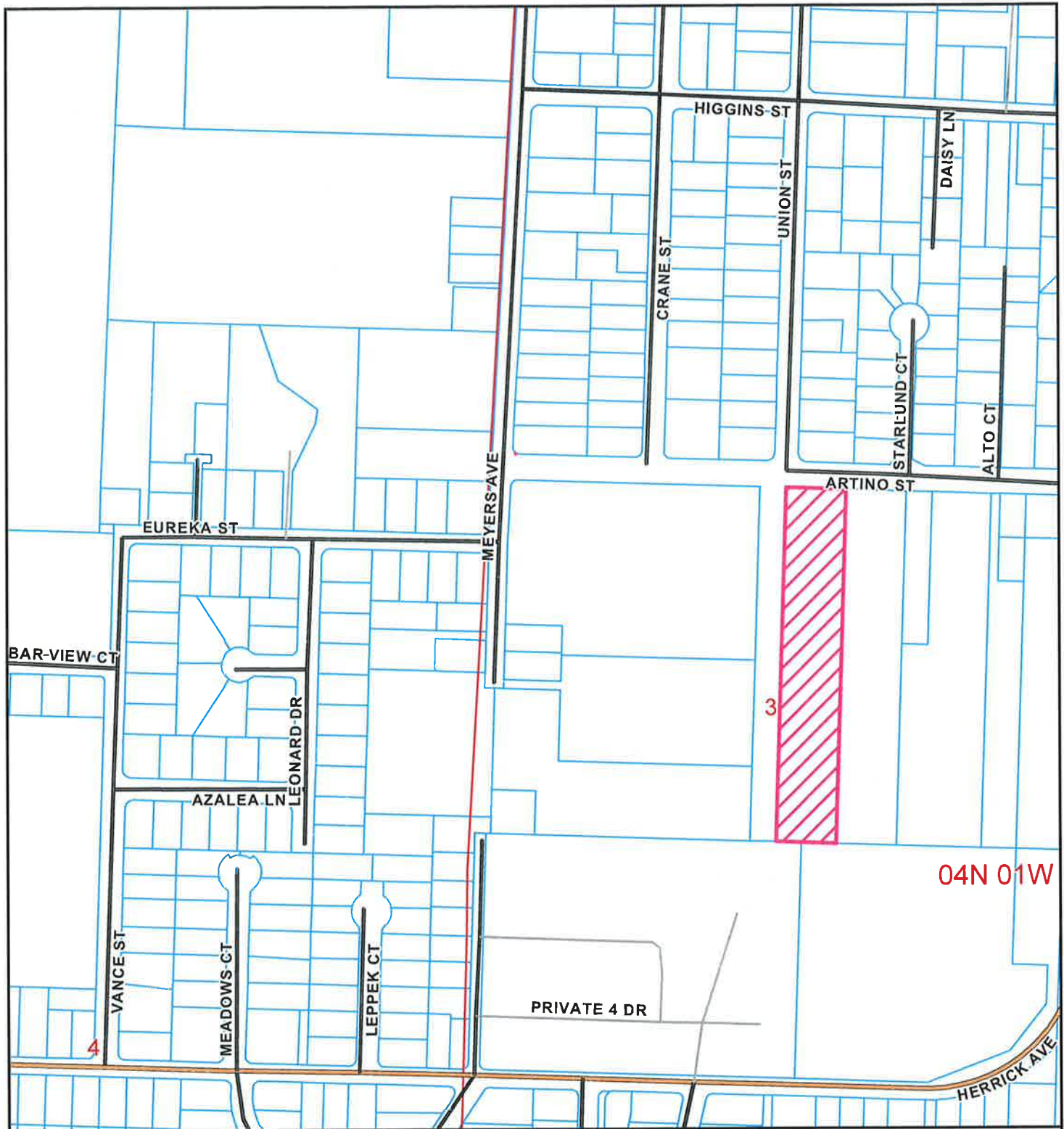
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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

John H. Ford
Director, Planning and Building Department



04N 01W

LOCATION MAP

PROPOSED CHRISTENSEN-KABLE FINAL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

FMS-17-005/CDP-17-041

APN: 301-111-001

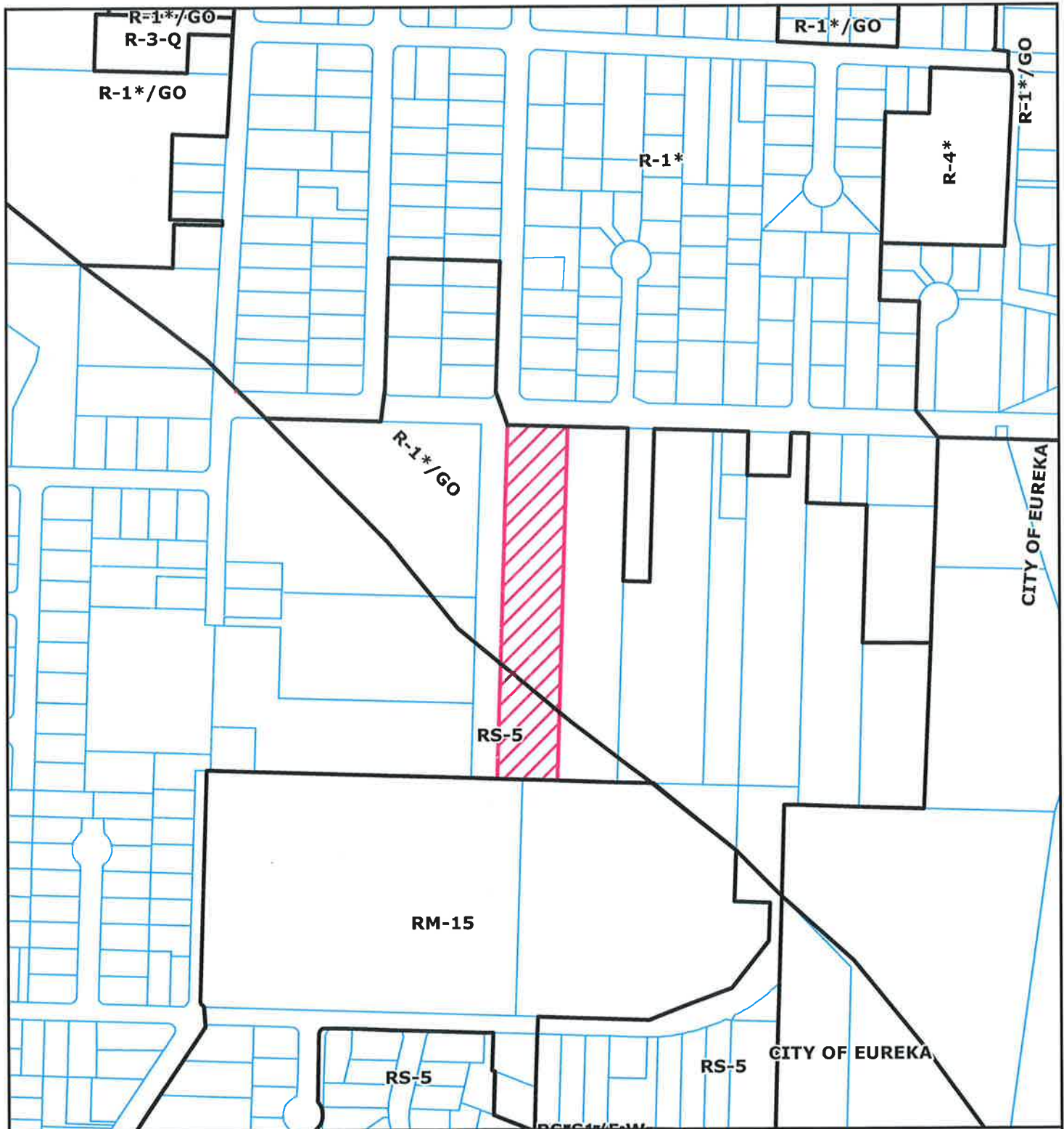
T04N R01W S03 HB&M (Eureka)

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.

