



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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

**Hearing Date:** September 3, 2020

**To:** Humboldt County Planning Commission

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

**Subject:** **Humboldt County Fair Association Conditional Use Permit**  
Proposed Motorsports and Concert Events at Humboldt County  
Fairgrounds  
Case Number PLN-2019-15519  
Assessor Parcel Numbers (APNs) 100-181-003, 030-071- 001, 030-011-003,  
030-021-003, 030-112-017, 030-112-020, 030-081-006  
1250 5<sup>th</sup> Street, Ferndale area

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Please contact Steven Lazar at (707) 268-3741, or by email at [slazar@co.humboldt.ca.us](mailto:slazar@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 3, 2020	Conditional Use Permit	Steven Lazar

**Project:** A Conditional Use Permit to authorize use of the Humboldt County Fairgrounds for a maximum of ten (10) concerts and four (4) motorsports events per year. All events would be held at the oval racetrack and nearby grandstands located within the southern portion of the Fairgrounds. Events would be pre-scheduled and occur between March and October, excepting a six-week period (August 1st thru September 15th) associated with preparation, operation, and cleanup for the annual Humboldt County Fair. All events would end on or before 10 pm. Concerts would occur from a temporary stage placed directly in front of the grandstands and feature a range of different performance types from amplified music featuring a full band to smaller acoustic events. Motorsports activities include: Tractor Pulls, 4x4 Truck events, Go Carts, Monster Trucks, and Motorcycle Racing. Motorcycle racing events would occur on the dirt oval racetrack and involve up to 18 riders. The permit is being processed along with a request to amend the terms of the lease agreement between the County of Humboldt and the Humboldt County Fair Association (HCFA), a private non-profit organization responsible for management and operation of the Humboldt County Fair and County Fairgrounds.

**Project Location:** The project site is located in Ferndale, on the east side of 5th street between Van Ness and Arlington Ave., on the property known as 1250 5th Street. The majority of the Fairgrounds is within Ferndale city limits and outside of the Coastal Zone, including the dirt racetrack, grandstands, and primary parking areas used during events.

**Present Plan Designation:** P-F (Public Facility) – City of Ferndale

**Present Zoning:** P-F (Public Facility) – City of Ferndale

**Case Number:** PLN-2019-15519

**Assessor Parcel Numbers:** 100-181-003, 030-071- 001, 030-011-003, 030-021-003, 030-112-017, 030-112-020, 030-081-006

**Applicant**  
Humboldt County Fair Association  
1250 5<sup>th</sup> Street  
Ferndale, CA 95536

**Owner(s)**  
County of Humboldt

**Agent**  
Whitchurch Engineering  
Jeff Laikam  
610 9<sup>th</sup> Street  
Fortuna, CA 95540

**Environmental Review:** Project requires environmental review.

**Major Issues:** Noise

**State Appeal Status:** The project is not located within the Coastal Zone.

## HUMBOLDT COUNTY FAIR ASSOCIATION CONDITIONAL USE PERMIT

Case Number PLN-2019-15519

Assessor Parcel Numbers 100-181-003, 030-071- 001, 030-011-003, 030-021-003, 030-112-017,030-112-020, 030-081-006

### RECOMMENDED COMMISSION ACTION:

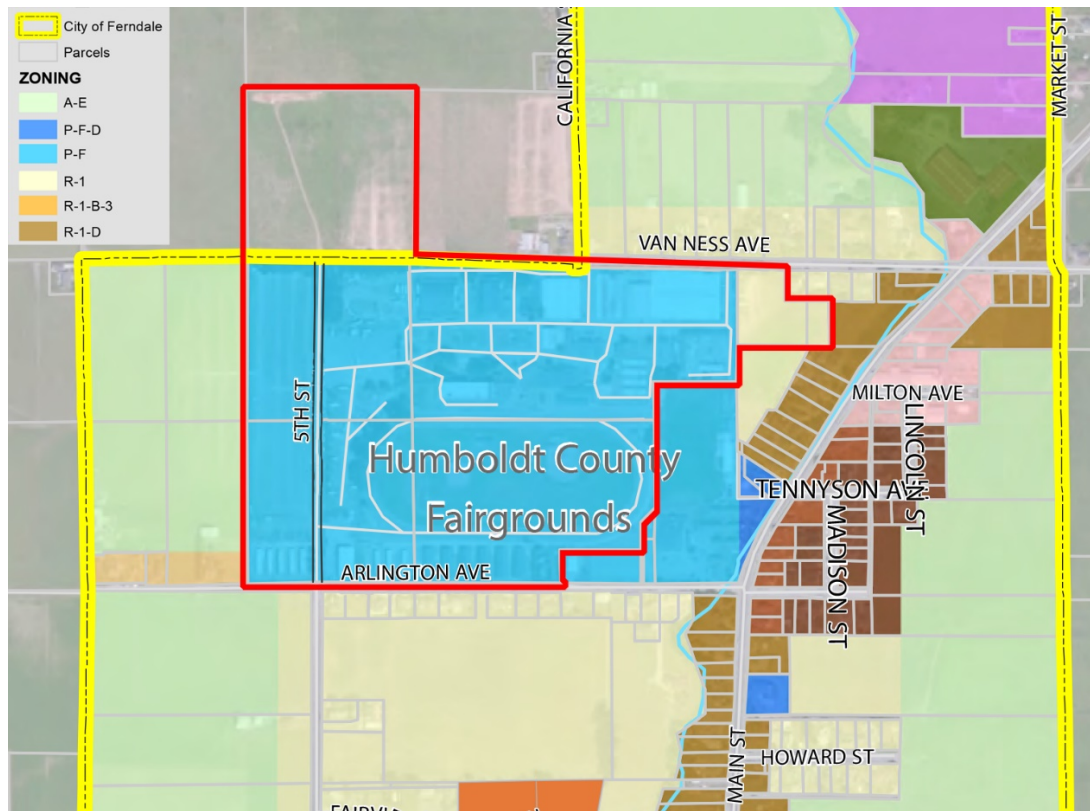
1. Describe the application as a public hearing.
2. Allow the staff to present the project.
3. Open the public hearing; and
4. After receiving testimony, close the hearing and make a motion to:

*Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Conditional Use Permit, and adopt the resolution approving the Humboldt County Fair Association Conditional Use Permit subject to the recommended conditions.*

### Executive Summary:

The Humboldt County Fair Association (HCFA) is seeking permission to conduct a maximum of ten (10) concerts and four (4) motorsports events from the Humboldt County Fairgrounds. A Conditional Use Permit is being processed along with a request by HCFA to amend the terms of the current lease agreement to allow these new activities.

The majority of the Fairgrounds complex is located within the city limits of Ferndale, including the dirt racetrack, grandstands, and primary parking areas used during events. Zoning and Land Use information for the City of Ferndale reveal that the site is planned and zoned "Public Facility". Principally permitted uses within the "Public Facility" zoning district include "Auditoriums" and "Public Fairgrounds and related uses".



Ferndale Zoning Map excerpt (Fairgrounds outlined in red)

Though it is customary that city and county-owned properties need not comply with local land use regulations, counties and cities are free to apply and enforce their own rules to these lands. For these reasons, a Conditional Use Permit is being processed to provide a forum for public review and discussion of the new concert and motorsports activities proposed. The Humboldt County General Plan and Zoning Regulations are being used as the basis for review of the project. Under Humboldt County Code, to approve a Conditional Use Permit, a project must conform with the General Plan and be consistent with the purposes of the zone in which it is located. It must also be determined that the use proposed conforms with applicable standards and can be operated in a way that it *"will not be detrimental to the public health, safety, and welfare or materially injurious to properties or improvements in the vicinity"*.

