



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: August 6, 2020

To: Humboldt County Planning Commission

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

Subject: **Tim and Kathleen Ryan** Parcel Map Subdivision and Special Permit
Case Number PLN-2019-15819
Assessor Parcel Number 516-061-008
1357 Fieldbrook Road, Fieldbrook area

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

AGENDA ITEM TRANSMITTAL

Meeting Date	Subject	Contact
August 6, 2020	Parcel Map Subdivision and Special Permit	Trevor Estlow

Project Description: A Minor Subdivision of an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. A Special Permit is required to allow Lot Size Modification to create a parcel below the 5-acre minimum pursuant to Section 314-99.1 H.C.C. The parcel is developed with a single-family residence, accessory structures and an on-site wastewater treatment system which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. An exception request to allow a 20-foot setback to the barn on proposed Parcel 1 has been reviewed and approved by CAL FIRE. Both parcels will be served with water provided by the Fieldbrook-Glendale Community Services District and on-site wastewater treatment systems.

Project Location: The project site is located in Fieldbrook area, on the east side of Fieldbrook Road, approximately 500 feet south of the intersection of Lyman Lane and Fieldbrook Road, on the property known as 1357 Fieldbrook Road.

Present Plan Land Use Designation: Residential Agriculture: 5 to 20 acres (RA5-20), Fieldbrook-Glendale Community Planning Area (FGCPA), 2017 General Plan, Density: Range is 5 to 20 acres per unit, Slope Stability: Relatively Stable (0) and High Instability (3).

Present Zoning: Agriculture General with a Special Building site combining zone specifying a minimum parcel size of 5 acres (AG-B-5(5)).

Case Number: PLN-2019-15819

Assessor Parcel Number: 516-061-008

Applicant

Tim and Kathleen Ryan
PO Box 455
Blue Lake, CA 95525

Owner

same as applicant

Agent

Omsberg and Preston
402 E Street
Eureka, CA 95501

Environmental Review: Project requires environmental review.

Major Issues: None.

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

RYAN PARCEL MAP SUBDIVISION AND SPECIAL PERMIT

Case Number PLN-2019-15819

Assessor Parcel Number 516-061-008

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.

Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Parcel Map Subdivision and Special Permit based on evidence in the staff report and public testimony, and adopt the Resolution approving the Ryan project subject to the recommended conditions.

Executive Summary: The applicant is proposing a minor subdivision to divide an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. A Special Permit is required to allow Lot Size Modification to create a parcel below the 5-acre minimum pursuant to Section 314-99.1 H.C.C. The parcel is developed with a single-family residence, accessory structures and an on-site wastewater treatment system which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. Both parcels will be served with water provided by the Fieldbrook-Glendale Community Services District and on-site wastewater treatment systems.

The property is zoned Agricultural General with a 5-acre minimum parcel size (AG-B-5(5)). The proposal is to use the lot size modification provisions with a Special Permit to cope with topography and other natural or manmade features. The objective is to place as much of the timber resources as possible on the largest parcel with the steepest terrain. The resultant parcels will be 2.5 acres (Parcel 1) and 7.5 acres (Parcel 2). The lot size modification provisions allow for this design flexibility where it provides a better means of carrying out the intent of the county General Plan. Such a proposal is consistent with the Forest Resources policy FR-P15 that seeks to maintain the maximum amount of productive timberland by encouraging the voluntary clustering of rural homesites.

The parcel is located in the State Responsibility Area (SRA) for fire protection with structural fire protection and emergency services provided by the Fieldbrook Volunteer Fire Department. Within the SRA all parcels are required to maintain 30-foot setbacks to all property lines. A barn on proposed Parcel 1 will be located approximately 20 feet from the new property line. Although, it would meet the required setback in the AG zone (20 feet), it does not meet the required SRA setback. In order to comply with the State Fire Safe Regulations, the applicant proposed the creation of a vegetation management easement allowing the property owner of Parcel 1 the ability to maintain the vegetation within 30 feet of the barn, thereby achieving the "same practical effect" of a 30-foot setback. This required an exception request that was reviewed and approved by CAL FIRE (Attachment 5).

The subject property is located in an area of low flood hazard and high geologic instability, and the applicant has submitted a geologic report which has been reviewed and approved by the Building Inspection Division. The surrounding area is developed with residential uses, and the resultant development of an additional unit would not be expected to create any adverse impacts to the neighborhood.

All of the reviewing agencies have either recommended approval or conditional approval of the project. Accordingly, the Department has determined that the project, as proposed, will not have a significant effect on the environment.

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 that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision.

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Case Number PLN-2019-15819
Assessor Parcel Number 516-061-008**

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

WHEREAS, Omsberg & Preston submitted an application and evidence on behalf of the owner, Tim and Kathleen Ryan, in support of approving the Parcel Map Subdivision of an approximately 10-acre parcel into two parcels and a Special Permit for lot size modification, and

WHEREAS, the County Planning and Building Department - 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 PLN-2019-15819.

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;
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case No.: PLN-2019-15819 based on the submitted evidence; and
3. The Parcel Map Subdivision and Special Permit Case Number PLN-2019-15819 is approved as recommended and conditioned in Attachment 1.

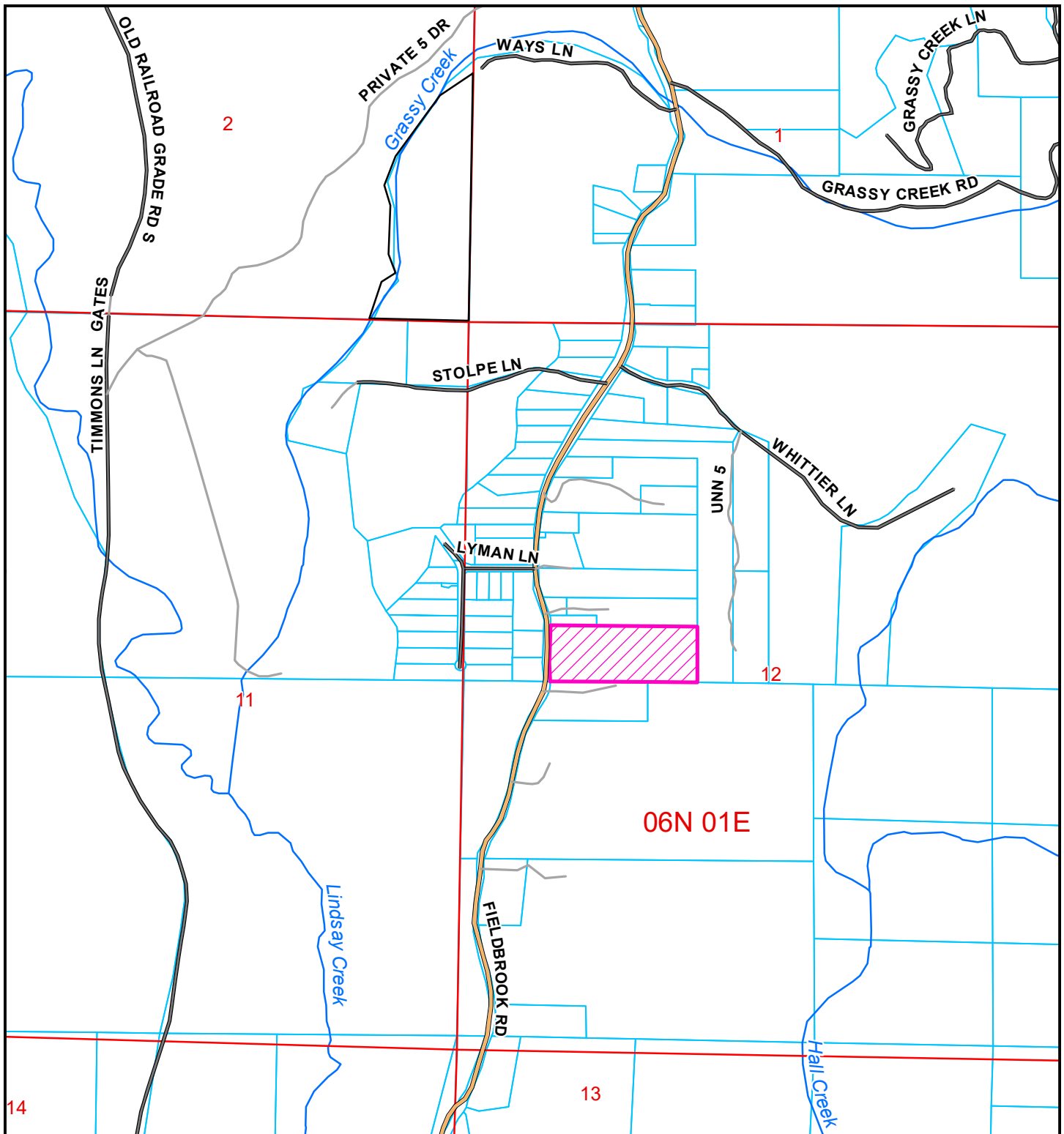
Adopted after review and consideration of all the evidence on August 6, 2020.