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Feet





ZONING MAP

PROPOSED CHRISTENSEN-KABLE FINAL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

FMS-17-005/CDP-17-041

APN: 301-111-001

T04N R01W S03 HB&M (Eureka)

Project Area =



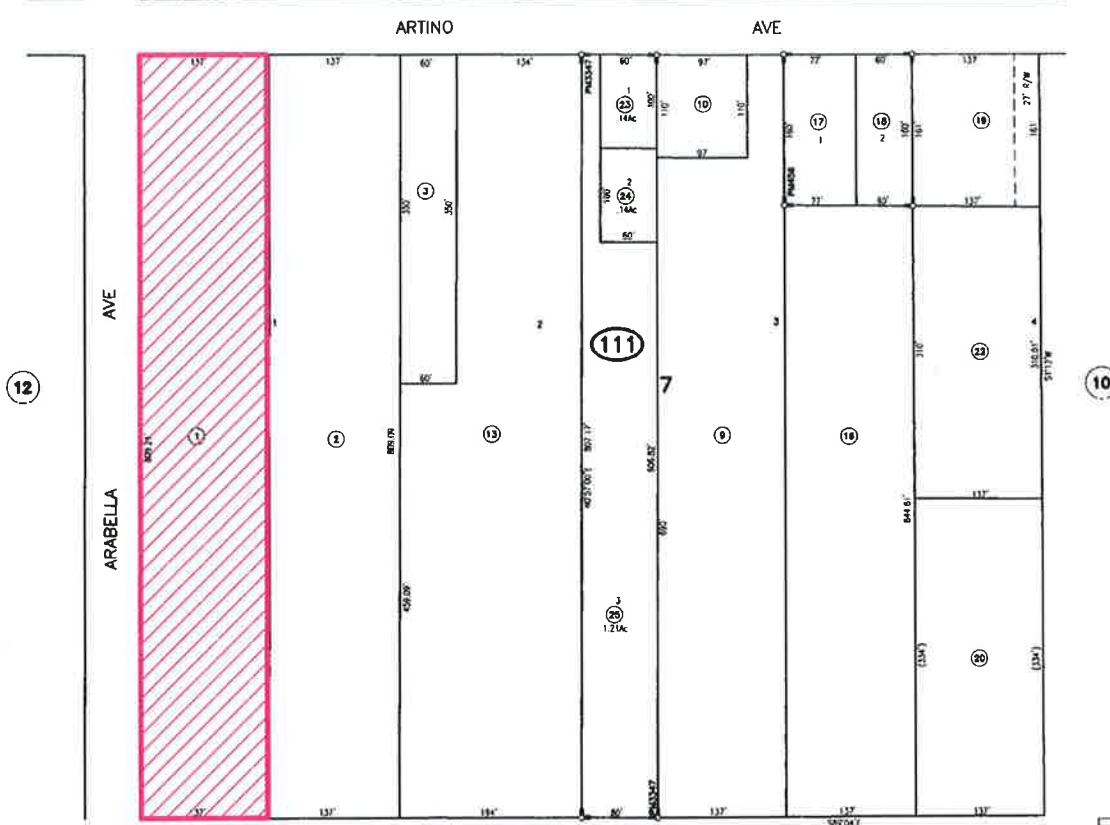
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



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PTN NW1/4 SEC 3 T4N, R1W

301-11



1. MAP
ED FOR
S. ONLY
ED FOR
ATA SHOWN
MAY NOT
ST-SPLIT
PARCELS

Nob Hill Tract Maps, Bk 11, Pg 16
RS, Bk 15 of surveys, Pg 148
PM456 of PM Bk 4, Pg 66
PM3347 of PM Bk 32, Pgs 31-32

RS, Bk 52 of surveys, Pg 37
RS, Bk 58 of surveys, Pg 72

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

Assessor's Map Bk. 301, Pg. 11
County of Humboldt, CA.

25' 50' 100'
Mar 1, 2005

ASSESSOR PARCEL MAP

PROPOSED CHRISTENSEN-KABLE
FINAL MAP SUBDIVISION &
COASTAL DEVELOPMENT PERMIT
EUREKA AREA

FMS-17-005/CDP-17-041

APN: 301-111-001

T04N R01W S03 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.

MAP NOT TO SCALE



AERIAL MAP

PROPOSED CHRISTENSEN-KABLE FINAL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

FMS-17-005/CDP-17-041

APN: 301-111-001

T04N R01W S03 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.



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Feet

ATTACHMENT 1

CONDITIONS OF APPROVAL

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

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the enclosed Department of Public Works referral dated October 24, 2017, 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 Final Map be submitted for review and approval, said map to identify net and gross acreage for each parcel.
4. Prior to recordation of the Final Map, the applicant shall submit a letter from the Humboldt Community Services District indicating that the project conforms to its requirements dated August 10, 2017.
5. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contours.
- (2) Building "envelopes" for Parcels 2 - 5 (dwelling site locations with applicable yard setback, maximum lot coverage and building height standards), including dimensioned setbacks to property lines and easements. Parking area detail showing conformance with parking requirements of Humboldt County Code Section 314-109 and County Subdivision Regulations.
- (3) Proposed circulation improvements including streets, driveways, turnouts, and emergency vehicle turn-arounds.
- (4) The location of all drainage improvements and related easements, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the M4 program.

B. Notes to be placed on the Development Plan:

- (1) "All flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be disposed of by chipping, burying, burning or removal to a landfill site approved by the County."
- (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 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."
- (3) "Hours of construction activity shall be restricted to the hours of 8:00 am to 6:00 pm, Monday through Friday, 9:00 am to 5:00 pm on Saturday with no construction activity on Sunday."
 - (4) "Proposed development shall conform to the recommendations of the Preliminary Drainage Report dated January 2006 prepared by Pacific Affiliates, Inc. and submitted under FMS-04-09."
 - (5) "Proposed development shall conform to the recommendations of the R-2 Geologic and Geotechnical Report dated October 2005 and prepared by Pacific Affiliates, Inc., Consulting Engineers that was submitted under FMS-04-009."
 - (6) "The solar shade plat shows shadows cast by future development (i.e., a combination of single- and two-story structures with hipped roof or standard gables, 18.5 to 26.5 feet high). Development other than that upon which the shade plat and solar access calculations dated January 24, 2006, was based shall require submittal of information to demonstrate conformance with Section 322-5.5 and .6 H.C.C. to provide adequate solar access.
 - (7) "Parkland dedication fees of \$7,311.70 shall be paid to the Humboldt County Community Development Services. Alternately, a parkland dedication fee of \$3,655.85 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights for secondary dwelling units with the County of Humboldt for secondary dwelling units on Parcel 2. Release from the Conveyance and Agreement may be pursued upon payment of the \$3,655.85 parkland dedication fee balance."
 - (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed
7. The applicant shall cause to be recorded a "Notice of Development Plan and Geologic Report" on forms provided by the Humboldt County Community Development Services—Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map. Note: these fees were paid under the previous approval.
 8. 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 \$125.00) shall be paid to the Humboldt County Community Development Services—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. Note: these fees were paid under the previous approval.