The project involves a request to authorize land uses that are ultimately consistent with the planned purpose and historic use of the site. The first "fair" held in Ferndale occurred on October 12, 1870 and the fairgrounds site has been host to the annual Humboldt County Fair since 1922. Concerts and Motorsports events at the Fairgrounds are not without historic precedent –live outdoor concert events have occurred on at least nine (9) separate occasions during the last twenty-five (25) years. Newspaper information from both the Ferndale Enterprise and Humboldt Standard reveals the racetrack at the County Fairgrounds has been used for automotive racing events as far back as 1947 and 1954. Nevertheless, the proposed uses do represent a modest change in the current environmental baseline for the site, both in terms of the number of events held annually, timing of events, and types of events.

#### *Surrounding Land Uses*

A mixture of residential and agricultural uses are found within the vicinity of the Fairgrounds complex. Lands immediately west and northwest of the fairgrounds are primarily agriculturally zoned parcels between 5 and 40 acres in size. The closest residential uses are situated along the south side of Arlington Avenue and the north side of Van Ness Avenue. Along Arlington Avenue, most homes are of a more recent vintage (only 2 homes appear in an aerial photograph from 1948). On Main Street, 5th Street, and Van Ness one finds more of a mixture of older homes along with newer post-war development.

#### CEQA

The requested changes to the lease agreement constitute a "project" for the purposes of CEQA. A Mitigated Negative Declaration has been prepared and circulated in conjunction with processing of the Conditional Use Permit request. The principle environmental impacts from the project surround the potential noise generated during these temporary events.

#### *Local Noise Standards*

When considering a projects potential for significant environmental impacts, it is important that the Lead Agency identify and consider local thresholds of significance for each category of potential impact. Where potential impacts from a project clearly exceed an applicable local threshold, it is appropriate that an Environmental Impact Report (EIR) be prepared.

The Noise Element of the 2017 Humboldt County General Plan has been utilized for evaluating potential noise impacts from the project. The Noise Element includes an inventory of prominent noise sources and identifies the County Fairgrounds as a stationary noise source for the Ferndale Community. The Noise Element contains compatibility standards for both long-term and short-term noise sources. Given the temporary and periodic nature of the events proposed, use of the performance standards for short-term noise is appropriate.

<b>SHORT-TERM NOISE STANDARDS (Lmax)</b>		
<b>Zoning Classification</b>	<b>Day (maximum)</b>	<b>Night (maximum)</b>
	<b>6:00 a.m. to 10:00 p.m.</b>	<b>10:00 p.m. to 6:00 a.m.</b>
	<b>dBA</b>	<b>dBA</b>
MG, MC, AE, TPZ, TC, AG, FP, FR, MH	80	70
CN, MB, ML, RRA, CG, CR	75	65
C-1, C-2, C-3,		
RM, R-3, R-4	65	60
RS, R-1, R-2, NR	65	60

The short-term noise standards (above) establish a series of limits for daytime and nighttime noise based on zoning, with exceptions provided for certain land uses where noise limit exceedances are expectable. Excepted activities include: operation of portable generators during emergencies, use of chainsaws, landscaping equipment, power tools, heavy equipment, emergency vehicles, and ***“temporary events in conformance with an approved Conditional Use Permit”***. The project qualifies for the use of the exception as the proposal involves a Use Permit for temporary events. Within residentially zoned areas, a 65-decibel limit is established for non-excepted sources of short-term noise. While not applicable to the project given the exception provided, it nonetheless provides a frame of reference when evaluating anticipated noise levels.

The language of the exception to short-term noise limits is similar to provisions found in the 2016 Final Draft of the City of Ferndale Noise Element which call for application of *“appropriate average and short-term noise level standards during the permit review process and during subsequent monitoring to minimize stationary noise sources and noise emanating from temporary activities.”*

#### Noise Study

A Noise Impact Study and Addendum were prepared for the project by Whitchurch Engineering and are included in Appendix 5 of Attachment 4. Together they provide an investigation and analysis of anticipated noise from motorcycle racing events and open-air concerts. Project-related noise was assessed using the Community Noise Equivalent Level (CNEL) standard which considers average sound levels during a 24-hour period, applying weighting to noise occurring after 7pm. The results were used as the basis for evaluating the potential noise-related impacts of the project.

#### Noise Sources

Project-related noise comes in three (3) distinct categories: Concerts, Motorcycle Racing, and Monster Trucks and other motorsports events.

#### Motorcycle Racing

The analysis of motorcycle racing events in the Noise Study determined that CNEL values ranged from 70 to 75 decibels, depending on the number of riders and hour of the day the event ended. With the incorporation of the recommended mitigation measures, CNEL for motorcycle events is reduced to 62.4 decibels.

### Open-Air Concert Events

An analysis of concert events in the Noise Study determined that unmitigated CNEL values ranged from 90 to 100 decibels, depending on the size of the concert. With the incorporation of the recommended mitigation measures, CNEL for concert events is reduced to 72.2 decibels.

### Other Motorsports Events, including Monster Truck events

Other motorsports activities include: Tractor Pulls, 4x4 Truck events, Go Carts, and Monster Trucks events. An unauthorized 2-day Monster Truck event held at the Fairgrounds in June of 2017 resulted in a number of noise complaints. A contemporaneous story in the Ferndale Enterprise claimed that sound levels between 80-95 decibels were registered near the Ferndale high school gym located southwest of the racetrack. Since noise from monster trucks is essential to the spectator experience, limiting the number of events was viewed as the best feasible mitigation available to help control impacts. Condition of Approval 8 limits Monster Truck events to one (1) event per year.

### *Mitigation Measures*

To help reduce noise levels experienced in neighboring areas, staff is recommending project approval be made conditional upon implementing a number of mitigation measures. Principal measures include: constructing a dense straw bale sound wall near the rear of the stage during concerts, requiring motorcycle racers use specialized exhaust systems components designed to reduce engine noise to 90 decibels or less, and establishing a maximum CNEL of 63 decibels for motorcycle racing and 73 decibels for concerts. The CNEL limits were established using calculations provided in the Noise Study.

Other measures include use of a sound engineer during all concert events, requiring each motorcycle be tested for noise before being authorized to participate in a race, continuous monitoring/recording of actual noise levels during events, use of dust suppressants during windy conditions, and annual submittal of a report detailing event specific noise measurements and adaptive management measures performed to ensure noise from motorcycle racing and concert events did not exceed permit-specific CNEL noise thresholds (63 and 73 decibels, respectively).

### Analysis:

Given the limited number of events proposed and particular venue characteristics that are needed to host events of this sort, the project is a good candidate for use of the exception to the general plan short term noise standards. The fairgrounds have a well-established record of hosting various types of public events, including but not limited to the Humboldt County Fair. Feasible mitigation measures have been incorporated within the recommended conditions of approval and will significantly reduce event-related noise levels. Monitoring and reporting requirements included will enable evaluation and verification of mitigation effectiveness and provide for adaptive management to ensure long-term compliance with CNEL noise limits established by the Use Permit.