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

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

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

John H. Ford
Director, Planning and Building Department



LOCATION MAP

PROPOSED RYAN
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
FIELDBROOK AREA
PLN-2019-15819

APN: 516-061-008

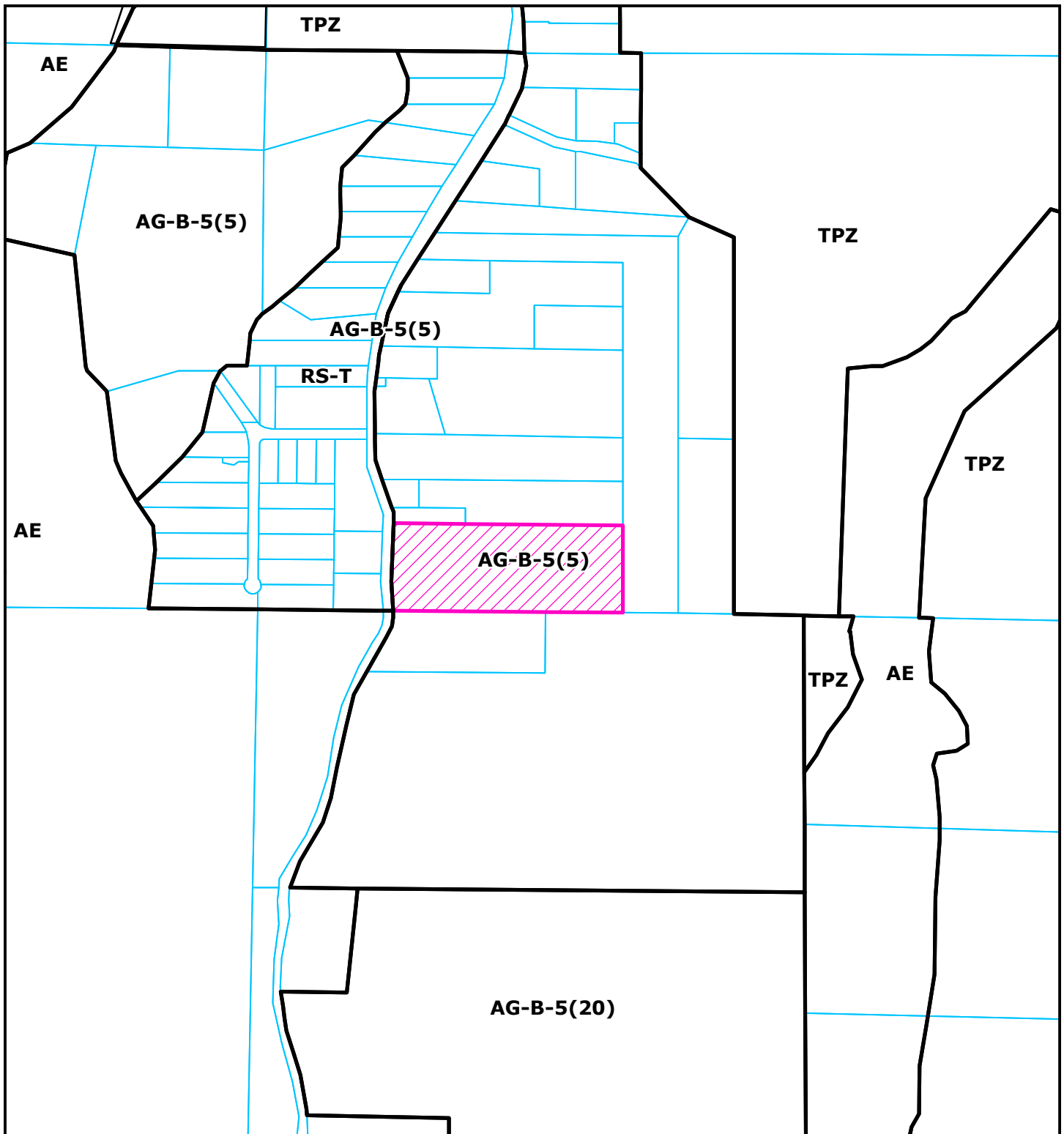
T06N R01E S12 HB&M (Arcata North)

Project Area = 

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



0 300 600 900 1,200
Feet



ZONING MAP

**PROPOSED RYAN
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
FIELDBROOK AREA
PLN-2019-15819**

APN: 516-061-008

T06N R01E S12 HB&M (Arcata North)

Project Area = 

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

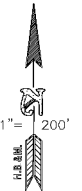
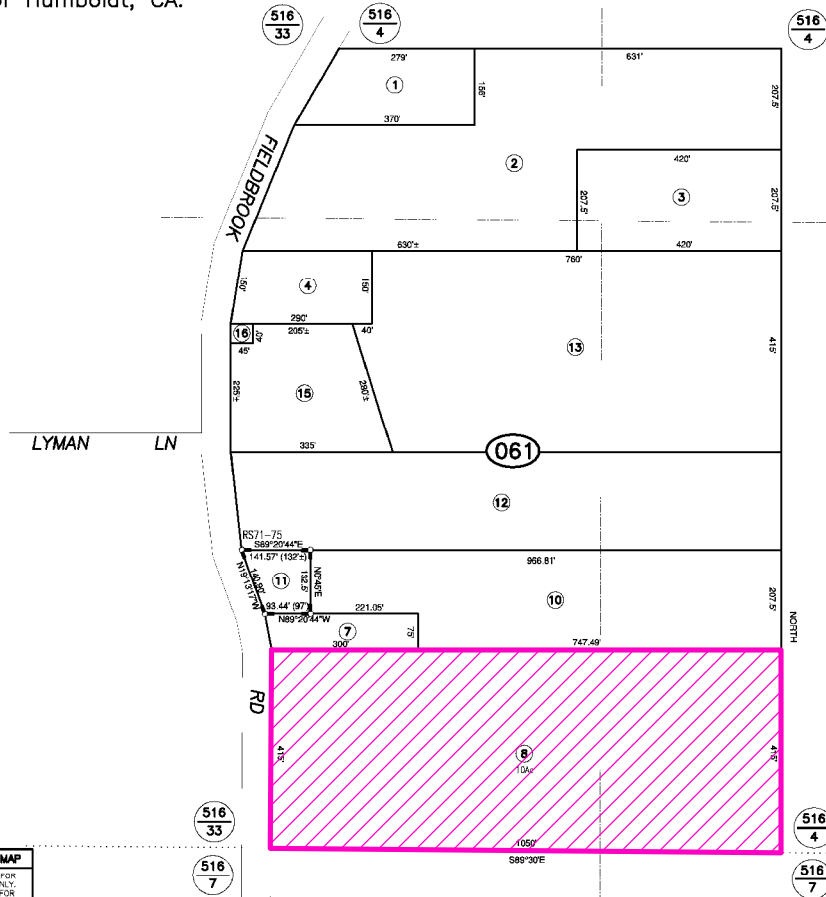


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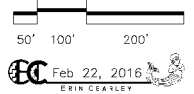
Assessor's Map Bk. 516, Pg. 6
County of Humboldt, CA.

PTN NW1/4 SEC 12, T6N R1E, HB&M

516-06



RS, Bk 12 of Surveys, Pg 68
RS, Bk 29 of Surveys, Pg 62
RS, Bk 71 of Surveys, Pg 75



ASSESSOR'S PARCEL MAP
1. THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY.
2. NO LIABILITY IS ASSUMED FOR
THE ACCURACY OF THE DATA SHOWN.
3. ASSESSOR'S PARCELS MAY NOT
COMPLY WITH LOCAL LOT-SPLIT
OR BUILDING SITE ORDINANCES.