9. Parkland dedication fees of \$7,311.70 shall be paid to the Humboldt County Community Development Services—Planning Division, 3015 "H" Street, Eureka. Alternately, a parkland dedication fee of \$3,655.85 may be paid, provided the applicant enters into a Conveyance and Agreement of development rights with the County of Humboldt for second or secondary dwelling units on Lots 1 through 5. Release from the Conveyance and Agreement may be pursued upon payment of the \$3,655.85 parkland dedication fee balance. A copy of the Conveyance and Agreement form with *pro-rata* 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 Final 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 \$322.00) will be required. Note: these fees were paid under the previous approval.
10. **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.) Note: these fees were paid with the previous approval.
11. 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 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.
12. 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 \$102.00 per parcel) 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. Note: these fees were paid under the previous approval.

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 Department. 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. _____,
(Specify)

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

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

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.
5. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 1 – EXHIBIT A
PUBLIC WORKS SUBDIVISION REQUIREMENTS

EXHIBIT A



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

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

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

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


LAND USE 445-7205

COUNTY OF HUMBOLDT

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF KABLE, APN 301-111-001, FMS17-005, CDP17-041 FOR
APPROVAL OF A TENTATIVE MAP, CONSISTING OF 2.5 ACRES INTO 5
LOTS

DATE: 10/24/2017

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 Pacific Affiliates dated June 9, 2005, revised August 1, 2005, and dated as received by the Humboldt County Planning Division on August 2, 2017.

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 final map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.
- 1.6 PRIVATE ROADS:** Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 323-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

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

County Code Section 323-2 appears after Section 324-1 in County Code]

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

(a) ARTINO STREET (COUNTY ROAD No. 3J560):

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 30 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated to the County of Humboldt a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes in a manner approved by this Department. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

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

(b) UNION STREET (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 lots within the subdivision in a manner approved by this Department. The easement shall be 60 feet in width.

A turn-around area shall be provided at the end of road.

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.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department.

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.

- (c) **DEVELOPMENT RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on Lots 2, 3, 4, and 5 until such time as Union Street is improved to a minimum Category 4 road standard. This shall be noted on the development plan to be filed with the Planning & Building Department. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department. (use this paragraph when subdividing on a sub-standard road)
- (d) **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.

2.0 IMPROVEMENTS

2.1 CONSTRUCTION PLANS

- 2.2 **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.

2.3 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.

2.4 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.

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

A stop sign will be required on Union Street at its intersection with Artino Street.

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. (last paragraph for private roads)

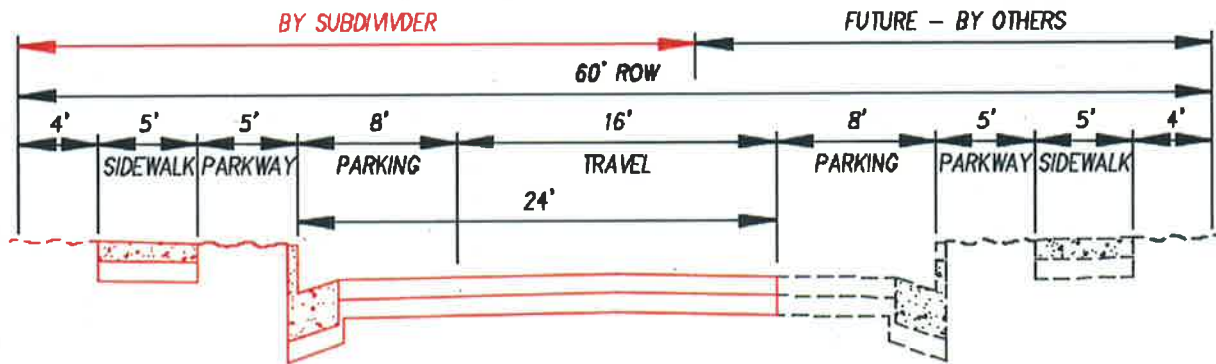
2.6 ACCESS ROADS: The access roads serving the subdivision shall be constructed to the satisfaction of this Department as follows:

(a) **UNION STREET:** Union Street shall be constructed having a width of 24 feet and shall be constructed from Artino Street to the southerly line of Lot 4. At a minimum the entire road shall be constructed with 0.2 foot of Caltrans Type B asphalt concrete (AC) over of 0.5 foot of Caltrans Class 2 aggregate base. Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter shall be constructed 14 feet from the easterly right of way line of Union Street, unless otherwise approved by this Department. A 5 foot wide PCC sidewalk shall be constructed with 5 foot wide landscape strip (4.5 foot wide useable). This Department may require an asphalt concrete (AC) dike to be constructed along the west travel lane to control storm water.

The intersection of Artino Street and Union Street shall be retrofitted to a Modified Case F curb ramp with a 20 foot radius curb return; or the intersection shall be designed with an Urban Driveway No. 1 (W=29') along southerly curb line of Artino Street.

A turnaround area as approved by this Department shall be constructed at the end of the access road serving the subdivision. It shall have the same structural section as the roadway serving the parcels/lots.

The Department may require that the intersection of Artino Street and Union Street be re-constructed to provide adequate cross slope for roadway drainage.



Above: Union Street Typical Section

- (b) Nothing is intended to prevent the applicant from constructing the improvements to a greater standard.
- (c) 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.
- (d) 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.
- (e) The intersection Artino Street and Union Street shall conform to Humboldt County Code Section 341 regarding visibility.
- (f) The surface of the access road(s) shall conform to the *Structural Section* requirements within this document.

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

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 25 feet from the edge of the County road.

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

That portion of a structure used for the parking of vehicles must be setback a minimum of 20 feet from easements created as a condition of tentative map approval for the purpose of moving automotive vehicles, bicycles, pedestrians, or animals. If a development plan is

prepared for this project, the development plan shall note this minimum setback condition and indicate graphically the location of the setback line on the lots.

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

2.8 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.

2.9 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.

2.10 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.

2.11 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.

2.12 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.

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

2.14 COMPLETION OF SIDEWALK IMPROVEMENTS: Sidewalk improvements may be deferred until such time as a building permit is pulled. Each building permit pulled will require 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.

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 LOW IMPACT DEVELOPMENT (LID): The subdivision in its entirety is a regulated project and is required to comply with County Code Section 337-13. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

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

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

The following note shall be placed on the development plan: "**LOW IMPACT**

DEVELOPMENT (LID) NOTE: This subdivision is approved as a regulated project and is

required to comply with County Code Section 337-13. Each parcel within the subdivision is considered a regulated project. The improvement plans prepared for this subdivision show a conceptual plan to address LID for the parcels. It is intended that the LID strategies shown on the improvement plans are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for."

4.0 GRADING

- 4.1 SOILS ENGINEERING REPORT:** Pursuant to Humboldt County Code Section 331-14 (E)(5), applicant shall provide a soils engineering report that addresses the entire subdivision. The report shall include sufficient detail to enable the Building Official to issue building permits for each lot within the subdivision.

Pursuant to Humboldt County Code Section 331-14 (H)(6)(b)(3), the Applicant shall file a copy of the soils engineering report with the Chief Building Official.

- 4.2 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.

- 4.3 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.

- 4.4 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.