### *Public Comments Received*

A number of public comments have already been received in response to public notice provided. Comments thus far received are compiled and included as part of Attachment 6. While many comments are in support of the project, comments have also been received from a number of Ferndale residents expressing concern or opposition to one or more project elements, including the number of concert events proposed and noise from motorsports events, particularly Monster Trucks. Many also express general concern about event-related noise being disruptive to neighboring residential uses and suggest that an EIR should be prepared. One commenter raised concerns about event-related traffic and impacts on public services, impacts on local water and wastewater capacity and flows, and demand on local police and fire protection services. With respect to potential traffic effects, HCFA has a proven track record of successfully managing large

traffic flows at the site. For example, on popular days during the Fair, it is not unusual to sell over 5,000 admission tickets to just the horse racing event. It is therefore unlikely that event-related traffic volumes will exceed concentrations historically encountered during peak times of the annual County Fair. Similarly, water use, wastewater flows, and demand for police and fire service are unlikely to approach or exceed historic levels customarily reached during operation of the Fair.

With respect to whether an EIR should be prepared for the project, the principal environmental impacts all surround event-related noise. As outlined above, local noise thresholds in the County General Plan allow exceptions for short-term noise sources associated with temporary events in conformance with an approved Conditional Use Permit. While event-related noise may not be considered a significant environmental impact given the exception provided within the local threshold, the Commission may still find that potential noise from events could be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the area. If so, there are a number of possible alternatives the Commission may wish to consider.

#### **ALTERNATIVES:**

Alternatives include:

- Further limits to the number of events that may be held
- Further restricting or omitting approval of certain event types (e.g., Monster Trucks)
- Require the preparation of an Environmental Impact Report (EIR)
- Denial of the permit.

These alternatives should only be implemented if your Commission is unable to make all of the required findings to approve the current request (10 concerts and 4 motorsports events). Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit, per the Recommended Commission Action. Consequently, planning staff does not recommend further consideration of these alternatives.

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

**Case Number PLN-2019-15519  
Assessor Parcel Numbers 100-181-003, 030-071- 001, 030-011-003, 030-021-003, 030-112-  
017,030-112-020, 030-081-006**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Humboldt County Fairgrounds Conditional Use Permit.**

**WHEREAS**, Whitchurch Engineering, on behalf of the Humboldt County Fair Association submitted an application and evidence in support of approving a Conditional Use Permit; and

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

**WHEREAS**, the Planning Division, the lead agency, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Conditional Use Permit (Case Number: PLN-2019-15519);

**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. Makes the findings in Attachment 2 of the Planning Division staff report for the Conditional Use Permit (Case Number: PLN-2019-15519) based on the submitted evidence; and
3. Approves the Conditional Use Permit as recommended and conditioned in Attachment 1 for Case Number PLN-2019-15519.

Adopted after review and consideration of all the evidence on September 3, 2020.

The motion was made by Commissioner and seconded by Commissioner .

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

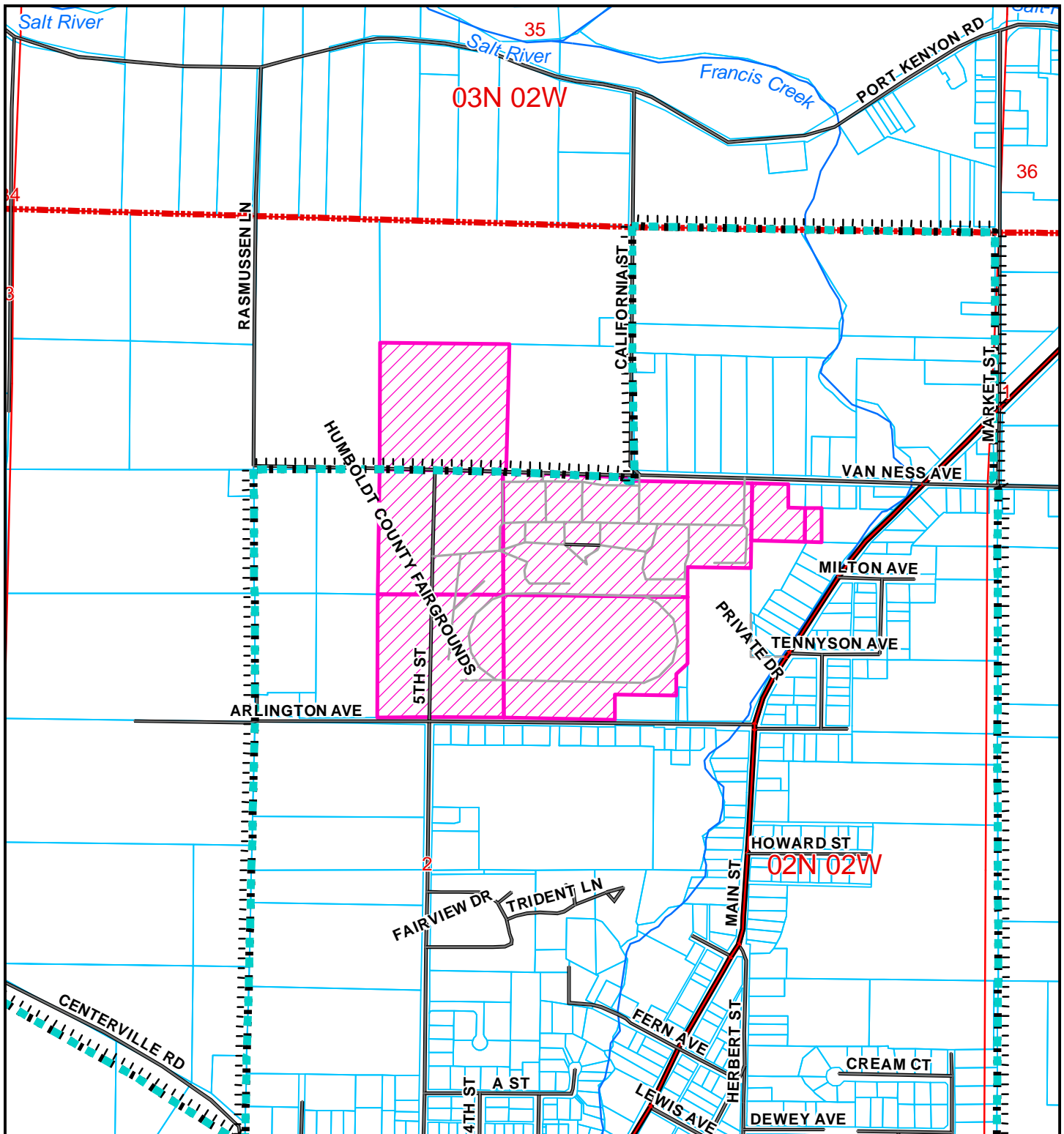
ABSENT: Commissioners:

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 HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Coastal Zone Boundary