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

ASSESSOR PARCEL MAP

**PROPOSED RYAN
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
FIELDBROOK AREA
PLN-2019-15819
APN: 516-061-008**

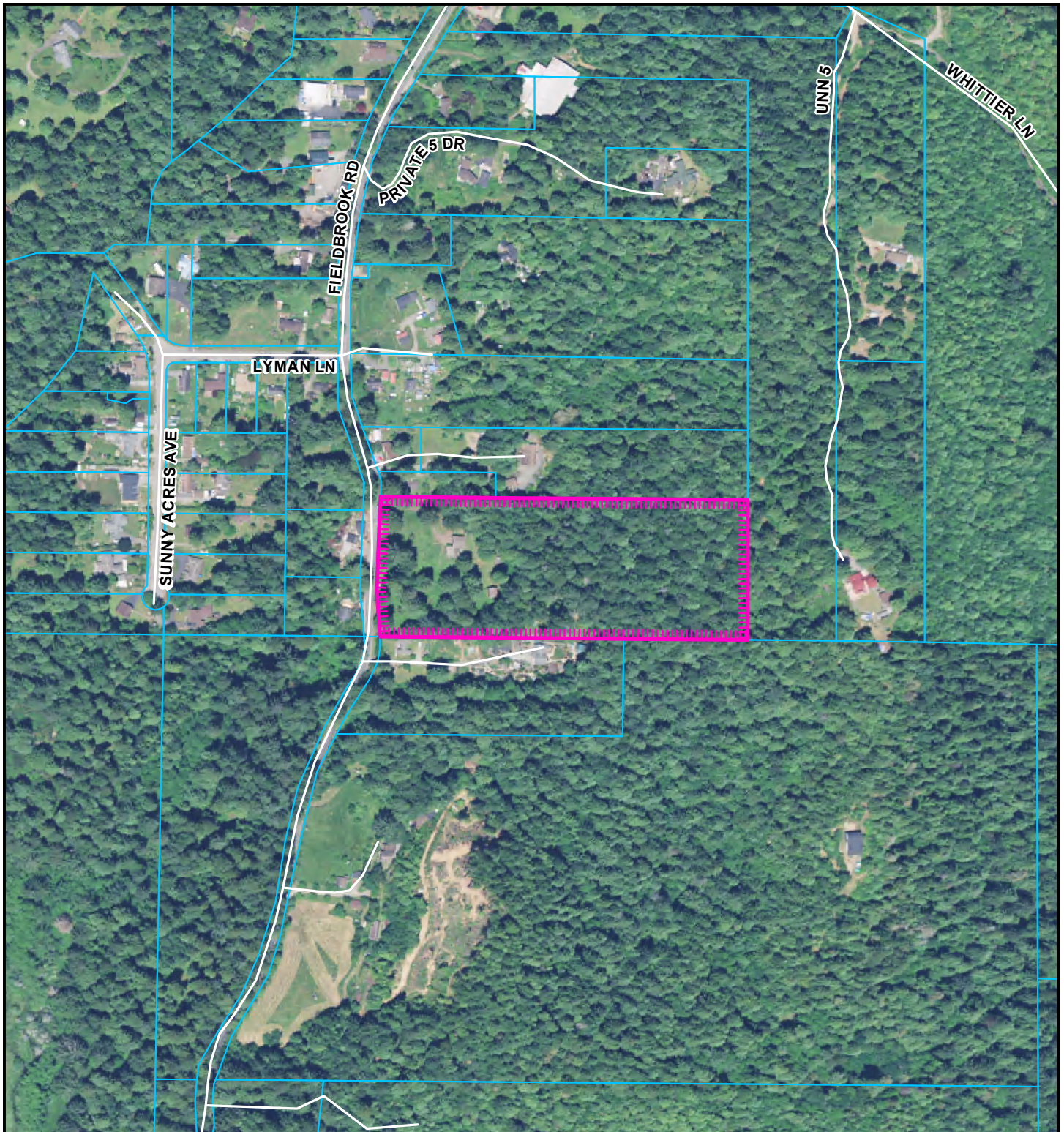
T06N R01E S12 HB&M (Arcata North)

Project Area =

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for accuracy.



MAP NOT TO SCALE



AERIAL MAP

**PROPOSED RYAN
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
FIELDBROOK AREA
PLN-2019-15819**


APN: 516-061-008

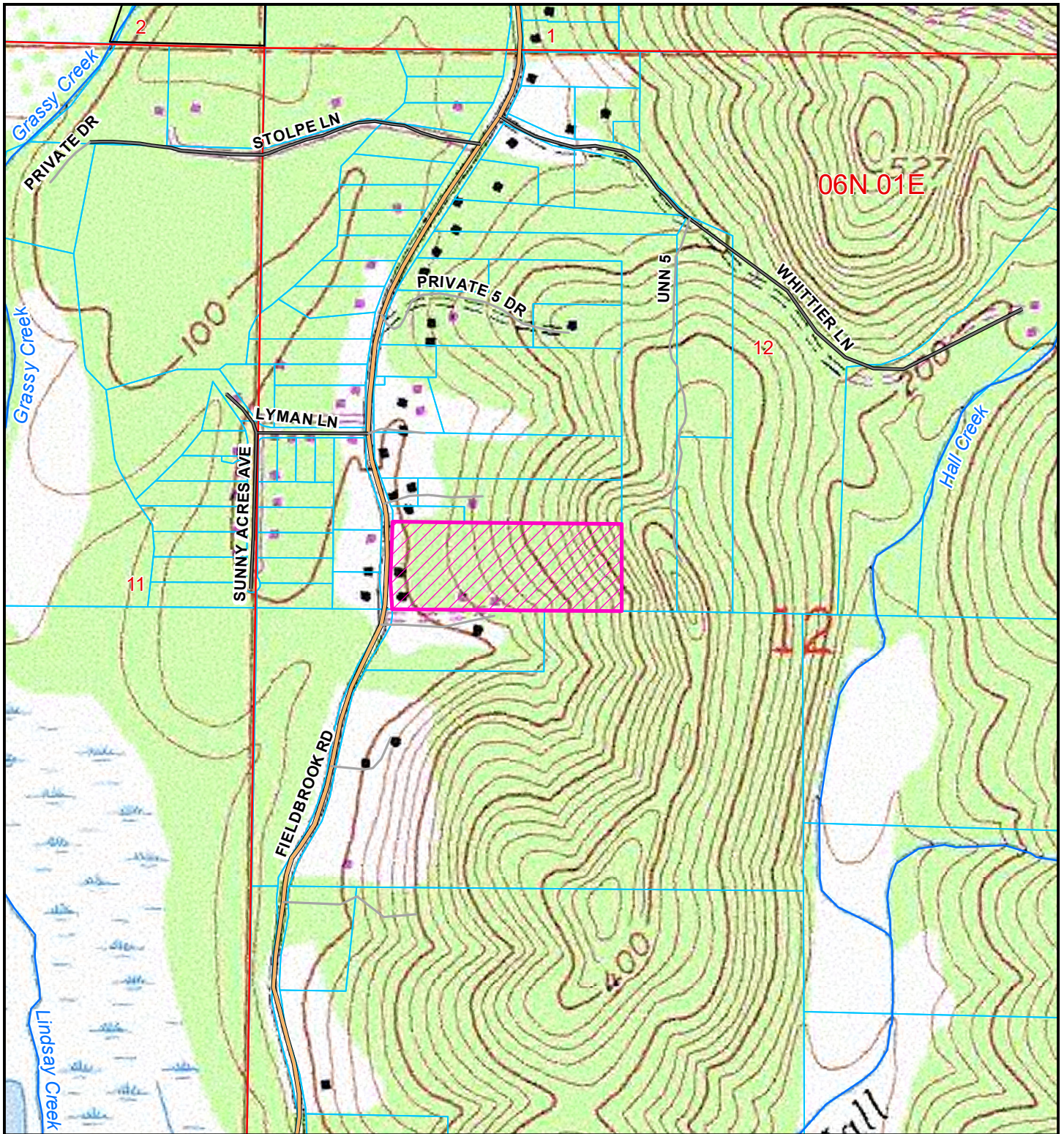
T06N R01E S12 HB&M (Arcata North)

Project Area = 

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



0 100 200 300 400 500
 Feet



TOPO MAP

PROPOSED RYAN
PARCEL MAP SUBDIVISION &
SPECIAL PERMIT
FIELDBROOK AREA
PLN-2019-15819

APN: 516-061-008

T06N R01E S12 HB&M (Arcata North)

Project Area = 

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



0 300 600 900
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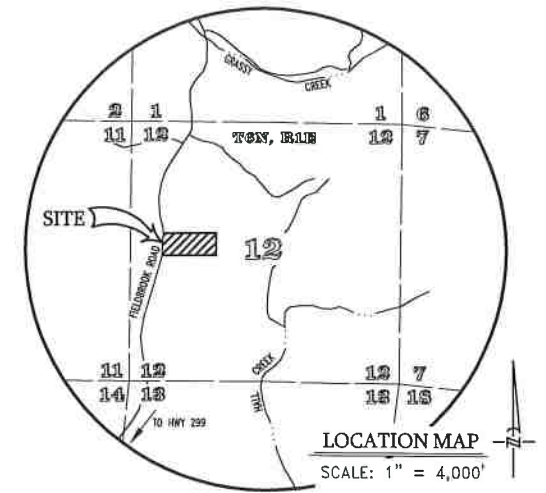
C:\Projects\CIVILSD\18-2055_Ryan\dwg\2055_TENT01_FOR 11417 PLOT.dwg 9/4/2019 12:27 PM