- 4.5 DATUM:** Grading plans shall be tied into elevation datum approved by this Department.

- 4.6 SLOPES:** Benches/terraces when required by Humboldt County Code Section 331-14 (H)(3)(b) shall also include interceptor drains when required by this Department.

Interceptor drains when required by this Department or per Humboldt County Code Section 331-14 (H)(3)(e) shall be sized per the drainage study to pass a Q_{100} storm event with at least 0.5 foot freeboard.

Proposed lot lines shall be situated at the top of slopes between lots, unless otherwise approved by this Department.

- 4.7 EROSION CONTROL:** Pursuant to Humboldt County Code Section 331-14 (H)(6)(d)(1) and 337-13(c), 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.

For construction sites equal to or greater than one (1) acre of ground disturbance, a Notice of Intent (NOI) and permit registration documents are required to be filed with the State Water Quality Control Board. A copy of the State's receipt of the approved NOI shall be provided to this Department prior to the start of construction.

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. [*Section 323-2 is listed in County Code after Section 324-1]

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 Union Street.

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

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

6.0 DEVELOPMENT PLAN:

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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: Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.) specify the findings that must be made to approve tentative subdivision maps. Basically, the Hearing Officer may approve a tentative map if the applicants have submitted evidence 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 with 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. Coastal Development Permit Findings: Section 312-17 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Permits and Variances) specifies the findings that are required to grant a Coastal Development Permit:

1. The proposed development is in conformance with the County's General Plan; and
2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and the conditions under which it may be operated or maintained, will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

Furthermore, the California Environmental Quality Act requires that the required CEQA findings be made for any development that is subject to the regulations of CEQA.

Staff Analysis

A.1./B.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 Framework Plan (FP) and Eureka Community Plan (ECP).

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the Required Finding
Land Use ECP 2732	Residential Low Density: Urban areas with a density range of 1 to 6 dwelling units per acre.	The project involves the subdivision of a 2.5 acre lot into 5 residential lots consistent with planned density. <i>Note: The Coastal portion is designated Residential Low Density (RL); however, no development is proposed in this area.</i>
Housing FP 2420-2430 ECP 2400 et seq.	Provide adequate sites for housing.	Project review indicates that each proposed parcel will have a suitable site for the residential development principally permitted in the zone.
Housing FP 2620 ECP 2500	Concentrate new development around existing public services and around existing communities.	Attachment 6 documents that all service providers have indicated that full urban services are available to the project site. The site is within the Eureka Community Plan and will be in-filling an established residential development pattern in the Pine Hill area of South Eureka.
Geologic FP 3210 et seq.; ECP 3200 - 3220	New construction shall be built to help protect occupants from geologic hazards.	According to the Humboldt County Geologic Hazard maps, the property is located in zones of moderate and low slope instability. An R-2 report was prepared that includes the subject property. The Report concludes that the parcel is suitable for development of typical streets, and typical, one or two story residences. Project approval is conditioned upon conformance with the Report's recommendations.
Flood Hazards FP 3220 et seq. ECP 3300 et seq.	All new development shall conform with the County Flood Insurance Program.	The project site is located outside of a mapped flood hazard area, and is in Flood Zone C per FEMA Community Panel Map 060060 0775C. Flood Zone C is defined as "areas of minimal flooding".
Fire Hazards FP 3291 (4)	Use appropriate sections of the Fire Safe Ordinance (FSO) for review of residential development in rural areas.	The General Plan Fire Hazard map indicates that the property is located in an area of low fire hazard rating. Fire jurisdiction falls under the purview of the Humboldt No. 1 Fire Protection District. The Fire District comments that the project raises no fire protection issues. The County Land Use Division recommends conditional approval and provides Subdivision Requirements that address access. The subdivision is not subject to the County's Fire Safe Ordinance regulations.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the Required Finding
Sensitive Habitats FP 3420 et seq. Greenway and Open Space Areas ECP 3400-3604	To protect designated sensitive habitats resources, including gulches.	Based on a site inspection by staff and a review of Framework Plan Biological Resources maps, no resource protection policies, other than the Streamside Management Area Ordinance (SMAO), affect the subject parcel. There are two intermittent tributaries to Martin Slough either on or adjacent to this parcel. The tentative map identifies the appropriate setbacks and requests no reductions. Additionally, the California Department of Fish and Wildlife did not indicate any potential impacts with regard to biological resources. No development below the 30% slope break is proposed.
Cultural Resources FP 3530 et seq.; ECP 3500-3510	To protect cultural resources.	The project was referred to the Northwest Information Center. Their database did not hold records of importance regarding this site. An informational note has been added regarding legal requirements should ground disturbing activities reveal the presence of resources.
Parkland ECP 4420	To establish recreational facilities to meet the needs of Eureka residents.	Parkland dedication fees are \$7,311.70 without the conveyance of secondary dwelling unit rights, or \$3,655.85 with the conveyance of secondary dwelling unit rights (see calculations below).
Public Services FP/ECP 4100 - 4820	Public services shall be available to support the proposed new lots.	All service providers have indicated that they can support the proposed new lots. Attachment 6 includes and references their individual recommendations and improvement requirements.

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 (Source: 2000 U.S. Census)
	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	5	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
	\$7,311.70	Parkland Dedication In-lieu Fee for the Kable Subdivision

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

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The staff site inspections, the R-2 Geologic and Report (prepared by Pacific Affiliates, Inc. Consulting Engineers, dated October 2005) and service provider comments in Attachment 6 all indicate that the parcels are suitable for single family residential development.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	County Public Works Land Use Division (LUD) has provided Memo and Subdivision Requirements dated October 24, 2017 that address access and drainage. All parcels will access off Union Street, a County-maintained road. LUD requires that a complete hydraulic report and drainage plan be submitted for approval. Additional improvements to the existing storm drain system may be required.
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	All parcels will be served by community water and sewer. Project approval is conditioned upon satisfaction of the requirements of the Humboldt Community Services District.
Adequate Solar Access 322.5-5	Subdivision to provide adequate solar access.	Applicant has submitted a solar shade plat and solar access calculations. The information shows that the subdivision is in compliance with the solar access code. Development other than that upon which the shade plat/calculation was based shall require submittal of information to demonstrate conformance with this code section to provide adequate solar access.
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way.	Parcels will be accessed via an "extension" of Union Street, a non-County maintained 60 foot right of way.

