



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 9550
Phone (707) 445-7541

Hearing Date: April 19, 2018

To: Humboldt County Planning Commission

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

Subject: **Strombeck Parcel Map Subdivision, Variance and Coastal Development Permit**
Application Number 13898
Case Numbers PMS-17-016, VAR-17-002, CDP-17-061
Assessor Parcel Number 016-093-013-000
Myrtle town Area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Aerial Map	9
Project Proposal Map/Tentative Parcel Map	10
Attachments	
Attachment 1: Recommended Conditions of Approval	11
Exhibit A – Department of Public Works Conditions	14
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	18
Attachment 3: Applicant's Evidence in Support of the Required Findings	29
Attachment 4: Adopted Mitigated Negative Declaration	34
Attachment 5: Planning Commission Resolution No. 14-23 adopting the Mitigated Negative Declaration	56
Attachment 6: Referral Agency Comments and Recommendations	59

Please contact Trevor Estlow, Senior Planner, 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

To: Humboldt County Planning Commission

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

Hearing Date April 19, 2018	Subject Parcel Map Subdivision, Variance and Coastal Development Permit	Contact Trevor Estlow
---------------------------------------	---	---------------------------------

Project: A Minor Subdivision of a 0.33 acre parcel to create two parcels of 5,886 square feet and 5,033 square feet. The parcel is currently developed with a single family residence and a detached garage. The applicant is also applying for a Variance to allow proposed Parcel 1 to be developed at 40% lot coverage instead of the 35% required by the Residential Single Family (RS) zone. An exception is also requested to allow access from a 30 foot wide right of way which is less than the 50 foot standard under the subdivision regulations. The parcel is located within the Coastal Zone and requires a Coastal Development Permit for the subdivision. Both resultant parcels will be served with community water and sewer by the Humboldt Community Services District. **Note: this project was approved under PMS-13-013, however, that approval has expired.**

Project Location: The project site is located in the Myrtle town area, on the south side of Pennsylvania Avenue, on the southwest corner of Pennsylvania Avenue and Quaker Lane, on the property known as 3740 Pennsylvania Avenue.

Present Plan Designation: Residential/Low Density (RL). Humboldt Bay Area Plan (HBAP). Density: three to seven dwelling units per acre. Slope Stability: Relatively Stable.

Present Zoning: Residential Single Family with a 5,000 square foot minimum parcel size (RS-5).

Application Number: 13898

Case Numbers: PMS-17-016, VAR-17-002, CDP-17-061

Assessor Parcel Numbers: 016-093-013-000

Applicant

Adam Strombeck
PO Box 37
Eureka, CA 95502

Owner

same as applicant

Agent

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

Environmental Review: Environmental review was completed under the previous project (SCH# 2014082004). None of the conditions under Section 15162 of the State CEQA Guidelines requiring subsequent environmental review apply to this project.

Major issues: Lot Coverage.

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

**STROMBECK PARCEL MAP SUBDIVISION, VARIANCE
AND COASTAL DEVELOPMENT PERMIT**

Case Numbers PMS-17-016, VAR-17-002, CDP-17-061
Assessor Parcel Number 016-093-013-000

Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda

Consider the previously adopted Mitigated Negative Declaration adopted on September 4, 2014 for the project, make all of the required findings for approval of the Parcel Map Subdivision, Variance and Coastal Development Permit, including the exception request to allow a reduced right-of-way based on evidence in the staff report and public testimony, and adopt the Resolution approving the Strombeck project subject to the recommended conditions.

Executive Summary: The project is a re-approval of a previously approved subdivision that expired September 4, 2016. This proposal is identical to the previously approved project and includes the division of a 0.33 acre parcel to create two parcels of 5,886 square feet and 5,033 square feet. The parcel is currently developed with a single family residence and a detached garage. The applicant is also applying for a Variance to allow proposed Parcel 1 to be developed at 40% lot coverage instead of the 35% required by the Residential Single Family (RS) zone. The parcel is located within the Coastal Zone and requires a Coastal Development Permit for the subdivision. Both resultant parcels will be served with community water and sewer by the Humboldt Community Services District.

The parcel is located in the Myrtle town area and accessed via Pennsylvania Avenue and Quaker Lane. Pennsylvania Avenue is a County maintained road and Quaker Lane is a private lane within a 30 foot easement. Quaker Lane has already been improved consistent with the Department of Public Works Subdivision Requirements. Pursuant to Section 325-9, the applicant submitted an exception request to allow a 30 foot right of way for Quaker Street. In their memo dated February 16, 2018 (Attachment 6), Public Works states that they support the request.

A Variance has been requested to allow proposed Parcel 1 to exceed the maximum lot coverage of 35% specified in the RS zone. Under Section 312-3.2 of the Humboldt County Code, variances to a development standard such as lot coverage may be granted to provide a measure of flexibility from the uniform regulations where certain physical constraints or conditions specific to a property exist, such as size, shape and location or surroundings. The Code requires that any relief provided through an exception to standards not constitute a "grant of special privilege" and allows the Commission to impose such conditions as it finds necessary to maintain parity with other property owners under like zoning. In this case, if granted the variance will result in Parcel 1 with a lot coverage of 40%, an increase of 5% over the zone standard.

The variance is necessitated by circumstances specific to the property. This includes the ground coverage attributed to the existing site development (residence and detached garage), the amount of land dedicated to the access easement, and the development history of the immediate area. The residence is 1,772 sq. ft. and the garage is 624 sq. ft. in size, which is not out of character with other development in the neighborhood. However, while the parcel qualifies for subdivision, there is no way to create two parcels that both meet the minimum 5,000 sq. ft. minimum parcel size and not exceed the maximum 35% lot coverage. Because subdivision triggers the nonconformity, the option does exist to demolish a portion of the garage such that

the development on proposed Parcel 1 would not exceed the lot coverage standard. The applicant believes this presents a practical difficulty and ignores the unusual circumstance posed by the access easement and the neighborhood development pattern. Although the parcel is approximately 14,400 square feet in size, 25% of the land (3,600 square feet) is dedicated to the private road easement (Quaker Lane) which serves four other parcels in addition to the subject property. This easement is an artifact of the Eden Tract and the County's abandonment of the former Quaker Street right of way. In its place a 30 foot wide access and public utility easement was established. County Code requires that "net" parcel area be used for determining minimum parcel size for lots under one acre in area. Because the 3,600 sq. ft. is not allowed to be calculated towards lot coverage, the effect on the project is substantial. Lastly, the Eden Tract was laid out in 1906 and the current lot configuration reflects numerous right of way abandonments and shifting of parcel lines from property exchanges occurring prior to the enactment of County rules for minor land divisions in the mid-1960s. There are also numerous existing developed lots which are nonconforming as to lot coverage. Within a 300 foot radius of the property, three lots have coverage estimated of between 37% and 47%. As such, allowing the existing development to remain does not appear to be contrary to the variance finding of special privilege. Accordingly, staff believes that the findings can be made to support the Variance. Further discussion can be found in Attachment 2, Section C, Variance Findings.

The only change in regulations since the previous approval is the "MS4 Permit" which applies to stormwater discharges from small municipal separate storm sewer systems (MS4s) and can require Low Impact Development (LID) techniques. Due to the small amount of impervious area associated with the project, it is not a "regulated" project and will either be classified as a "small project" or "exempt" depending on the amount of impervious surfaces proposed. Compliance with the MS4 permit will be done at the time of building permit issuance.

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 deny the proposed subdivision if the Commission finds that the submitted evidence does not support making all of the required findings. However, based on this staff report, planning staff believes the submitted evidence does support making all of the required findings and does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Numbers PMS-17-016, VAR-17-002, CDP-17-061;
Assessor's Parcel Number 016-093-013-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Strombeck Parcel Map Subdivision, Variance and Coastal Development Permit.

WHEREAS, Adam Strombeck submitted an application and evidence in support of approving the Parcel Map Subdivision, Variance 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 a Mitigated 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 Parcel Map Subdivision, Variance and Coastal Development Permit (Case Nos. PMS-17-016, VAR-17-002, CDP-17-061); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on April 19, 2018.