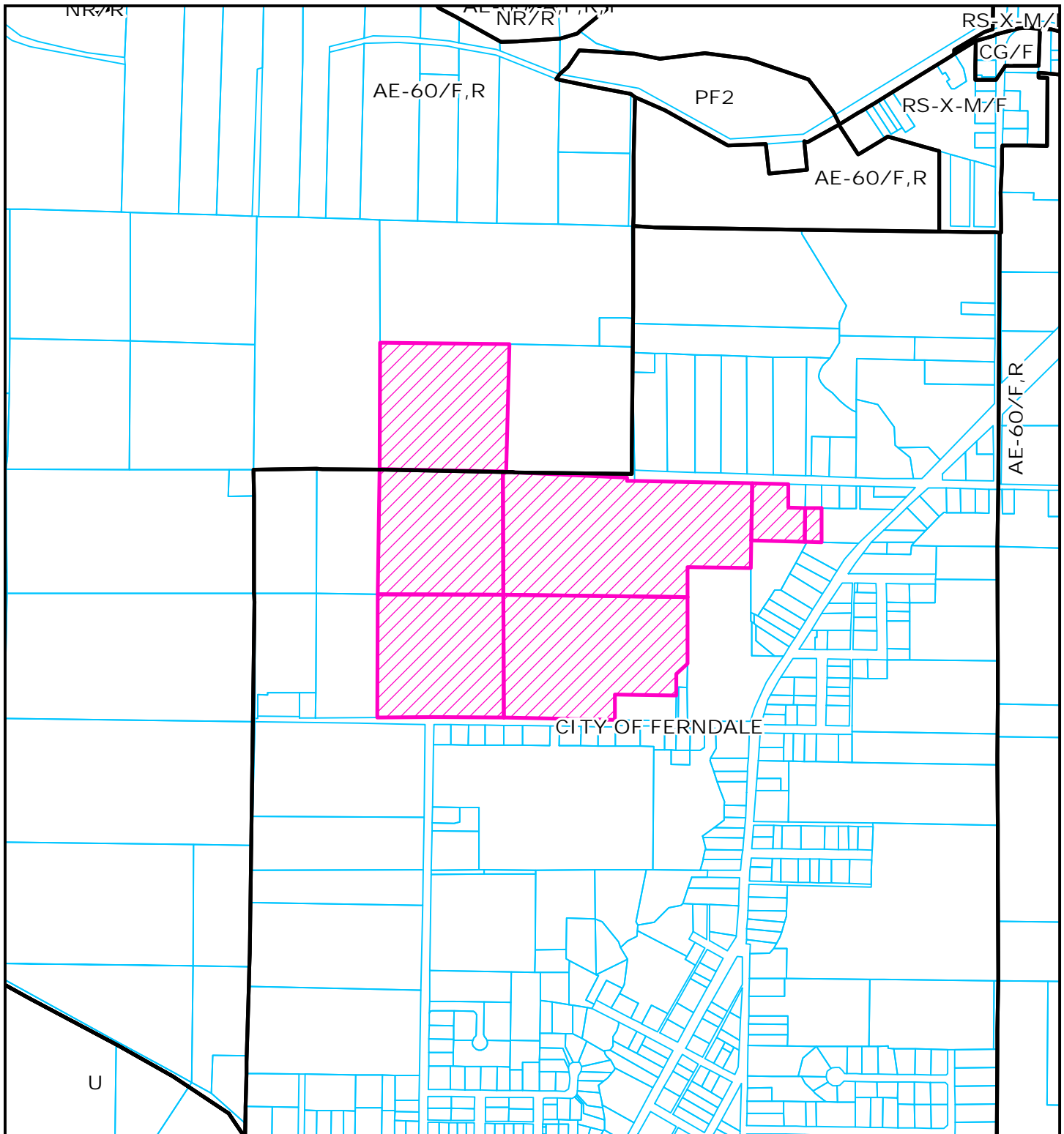
Project Area =



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



0 250 500 750 1,000  
Feet



## ZONING MAP

### PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

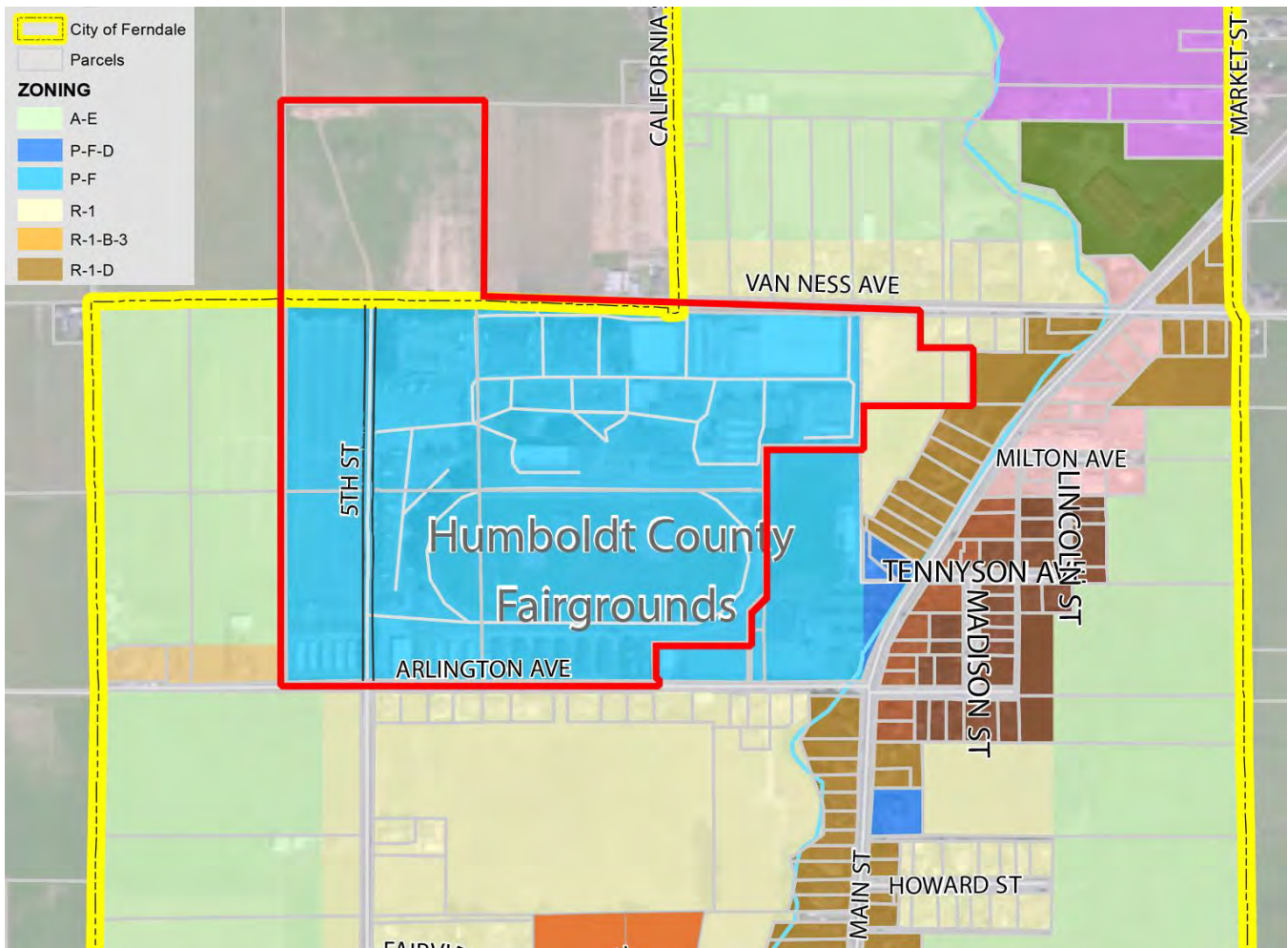
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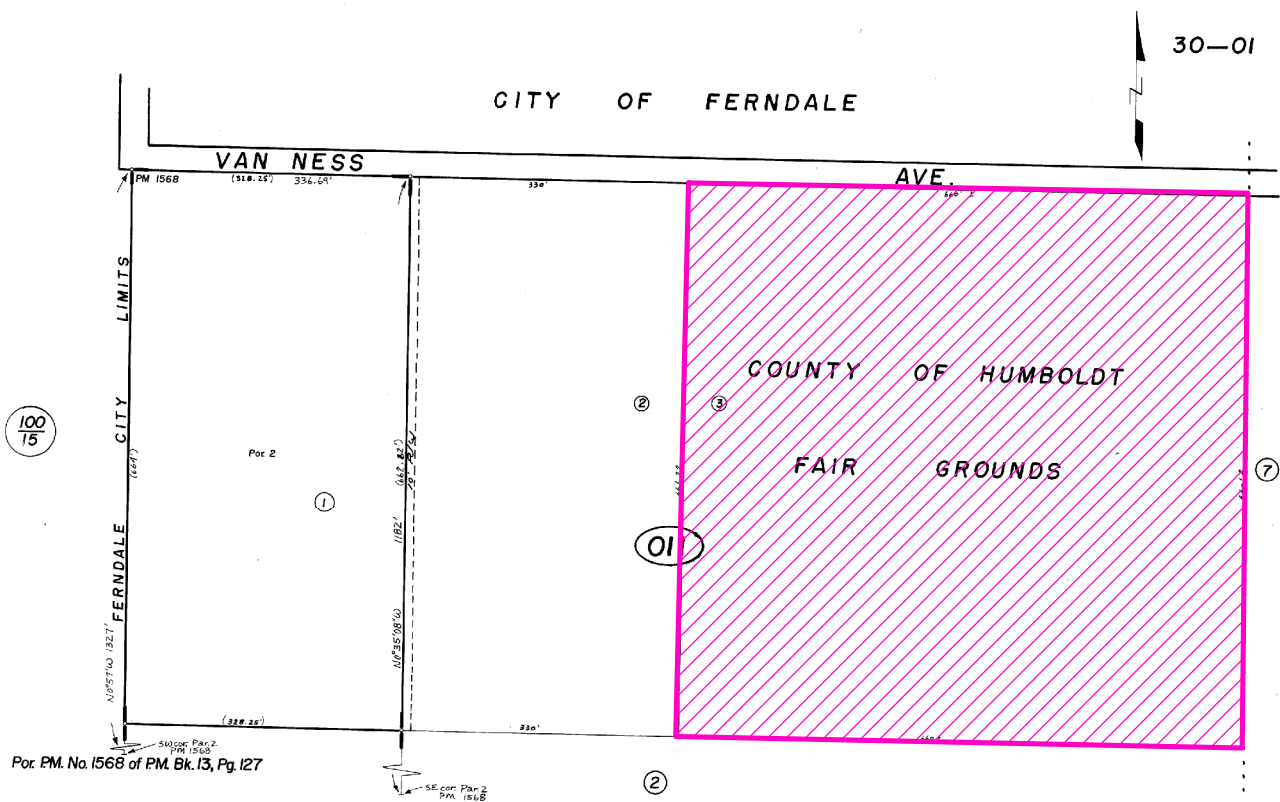