NOTES

1. THIS TENTATIVE PARCEL MAP PROPOSES A SUBDIVISION OF APN 516-061-008, AN APPROXIMATELY 10-ACRE PARCEL, INTO TWO (2) PARCELS. AFTER SUBDIVISION, PROPOSED PARCEL 1 WILL BE APPROXIMATELY 2.5 ACRES IN SIZE, AND PROPOSED PARCEL 2 WILL BE APPROXIMATELY 7.5 ACRES IN SIZE.
2. THE PROPERTY HAS A GENERAL PLAN DESIGNATION OF RESIDENTIAL AGRICULTURE (RAS-20) PER THE FIELDBROOK COMMUNITY PLAN AND IS CURRENTLY ZONED AGRICULTURAL GENERAL (AG-B-5) (5) IDENTIFYING 5- ACRE MINIMUM PARCEL SIZES. DUE TO TOPOGRAPHY AND TIMBER RESOURCES IN THE REAR OF THE PARCEL ON PROPOSED PARCEL 2, A MINIMUM LOT SIZE MODIFICATION PER SECTION 325-11 IS REQUESTED FOR PARCEL 1 TO ALLOW FOR A REDUCED MINIMUM PARCEL SIZE OF 2.5 ACRES.
3. OTHER THAN THE PRE-EXISTING RESIDENCE AND AG EXEMPT BARN LOCATED ON PROPOSED PARCEL 1, NO ADDITIONAL STRUCTURES EXIST ON SITE. AN ADDITIONAL RESIDENCE MAY BE DEVELOPED IN THE FUTURE FOR PROPOSED PARCEL 2, AND WILL BE PERMITTED PRIOR TO CONSTRUCTION, AND A GRADING PLAN WILL BE SUBMITTED FOR PERMIT PRIOR TO CONSTRUCTION.
4. ACCESS TO THE PARCEL IS VIA FIELDBROOK ROAD (COUNTY ROAD 4L760), A 24-FOOT PAVED ROADWAY WITHIN A 50' RIGHT-OF-WAY.
5. SEWAGE DISPOSAL FOR THE EXISTING RESIDENCE ON PARCEL 1 IS VIA A PERMITTED SEPTIC SYSTEM AND RESERVE AREA PERMITTED BY D.E.H. IN 1976. PERMITTED ON-SITE SEWAGE DISPOSAL FOR PROPOSED PARCEL 2 IS PROPOSED FOR FUTURE DEVELOPMENT. FOR PARCEL 2 TK-6 IS THE TEST HOLE DEMONSTRATING A SUITABLE LEACHFIELD AND TK-7 IS THE TEST HOLE DEMONSTRATING A SUITABLE RESERVE LEACHFIELD AREA. ALL SEWAGE DISPOSAL TEST HOLE LOCATIONS ARE SHOWN HEREON PER WET WEATHER TESTING BY OMSBERG & PRESTON.
6. BECAUSE THE PROJECT IS NOT WITHIN A MAPPED WS4 BOUNDARY AREA, LOW IMPACT DEVELOPMENT (LID) MEASURES ARE NOT REQUIRED THE COUNTY DEPARTMENT OF PUBLIC WORKS.
7. CONTOURS SHOWN HEREON ARE AT 20-FOOT INTERVALS AND ARE APPROXIMATE AND ARE BASED ON USGS QUAD MAPPING. THE PROPERTY IS INDICATED AS HAVING LEVEL 3 SLOPE STABILITY PER HUMBOLDT COUNTY GIS MAPPING. AN R1 GEOLOGIC/SOILS REPORT HAS BEEN PREPARED BY LINDBERG GEOLOGIC CONSULTING, AND RECOMMENDATIONS THEREIN FOR FOUNDATIONS SHALL BE FOLLOWED FOR ANY FUTURE RESIDENTIAL CONSTRUCTION ON PARCEL 2. THE PROPERTY IS MAPPED OUTSIDE ANY ALQUIST-PRIOLO SPECIAL STUDIES ZONE, PER PLATE III, SEISMIC SAFETY MAP.
8. THE PROPERTY IS NOT SHOWN OF OFFICIAL MAPS AS BEING SUBJECT TO FLOODING PER FIRM COMMUNITY PANEL NO. 060060 620C. NO OTHER HAZARDOUS AREAS, SENSITIVE HABITATS, HISTORIC BUILDINGS OR ARCHAEOLOGICAL SITES ARE KNOWN TO EXIST ON OR ADJACENT TO THE PROPERTY. THE PROJECT 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, MITIGATION MEASURES MAY BE REQUIRED UNDER FEDERAL AND STATE LAW.
9. THERE ARE NO EASEMENTS OF RECORD AFFECTING THIS LAND.
10. THIS PROJECT IS IN A STATE RESPONSIBILITY AREA (SRA), AND CURRENT SRA FIRE SAFE STANDARDS FOR ROADWAYS, DRIVEWAYS, TURN-OUTS, TURN-AROUNDS AND ETC. SHALL BE ADHERED TO.
11. THIS TENTATIVE MAP IS BASED ON RECORD INFORMATION ONLY AND SHALL NOT BE CONSIDERED A SURVEY, LOT BEARINGS AND DISTANCES SHOWN HEREON MAY HAVE BEEN COMPILED FROM RECORD DATA ONLY, SUCH AS ASSESSOR'S MAPS, DEEDS, ETC., AND SHOULD BE CONSIDERED APPROXIMATE IN NATURE. THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

PLN-2019-15819 Tim and Kathleen Ryan

August 6, 2020



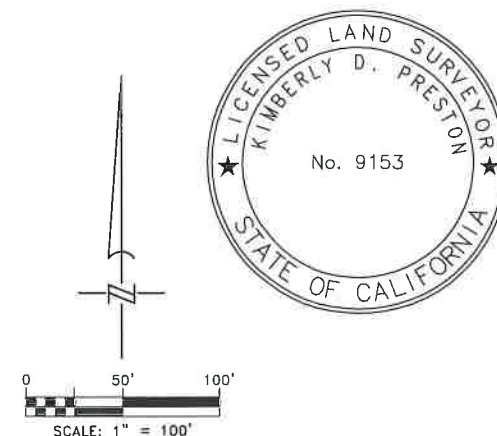
RECEIVED
SEP - 6 2019
Humboldt County
Planning Division

UTILITIES

WATER	FIELDBROOK COMMUNITY SERVICES DISTRICT
GAS & ELECTRIC	PACIFIC GAS & ELECTRIC COMPANY
TELEPHONE	CELLULAR SERVICE
TELEVISION	SATELLITE DISH

LEGEND

SYMBOL	INDICATES
	PARKING SPACE
	DIRECTION OF SURFACE WATER RUNOFF
	PROPOSED
	POWER POLE (APPROXIMATE LOCATION)
	UNDERGROUND ELECTRIC LINE
	APPROXIMATE LOCATION OF FENCE
	SOILS STABILITY OVERLAY AREA (LEVEL 3)
	SEWAGE DISPOSAL TEST HOLE LOCATION



Kimberly D. Preston 9-4-19
KIMBERLY D. PRESTON
P.L.S. 9153

OWNER/APPLICANT
TIM & KATHLEEN RYAN
P.O. BOX 455
BLUKE LAKE, CA 95525
(541) 430-2639

APN 516-061-008

TENTATIVE PARCEL MAP

for
TIM & KATHLEEN RYAN
In the unincorporated area of Humboldt County
Section 12, T.6N., R.1E., S.8E.



DESIGNED BY:	DATE:
J.W.	09/10/18
DRAWN BY:	DATE:
C.W.B.	09/10/18
CHECKED BY:	DATE:
KIMBERLY D. PRESTON	09/04/19

SCALE	AS SHOWN
JOB NO.	18-2055
SHEET	OF
1	1

ATTACHMENT 1

CONDITIONS OF APPROVAL

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

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions in the Department of Public Works referral dated October 16, 2019, included herein as Exhibit A of Attachment 1, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Department requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot areas, as confirmed by survey, shall be shown for each parcel.
4. Prior to recordation of the Parcel Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. Cost report will be made available at the Humboldt County Planning Department.
5. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$10.00 per parcel) as required by the County Assessor's Office shall be paid to the Humboldt County Planning Department, 3015 H Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
6. The applicant shall submit at least three (3) copies of a Development Plan for all parcels to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:

A. Mapping:

- (1) Topography of the land in 20-foot contours.
- (2) Parcel boundaries, roads, section corners, and other physical identifying features.
- (3) Development standards including: setbacks, maximum lot coverage, maximum height, and four (4) parking spaces outside the front yard setback.
- (4) The location of all buildings on Parcel 1.
- (5) Location of approved primary and reserve leachfield areas as approved by the Division of Environmental Health.