<p>322-3.1 Housing Element Densities</p> <p>The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.</p>	<p>The project involves the subdivision of a 2.5 acre parcel into 5 parcels ranging in size from 6,080 square feet to 1.75 acres. The property is planned RL with a density of 1-6 dwelling units per acre. The property is designated Greenway Open Space (GO) with most of the property constrained by steep slopes. This parcel was not utilized by the Department of Housing and Community Development, therefore, these units are in addition to those identified in the most recent housing element.</p>
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Further, pursuant to H.C.C. Section 325-9, in order to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

Summary of Applicable Requirement	Evidence That Supports the Required Finding
That there are special circumstances or conditions affecting said property.	<p>The applicant has requested that the road and pedestrian improvements be reduced from those normally required on subdivisions in urban areas (see Attachment 3). The modification would reduce the improved road width and remove the sidewalk.</p> <p>The topography of this property falls off steeply (50% slope) to the south of proposed Lot 5. At the base of this slope is streamside management area. This area has been determined to be non-buildable. The County's road standards for subdivisions anticipate that road sections will eventually be extended to serve other development. These conditions make it extremely unlikely that the extension of Union Street will serve development other than the property directly west of the subdivision.</p>
That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.	<p>The existing condition requires the subdivider to construct an 8 foot wide portion of the street section (travel way) on the westerly side of the mid-line of the right of way. This Typical Section was intended to provide a full 20 foot wide travel way in addition to the parking lane. Given the site topographic constraints and the limited number of lots created, the County's road standards do support a narrower travel way. The proposed reduction in road width is satisfactory to meet the standard for the level of development proposed. When the neighboring property is developed, the balance of the travel way may be obtained.</p> <p>The exception request does not explain how the deletion of the sidewalk requirement is necessary under this finding. Sidewalks are generally provided to reduce potential conflicts with traffic. By narrowing the improved section of roadway, this may be of increased importance. Using standard traffic assumptions, a 5 lot subdivision will generate an estimated 40 to 50 trip ends per day. For this reason, staff is recommending that the modified Typical Section in the Public Works memorandum be made a part of any approval of this exception request.</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.	There is no indication that the development of the surrounding lands will be adversely impacted by this exception if granted.
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Note: If the applicant's exception is granted to remove the sidewalks, the street section depicted as "Union Street Typical Section as approved by Planning Commission on the prior expired tentative map" in the Department of Public Works memo dated October 24, 2017 will become the improvement requirement for the subdivision. Alternatively, if the staff recommendation is adopted, the Typical Section depicted in the Department of Public Works Subdivision Requirements dated October 24, 2017 will be the improvement requirement for Union Street.

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

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Zoning Finding
Residential One-Family (R-1)	One-family dwellings are compatible uses.	The subdivision sites an existing dwelling on proposed Parcel 1 and leaves the remaining parcels vacant and suitable for residential development.
Minimum Parcel Size	6,000 square feet	The parcels range from 6,080 square feet to 1.75 acres.
Minimum Yard Setbacks per Zoning:	Front: 20 feet Side: 5 feet Rear: 10 feet	Existing development complies with these development standards. Future development must comply with standards of the zone.
Minimum Lot Width	50 feet	All parcels comply
Maximum Lot Depth	3 time lot width	All parcels comply
Maximum Ground Coverage	35%	All parcels comply
Maximum Structure Height	35 feet	All parcels comply
Combining Zones		
314-22.2 GO – GREENWAY AND OPEN SPACE	The Greenway and Open Space (GO) Combining Zone is intended to be applied within the urban limits of the Eureka Community Planning Area in sensitive habitat areas historically known as gulches. These regulations are intended to set forth standards for the development of areas containing gulches and to retain the lush vegetation and habitat values for numerous wildlife species such as birds, fish and small mammals. The Board of Supervisors finds that Greenway and Open Space areas serve an important function as natural drainage channels and represent a unique scenic asset to the community. Retaining Greenway and Open Space areas in a relatively undeveloped state is intended to help maintain a high quality of living environment as the community develops.	The approximately 2.5 acre parcel is currently developed with a single family residence. The existing and proposed development is located on the relatively flat portions of the property above the 30% break in slope and before it forms a gulch to the south and east. In addition, consistent with the GO combining zone, a detailed development plan will be prepared mapping the 30% break in slope and labeling the area below the break in slope “unbuildable.”

B.4. Public Health, Safety and Welfare.

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

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

A.4. Environmental Impact.

As lead agency, the Department prepared an Addendum to a previously adopted Negative Declaration (ND) that was adopted by the Planning Commission at their September 4, 2014 meeting. The initial study 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 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.

Section 15162 of the California Environmental Quality Act (CEQA) states that when a 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 MND 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 changes were made to the original project. The project is being re-submitted because the tentative map has expired. The circumstances under which the project is undertaken have not changed. The land use designation and zoning support the project as proposed. Further, the project complies with the requirements of all referral agencies. Lastly, there is no new information, which was not known and could not have been known at the time of the previous Negative Declaration was certified as complete. For these reasons no subsequent ND is required.

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Tentative Subdivision Map	Attached in Maps Section
Application Form	On file with Planning
Solar Shading Map	On file with Planning
Preliminary Title Report	On file with Planning
R-2 Soils Report	On file with Planning
Preliminary Drainage Report	On file with Planning
Exception Request dated July 1, 2014	Attached



PACIFIC AFFILIATES
CONSULTING ENGINEERS

890 W. WATERFRONT DRIVE, EUREKA, CA 95501 • TEL (707) 445-3001 FAX (707) 445-3003

July 1, 2014

Mr. Trevor Estlow
Senior Planner
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501



Re: Kable Subdivision
APN 300-111-001
380 Artino St.
Eureka, CA, 95503

Mr. Estlow:

Pursuant to Humboldt County Code §325-9, I hereby request an exception to the minimum roadway width requirements, as specified in the County's Subdivision Ordinance, to allow the proposed roadway to be constructed with a reduced width of 24'. Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

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

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

All parcels shown on the development plan meet the existing zoning, minimum parcel size, setbacks, parking requirements, and other development regulations. The subject development fulfills the current zoning requirements and is consistent with the in-fill model supported by the General Plan.

Access to the subject development is from County maintained Union Street. The portion of the proposed road fronting the new parcels will be a private road and not County maintained. The private access road will be constructed to be 24' wide with an additional 8' of road to be constructed on the west side of the road once APN 301-121-011 is developed. As a result, the full build-out of the road will be 32' wide (curb to curb) and will adhere to the minimum road standards as a condition of this development.

The project is designed to maximize the density of the current parcel, whereas not to compromise the buildable area and open-space of the subject development. The current zoning would not permit further subdivision of any of the parcels created by this subdivision.

It does not appear as though the subject project provides special privileges not available to others. The

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subject project maintains the preservation and substantial property right of the landowner. Denial of the exception request denies the subdivision of the subject property and the ability to maximize the potential of the existing land to meet the current zoning requirements as set forth in the existing General Plan.

In closing, the above described request does not appear to be detrimental to the public welfare or injurious to other property in the neighborhood in which the property is located, therefore I respectfully petition that this request be granted

Should you have any questions please contact our office.

Respectfully,



Jason Berrey
Project Manager
L.S.I.T. 7893

cc: File 04-965
Tina Christensen

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ATTACHMENT 4

ADOPTED ADDENDUM TO A PREVIOUSLY ADOPTED NEGATIVE DECLARATION

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

KABLE MODIFICATION PROJECT

SCH NO. 2006012142

APN 301-111-001, Eureka area, Humboldt County

DRAFT

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

August 2014

Background

Modified Project Description and Project History - The project involves a Modification to a previously approved Final Map Subdivision and Coastal Development Permit approved April 3, 2008. The original project was for the subdivision of an approximately 2.5 acre parcel into five residential parcels ranging in size from 6,080 square feet to 1.75 acres. The parcel is currently developed with one single family residence which will be sited on proposed Parcel 1. The property is served with community water and sewer and is proposing access from Union Street, a paved public road. A portion of proposed Parcel 5 is located within the Coastal Zone. The Modification proposes to modify the improvement requirements for Union Street that were approved by the Planning Commission. Pursuant to Section 325-9, the applicant has submitted an exception request to reduce the improvement requirements. If approved, the project will expire on May 2, 2017 pursuant to AB 116. This modification will be heard by the Planning Commission.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent MND have occurred. Section 15162 states that when an MND has been adopted for a project, no subsequent MND 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 MND 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 MND 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 Mitigated Negative Declaration (MND) was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; 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 MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original project's recommended mitigations.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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 Mitigated Negative Declaration was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. *The proposed project modification reduces the width required for the access road and eliminates the installation of sidewalks. The nature of the project modification does not trigger any new environmental impacts that were not previously discussed. The mitigation measures adopted with the original project will continue to apply.*
2. *The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified 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 ND 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 ND. Also, significant effects previously examined will not be substantially more severe than shown in the previous ND. 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 ND, 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, mitigation requirements, and mitigation and monitoring program of the MND are applicable to the current project proposal.