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Feet

# CITY OF FERNDALE ZONING MAP



Ferndale Zoning Map excerpt (Fairgrounds outlined in red)



## ASSESSOR PARCEL MAP

### PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Project Area = 

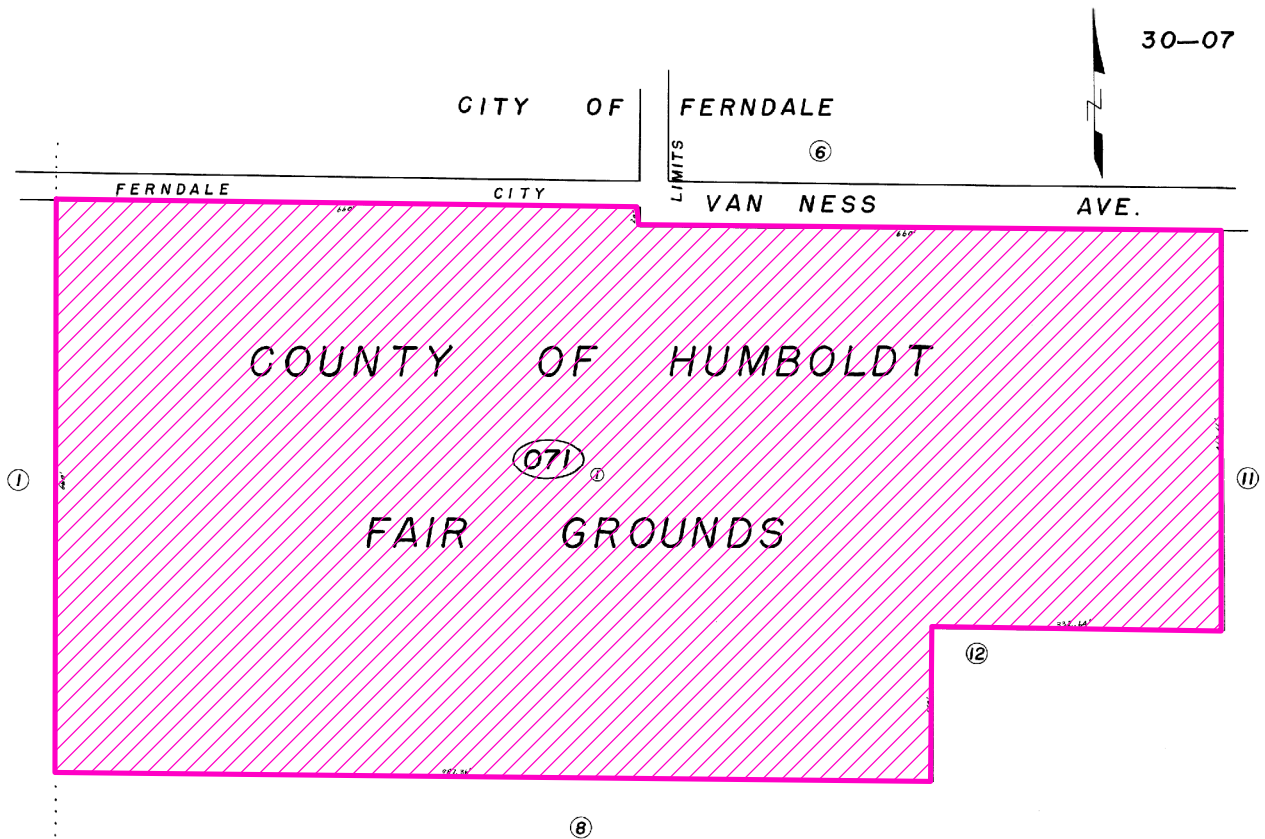
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MAP NOT TO SCALE