- (6) Details showing conformance with provisions of the State Fire Safe Regulations, including but not limited to:
 - a. Road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500-gallon individual emergency water supply, etc.).
 - d. Fuel modification standards including the vegetation management easement (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

B. Notes to be placed on the Development Plan:

- (1) "All flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be disposed of by chipping, burying, burning or removal to a landfill site approved by the County."
- (2) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(6) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by CAL FIRE."
- (3) "The State Fire Safe Regulations establishes development standards for minimizing wildfire danger in "state responsibility" designated areas. Exceptions to the 30-foot setback requirement may be pursued upon demonstration of providing the "same practical effect" of the setback through a combination of construction material choices, non-flammable vegetative buffers, and other design features. Contact the Planning and Building Department for further information."
- (4) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:

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

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

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

- (5) "The parcel size for Parcel 1 created by this subdivision has been established through lot size modification of a 5-acre minimum parcel size approved by Special Permit issued concurrently with the subdivision. Any change to the parcel size or configuration will require modification of the Special Permit."
 - (6) "Timber conversion for homesite development on the timbered parcel (Parcel 2) shall be not more than 2 acres, to minimize conversion of timberland."
 - (7) "The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid a take."
 - (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
7. The applicant shall cause to be recorded a "Notice of Geologic Report and Development Plan" on forms provided by the Humboldt County Planning Department. Document review fees, plus applicable recordation fees, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required (currently \$424.00 plus applicable recording fees). The Geologic Report and Development Plan shall also be noticed on the Parcel Map.
8. **Within five (5) days of the effective date of the approval of this permit** the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,456.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2020 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,406.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.

Note: If a required filing fee is not paid for the project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the State Fish and Game Code).

9. The property owner shall execute and file with the Planning Division the statement titled "*Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County*" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required form.
10. A vegetation management easement shall be depicted on the Parcel Map on proposed Parcel 2 for the benefit of proposed Parcel 1. The easement shall be located immediately adjacent to the barn on proposed Parcel 1 and of sufficient width to provide a full 30 feet of clearance.

Informational Notes

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

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

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

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

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

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

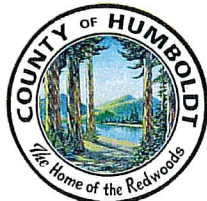
3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of

their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.

4. The recommendations set forth in the "R-1" preliminary geologic report and/or a soils engineering report for the residential structural improvements on parcels to be created shall be implemented as a condition to the issuance of permits or other grants of approval for the development or improvement of the site(s).
5. The term of the approved Tentative Map and Special 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 312-11.3 of the Humboldt County Code.

ATTACHMENT 1 – EXHIBIT A
PUBLIC WORKS SUBDIVISION REQUIREMENTS

EXHIBIT A



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

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

ADMINISTRATION
BUSINESS
ENGINEERING
FACILITY MAINTENANCE

445-7491
445-7652
445-7377
445-7493

NATURAL RESOURCES
NATURAL RESOURCES PLANNING
PARKS
ROADS & EQUIPMENT MAINTENANCE

445-7741
267-9540
445-7651
445-7421

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

LAND USE

445-7205

DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION NAME, APPLICATION #2019-15819 PMS, APN 516-061-008,
FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 10 ACRES
INTO 2 PARCELS

DATE: 10/16/2019

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 Omsberg & Preston dated 09/04/2019 and dated as received by the Humboldt County Planning Division on 09/06/2019.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

1.1 EXPIRATION OF TENTATIVE MAP: Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

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

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

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

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

- 1.3 DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) FIELDBROOK ROAD (4L760):

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

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

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

- 1.6 LINES OF OCCUPATION:** Applicant shall provide prospective buyers with notice of any fences that are not on the property lines.

2.0 IMPROVEMENTS

2.1 CONSTRUCTION PLANS

<NONE>

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

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

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

- 2.3 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION:** When improvements are not constructed before the subdivision map is filed with the County Recorder, the following apply:

- (a) Pursuant to Government Code section 66411.1 (improvement timing), fulfillment of reasonable on-site and off-site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or orderly development of the area. The following improvements are necessary for the public health or safety or orderly development of the area and shall be completed within twenty-four (24) months of the filing date of the Parcel Map, or prior to issuance of a building permit or other grant of approval for any of the parcels shown on the Parcel Map:

1. Improve the driveway apron for Parcel 1 to conform with County Standards for a rural driveway apron.

- (b) The following note shall be placed on the development plan:

"This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The subdivision improvements must be completed within the timelines specified in the *Notice of Construction Requirements*. Building permits or other development permits cannot be obtained until the required improvements are constructed to the satisfaction of the County. The improvements required in the *Notice of Construction Requirements* are shown on the improvement plans prepared by _____, dated _____, and are signed as

approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."

- (c) The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

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**

<NONE>

6.0 **DEVELOPMENT PLAN**

<NONE>

7.0 **LANDSCAPING**

<NONE>

// END //

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE 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 improvement is consistent with the County's General Plan.
2. That the tentative subdivision map conforms to the requirements and standards of the County's subdivision regulations.
3. That the proposed subdivision conforms to all requirements of the County's zoning regulations.
4. The proposed subdivision is not likely to cause substantial environmental damage.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:
 - a. The project is either categorically or statutorily exempt; or
 - b. There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
 - c. An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

B. *Special Permit Findings:* Section 312-17 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Permits and Variances) specifies the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County's General Plan, Open Space Plan, and the Open Space Action Program;

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, 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.

A.1./B.1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt County General Plan.

Plan Section(s)	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Residential Agriculture (RA)</p> <p>Allowable use types include single family residential use, second dwelling unit, guest house, general agriculture and timber production. Density Range – 5-20 acres per dwelling unit (RA5-20).</p>	<p>The subdivision will site the existing residence and accessory structures on proposed Parcel 1. Parcel 2 will be reserved for future residential development. Staff site inspections and referral agency comments indicate that the proposed lots are suitable for residential purposes. The proposed subdivision is consistent with the goals and policies of the Housing Element because it is creating an additional parcel for residential development and does not inhibit further subdivision to the maximum allowed by the zoning ordinance.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>Access to the site is directly off Fieldbrook Road, a paved county road (#C4L760). Both parcels will have the minimum required 50 feet of road frontage.</p>

Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The proposed subdivision is consistent with the goals and policies of the Housing Element because it will separate an existing residence on to its own parcel and will result in one additional undeveloped parcel suitable for residential development. The parcel was not included in the land inventory used by the Department of Housing and Community Development to determine consistency with state housing law. The subdivision will create residential parcels consistent with the upper limit of the density range.</p>
Conservation and Open Space Chapter 10 Open Space Section 10.2	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within a large lot rural neighborhood located within a forested landscape. The Agricultural General zoning is not an open space zone. The Special Permit for lot size modification will create a parcel size below the minimum for the zone allowing most of the timberland to be retained in a single management unit. Consistent with open space policies that restrict the conversion of timberlands, the project is conditioned to limit homesite development on the larger timbered parcel (Parcel 2) to not more than 2 acres. Further, the project will not preclude orderly development and coordination with other agencies programs related to conserving open space lands.</p>
Conservation and Open Space Chapter 10 Biological Resources Section 10.3	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>The Biological Resource maps of the General Plan and the California Natural Diversity Data Base (CNDDDB) mapping layer do not identify any sensitive or critical habitat areas on the project site. A referral was sent to the California Department of Fish and Wildlife, however, they did not respond with any concerns.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation].</p>	<p>The project was referred to the Northwest Information Center and they recommended a study and further consultation with the local Tribes. Upon further consultation with the Tribal Historic Preservation Officers (THPOs) for the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria and the Wiyot Tribe, it was recommended that the project be approved with no further study provided a note regarding inadvertent discovery is included in the project. This has been made a requirement of the Development Plan.</p>
<p>Water Resources Chapter 11</p> <p>Water and Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P17. On-Site Sewage Disposal Requirements.</p>	<p>Water service is provided by the Fieldbrook-Glendale Community Services District. Sewage disposal for the resultant parcel will utilize on-site waste treatment systems (OWTS). Septic testing, design and report and permit preparation have been completed by Omsberg and Preston, Professional Engineers. The County Division of Environmental Health Department has reviewed the testing information and recommended approval of the project.</p>