APPENDICES

KABLE SUBDIVISION MODIFICATION PROJECT

- Appendix A. Humboldt County Planning Commission Resolution Adopting the Negative Declaration
- Appendix B. Initial Study and Negative Declaration

APPENDIX A

Humboldt County Planning Commission Resolution Adopting the Negative Declaration

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 06-34

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE KABLE FINAL MAP SUBDIVISION APPLICATION: CASE NOS. FMS-04-09/CDP-04-52, ASSESSOR PARCEL NUMBER 301-111-01.

WHEREAS, Pacific Affiliates, Inc., has submitted a tentative map on behalf of Philip Kable, for the subdivision of a 2.5 acre parcel into 5 residential parcels; 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 Negative Declaration, included in Attachment 3; and

WHEREAS, Attachment 1 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed subdivision (Case Numbers FMS-04-09/CDP-04-52);

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

1. The Planning Commission approves the proposed Negative Declaration in Attachment 3, 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 FMS-04-09/CDP-04-52 based on the submitted evidence.
3. The Planning Commission conditionally approves the proposed subdivision as recommended in the Planning Division staff report for Case Numbers FMS-04-09/CDP-04-52.

Adopted after review and consideration of all the evidence on April 6, 2006.

The motion was made by COMMISSIONER GEARHEART and seconded by COMMISSIONER MURGUIA.

AYES: Commissioners: EMAD, GEARHEART, HANSIS, KELLY, MURGUIA & SMITH

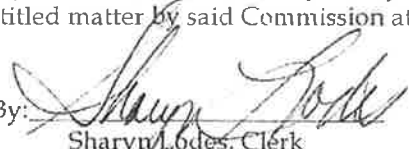
NOES: Commissioners: NONE

ABSTAIN: Commissioners: NONE

ABSENT: Commissioners: HERMAN

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: 
Sharyn Lodes, Clerk

Last day to appeal to the Board of Supervisors: APRIL 17, 2006 (file with both the Planning).

APPENDIX B

Initial Study and Negative Declaration

ATTACHMENT 3
Draft Negative Declaration

1. Project title: Kable Final Map Subdivision / Coastal Development Permit
2. Lead agency name and address: Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446
3. Contact person and phone number: Alyson Hunter, Planner II, Phone: 707-268-3731, Fax: 707-445-7446
4. Project location: The project site is located in Humboldt County, in the Eureka area, on the south side of Artino Street, at the intersection of Artino Street and Union Street.
5. Project sponsor's name and address: Philip Kable, 1483 Faye Ave., Samoa CA 95563
6. General plan designation: Residential Low Density (RL), Eureka Community Plan (ECP) and Humboldt Bay Area plan (HBAP). Density 1 - 6 du/acre.
7. Zoning: Residential One Family - 6,000 sf minimum parcel size with Greenway/Open Space combining zone (R-1*/GO) and Residential Single Family - 5,000 sf minimum parcel size (RS-5).
8. Description of project: A Major Subdivision of an approximately 2.5 acre parcel into 5 residential parcels ranging in size from 6,080 square feet to 1.75 acres. The parcel is currently developed with one single family residence which will be sited on proposed Parcel 1. The property is served by community water and sewer and is proposing access from Union Street. This project was previously approved under FMS-07-97, but was allowed to expire. A portion of the proposed Parcel 5 is located within the Coastal Zone.
9. Surrounding land uses and setting: The parcel is surrounded on the north, east and northeast by residential parcels zoned for single family use ranging in size from 5,000 sf to 1 and 2 acres. The parcels to the south and west are large and significantly encumbered by gulchy topography. The parcel also abuts a gulch area to the east with an intermittent creek flowing through it. The tentative map shows the watercourse on the neighboring parcel and a 100' Streamside Management Area (SMA) setback to the building envelopes on the subject parcel. Most of the parcels in the vicinity are developed. The entire area is served by community water and sewer. The Coastal Zone boundary bisects the southern $\pm 1/3$ of the parcel where no development is proposed.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Public Works.

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 checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input checked="" 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.

Alyson Hunter
Signature (Alyson Hunter, Planner II)

1/26/06
Date

Alyson Hunter
Printed name

HCCDS
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.

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 surroundings; 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, but the southerly 1/3 of the parcel is within the County's local jurisdiction of the Coastal Zone. This area has not been mapped and certified by the State as having scenic values. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The new residences will be located behind the existing house and only nominally visible from the Union/Artino intersection. Furthermore, given the wooded gulch area that makes up the eastern and western edges of the parcel, views to the west from east of the parcel will not be impacted at all. There is a view from the north looking south over the tops of what will, someday be future house, but this is already compromised by the high tension PG&E power lines that traverse this area. The Department finds no evidence that the creation of 5 parcels within an area characterized as urban residential will have a substantial adverse aesthetic impact. 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.

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:	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of State-wide 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"/>

Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	No Impact
--------------------------------------	---	--	--------------

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. One-family residential is a primary and compatible use within the RL designation and is principally permitted in the R-1/RS zoning districts. 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 would not historically have been used for intensive agriculture, unlike other areas of the County, like McKinleyville. 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:	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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. The parcel is relatively flat and will not require significant grading for the road-work 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 4 additional parcels within an area characterized as urban residential will have a substantial adverse impact on air quality.

4. BIOLOGICAL RESOURCES. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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. b): BIOLOGICAL RESOURCES: LESS THAN SIGNIFICANT IMPACT

Finding: the project is expected to have a less than significant 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.

Discussion: An intermittent drainage is located on the parcel directly adjacent on the east. The drainage flows in a north-south direction following the layout of the parcels on the south side of Artino Street. This drainage feeds into a tributary of Martin Slough. This area and the southern $\pm 1/3$ of the subject parcel have features which categorize it as Greenway/Open Space in the ECP and the Humboldt County Code (§314-22.2, HCC). The area is heavily wooded with redwoods and associated woodland plant species. There is no indication that the unnamed tributary to the Martin Slough is habitat for any 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, other than Siskiyou checkerbloom and marsh pea. These two plant species are diagrammatically expressed over a large geographic. There is no indication that these species are actually found on or within the immediate vicinity of the project site. According to the City of Eureka's Martin Slough Interceptor EIR (SCH No. 2002082043, May 2004), Steelhead, Coho and Chinook salmon and tidewater goby, among others, are present in the lower reaches of the Slough. For this reason, it is imperative that any increase in run-off from developments in the watershed be minimized so that the fragile ecosystem is not overwhelmed by unusually high peak flows. To ensure that this does not occur, the Land Use Division (LUD of the Public Works Department will require a hydrologic report which addresses the current and planned drainage impacts that the project could create and how they can be best minimized.