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

1. The Planning Commission 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 Nos. PMS-17-016, VAR-17-002, CDP-17-061 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 Nos. PMS-17-016, VAR-17-002, CDP-17-061.

Adopted after review and consideration of all the evidence on April 19, 2018

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

AYES: Commissioners:

NOES: Commissioners:

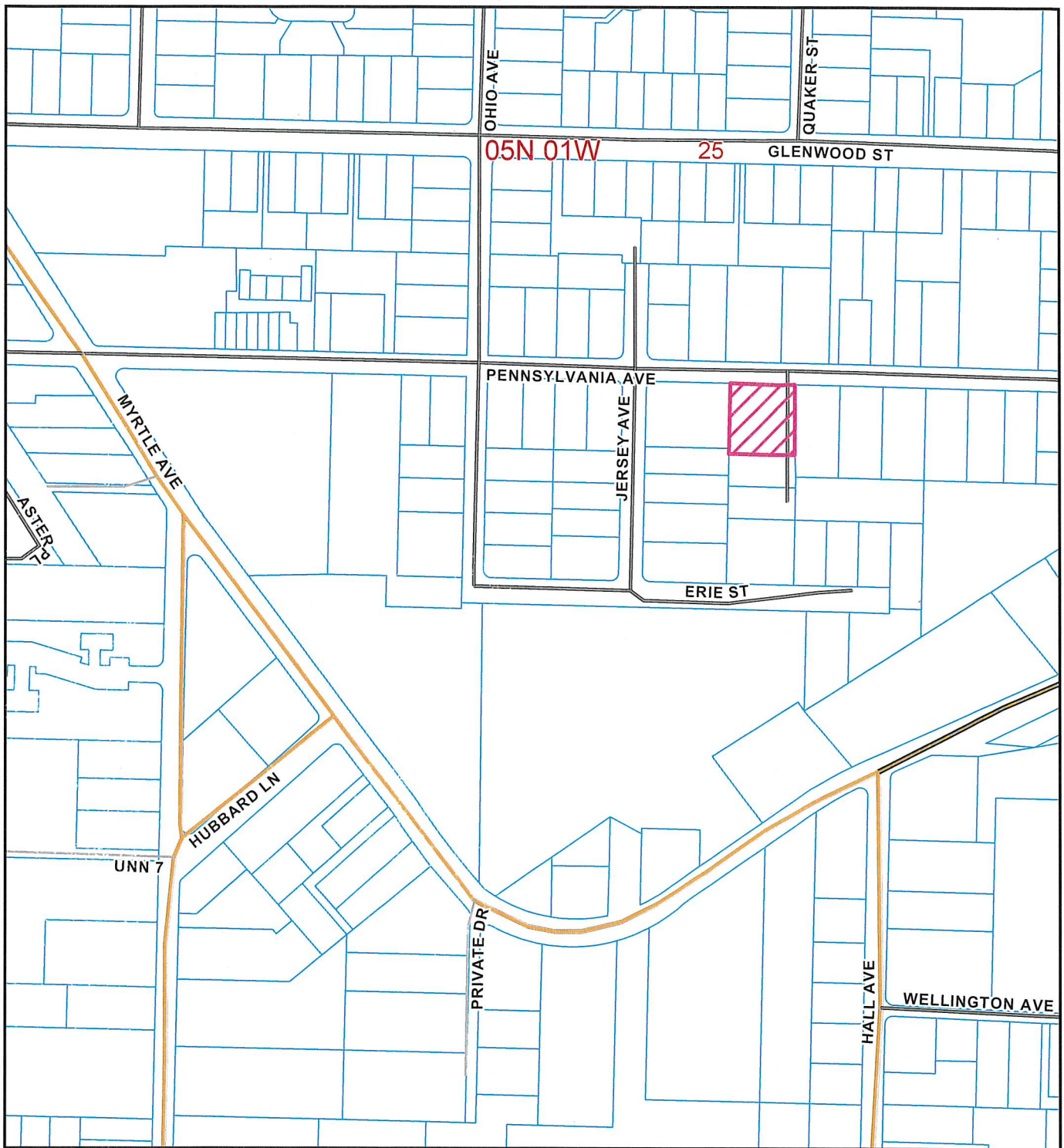
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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

John H. Ford
Director, Planning and Building Department



Project Area = 

LOCATION MAP

PROPOSED STROMBECK PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT & VARIANCE EUREKA AREA

PMS-17-016/CDP-17-061/VAR-17-002

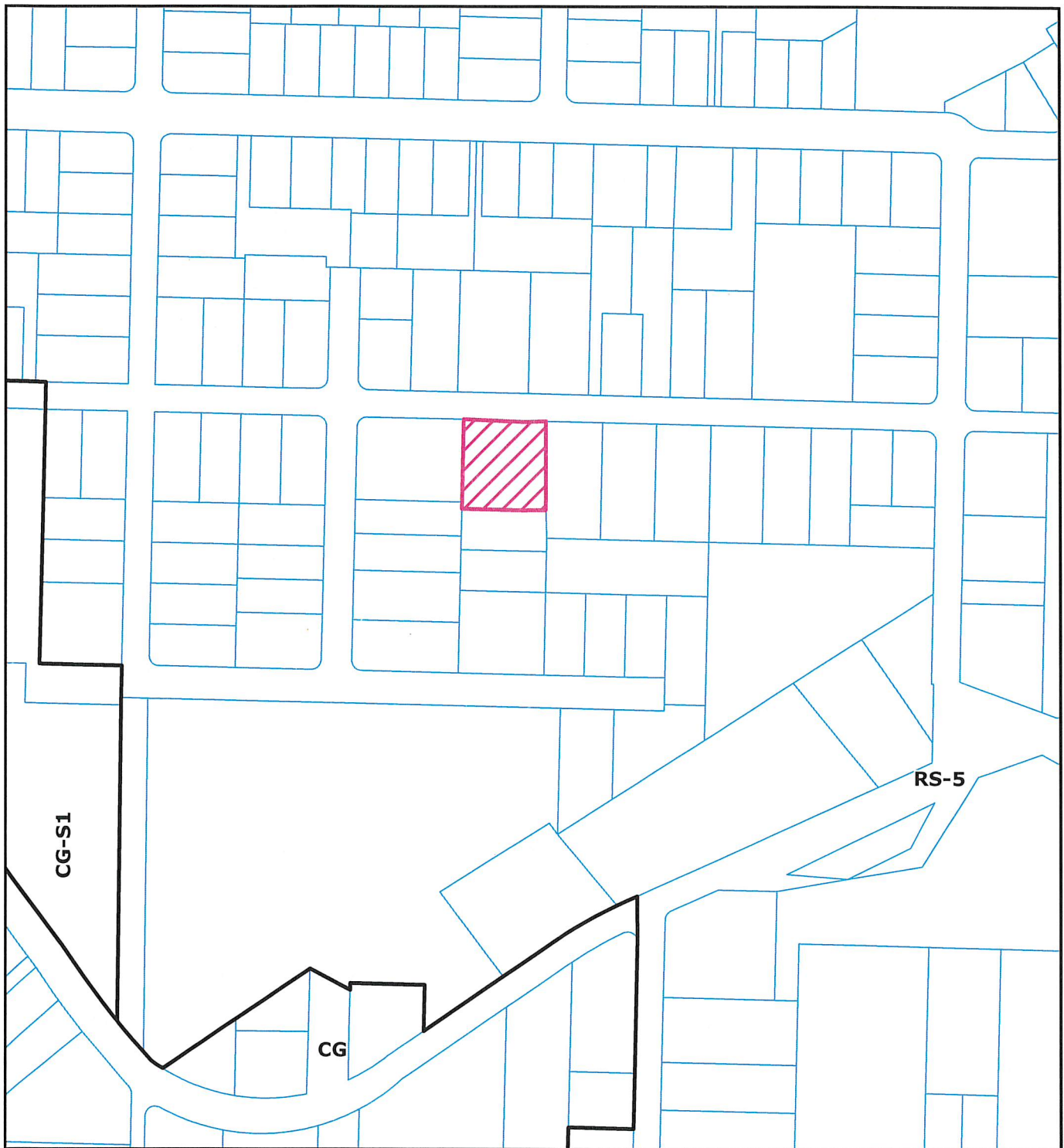
APN: 016-093-013

T05N R01W S25 HB&M (Eureka)