<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p> <p>Flooding</p> <p>Fire Hazards</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p> <p>S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations</p>	<p>The project site is in an area of high geologic instability. The project is conditioned to require that all development conform with the recommendations of the Geotechnical Report prepared by Lindberg Geologic Consulting. The Building Inspection Division has reviewed and approved the submitted geologic report.</p> <p>The subject property is in an area of minimal flood hazard per FIRM Map # 060060 0620. The site is located outside of the mapped tsunami runup zone.</p> <p>Although the proposed parcels are in the State Responsibility Area and in a high fire hazard zone, all existing and future development will comply with the requirements of the State Fire Safe Regulations. An exception request was approved by CAL FIRE to provide a 20-foot setback to an existing barn with the recordation of a vegetation management easement that would provide the same practical effect as a 30-foot setback. Structural fire protection is provided to the property by the Fieldbrook Volunteer Fire Department.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1, Construction and Grading Dust Control, AQ-P7, Interagency Coordination.</p>	<p>Future driveway and home construction will require conformance with best management practices for erosion and sediment control set forth in the County Grading Ordinance. Additionally, all work must meet the requirements of the North Coast Unified Air Quality Management District (NCUAQMD) management at time of construction.</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)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The subdivision will site the existing residence on proposed Parcel 1 with an existing onsite wastewater treatment system. Proposed Parcel 2 will be reserved for future residential development and adequate leachfield areas have been identified to the satisfaction of the County Division of Environmental Health. The applicant has submitted a geotechnical report which addresses the building site suitability of proposed Parcel 2. Water service is provided by the Fieldbrook-Glendale Community Service District. Staff site inspections and referral agency comments indicate that the proposed vacant lot is suitable for residential purposes and that the existing residence will be sited appropriately within proposed Parcel 1.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	The parcel is accessed by Fieldbrook Road, a County maintained road. Both parcels will have the minimum required road frontage (50-feet). Public Works has provided standard Subdivision Requirements. Due to the size of the parcel, a preliminary drainage study was not required as the parcels are large enough to accommodate stormwater runoff on-site. The Department of Public Works has provided Subdivision Requirements that require a complete hydraulic and drainage report.
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Both parcels will be served with water provided by the Fieldbrook-Glendale Community Services District. The parcels will be served by on-site wastewater treatment systems. The County Division of Environmental Health (DEH) has reviewed the well testing and sewage disposal plans and recommended approval of the project (Attachment 5).
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way unless an exception is granted.	See above.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Government Code § 66411.1 Improvement Timing	Unless the subdivider voluntarily enters into an agreement with the County establishing the timing of the work, fulfillment of reasonable on- and off-site construction requirements are deferred until issuance of a permit or other grant for development of the created lot, except where found to be necessary for the public health and safety or for orderly development of the surrounding area. If not completed prior to parcel map recordation or under agreement with the County, a Notice of deferred construction of subdivision improvements shall be filed concurrently with the parcel map.	Section 2.3 of the Public Works Subdivision Requirements (Attachment 1, Exhibit A), provides options for the subdivider should they enter into a Subdivision Agreement.
Structural Fire Protection Government Code § 66474.02 Where approving subdivision of land (not for open space purposes) within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone, the project must be consistent with state or local Fire Safe Regulations and be located within an area where structural fire protection and suppression services will be available from a qualified entity (County, City, Special District, or other political subdivision or entity) that is monitored and funded by a County or other public entity, and organized solely to provide fire protection services, or through contract with the Department of Forestry and Fire Protection pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.		The site of the proposed subdivision is in the State Responsibility Area (SRA) for fire protection, within an area of moderate fire hazard severity. The site is also within the Fieldbrook Volunteer Fire Department's response area, who provide structural fire protection and suppression services to the area, consistent with the standards for eligibility entities found in §66474.02(a)(2)(A) of the Government Code. The project complies with the standards found within the State Fire Safe Regulations (FSR).

<p>322-3.1 Housing Element Densities</p> <p>The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.</p>	<p>The proposed project will create two parcels out of an approximate 10-acre parcel. The density range of the land use designation is 1 unit per 5 acres. This property is in the Fieldbrook Community Planning Area established under the 1985 General Plan (Framework). This parcel is zoned to require a minimum parcel size of 1 unit per 5 acres (AG-B-5(5)). This zoning can be viewed as implementing the land use designation given the lack of community sewer service in the area. Parcels created by this subdivision range in size from 2.5 to 7.5 acres, and the applicant is proposing a Special Permit to allow for a reduced parcel size, while overall, the subdivision meets plan density. Furthermore, the site was not included in the Land Inventory and was not utilized by the Department of Housing and Community Development for determining compliance with housing element law.</p>
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Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
<p>Lot Size Modification §314-99.1, HCC</p> <p><i>In order to better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size...in all zones may be modified subject to securing an SP.</i></p> <p>Furthermore, §325-11 HCC specifies the nine findings that must be made to support Lot Size Modification</p>	<p>Minimum lot size may be reduced by 50%, but cannot create a parcel greater than 1.8 times the allowed minimum.</p> <p>Findings of Section 325-11: (a) the lots are in harmony with the topography; (b) soil conditions will not be adversely affected; (c) hydrologic conditions will not be adversely affected; (d) traffic patterns and emergency vehicle access will not be adversely affected; I the subdivision design with the LSM is in the interest of the public</p>	<p>The subject parcel is currently approximately 10 acres in size. The parcel is currently developed with an existing single-family residence. The lot size modification will allow the applicant to place as much of the timber resources as possible on the largest parcel with the steepest terrain. The minimum lot size required by zoning is 5 acres. Proposed Parcel 1 would be approximately 2.5 acres, and proposed Parcel 2 would be approximately 7.5 acres. The parcel size range is within the allowance for LSM.</p> <p>The LSM is consistent with the findings of Section 325-11 because: (a) the lots are in harmony with the topography, i.e., roads and slopes; (b) effects on soil conditions are minimized in that subdivision design limits development to 2 acres on the undeveloped parcel; (c) hydrologic conditions will not be adversely affected because the subdivision design with the LSM creates parcels large enough to accommodate drainage on-site; (d) the vacant parcel will have direct access to Fieldbrook Road and will minimize impacts to</p>

<p>(LSM). These findings are specific to the review of Subdivision design to ensure that the change to the parcel size standard does not adversely affect surrounding uses and the environment.</p>	<p>welfare; (f) the existing character of the area will not be adversely affected; (g) wetlands will not be adversely; (h) the subdivision conforms to the General Plan, and (I) the resultant parcels are greater than 6,000 square feet.</p>	<p>traffic patterns and emergency vehicle access; e) the subdivision design with the LSM is in the interest of the public welfare in that it considers the physical constraints and allows for optimum use of the site; (f) the existing character of the area will not be adversely affected in that the subdivision design with the LSM is consistent with residential development pattern of the area; (g) wetlands will not be adversely affected because none were identified on-site; (h) the subdivision conforms to the General Plan, and (I) the resultant parcels are greater than 6,000 square feet.</p> <p>A condition of approval requires the Development Plan to include a notation as to the creation of these parcels using the lot size modification exception.</p>
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A.3./B.2./B.3. Zoning Compliance and Development Standards. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Agriculture General (AG) §314-7.2	Single family dwellings and general agriculture are principally permitted uses.	The project consists of a subdivision of the approximately 10-acre parcel into two parcels. The parcel is currently developed with a residence and accessory structures that will be sited on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. Water for the parcels is provided by the Fieldbrook-Glendale CSD. Both parcels will utilize on-site wastewater treatment systems. Single-family residential development is principally permitted under the AG zone classification.
Development Standards		
Minimum Parcel Size with B-5(5) combining zone:	5.0 acres	Parcel 1: 2.50 acres (lot size modification) Parcel 2: 7.50 acres
Minimum Yard Setbacks per Zoning: SRA Setbacks apply	Front: 30' Side: 30' Rear: 30'	All existing development complies. Setbacks for future development will be required to meet standards at time of Building Permit. CAL FIRE has approved an exception request to allow the setback to an existing barn to go down to 20 feet, the required rear yard setback in an AG zone.
Maximum Ground Coverage	35%	Currently complies. Lot coverage for future development will be required to meet standards at time of Building Permit.
Maximum Structure Height	35 feet	Currently complies. Height limits for future development will be required to meet standards at time of Building Permit.

B.4. Public Health, Safety and Welfare.

The project will not be detrimental to the public health, safety and welfare nor will it be materially injurious to properties or improvements in the area because:	Evidence supporting the finding
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 5, Referral agency recommendations.
The proposed project is consistent with the general plan.	See previous discussion.
The proposed project is consistent with the zoning.	See previous discussion.
The proposed project will not cause environmental damage.	See following discussion.

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

A.6. Environmental Impact. Please see the attached draft Negative Declaration.

As required by the California Environmental Quality Act, the initial study conducted by the Planning and Building Department (Attachment 4) evaluated the project for any adverse effects on the environment. Based on a site inspection, 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 the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.

Because the project was found subject to CEQA and a Mitigated Negative Declaration was prepared, the provisions of Section 711.4 of the California Fish and Game Code apply to this project. The applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,404.75. [Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.] Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus the \$50 document handling fee. This fee is effective through December 31, 2019 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Wildlife Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.dfg.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,354.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required. This requirement appears as Condition #8 of Attachment 1.