4. a), c) - f): BIOLOGICAL RESOURCES: NO 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; 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, there are no sensitive biological resources on, or in the vicinity of, the project site, other than those resources discussed above. There are no wetlands or wetland habitat present on the site; the project site is not near a stream or river and the project does not involve any development within a streamside management area. The project site is not within an adopted or proposed habitat conservation plan. The project was referred to the Redding office of the DFG which did not respond with concerns. The area is developed on three sides. The Department finds no evidence that the project will result in a significant adverse impact on biological resources.

5. CULTURAL RESOURCES. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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	<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 residence is not considered a significant historical resource, nor are there any known structures in the area that meet these criteria. The previous subdivision in 1997 was referred to Sonoma State University which, at that time, was the County's contracted archaeological review professional. SSU had no issues with the project. 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:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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 not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Finding: The project will not 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 central portion of the parcel is located on moderately unstable slopes with an instability rating of "2". The southern and northern portions are on stable slopes. The Building Inspections Division (BID) required an R-2 Soils Report. This report was prepared by Pacific Affiliates, Inc., Consulting Engineers, (October 2005), reviewed and accepted by the BID. Grading and site development are required to adhere to the recommendations of this report.

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; it is over 2 miles from the nearest mapped A-P zone which encompasses the Humboldt Hill area. According to the Framework Plan Geologic Hazards map, the project site is in an area of low and moderate slope instability, and is not located in an area subject to liquefaction. 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 four additional 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:	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

public use airport, would the project result in a safety hazard for people residing or working in the project area?

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| 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. The parcel is not within the State Responsibility Area (SRA) for fire protection so CDF was not referred to. The applicant proposes a turnaround at the end of the "flag pole" access road (30' wide) to allow passenger and emergency vehicle maneuverability. Furthermore, the applicant proposes to pave the entire width and length of the 30' wide access with asphalt concrete, thus mitigating the effects of the subdivision further since residents and emergency vehicles will be able to pass. 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 four additional 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:

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| 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, | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

in a manner which would result in substantial erosion or siltation on- or off-site?

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| 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 (HMCSD) has indicated that it is able to provide water and sewer service to the proposed subdivision upon the payment of the appropriate fees. HMCSD has not identified any concerns with regard to the project interfering with groundwater recharge. The Department finds no evidence indicating that the subdivision will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality. According to the Flood Insurance Rate Map 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.

As much of the previously pervious surface of the parcel will become paved or otherwise impervious as it develops, the applicant's agent developed an engineered drainage plan to address downstream flows and potential impacts. The drainage plan (Pacific Affiliates, Inc., January 2006) 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 was required to provide the P/W Department with a Drainage Report addressing downstream runoff. The parcel drains in a southerly direction into an intermittent tributary to Martin Slough (refer to the Biological Resources section above). The project will not alter a stream or river, nor is there any indication that the project is likely to result in flooding on- or off-site. All drainage will be directed to the south and then east into the natural watercourse which drains into Martin Slough at the Eureka Municipal Golf Course less than ¼ mile to the southeast. These drainage requirements will keep this alteration's impacts to a less than significant level.

9. LAND USE AND PLANNING. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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	<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? ☐ ☐ ☐ ☒

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 Family (RL) by the Eureka Community Plan, and is zoned Residential One-Family with a 6,000 square foot minimum parcel size and the Greenway/Open Space combining zone (R-1*/GO). The SW corner is in the Coastal Zone within a similar residential zoning district. One-family residential 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 four additional 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, the Humboldt Bay Area Plan (LCP) 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:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

in the project vicinity above levels existing without the project?

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| 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 four (4) additional 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:

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| 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 5 parcels that would be available for residential development and potentially the development of SDUs. Parcel 1 is developed with one residence. One-family residential is a primary and compatible use within the RL designation and is 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 ± 2.5 acre parcel will be developed with 5 residences almost meeting the median density; the future establishment of SDUs would exceed that density. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

13. PUBLIC SERVICES.

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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: The proposed parcels will access off the "extension" of Union Street which will be a 30' wide paved street within the existing 60' wide r/w. This site is at the intersection of Union and Artino Streets, both are County-maintained paved public streets. 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.

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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. Because of the project site's location with the Eureka Community Planning area, 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:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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: a) and b): TRANSPORTATION/TRAFFIC: POTENTIALLY SIGNIFICANT UNLESS MITIGATED

Finding: Unless mitigated, the project could 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) and exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Discussion: Union Street begins well within the City of Eureka's city limits almost at the edge of Humboldt Bay and travels south into the County's jurisdiction. For this reason, the City has concerns about the County's subdivision and residential growth impacting the traffic situation and specific intersections within the City's limits. The County and the City have recently worked together to resolve a similar traffic impact at an intersection in the Cutten area outside Eureka. This particular project (Kable) has not reached the impact threshold that the Cutten projects had reached which triggered the aforementioned impact analysis. There is no doubt that the creation of 5 lots will create an impact in terms of traffic and transportation, but there is no indication that this impact will be significant. Over the long run, the City and County will continue to work together to ensure that traffic impacts like these are addressed and remedied in as timely a manner as possible.

Union Street is a paved public, County-maintained road within a 60' wide r/w. At this point, Union ends where it intersects Artino Street, another public road also paved and within a 40 - 50' r/w. This project will, in a sense, "extend" Union so that it serves the four (4) additional parcels to the south of the existing residence on-site. The project proponent will pave a 30' road within the 60' wide r/w and construct the appropriate sidewalks to the most southerly residence (Parcel 5) and the end of the road. The project requires an exception to the standard 40' paved road. This exception has been approved by the LUD. The project is conditioned on the development of the road and other improvements meeting the LUD's Conditions of Approval dated December 27, 2005.

15: 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); 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.

16. UTILITIES AND SERVICE SYSTEMS. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Im- pact	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

existing entitlements and resources, or are new or expanded entitlements needed?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 four (4) additional parcels for residential development is not expected to negatively impact the utilities and service systems mentioned above. The parcel 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. There is a PG&E power line running in a north-south direction along the western property line. This easement has been shown on the tentative map and PG&E did not respond with concerns. The development and maintenance of the required stormwater facility will further mitigate the need for off-site drainage facilities. The Department finds there is no evidence that the creation of four (4) additional 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.

- | | Poten-
tially
Signifi-
cant | Potentially
Significant
Unless
Mitigation
Incorp. | Less
Than
Signifi-
cant Im-
pact | 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 5-parcel subdivision in an area where urban services are provided and the public access road is being improved significantly is not considered to be a project of this type. The zoning and land use designations which came into effect in 1995 with the adoption of the Eureka Community Plan years ago specifically with this type of development in mind. 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.

n/a

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

No earlier analyses were used.

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 are addressed by mitigation measures based on 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

ATTACHMENT 5

**PLANNING COMMISSION RESOLUTION NO. 14-27 ADOPTING THE ADDENDUM TO A PREVIOUSLY
ADOPTED NEGATIVE DECLARATION**

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 14-27**

**Case Number FMS-04-009XM
Assessor Parcel Number 301-111-001-000**

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

WHEREAS, Diana Kable submitted an application and evidence in support of approving a modification to a previously approved Final Map Subdivision; and

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

WHEREAS, the Planning Division, the lead agency, has prepared an Addendum to a previously adopted Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Final Map Subdivision modification (Case No. FMS-04-009XM); and

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

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

1. The Planning Commission adopts the proposed Addendum to a previously adopted Negative Declaration in Attachment 4, 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 No. FMS-04-009XM based on the submitted evidence; and
3. The Planning Commission approves the proposed project applied for as recommended and conditioned in Attachment 1 for Case No. FMS-04-009XM, as modified by the Commission to reflect the exception request, as granted.