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



0 125 250
Feet



Project Area = 

ZONING MAP

PROPOSED STROMBECK PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT & VARIANCE EUREKA AREA

PMS-17-016/CDP-17-061/VAR-17-002


APN: 016-093-013

T05N R01W S25 HB&M (Eureka)

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



0 125 250
Feet

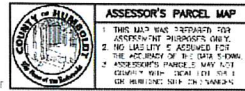
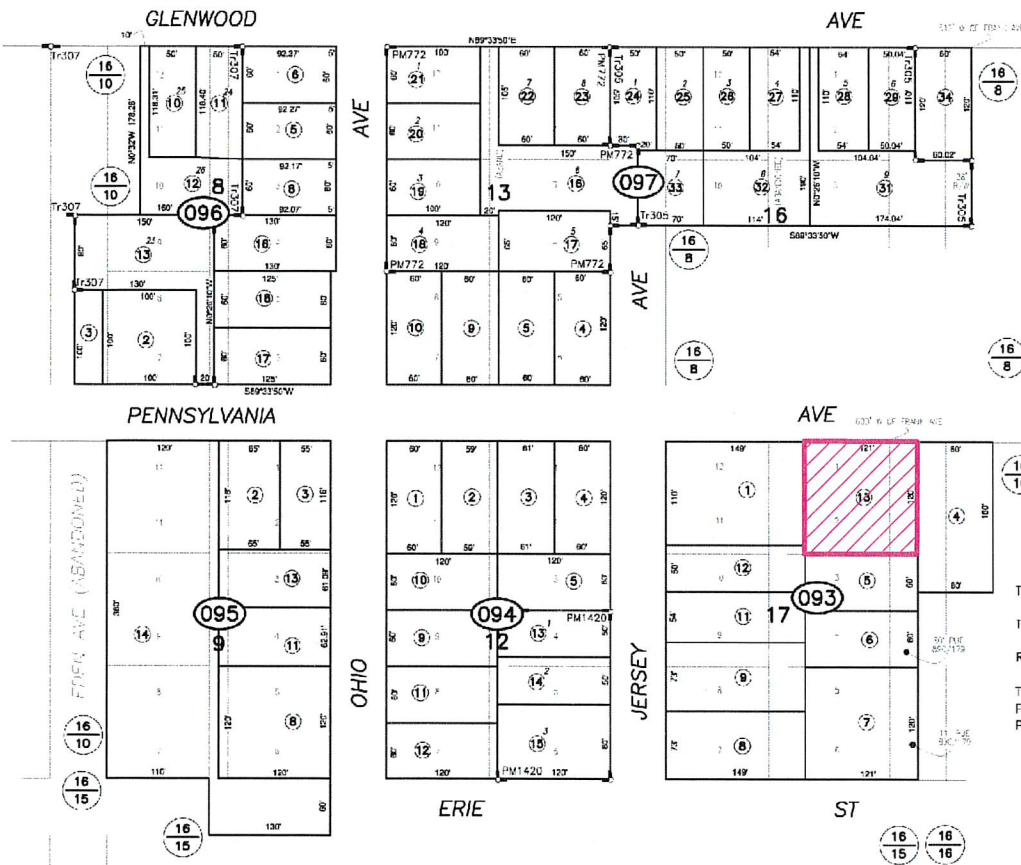


Assessor's Map Bk. 16, Pg. 9
County of Humboldt, CA.

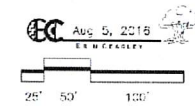
SE1/4 SEC 25, T5N R1W, HB&M

16-09

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



Tr305, Bk 19 of Maps, Pg 64-65
(Collage Glen Subdivision)
Tr307 (Ptn), Bk 19 of Maps, Pg 68-70
(Emerald Estates Subdivision, Unit
RS, Bk 10 of Surveys, Pg 3
(Eden Tract, Ptn)
Tr305, Bk 19 of Maps, Pg 64-65
PM772, Bk 6 of Parcel Maps, Pg 141
PM1420, Bk 12 of Parcel Maps, Pg 91



Project Area =

ASSESSOR PARCEL MAP
PROPOSED STROMBECK
PARCEL MAP SUBDIVISION,
COASTAL DEVELOPMENT PERMIT & VARIANCE
EUREKA AREA
PMS-17-016/CDP-17-061/VAR-17-002
APN: 016-093-013
T05N R01W S25 HB&M (Eureka)

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



Project Area = 

AERIAL MAP

PROPOSED STROMBECK PARCEL MAP SUBDIVISION, COASTAL DEVELOPMENT PERMIT & VARIANCE EUREKA AREA

PMS-17-016/CDP-17-061/VAR-17-002

APN: 016-093-013

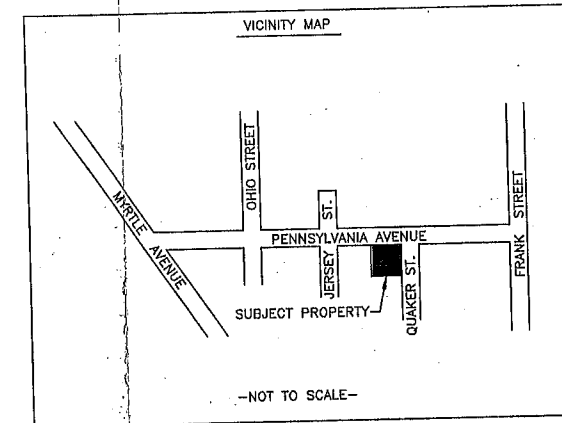
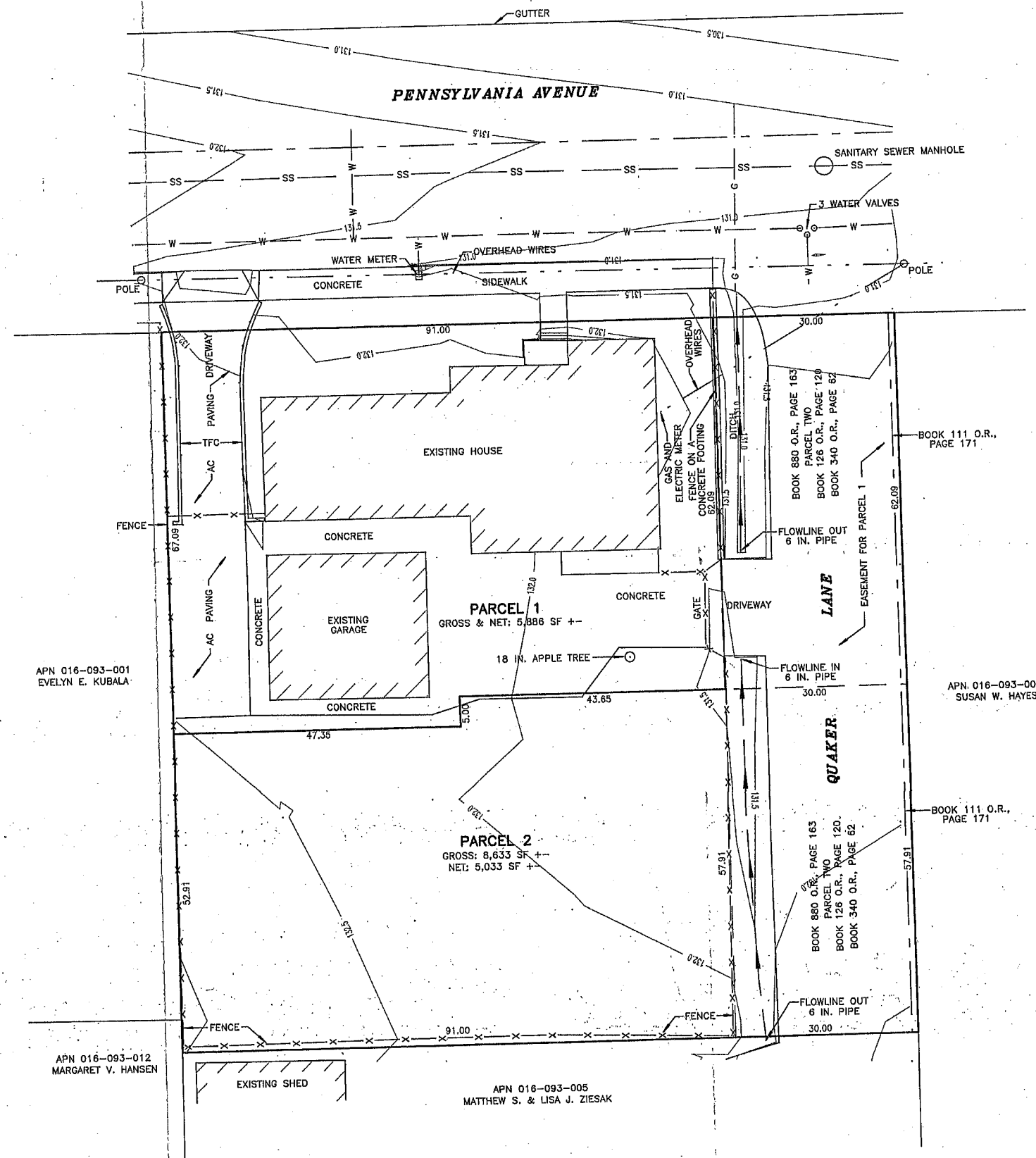
T05N R01W S25 HB&M (Eureka)