**MAP NOT TO SCALE**



# ASSESSOR PARCEL MAP

## PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Project Area = 

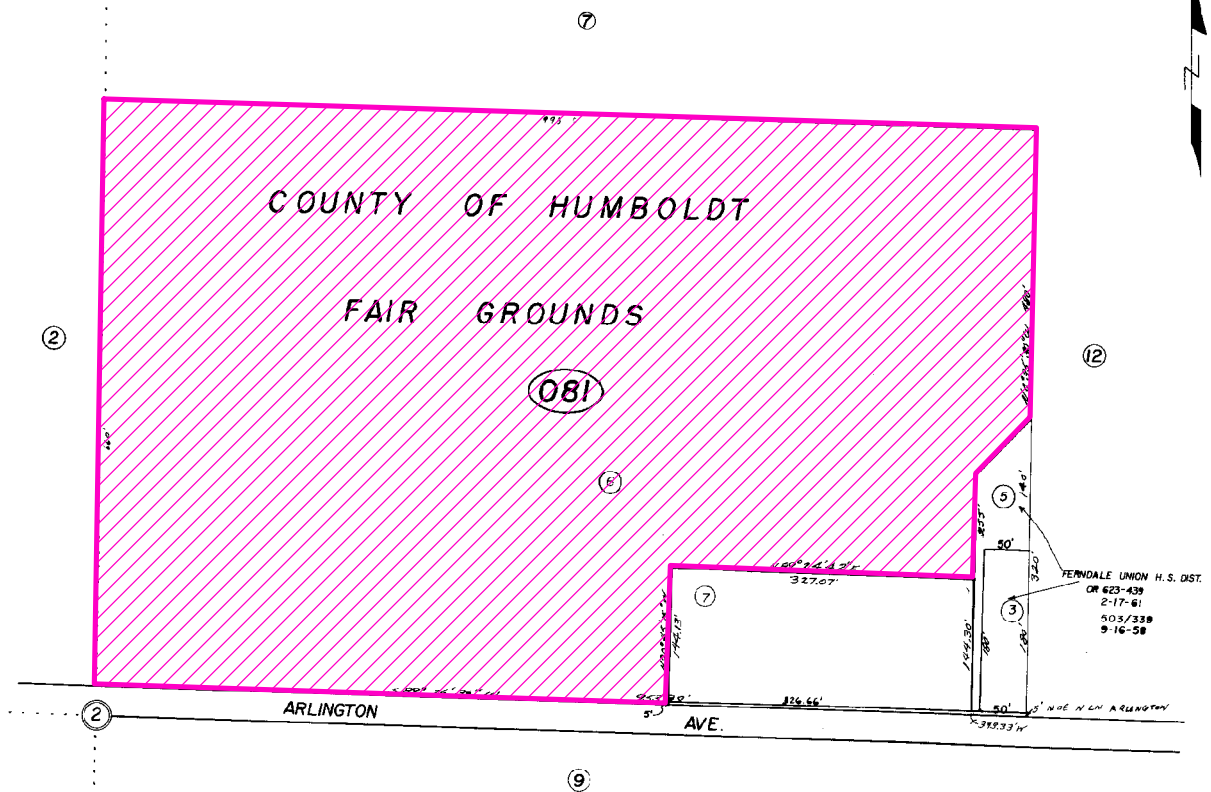
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



MAP NOT TO SCALE

30-08

CITY OF FERNDALE



# ASSESSOR PARCEL MAP

## PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDAL AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Project Area = 

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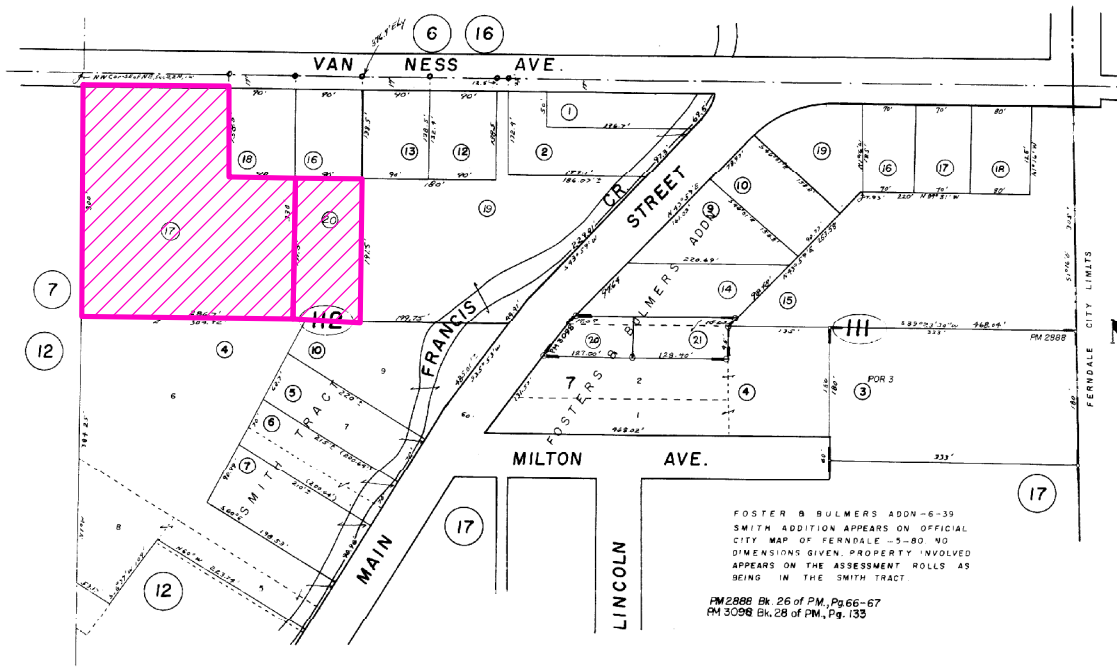


MAP NOT TO SCALE

# CITY OF FERNDALE

30-11

1" = 100'



32

## ASSESSOR PARCEL MAP

### PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Project Area = 

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



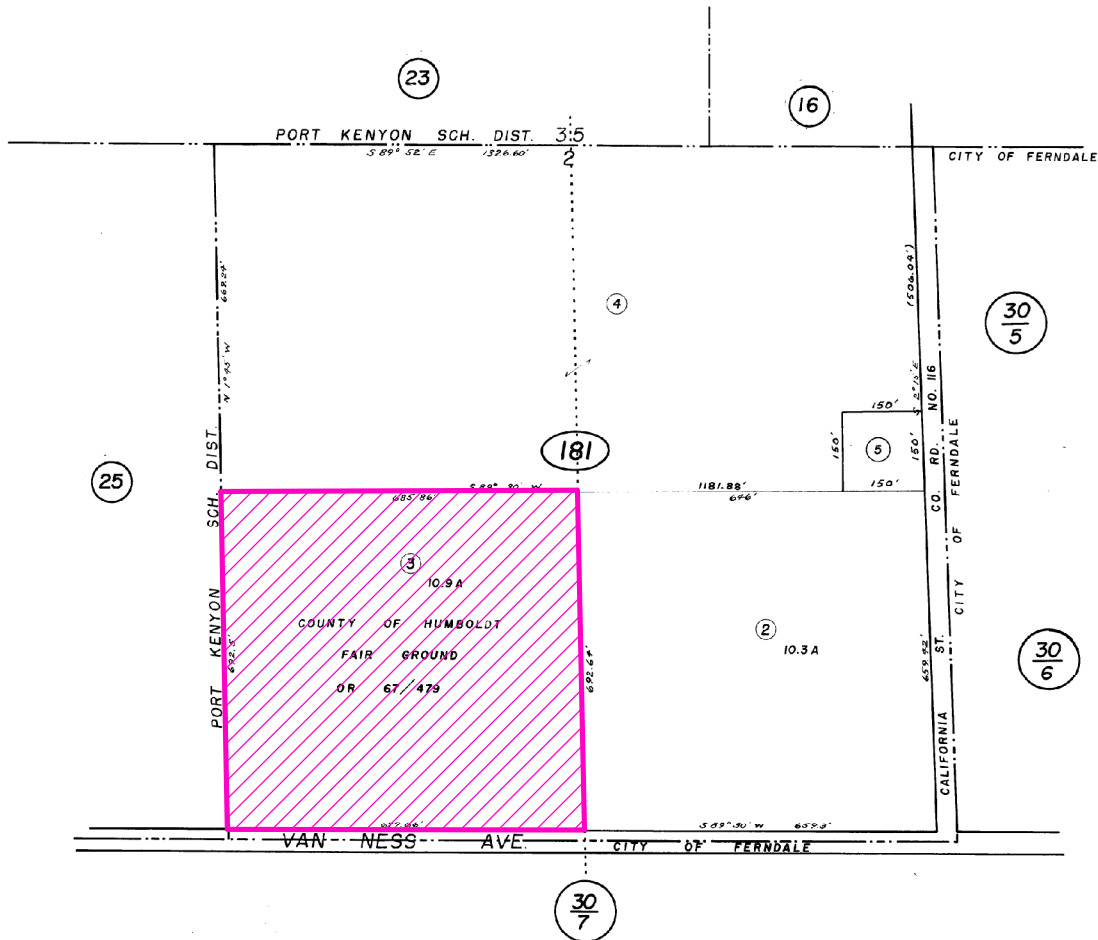
MAP NOT TO SCALE



PTN SEC 2, 2N 2W

100-18

1" = 200'