Adopted after review and consideration of all the evidence on September 4, 2014.

The motion was made by Commissioner Shepherd and seconded by Commissioner McKenny.

AYES:	Commissioners:	Ulansey, Levy, McKenny, Morris, Shepherd, Bongio
NOES:	Commissioners:	None
ABSTAIN:	Commissioners:	None
ABSENT:	Commissioners:	Edmonds
DECISION:		Motion passes 6/0



Bob 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

ATTACHMENT 6

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Building Inspection Division	Approval	On file with Planning
Public Works Land Use Division	Conditional Approval	Subdivision Requirements Attached as Exhibit A, Attachment 1
	Comments on Exception Request	Memo dated October 24, 2017
Division of Environmental Health	Approval	On file with Planning
Humboldt Community Services District	Conditional Approval	Attached
California Department of Fish and Wildlife	No response	
Humboldt Bay Fire Protection District	Approval	On file with Planning
Northwest Information Center	No further study recommended	On file with Planning



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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

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

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner, Planning & Building Department

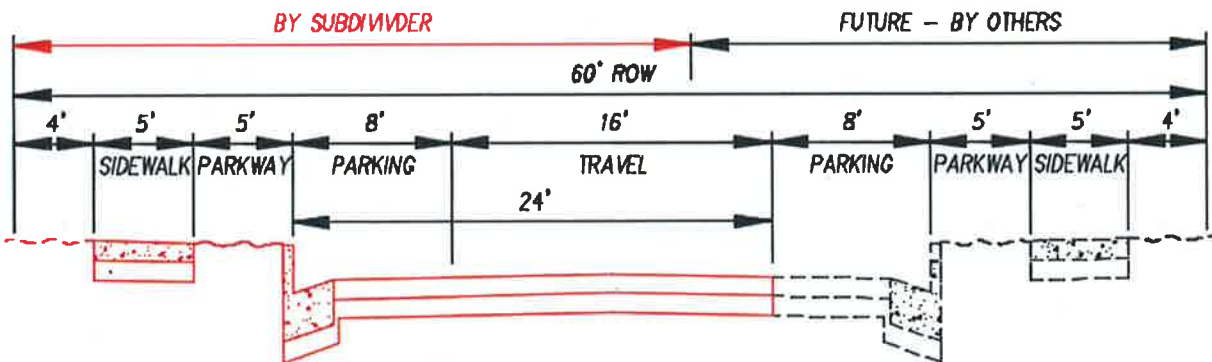
FROM: Robert W. Bronkall, Deputy Director

DATE: 10/24/2017

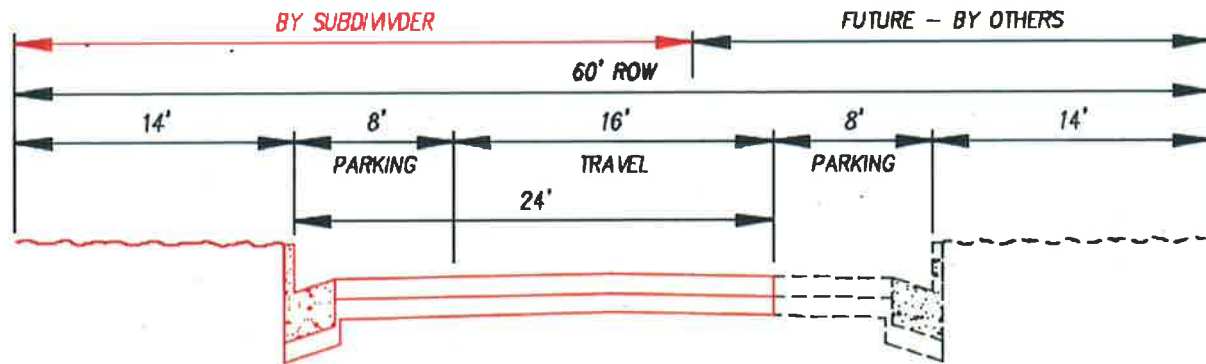
RE: KABLE, FMS-17-005, CDP17-041

TENTATIVE MAP: The subject property previously had an approved tentative map that has since expired. The proposed tentative map is identical to the previous tentative map. At the time that the previous tentative map was approved, the Department's conditions of approval regarding improvements to Union Street were modified by the Planning Commission.

For this project, the Department is recommending urban level improvements as it did with the prior tentative map. It is anticipated that the applicant will be requesting a County Code Section 325-9 exception request to eliminate sidewalks on Union Street. The Planning Commission previously approved an exception to eliminate sidewalks on the prior tentative map. The Department does not support eliminating sidewalks in urban and urbanizing areas. If approved by the Planning Commission, the Department's conditions of approval would eliminate sidewalk on Union Street.



Above: Union Street Typical Section as conditioned by Public Works



Above: Union Street Typical Section as approved by Planning Commission on the prior expired tentative map

If such an exception request were approved by the Planning Commission, it would modify the item 2.6(a) as follows:

- 2.6(a) UNION STREET:** Union Street shall be constructed having a width of 24 feet and shall be constructed from Artino Street to the southerly line of Lot 4. At a minimum the entire road shall be constructed with 0.2 foot of Caltrans Type B asphalt concrete (AC) over of 0.5 foot of Caltrans Class 2 aggregate base. Caltrans Type A2-6 portland cement concrete (PCC) curb and gutter shall be constructed 14 feet from the easterly right of way line of Union Street, unless otherwise approved by this Department. ~~A 5 foot wide PCC sidewalk shall be constructed with 5 foot wide landscape strip (4.5 foot wide useable).~~

The intersection of Artino Street and Union Street shall be retrofitted to a Modified Case F curb ramp with a 20 foot radius curb return; or the intersection shall be designed with an Urban Driveway No. 1 (W=29') along southerly curb line of Artino Street.

A turnaround area as approved by this Department shall be constructed at the end of the access road serving the subdivision. It shall have the same structural section as the roadway serving the parcels/lots.

The Department may require that the intersection of Artino Street and Union Street be re-constructed to provide adequate cross slope for roadway drainage.

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

DRAINAGE/ LOW IMPACT DEVELOPMENT (LID): The previously submitted drainage report provided by Pacific Affiliates dated January, 2006, indicates that less than 1 CFS would be generated from the project site, therefore a storm water detention basin to address City of Eureka General Plan sections 4.D.7, 4.D.9 and 4.D.10 is not required. However, the project is in the MS4 area and will be required to comply with LID requirements. Prior to the subdivision map being presented to the Planning Commission for approval, the applicant must demonstrate how compliance with MS4 requirements will be met.

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

// END //

August 10, 2017

HUMBOLDT COMMUNITY SERVICES DISTRICT

Tentative Map Conditions
(Referral dated August 3, 2017)
Kable Final Map Subdivision & CDP
APN 301-111-001

APPLICANT: Diana C. Kable
3402 Rocky Ln
Hydesville, CA 95547

I. GENERAL:

1. Water and sewer service for proposed subdivision is available upon payment of applicable fees. Services cannot be placed in a driveway area.
2. Applicant to submit engineered utility plans for district approval. All design and construction per District Specifications dated September 2016.

II. SEWER:

1. Applicant is required to bring a sewer lateral clean-out to grade within the sidewalk area for the existing sewer lateral serving the existing living unit
2. Applicant shall submit calculations and pump curves for each privately owned and maintained sewage lift pump for each parcel requiring a sewage lift pump.