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



0 100
Feet





NOTES

1. THIS TENTATIVE MAP PROPOSES THE SUBDIVISION OF AN EXISTING 0.33 ACRE PARCEL INTO TWO PARCELS.
2. WATER AND SEWER SERVICES:
PARCEL 1 - EXISTING FROM HCSD
PARCELS 2 - PROPOSED FROM HCSD
3. CONTOUR INTERVAL: 0.5 FOOT CONTOURS ARE BASED ON A FIELD SURVEY, DATUM NAD 83 FROM HCSD MAPPING.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN. A BOUNDARY SURVEY HAS NOT BEEN PERFORMED FOR THIS MAP.
5. THE PRELIMINARY REPORT FOR THIS PROPERTY INDICATES THAT NO EASEMENTS AFFECT THIS PROPERTY. ALL EASEMENTS OF RECORD ARE SHOWN ON THE TENTATIVE MAP AND WILL APPEAR ON THE RECORDED SUBDIVISION MAP.
6. ADDRESS: 3740 PENNSYLVANIA AVENUE

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

OWNER:
ADAM D. STROMBECK
C/O STROMBECK PROPERTIES
P.O. BOX 37
EUREKA, CA 95502
822-4688

APN 016-093-013
TENTATIVE PARCEL MAP
FOR
ADAM D. STROMBECK
IN

SE 1/4 SECTION 25 T5N, R1W, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
NOVEMBER, 2013 SCALE 1" = 10'

Humboldt County
State of California
Kelly-O'Hern, Associates
Eureka, California

DRAWING NO.: STROMPEN.DC2

ATTACHMENT 1

CONDITIONS OF APPROVAL

Approval of the tentative map and conditional use permit is conditioned on the following terms and requirements which must be satisfied before completion of the project.

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral included herein as Exhibit A dated **February 16, 2018**, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$110.00 per parcel) as required by the County Assessor shall be paid to the Planning and Building Department, 3015 "H" Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
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 shall include the following site development details:
 - A. Mapping
 - (1) Topography of the land in 1-foot contours.
 - (2) Development standards for parcels: building "envelopes" (location of existing structures and proposed building sites including identified sewage disposal areas).
 - (3) Proposed improvements including waterline easements, driveways, access easements and emergency access and vehicle turn around, as applicable.
 - B. Notes to be placed on the Development Plan:
 - (1) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:

Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.

Informational Notes

1. To reduce costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: Conditions 3-13). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (currently \$95.00). Please contact the Planning Division for copies of all required forms and instructions.

Each item evidencing compliance should note in the upper right hand corner:

Assessor's Parcel No. _____, Exhibit "A", Condition _____.
(Specify) (Specify)

2. 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.
3. Site preparation and grading work for subdivision improvements will require a Grading Plan from the Land Use Division of Public Works. Please contact the Land Use Division at 445-7205 for more information concerning permit requirements and processing.
4. The term of the approved Tentative Map, Variance and Coastal Development Permit 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. 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) will 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

The applicant is ultimately responsible for ensuring compliance with this condition.



EXHIBIT A

DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF STROMBECK, APN 016-093-013, PMS 17-016,
CDP 17-061, VAR 17-002, FOR APPROVAL OF A TENTATIVE MAP,
CONSISTING OF 0.33 ACRES INTO 2 PARCELS

DATE: 02/16/2018

— — — — —

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

These recommendations are based on the tentative map prepared by Kelly O'Hern Associates dated 11/2013, and dated as received by the Humboldt County Planning Division on 10/19/2017.

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

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

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

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

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.

- 1.4 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.

- 1.5 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]

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

(a) PENNSYLVANIA STREET (County Road No. 3K480):

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

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

*Dedications are not intended to encroach into existing structures.

(b) QUAKER 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 parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 30 feet in width.

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.

1.7 AIRPORT - COUNTY CODE SECTION 333: The subject property is located within County Code Section 333. Applicant shall file an Airspace Certification Form to ensure that the proposed structures are in compliance with County Code 333-3.

2.0 IMPROVEMENTS

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

- (a)** No parking zones shall be designated with red painted curb along south side of Pennsylvania from the intersection of Quaker Street, westerly a distance of fifteen feet.

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.

4.0 GRADING

<NONE>

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 the non-county maintained road known as Quaker 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 Required 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 development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; 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 312-17.1 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Permits) 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;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
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; and
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (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.

C. Variance Findings: Section 312-17.1 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Variances) specifies the findings that are required to grant a Variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of use in the same zone in the vicinity;
2. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
3. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and
4. That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare.
5. The development for which the variance is proposed will be in conformity with the Coastal Land Use Plan.

D. CEQA: In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:

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

Staff Analysis

A.1./B.1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt Bay Area Plan (HBAP).

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Residential/Low Density (RL); §4.10.A. (HBAP)	Principal uses include residential single-family development. Density: three to seven dwelling units per acre.	The project proposes to divide a 0.33 acre parcel into two parcels of 5,886 square feet and 5,033 square feet. The parcel is developed with a single family residence with attached garage. In order to allow the house and garage to remain on proposed Parcel 1 without removing square footage, a Variance is requested to allow the lot coverage to exceed the maximum allowed (35%) by 5%. This will allow subdivision consistent with the general plan density without requiring demolition of either the garage or residence. The vacant parcel created will be suitable for residential development. Both parcels will be served by community water and sewer provided by the Humboldt Community Services District.
Urban Limit §3.11 (HBAP)	<p>Goal: To maintain a dependable water supply, sufficient to meet existing and future domestic, agricultural, industrial needs and to assure that new development is consistent with the limitations of the local water supply.</p> <p>Policy: Ensure that land use decisions are consistent with long term value of water resources in Humboldt County.</p> <p>Standard: Development proposed within Critical Water Supply Areas shall demonstrate that no risk of contamination to the water supply area would occur due to the development activity proposed.</p>	The Humboldt Community Services District has provided evidence that they have the capacity to serve the proposed project upon payment of applicable fees (see Attachment 6). This area is not within a Critical Water Supply Area.