# ASSESSOR PARCEL MAP

## PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDAL AREA

PLN-2019-15519

APN: 030-071-001 et al

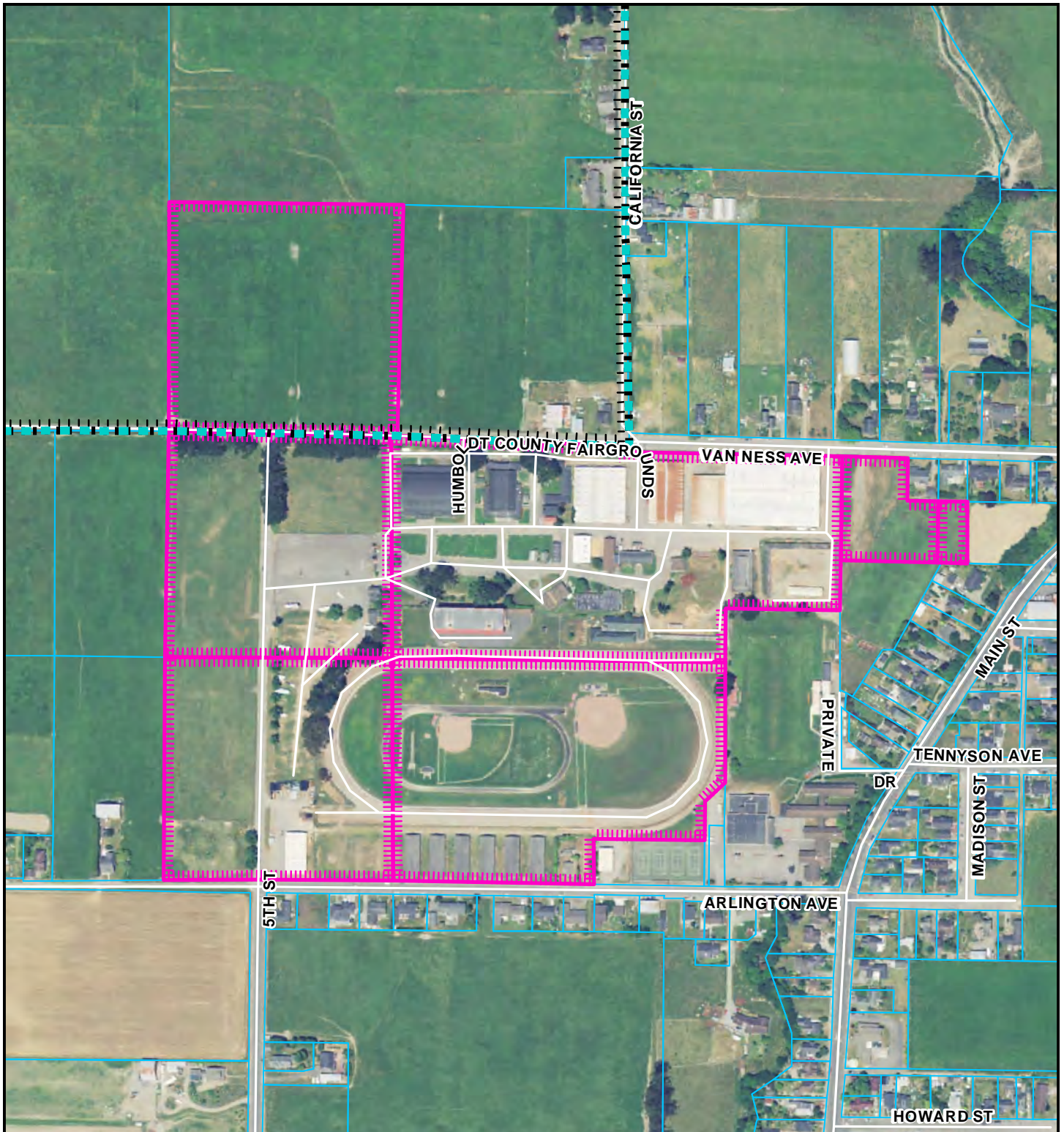
T02N R02E S02 HB&M (Ferndal)