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Application Form	On file with Planning
Tentative Map Checklist	On file with Planning
Tentative Subdivision Map	Attached
Geologic Report	On file with Planning
Preliminary Title Report	On file with Planning
Exception Request for SRA setback reduction	Attached



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501 Fax: (707) 268-3792 Phone: (707) 445-7541
<http://www.co.humboldt.ca.us/planning/>

Date: June 23, 2020

To: CALFIRE
Attn: Chris Ramey, 118 S. Fortuna Blvd., Fortuna CA 95540

From: Trevor Estlow

Subject: Exception Request from Humboldt County Fire Safe Regulation

Section(s): 1276.01

APN: 516-061-008

Property Owners Name: Tim and Kathleen Ryan

Situs Address: 1357 Fieldbrook Road, Fieldbrook

Building Permit Application Number: (if applicable) n/a

Enclosed please find a request for an exception to the State Fire Safe Regulations. Please review this request and contact Trevor Estlow of this office with your agency's decision.

ATTACHMENTS:

☒ Exception Request Form

☒ Plot Plan

☐ Other: _____

Staff Use Only

Receipt # PLR19_1449 (\$100.00 fee) Date Accepted: 6/23/2020 By: TE Date Mailed to CDF: 6/23/2020

Zoning: AG-B-5(5) Standard Setbacks: 30 Front; 30 Rear; 30 Side

Date Parcel Created: 1968 Approximate Size of Parcel in Acres: 10

Packet MUST contain all 3 pages to be considered complete

EXCEPTION REQUEST FORM

SRA Fire Safe Regulations

Exceptions to standards within the SRA Fire Safe Regulations, 2020 will be allowed by the California Department of Forestry and Fire Protection (CALFIRE) where it can be shown that the exception provides the same overall practical effect as these regulations towards providing defensible space ¹ (14 CCR, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5. SRA Fire Safe Regulations, 2020, Section 1270.06).

1. This request is for an exception from Section(s) 1276.01 of the SRA Fire Safe Regulations which requires (briefly describe standard or practice (e.g. 30 foot building setback)) All parcels shall provide a minimum 30 foot setback for all buildings from all property lines and/or the center of a road. _____

2. *This request will provide the same overall practical effect as the Fire Safe Regulations towards defensible space because* (specify the material facts that support the granting of the exception) The ability to maintain 30 feet of defensible space will be maintained for the life of the project providing the same practical effect.

(Attach additional sheet(s) if necessary)

3. *The following specific mitigation measures are proposed as part of this exception request* (list any measure(s) to be used to meet the intent of the fire safe standard or practice (e.g. fuel modification and vegetation maintenance easement over adjacent property to achieve equivalent of a 30 foot building setback) The existing barn on proposed Parcel 2 will be 20 feet from the property line. A vegetation management easement of 10 feet will be recorded over the adjacent parcel to achieve the equivalent of a 30-foot building setback. _____

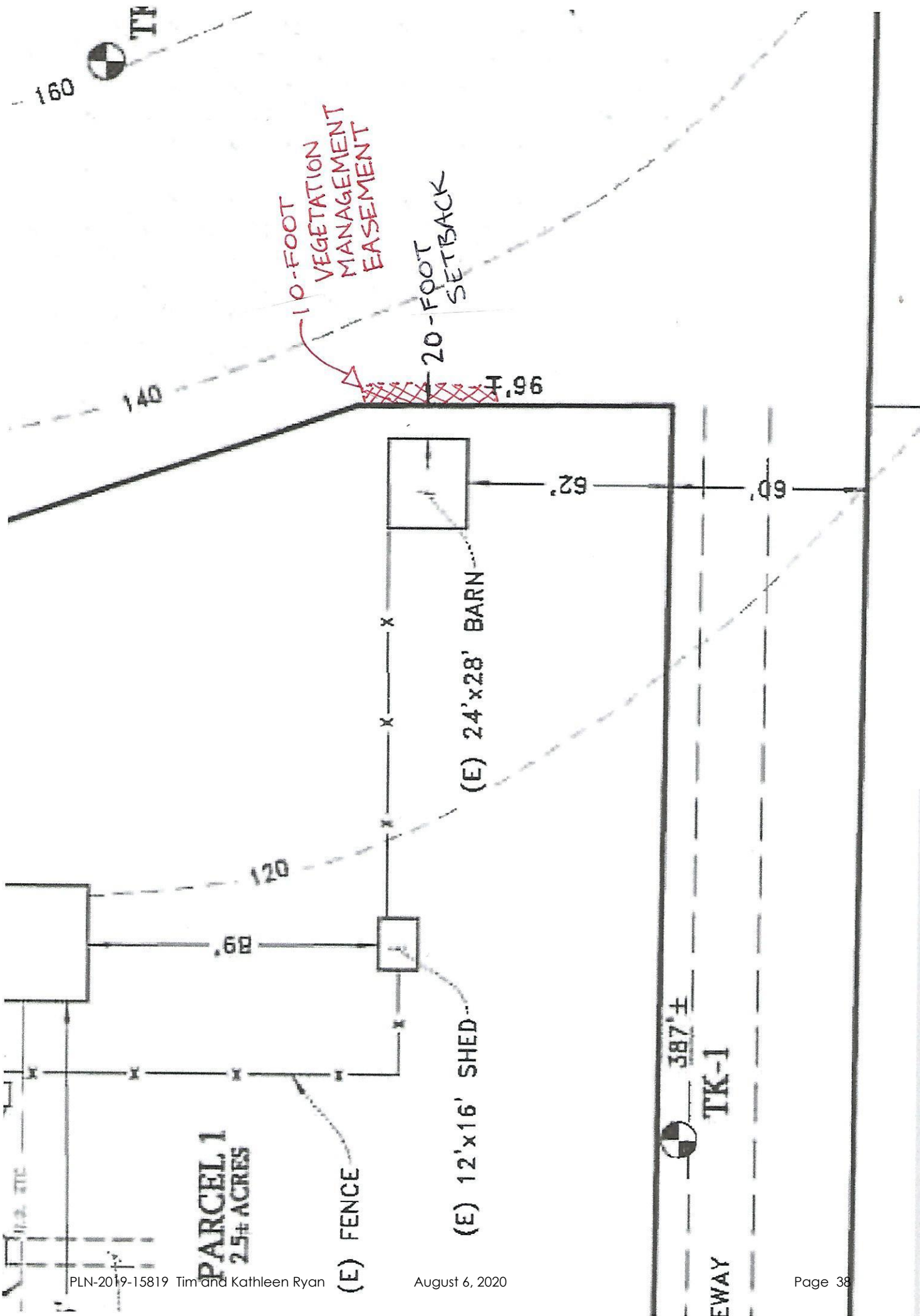
4. *Attached is a plot plan showing the proposed location and sitting of the exception and / or mitigation measures described above.*

¹ Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street road names and building identification, and fuel modification measures.

PLOT PLAN OF PARCEL

Draw or attach plot plan as this page.

See attached Tentative Map and Easement Detail



ATTACHMENT 4

INITIAL STUDY AND DRAFT MITIGATED NEGATIVE DECLARATION

Project Information

Project Title: Ryan Minor Subdivision and Special Permit

Lead Agency

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

Property Owner

Tim and Kathleen Ryan
PO Box 455
McKinleyville, CA 95519

Project Applicant

Same as owner

Project Location

The project is located in Fieldbrook area, on the east side of Fieldbrook Road, approximately 500 feet south of the intersection of Lyman Lane and Fieldbrook Road, on the property known as 1357 Fieldbrook Road.

General Plan Designation

Residential Agriculture: 5 to 20 acres (RA5-20), Fieldbrook-Glendale Community Planning Area (FGCPA), 2017 General Plan, Density: Range is 5 to 20 acres per unit, Slope Stability: Relatively Stable (0) and High Instability (3).

Zoning

Agricultural General (AG), Minimum building site area is 5 acres (B-5(5)).

Project Description

A Minor Subdivision of an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. A Special Permit is required to allow Lot Size Modification to create a parcel below the 5-acre minimum pursuant to Section 314-99.1 H.C.C. The parcel is developed with a single-family residence, accessory structures and an on-site wastewater treatment system which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. An exception request to allow a 20-foot setback to the barn on proposed Parcel 1 has been reviewed and approved by CAL FIRE. Both parcels will be served with water provided by the Fieldbrook-Glendale Community Services District and on-site wastewater treatment systems.

Baseline Conditions: Surrounding Land Uses and Setting

The project site is located in the Fieldbrook area on the east side of Fieldbrook Road. 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 checked="" 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 Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Tribal Cultural Resources |
| <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

June 26, 2020

Date

Trevor Estlow, Senior Planner

Printed Name

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	Less Than Significant with 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 nor is it in the Coastal Zone where specified areas of scenic values are mapped and certified by the state. The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The parcels will be served by Fieldbrook Road. The Department finds no evidence that the creation of one additional parcel within an area characterized as rural 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.				