Sewage Disposal	<p>Goal: To ensure a safe means for waste disposal and protect the County's water resources for the public's health and safety.</p> <p>Policy: Septic systems shall not be permitted where the slope exceeds 30% or within 50 feet from an unstable land form.</p> <p>Policy: Sewage disposal systems placed on an existing lot must meet all of the requirements of the Humboldt County Department of Public Health and the North Coast Regional Water Quality Control Board.</p> <p>Policy: Regulate development that would pollute watershed areas.</p>	<p>The Humboldt Community Services District has provided evidence that they have the capacity to serve the proposed project upon payment of applicable fees (see Attachment 6).</p>
Access	<p>Goal: To develop, operate, and maintain a well-coordinated, balanced, circulation system that is safe, efficient and provides good access to all cities, communities, neighborhoods, recreational facilities and adjoining areas.</p> <p>Policy: New Development shall only be approved which will not significantly create or aggravate safety, capacity or parking problems on County roads.</p>	<p>The parcel is currently accessed via Pennsylvania Avenue and a private 30-foot lane (Quaker Lane). Frontage improvements associated with the previous approval have been completed.</p>
Geologic 3.17 (HBAP)	<p>Goals: To reduce public exposure to natural and manmade hazards. To ensure the continuity of vital services and functions. To educate the community.</p> <p>Policy: Regulate land use to ensure that development in potentially hazardous areas will not preclude preserving and promoting public safety and eliminating structural hazards.</p> <p>Standards: Require geologic reports according to the Geologic Hazards Land Use Matrix as denoted in the Framework Plan.</p>	<p>The property is in an area of relatively stable soils. In this case, a geologic soils report is discretionary. The Building Inspection Division performed a pre-site inspection and did not identify the need for a soils report. The Building Inspection Division recommended approval of the project.</p>

Flood Safety 3.17 (HBAP)	<p>Goals: To reduce public exposure to natural and manmade hazards. To ensure the continuity of vital services and functions. To educate the community.</p> <p>Policy: The County shall participate in the Federal Flood Insurance Program to regulate land uses in flood hazard areas in order to minimize loss of life and property, and in order to minimize public flood-related expense.</p>	<p>The parcel is located in a residentially developed area of Myrtle town and outside of any flood hazard areas.</p>
Biological Resources 3.30 (HBAP)	<p>Goal: To maximize where feasible, the long term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats.</p> <p>Policies: Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible.</p> <p>Standards: §3.30 Humboldt Bay Area Plan</p>	<p>Based on the California Natural Diversity Database, the site has the potential to contain northern clustered sedge (<i>Carex arcta</i>), a wetland plant. Given that the existing and proposed development is located in upland areas outside any wetland areas, no impacts to this plant species are anticipated.</p>
Cultural Resource Protection 3.18 (HBAP)	<p>New development shall protect cultural, archeological and paleontological resources.</p>	<p>The project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. Responses from the NCIC, the Blue Lake Rancheria and the Bear River Band of the Rohnerville Rancheria recommended approval with no further study provided a note regarding inadvertent discovery is included in the project (see informational note 5 in Attachment 1).</p>

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)	Summary of Applicable Subdivision Requirements	Evidence Which Supports Making The Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The staff site inspections and service provider comments in Attachment 6 all indicate that the proposed parcels can be developed with single family residences.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	The property is served by Pennsylvania Avenue, a County road that meets a road Category 4 standard. The parcels will also be served by Quaker Lane which has been improved to County standards. Additional improvements along the street frontage have been constructed consistent with the Public Works Department requirements. The proposed subdivision will drain to the County Road. A drainage report has been submitted to the Department of Public Works and meets their requirements.
Sewer & Water 324-1 (d)	The subdivider shall construct the sewer and water systems to the standards of the governmental entities, which will accept and maintain those systems.	Humboldt Community Services District has indicated that they have the capacity to serve the proposed subdivision with community water and sewer.
Access Road App. 4-1	Roadway design must incorporate a 40-foot right of way.	Pennsylvania Avenue and Quaker Lane provide access to the subdivision. Pennsylvania Avenue is County maintained with a 60 foot right of way. Quaker Lane is a private drive within a 30 foot easement. An exception request was approved with the previous approval and again submitted with this proposal. Public Works supports the request (Attachment 6). Subdivision improvements contained in the Department of Public Works Subdivision Requirements require improvements to the existing roads to meet current standards. Note: the subdivision improvements have been completed.

Parking App. 4-2	If the subdivision does not provide for on-street parking, room for four vehicles must be provided for each parcel.	The subdivision is conditioned with a requirement that each lot provide the required off-street parking.
------------------	---	--

Pursuant to H.C.C. Section 325-9, to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
That there are special circumstances or conditions affecting said property.	The parcel currently has a 30 foot easement over the easterly portion of the property that serves parcels to the south. Adding ten feet to the easement would align it with the east wall of the existing house, creating a nonconforming situation. No change is proposed to the easement.
That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.	The proposed subdivision will result in two (2) parcels consistent with the current zoning and general plan designation. The lots will be similar to other lots within the neighborhood, and the subdivision is in keeping with the configuration of the site, existing pattern of development, and the character of the immediate area.
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.	A no parking restriction will be applied to the frontages of both Parcel 1 and 2 along Quaker Lane. This restriction could be lifted could be lifted for Parcel 2 if a recessed parking lane (located west of the 30 foot right of way) were to be developed. This exception would require the approval of a Special Permit. With these provisions included, there is no indication that the development of the surrounding lands will be adversely impacted by this exception. All referral agencies have recommended approval of the subdivision.

A.3/B.2./B.3. Zoning Compliance. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations (HCC).

Zoning	Summary of Applicable Requirement	Evidence
§313-6.1 Residential Single Family with a 5,000 square foot minimum parcel size (RS-5)	Permitted Uses: Single family residential is principally permitted.	The project proposes to divide a 0.33 acre parcel into two parcels of 5,886 square feet and 5,033 square feet. The parcel is developed with a single family residence with attached garage. In order to allow the house and garage to remain on proposed Parcel 1 without removing square footage, a Variance is requested to allow the lot coverage to exceed the maximum allowed (35%) by 5%. This will allow subdivision consistent with the general plan density without requiring demolition of either the garage or residence. The vacant parcel created will be suitable for residential development. Both parcels will be served by community water and sewer provided by the Humboldt Community Services District.
Min. Parcel Size	5,000 square feet	Parcel 1: 5,886 square feet Parcel 2: 5,033 square feet
Min. Lot Width	50 feet	Each lot will exceed 50 feet in width.
Min. Lot Depth	Three (3) times the lot width	None of the lots will exceed three times the lot width.
Max. Lot Coverage	35%	Parcel 1: 40% (see Variance findings) Parcel 2: vacant
Setbacks	Front: 20 feet Rear: 10 feet Side: 5 feet	Existing development on Parcel 1 encroaches into the side yard setback along Pennsylvania Avenue and the front yard setback along Quaker Lane. These encroachments are considered legal, nonconforming. No increase in nonconformity will occur. Future development on Parcel 2 will maintain the required front, rear and side yard setbacks.
Max. Bldg. Height	35 feet	All existing development currently meets these standards. Future development will be required to comply with this requirement.

A.5/B.5. Impact on Residential Density Target. The following table identifies the evidence which supports finding that the proposed project will 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 and 322-3.1 Housing Element Densities	The proposed subdivision/ 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, 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.	The parcel was not utilized by the Department of Housing and Community Development in determining compliance with housing element law, and therefore, complies with the policy. The proposed project will divide a 0.33 acre parcel into two parcels of 5,886 square feet (net) and 5,033 square feet (net). This results in an overall density of six units per acre, which is on the upper end of the density allowed under the RL plan designation.

C. Variance Findings: The following table identifies evidence which supports finding that the proposed variance may be granted. For the complete argument in favor of the variance, see *Attachment 3* (Letter from Mike O'Hern, agent)

Finding	Summary of Applicant's Evidence	Staff's Response
1. Practical Difficulty or Hardship	Much of the adjoining portion of Myrtle town has been subdivided to nearly the minimum parcel size. Single family residential lots in non-coastal portions of Humboldt County can be granted exceptions to lot coverage. Removal of one-half of the garage would result in conformance with lot coverage but would be an unreasonable burden.	The 14,375 square foot property contains an access easement 30 feet wide by 120 feet for a total of 3,600 square feet. The minimum parcel size for the zone is 5,000 square feet (net). Although the parcel qualifies for subdivision, the existing development is such that the lot coverage will be exceeded. The applicant feels that compliance with lot coverage would be an unreasonable burden as this would involve removing half of the garage. Furthermore, parcels outside of the Coastal Zone can be developed up to 50% lot coverage provided the structure is one-story.

Finding	Summary of Applicant's Evidence	Staff's Response
2. Exceptional or Extraordinary Circumstances	The garage on the parcel is larger than a standard attached garage and accounts for much of the increase in ground coverage from 35% to 40%. A carport or a smaller garage would result in conformance with the standard, however, this would be something not normally required for a minor subdivision.	While the removal of a portion of the garage may be burdensome, it is not uncommon for structures to be moved or removed in order to meet certain subdivision requirements (i.e. property line setback). In this case, it would appear to be an unnecessary burden given the lot coverage is only exceeded by 5%.
3. Special Privilege	The increase in lot coverage from 35% to 40 % does not grant a special privilege.	Lot coverage for the vacant parcel will conform to the standards for the zone. The resulting average ground coverage will be approximately 37.5%, which is nearly consistent with the standard. In addition, proposed changes to the Coastal Zoning Ordinance would allow the lot coverage to exceed the maximum allowed with a Special Permit. These changes are currently in effect in the Inland portion of the County but have yet to be approved in the Coastal Zone. Staff believes that this Variance would not constitute a special privilege that others are not enjoying.
4. Public Health, Safety, and Welfare	The granting of this variance will not be detrimental to public health, safety or welfare because it will not change the existing use of the property.	<p>The use of the property will remain residential. Currently, the parcel could support the construction of a secondary dwelling unit in absence of a subdivision. Therefore, the net result would be similar.</p> <p>All referral agencies have been able to recommend approval or conditional approval of the proposed project.</p> <p>There is no evidence that this project, in this location will be detrimental to public health, safety and welfare.</p>
5. The development will be in conformity with the Coastal Land Use Plan	The proposed project is consistent with the Humboldt Bay Area Plan.	See Section A.1 above.

A4/B4/D, Environmental Impact. Please see the attached draft Mitigated Negative Declaration.

As lead agency, the Department prepared an Initial Study and Mitigated Negative Declaration (MND) 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 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 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.

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 Mitigated Negative Declaration was certified as complete. For these reasons no subsequent MND is required.

ATTACHMENT 3

APPLICANTS' EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Variance Justification Letter from Mike O'Hern dated Dec. 19, 2013	Attached
Exception Request to right of way width dated August 8, 2014	Attached
Tentative Subdivision Map	Attached
Preliminary Title Report	On file with Planning
Application Form	On file with Planning

Kelly—O'Hern Associates

PROFESSIONAL LAND SURVEYORS

3240 MOORE AVE. - EUREKA, CA 95501 PHONE & FAX 707-442-7283 EMAIL kellyohern@sbcglobal.net

December 19, 2013

Trevor Estlow
Humboldt County Planning Division
3015 H Street
Eureka, CA 95501



RE: Adam Strombeck
APN 016-093-13

Dear Mr. Estlow:

This letter is written to provide justification for a request for a variance from the maximum ground coverage for the existing house and garage on proposed parcel 1 of the tentative map for Adam Strombeck. Based on our field survey, the ground coverage on proposed parcel 1 will be 40% rather than the 35% coverage as called for in the zoning regulations.

Findings in support of the variance, as required by Sections 65906 and 65906.5 of the Government Code, are as follows:

- That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of use in the same zone in the vicinity.

The garage on the parcel is larger than a standard attached garage and accounts for much of the increase in ground coverage from 35% to 40%. A carport or a smaller garage would conform to the standard. Removal of one-half of the garage would result in conformance with the standard, however this would be something not normally required for a minor subdivision.

- That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

Much of the adjoining portion of Myrtle town has been subdivided to nearly the minimum parcel size. If the applicant is not allowed to subdivide, his parcel will be over twice the minimum parcel size for this area.

December 19, 2013

Page 2

Single family residential lots in non-coastal portions of Humboldt County are granted an exception for ground coverage.

Removal of one-half of the existing garage would result in conformance with the ground coverage standard, but would be an unreasonable burden for an infill development.

- That the granting of the variance or its modification will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Lot coverage for the vacant parcel will conform to the standards for this zone. The resulting average ground coverage will be approximately 37.5%, which is nearly consistent with the standard.

- That the granting of the variance will not be materially detrimental to the public health, safety or welfare.

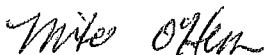
Since there will be no change in the use of the existing house, there will not be a detrimental effect on the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity. Density will be still be within the standards of the Humboldt Bay Area Plan.

- The development for which the variance is proposed will be in conformity with the Coastal Land Use Plan.

The proposed subdivision conform to all other provisions of the Humboldt Bay Area plan and will be subject to the requirement for a Coastal Development Permit.

Please let me know if you have any questions regarding this information.

Sincerely,
Kelly-O'Hern Associates



Mike O'Hern

August 8, 2014

Trevor Estlow
Humboldt County Planning Division
3015 H Street
Eureka, CA 95501



RE: Tentative Parcel Map for Adam Strombeck
APN 016-093-013

Dear Trevor:

Pursuant to Humboldt County Code Section 325-9, the applicant requests an exception from the requirement for a 40 foot wide access easement to allow the use of the existing 30 foot wide easement, known as Quaker Lane, for access.

The referenced section of the Humboldt County Code lists three conditions that must be met in order to consider an exception. These conditions and the specific information for this request are as follows:

(1) *That there are special circumstances or conditions affecting said property.*

Quaker Lane is an existing 30 foot wide easement. The location of the existing residence on Parcel 1 of the tentative parcel map precludes widening of this easement.

(2) *That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.*

Several parcels in this area have been created by subdivisions using flag lot configurations that have 20 foot wide access easements. Adjacent parcels using Quaker Lane are served by the same 30 foot wide easement proposed for this tentative subdivision map. The applicant is not proposing an access easement width that is smaller than that used by these existing parcels.

Since it is not possible to widen this easement to 40 feet in width, this infill project would not be approved without the exception. The petitioner would not be allowed to create a parcel that is similar in size to adjacent parcels.

(3) *That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.*

The 30 foot wide easement is an existing easement used by the applicant and by adjacent owners. Use of this easement for one additional parcel will not have a detrimental effect on adjacent owners.

Please let me know if you have any questions regarding any of this information.

Sincerely,
Kelly-O'Hern Associates



Mike O'Hern (agent)

ATTACHMENT 4

Adopted Mitigated Negative Declaration

Project Information

Project Title: Strombeck Minor Subdivision

Lead Agency

Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501
(707) 445-7541

Property Owner

Adam Strombeck
PO Box 37
Eureka, CA 95502

Project Applicant

Same as owner

Project Location

The project site is located in the Myrtle town area, on the south side of Pennsylvania Avenue, on the southwest corner of Pennsylvania Avenue and Quaker Lane, on the property known as 3740 Pennsylvania Avenue.

General Plan Designation

Residential/Low Density (RL). Humboldt Bay Area Plan (HBAP). Density: three to seven dwelling units per acre.

Zoning

Residential Single Family with a 5,000 square foot minimum parcel size (RS-5).

Project Description

A Minor Subdivision of an approximately 0.33 acre parcel into two parcels of 5,886 square feet (net) and 5,033 square feet (net). A Variance is requested to allow proposed Parcel 1 to exceed the maximum lot coverage by 5%. The parcel is currently developed with a single family residence with an attached garage which will remain of proposed Parcel 1. A Coastal Development Permit is required for the subdivision. Water and sewer service is provided by the Humboldt Community Services District.

Baseline Conditions: Surrounding Land Uses and Setting

The project site is located in the urbanized area of Myrtle town, just outside the City of Eureka. It is in a developed neighborhood and surrounded by other similarly sized residential parcels.

Other Public Agencies Whose Approval Is or May Be Required (permits, financing approval, or participation agreement): Humboldt County Public Works Department, Division of Environmental Health, Building Division.