<p>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:</p>	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 to non-forest use?				X

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 rural residential development with on-site septic systems and domestic water provided by the Fieldbrook/Glendale Community Services District. The proposed subdivision infills an established development pattern. One-family residential is a primary and compatible use within the RA designation and is principally permitted in the AG zoning district. Homesite development on Parcel 2 will involve conversion of timberland to residential use. While the Agricultural General zoning is not an open space zone, the Special Permit for lot size modification will allow most of the timberland to be retained in a single management unit by clustering existing development on a smaller parcel. Consistent with open space policies that restrict the conversion of timberlands, the project is conditioned to limit homesite development on the larger timbered parcel to not more than 2 acres. 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 an approximately 10-acre parcel into two parcels. The subdivision will site the existing residence on one of the proposed parcels, with the other proposed parcel 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 suburban 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	
<p>Discussion:</p> <p>(a) Less Than Significant with Mitigation Incorporated: Although, no tree removal is proposed at this time, future homesite development may require the removal of some trees. Therefore, in order to comply with the Migratory Bird Treaty Act and Fish and Game Code, tree removal and brush clearing must be conducted outside of the nesting season. This measure is included in Mitigation Measure No. 1.</p> <p>(b-f) Less Than Significant: The project site is not within an adopted or proposed habitat conservation plan. The area is developed with a residence and accessory structures. According to the California Natural Diversity Database, the site is outside any mapped habitat area. The project was referred to the California Department of Fish and Wildlife, however, they did not respond with any concerns. The Department finds no evidence that the project will result in a significant adverse impact on any habitat conservation plan.</p>				

Mitigation Measure No.1. The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid a take."

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) 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 is currently developed with a home of fairly modern construction. No structures are proposed to be removed, therefore, the project will have no impact on historical resources defined in California Environmental Quality Act (CEQA) §15064.5.

(b,d) Less Than Significant with Mitigation Incorporated: Pursuant to AB52, the project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria and the Wiyot Tribe. The NWIC recommended a cultural resource study and consultation with the local Tribes. Upon further consultation with the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, it was recommended that the project be approved 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. 2. 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. The project is not expected to disturb any human remains, including those interred outside of formal cemeteries. However, implementation of Mitigation Measure No. 2 includes language in the event that human remains are accidentally discovered during construction.

Mitigation Measure No. 2. The following note shall be place on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire

officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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

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. The parcel is developed with one residence that will remain on proposed Parcel 1, with the other parcel 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 McKinleyville 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 residential construction on the vacant lots 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 approximately five miles from the nearest airport, California Redwood Coast – Humboldt County Airport. There are no private airstrips within the vicinity of the project site. The site is outside the area of concern related to 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 Fieldbrook-Glendale Community Services District with emergency fire services provided by the Fieldbrook Volunteer Department. 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 moderate to high fire hazard severity area. 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	
<p>(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 Fieldbrook/Glendale community plan. The project site is an area served by community water and on-site sewer systems. The Fieldbrook-Glendale Services District has indicated that it is able to provide water upon the payment of the appropriate fees. The Environmental Health Division 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, 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</p>				

dam or levee inundation area, and is outside the areas subject to tsunami run-up. The site is at an elevation of approximately 140 feet.

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 Agriculture: 5 to 20 acres (RA5-20), Fieldbrook-Glendale Community Planning Area (FGCPA), 2017 General Plan, Density: Range is 5 to 20 acres per unit. The neighborhood is characterized as rural residential. The creation of one additional parcel for residential development is consistent with the zoning and land use density. 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 Fieldbrook-Glendale Community Plan and 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	
<p>Discussion:</p> <p>(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.</p> <p>(e and f) Less Than Significant Impact: The project area is approximately five miles from the California Redwood Coast – Humboldt County Airport, and is not subject to the airport land use compatibility plan. The noise impacts associated with the airport are not anticipated to be excessive. Therefore, noise impacts will remain less than significant.</p>				

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 one parcel into two. One existing residence will be sited on proposed Parcel 1 with the other proposed parcel vacant and suitable for residential development. 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. 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 Fieldbrook Road. The Department of Public Works has recommended improvements to Fieldbrook Road to meet current standards. The Fieldbrook-Glendale Community Services 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 site is not within a Quimby Act fee area. 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. Tribal Cultural Resources.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.			X	
Discussion: (a-b) Less Than Significant Impact: The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria and the Wiyot Tribe. The NWIC recommended a cultural resource study and consultation with the local Tribes. Upon further consultation with the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe, it was recommended that the project be approved with no further study provided a note regarding inadvertent discovery is included in the project. The standard condition of inadvertent discovery has been included as Mitigation Measure No. 2.				

XVII. 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 Fieldbrook Road. The Land Use Division of Public Works has recommended standard conditions of approval including the improvement of the encroachment.

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. The project site is approximately five miles southeast of the California Redwood Coast – Humboldt County Airport, the closest airport.

CEQA Guidelines Section 15064.3(b) requires land use projects to analyze traffic impacts based on vehicle miles traveled (VMT). While no thresholds of significance have been adopted by the County, the Office of Planning and Research (OPR) uses household VMT per capita as a recommended threshold with a threshold of 15% less than existing city household VMT per capita or regional household VMT per capita.

Given the proposed project's geographic location in a somewhat rural area, it would likely have a VMT per capita greater than the nearest city (Arcata) average. However, in a regional context, the proposed project site is closer to the urbanized portion of the City of Arcata than most areas of the region. Therefore, the proposed project would likely have a lower than average VMT per capita in

comparison to the regional average. Based on this qualitative analysis, VMT impacts are expected to be less than significant.

XVIII. 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 on-site septic systems and community water provided by the Fieldbrook-Glendale Community Services District. The Department of Environmental Health has recommended approval of the project. 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.

XIV. 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. An existing residence will remain on proposed Parcel 1 with proposed Parcel 2 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

Biological Resources

Mitigation Measure No. 1. The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid a take."

Timing for Implementation/Compliance: Throughout project construction

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Visible evidence

Cultural Resources

Mitigation Measure No. 2. The following note shall be placed on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the CalFire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and CalFire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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

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

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Building Inspection Division	Approval	On file with Planning
Building Inspection Division	Approval	On file with Planning
Land Use Division	Conditional Approval	Attached as Exhibit A, Attachment 1
Division Environmental Health	Approval	On file with Planning
Fieldbrook Volunteer Fire Department		
Calif. Dept. of Forestry & Fire Protection	Conditional Approval	Attached
California Department of Fish and Wildlife		
North Coastal Information Center	Conditional Approval	On file with Planning
Blue Lake Rancheria	Conditional Approval	On file with Planning
Bear River Band of the Rohnerville Rancheria	Conditional Approval	On file with Planning
Wiyot Tribe	Conditional Approval	On file with Planning



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 INTER OFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

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

DATE: 10/16/2019

RE: **RYAN MINOR SUBDIVISION, PLN-2019-15819**

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

PARCEL MAP IMPROVEMENT NOTE: Frontage improvements to Parcel 1 (an existing developed parcel) must be constructed per the Department's subdivision requirements. Pursuant to Government Code Section 66411.1 (b), the Department recommends that the frontage improvements on Parcel 1 be completed within twenty-four (24) months from the date that the subdivision map is filed with the County Recorder; or prior to issuance of a development permit (or building permit) for Parcels 1 or 2, whichever occurs first. This is based upon the need for orderly development of the surrounding area.

The construction of the subdivision improvements for Parcel 2 may be deferred to the time that a development permit (or building permit) is issued.

// END //

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

118 S. Fortuna Blvd
Fortuna, CA 95540
(707) 725-4413
Website: www.fire.ca.gov



Ref: 7100 Planning
Date: June 26, 2020

To: Steve Werner
Humboldt County Planning and Building Department
3015 H Street
Eureka, CA 95501

RE: Project/Owner: Ryan APN: 516-061-008 Area: Fieldbrook

CAL FIRE has reviewed this exception request for the following Fire Safe Regulations:

1276.01 Setback for Structure Defensible Space

The permit application proposes to subdivide a parcel that will result in an existing barn being located 20 feet from the proposed property line. The proposed exception request mitigation is to record a 10 foot vegetation management easement on the resulting parcel.

After a site inspection and considering the site conditions, recording a vegetation management easement 10 feet off the proposed property line will allow for defensible space to be maintained in the future regardless of ownership. CAL FIRE recommends approval of this exception request.

Chris Ramey
Battalion Chief, Fire Planning
CALFIRE
Humboldt – Del Norte Unit

For Kurt McCray, Unit Chief