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

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

Determination: 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** (EIR) 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 those effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Trevor Estlow, Senior Planner
Printed Name

July 29, 2014
Date

Humboldt County Planning
and Building Department
For

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 account of 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, 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 XVII, "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. (California Code of Regulations, title 14 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. **N/A**
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. **N/A**
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures 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. **N/A**

Environmental Checklist

Checklist and Evaluation of Environmental Impacts: An explanation for all checklist responses is included, and all answers 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. The explanation of each issue identifies (a) the significance 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 significance. In the **Checklist**, the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

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

Discussion:

(a-d) Less Than Significant Impact: The project site is not within an area mapped or designated with scenic vistas or resources. It is within the Coastal Zone but not in a Coastal Scenic or Coastal View area. The neighborhood surrounding the parcel is characterized as urban residential. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The parcels will be served by Pennsylvania Avenue, a public road, and Quaker Lane, a private road. The Department finds no evidence that the creation of one additional parcel 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.

II. Agriculture and Forestry 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land				X

to non-forest use?				
Discussion: (a-e) No Impact: 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 Community Services District. 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 RS zoning district. General agriculture is not a use allowed in the RS zone, nor are there any intensive agricultural uses in the immediate vicinity. The Department finds no evidence that the project will result in a significant adverse impact on agricultural resources.				

III. Air Quality. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
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)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
Discussion: (a-e) Less than Significant: The proposed project divides one parcel into two. One of the resultant parcels will be vacant and suitable for residential development. According to recent studies by the North Coast Unified Air Quality Management District (NCUAQMD), the most significant contributors to PM-10 are residential wood burning stoves. Also, according to the NCUAQMD, all of Humboldt County is in non-attainment of the State's PM-10 (particulate matter of 10 microns in size) standard,				

but complies with all other State and Federal air quality standards. The area is characterized as urban residential with similar sized lots in the surrounding areas. The Department finds no evidence that the project that is consistent with the planned build-out of the area will have a significant adverse impact on air quality.

IV. Biological Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
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?			X	
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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?			X	

Discussion:

(a-e) Less Than Significant: Per County resource maps, there are no sensitive biological resources on, or in the vicinity of, the project site. There are no wetlands or wetland habitat present on the site. 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 Eureka office of the California Department of Fish and Wildlife which did not respond with concerns. The area is developed to urban residential levels. The Department finds no evidence that the project will result in a significant adverse impact on biological resources.

V. Cultural Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion:

(a) No Impact: No historical resources have been documented on site. The site contains a single family residence of modern construction. This structure was not determined to be a significant historical resource. Therefore, the project will have no impact on historical resources defined in California Environmental Quality Act (CEQA) § 15064.5.

(b) Less Than Significant with Mitigation Incorporated: The project was referred to the Northwest Information Center (NWIC), the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. Responses from the NWIC, the Blue Lake Rancheria and the Bear River Band of the Rohnerville Rancheria recommended approval with no further study provided a note regarding inadvertent discovery is included in the project. If archaeological resources are encountered during construction activities, the contractor will execute Mitigation Measure No. 1, by halting construction and coordinating with a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines and appropriate tribes so resources can be evaluated so that there is not a substantial adverse change in the significance of an archaeological resource.

(c) No Impact: No paleontological, geologic, or physical features are known to exist on the proposed project site; therefore, the project will not directly or indirectly destroy a unique paleontological

resource, site, or unique geologic feature.

(d) Less Than Significant with Mitigation Incorporated: The project is not expected to disturb any human remains, including those interred outside of formal cemeteries. However, implementation of Mitigation Measure No. 2 has been included in the event that human remains are accidentally discovered during construction.

Mitigation Measure No. 1. If cultural resources, such as chipped or ground stone, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, as required by CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action.

Mitigation Measure No. 2. If human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the North American Heritage Commission (NAHC) (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant failed to make a recommendation.

VI. Geology and Soils. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
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.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X

iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?				X
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?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Discussion:

(a) No Impact: There are no known earthquake faults located within the site.

(I-iv) No Impact: The project site is located outside an Alquist-Priolo Earthquake Fault Zone. The proposed project divides one parcel into two. One of the two created parcels will be vacant and suitable for residential development. All development associated with the subdivision will not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction. The project is not within an area subject to landslides; therefore the project will not expose people or structures to risk of lost, injury, or death involving landslides.

(b) Less Than Significant Impact: Any future home construction or road improvements will utilize appropriate Best Management Practices (BMPs) which will prevent soil erosion and loss of topsoil.

(c) No Impact: The project is not located on geologic units or soils that are unstable or that will become unstable as a result of the project. The project will not result in the creation of new unstable areas either on or off site due to physical changes in a hill slope affecting mass balance or material strength.

(d) No Impact: The project site is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, the project will not create substantial risks to life or property.

(e) No Impact: The project will connect to community sewer provided by the Humboldt Community Services District.

VII. Greenhouse Gas Emissions. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion:

(a-b) Less Than Significant Impact: The eventual construction of one residence would contribute temporary, short-term increases in air pollution from equipment usage.

Because of the temporary nature of the greenhouse gas contributions, coupled with the modest quantity of emission, the proposed project would not have a significant impact on the environment, nor conflict with applicable plan, policy, or regulation for the purposes of reducing greenhouse gas emissions.

VIII. Hazards and Hazardous Materials. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
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?			X	

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
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?			X	
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?			X	

Discussion:

(a-h) Less Than Significant impact: 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. The project site is over one mile from the nearest airport, Murray Field. There are no private airstrips within the vicinity of the project site. The site is outside any area of concern associated with the airport. Residential development is consistent with the County's adopted Airport land use plan and will not result in unanticipated risk to the occupants of the site. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of, or physically interfere with, an adopted emergency response plan. The site is within the Humboldt Bay Fire Protection District. Future development of the site will require compliance with the Uniform Fire Code and UBC. According to the Fire Hazard map, the parcel is located in a low fire hazard area. Humboldt Bay Fire Protection District approved the proposed project. For these reasons, the Planning Division expects that the minor subdivision will not result in significant impacts in terms of hazardous materials.

IX. Hydrology and Water Quality. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	

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

(a-j) Less than significant: 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 Humboldt Bay Area Plan (HBAP) adopted in 1985. The project site is an area served by community water and sewer. The Humboldt Community Services District (HCSD) has indicated that it is able to provide water and sewer service to the proposed subdivision upon the payment of the appropriate fees. HCSD has not identified any concerns with regard to the project interfering with

groundwater recharge. The Department finds no evidence indicating that the subdivision will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality. According to the Flood Insurance Rate Map Panel #775, the project site is located in Flood Zone C, which is defined as "areas of minimal flooding", and is outside the 100- and 500-year floodplains. The project site is not within a mapped dam or levee inundation area, and is outside the areas subject to tsunami run-up. The site is at an elevation of approximately 132 feet above sea level.

Drainage currently flows to the County road system and will continue to do so. The applicant is required to submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by the Department of Public Works. 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.

X. Land Use and Planning. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion:

(a-c) No Impact: The project site is designated Residential Low Density (RL) by the Humboldt Bay Area Plan, and is zoned Residential Single Family with a 5,000 square foot minimum parcel size (RS-5). One-family residential is a primary and compatible use within the RL designation and is principally permitted in the RS zoning district. The neighborhood is characterized as urban residential. The creation of one additional parcel for residential development is consistent with the zoning and land use density (three to seven 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 Humboldt Bay Area Plan 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.

XI. Mineral Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X
Discussion: (a and b) No Impact: On-site soils and geologic resources are not suitable as commodity materials that would be of value to the region or the state. The site is not designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan.				

XII. Noise. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Expose persons to or generate excessive ground borne vibration or ground borne noise levels?				X
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
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?			X	

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?			X	
--	--	--	---	--

Discussion:

(a-d) No Impact: Noises generated by the proposed project will result in a temporary increase during construction because the proposed project may require the use of heavy equipment (excavator, grader, loader and backhoe). The construction does not include equipment that would result in groundborne vibration. These activities are consistent with the current uses at the site and no permanent change in noise from the existing conditions would result from this project.

(e and f) Less Than Significant Impact: The project area is over one mile from Murray Field, and outside any area of concern. Noise impacts associated with the airport are not anticipated to be excessive. Therefore, noise impacts will remain less than significant.

XIII. Population and Housing. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

(a-c) No The proposed project divides a parcel into two. One of the created parcels will be vacant and suitable for residential development. The project creates one new potential building site. One-family residential uses are primary and compatible uses within the plan designation and zoning district. The subdivision is consistent with the planned density of the area, three to seven units per acre. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

XIV. Public Services. 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
Discussion: (a-e) No Impact: The parcels will be accessed via Pennsylvania Avenue and Quaker Lane. The Department of Public Works has recommended improvements to the access road to meet current standards. The Humboldt Bay Fire Protection District did not identify any fire protection issues. The Department finds no evidence that the project will result in a significant adverse impact on public services.				

XV. Recreation. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
Discussion: (a-b) Less Than Significant Impact: The project does not include recreational facilities. The project is not in an area where parkland dedication fees are required. 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.

XVI. Transportation/Traffic. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
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?			X	
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion:

(a-f) Less Than Significant Impact: The property is accessed by Pennsylvania Avenue and Quaker Lane. The Land Use Division of Public Works has recommended standard conditions of approval including the improvement of the access road.

The Department finds there is no evidence that the project will exceed the level of service standard, will result in a change in air traffic patterns, will result in inadequate emergency access, inadequate access to nearby uses or inadequate parking capacity; or will conflict with adopted policies

supporting transportation.

XVII. Utilities and Service Systems. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
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?				X
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?				X
d) Have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed)?				X
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Violate any federal, state, and local statutes and regulations related to solid waste?				X

Discussion:

(a-g) No Impact: The Department finds there is no evidence that the project will be inconsistent with the planned build-out of the area or will result in a significant adverse to utilities and service systems. The parcel is not zoned for commercial or industrial uses.

The lots will be served by community water and sewer provided by the Humboldt Community Services District. The Department of Environmental Health has recommended approval of the project. The parcel currently drains northerly towards Pennsylvania Avenue. The Division of Public Works reviewed the project and did not identify any drainage issues. The applicant will be required to

provide a complete hydraulic report and drainage plan. The Department finds the project impact to be insignificant.

XVIII. Mandatory Findings of Significance.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
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).				X
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p>Discussion:</p> <p>(a through c) No Impact: The proposed project divides one parcel into two. One of the two created parcels will be vacant and suitable for residential development. Staff finds no evidence that the proposed project will significantly degrade the quality of the environment, nor will it have impacts that are individually limited but cumulatively considerable. 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 significant evidence to indicate the proposed project as mitigated will have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.</p>				

Proposed Mitigation Measures, Monitoring, and Reporting Program

Cultural Resources

Mitigation Measure No. 1. If a cultural resource, such as chipped or ground stone or bone is discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, as required by CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological find shall not resume until a professional archaeologist who meets the Secretary of the Interior's Standards and Guidelines has evaluated the materials and offered recommendations for further action.

Timing for Implementation/Compliance: Throughout project construction

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 2. If human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the North American Heritage Commission (NAHC) (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant failed to make a recommendation.

Timing for Implementation/Compliance: Throughout project construction

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Visible evidence

ATTACHMENT 5

Planning Commission Resolution No. 14-23 adopting the Mitigated Negative Declaration

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 14-23**

**Case Numbers PMS-13-013, VAR-13-002, CDP-13-084;
Assessor's Parcel Number 016-093-013-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Strombeck Parcel Map Subdivision, Variance and Coastal Development Permit.

WHEREAS, Adam Strombeck submitted an application and evidence in support of approving the Parcel Map Subdivision, Variance 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, the Planning Division, the lead agency, has prepared a draft Mitigated 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 Parcel Map Subdivision, Variance and Coastal Development Permit (Case Nos. PMS-13-013, VAR-13-002, CDP-13-084); 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 Mitigated 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 Numbers PMS-13-013, VAR-13-002 and CDP-13-084 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 Numbers PMS-13-013, VAR-13-002 and CDP-13-084.

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, McKenny, Morris, Shepherd, Bongio
NOES: Commissioners: Levy
ABSTAIN: Commissioners: None
ABSENT: Commissioners: Edmonds
DECISION: Motion approved 5/1



Robert 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

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection	X	Approval		X
County Public Works, the Land Use Division	X	(Exhibit A of Attachment 1) Memo dated 02/16/18	X	
County Division of Environmental Health	X	Approval		X
Humboldt Community Services District	X	Conditional Approval	X	
Humboldt Bay Fire	X	No comments	X	
California Coastal Commission				
Bear River Band of the Rohnerville Rancheria	X	Conditional Approval		X
NWIC	X	Conditional Approval		X
Blue Lake Rancheria	X	Conditional Approval		X
Ca. Dept. of Fish & Wildlife				
Wiyot Tribe	X	Conditional Approval		X
PG&E	X	Approval		X



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

FROM: Robert W. Bronkall, Deputy Director

DATE: 02/16/2018

RE: STROMBECK, APN 016-093-013, PMS 17-016, CDP 17-061, VAR 17-002

PRIOR TENTATIVE MAP: The project had a previously approved tentative map. The tentative map included a waiver of sidewalk improvements along Quaker Street. All of the improvements were constructed prior to the tentative map expiring. Since the improvements were constructed, the Department will not be requiring the applicant to construct sidewalk along Quaker Street or apply for an exception request.

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

LOW IMPACT DEVELOPMENT (LID): While the subject property is located within the municipal separate storm sewer system (MS4) boundary area, the subdivision itself does not require LID standards to be applied due to the date of the application. However, at the time that building permits are pulled, each lot within the subdivision will be required to comply with the MS4 permit.

- If the proposed impervious area on a lot is less than 2,500 square feet, then that lot is considered "exempt" under the MS4 permit and does not need to implement LID permit requirements.
- If the proposed impervious area on a lot is more than 2,500 square feet, then the project is considered a "small project" under the MS4 permit and does need to implement LID permit requirements. In the case, LID requirements can be achieved by simply planting a tree on the lot.

[references: MS4 permit section E.12.b; Humboldt Low Impact Development Stormwater Manual v2.0 (06/30/2016) Part A (Table 1), Part 2, and Part 3 (Section 1.4)]

QUAKER STREET RIGHT OF WAY: The applicant needs to submit an exception request for right of way width for Quaker Street. The Department can support the exception request for a reduced right of way width.

// END //



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



11/28/2017

PROJECT REFERRAL TO: Humboldt Community Services District

Project Referred To The Following Agencies:

Public Works Land Use Division, County Counsel, California Coastal Commission, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name Adam Strombeck | c/o Strombeck Properties **Key Parcel Number** 016-093-013-000

Application (APPS#) 13898 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** PMS17-016
CDP17-061
VAR17-002

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

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

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

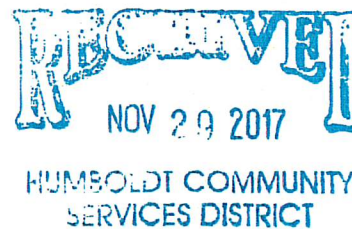
☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/13/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.

☐ Other Comments: Water & Sewer service is available upon payment
of applicable fees.



DATE: 11/30/17

PRINT NAME: Mickey Hulstrom
Community Services Manager

Merkel, Karynn

From: Rusty Goodlive <RGOODLIVE@hbfire.org>
Sent: Wednesday, January 08, 2014 5:06 PM
To: Planning Clerk
Subject: FW: Strombeck Project Referral PMS 13-013
apps nc 9079



Hi-

Humboldt Bay Fire has no comments on the Strombeck lot line adjustment Project Referral PMS 13-013.

Rusty Goodlive
Assistant Chief, Fire Marshal
Humboldt Bay Fire
A Eureka Fire Department / Humboldt Fire District JPA
533 "C" Street
Eureka CA 95501
707-441-4000
707-441-4011 office
707-441-4133 fax
rgoodlive@hbfire.org