Project Area = 

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



MAP NOT TO SCALE



## AERIAL MAP

### PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Coastal Zone Boundary 

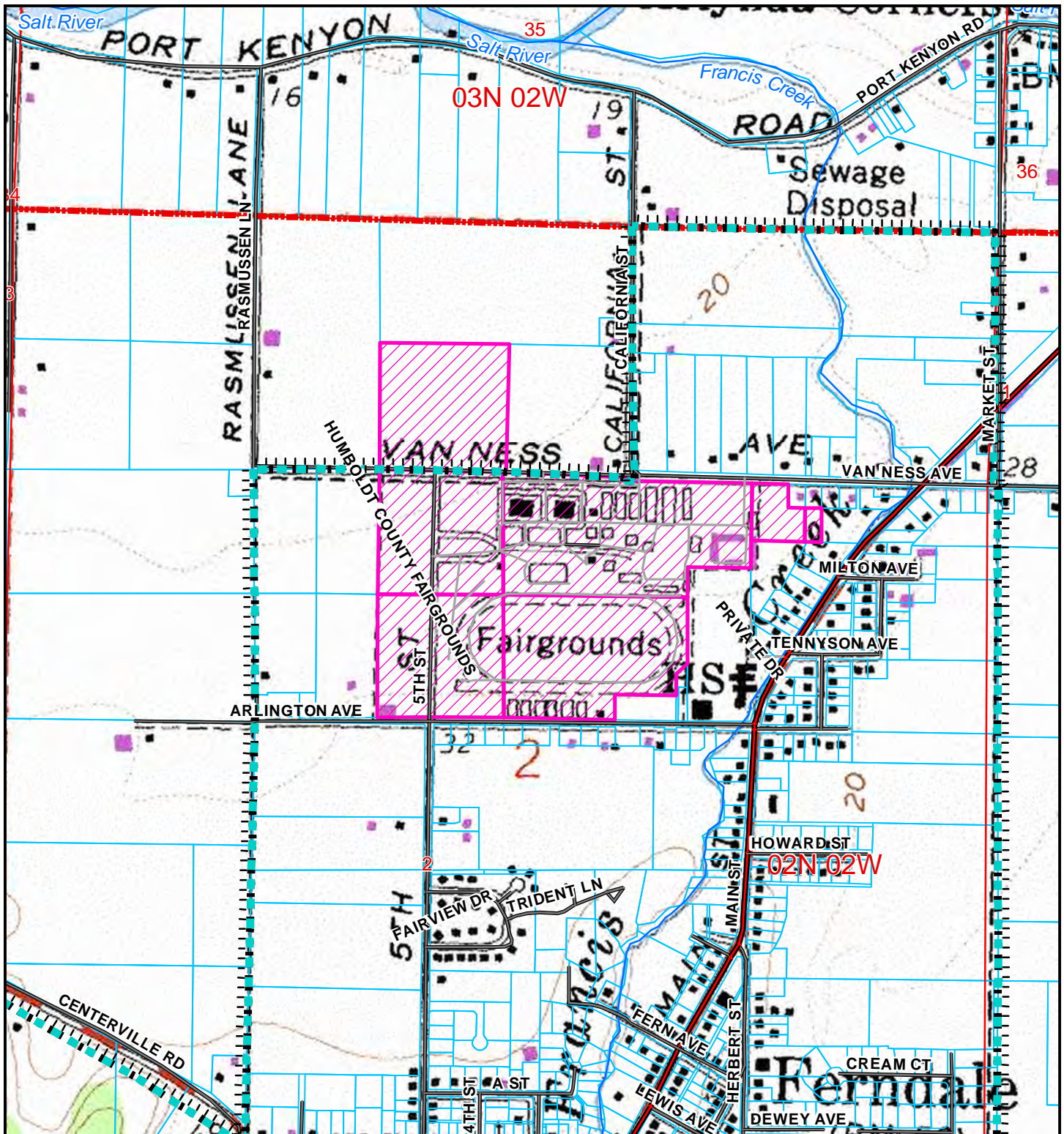
Project Area = 

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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## TOPO MAP

### PROPOSED HUMBOLDT COUNTY FAIRGROUNDS CONDITIONAL USE PERMIT

FERNDALE AREA

PLN-2019-15519

APN: 030-071-001 et al

T02N R02E S02 HB&M (Ferndale)

Coastal Zone Boundary

Project Area =



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

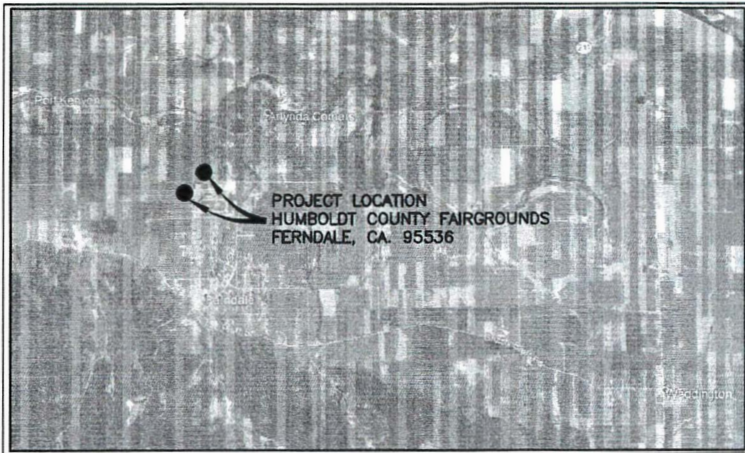


0 250 500 750 1,000  
Feet



HUMBOLDT COUNTY FAIRGROUNDS

REVISIONS	BY



VICINITY MAP

NO SCALE



APPLICANT:

RICHARD CONWAY  
1250 5TH STREET  
FERDALE, CA 95536  
(707) 786-5515

ENGINEER:

JEFF LARKAM  
WHITCHURCH ENGINEERING, INC.  
610 9TH STREET  
FORTUNA, CA 95540  
(707) 725-6926

SHEET INDEX:

- 1. SITE PLAN
- 2. PARKING PLAN

SCOPE:

THIS SITE PLAN WILL BE UTILIZED TO APPLY FOR A CONDITIONAL USE PERMIT FOR THE HUMBOLDT COUNTY FAIRGROUNDS TO HOST CONCERTS AND FLAT-TRACK RACING IN THE GRANDSTAND AND TRACK AREA OF THE FAIRGROUNDS. PARKING WILL BE PROVIDED ON THE FOLLOWING PARCELS.

APNS: 030-011-003  
100-181-003  
030-011-002

\*SEE SHEET 2 FOR MORE INFORMATION

NOTES:

- 1. NO IMPROVEMENTS ARE PROPOSED FOR THIS CUP.
- 2. NO DRAINAGE PATTERNS WILL BE ALTERED.
- 3. NO ALTERNATIVES ARE LOCATED ON SITES LISTED BY THE EPA (CGC 65962.5).
- 4. NO SENSITIVE HABITAT AREAS WITHIN 400' OF THE PROJECT.

LOCATION KEY

- 1. RESTROOM
- 2. KINDLEY HALL
- 3. BELLOTTI HALL
- 4. POST OFFICE
- 5. SCHOOL
- 6. FIRE DEPARTMENT
- 7. DAIRY BARN
- 8. PAINT BARN
- 9. RABBIT ALLEY
- 10. SHEEP BARN
- 11. COVERED ARENA
- 12. CATTLE MEN/WOMEN
- 13. LAUND
- 14. MILK BARN
- 15. JUDGING EARN
- 16. RED BARN
- 17. RESTROOM
- 18. POULTRY
- 19. STALLS
- 20. TICKET BOOTH
- 21. MAIN OFFICE
- 22. RESTROOM
- 23. GRANDSTAND
- 24. TURF ROOM
- 25. FLOWER HOUSE
- 26. RECEIVING BARN
- 27. RACING OFFICE
- 28. STALLS

SITE PLAN

SCALE: 1"=100'



THESE PLANS ARE ORIGINALLY  
PRINTED ON 24"x36" PAPER.



This drawing or drawing set shall not be used for construction unless a jurisdictional stamp (County, City, State, Federal) has been issued on the drawing. For Humboldt County, the drawing must be signed by a professional engineer's stamp, and permit documents have been issued for the project.



APN: 030-091-014 IMP. SINGLE FAMILY RES.	APN: 030-091-015 VAC. SINGLE FAMILY RES.	APN: 030-091-016 IMP. SINGLE FAMILY RES.	APN: 030-091-017 IMP. SINGLE FAMILY RES.	APN: 030-091-018 IMP. SINGLE FAMILY RES.	APN: 030-091-019 IMP. SINGLE FAMILY RES.	APN: 030-091-020 IMP. SINGLE FAMILY RES.	APN: 030-091-021 IMP. SINGLE FAMILY RES.	APN: 030-091-022 IMP. SINGLE FAMILY RES.	APN: 030-091-023 IMP. SINGLE FAMILY RES.	APN: 030-131-028 IMP. SINGLE FAMILY RES.	APN: 030-131-029 IMP. SINGLE FAMILY RES.	APN: 030-131-030 IMP. SINGLE FAMILY RES.	APN: 030-131-031 IMP. SINGLE FAMILY RES.	APN: 030-131-032 IMP. SINGLE FAMILY RES.	APN: 030-131-033 IMP. SINGLE FAMILY RES.	APN: 030-131-034 IMP. SINGLE FAMILY RES.
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WHITCHURCH ENGINEERING, INC.  
610 9th Street Fortuna, California 95540  
Phone (707) 725-6926

HUMBOLDT COUNTY FAIRGROUNDS  
Humboldt County Fairgrounds 1250 5th Street Ferndale, CA 95536

SITE PLAN

Date	MAR 15 '19
Scale	AS NOTED
Design	JTL
Drawn	GKK
Job	HCF1802
Sheet	1





## Attachment 1

### Conditions of Approval

Approval of the Conditional Use Permit is conditioned on the following terms and requirements which must be satisfied before the uses may be initiated, or during ongoing operation of the use.

#### Conditions of Approval:

1. Temporary stage lighting used during events will be directed towards the ground and north of the stage at intensities low enough to prevent light spillage (illumination of adjacent parcels). To insure that all lighting conforms to this standard, Humboldt County Fair Association staff shall review the temporary lighting design for each music event.

<b>Timing for Implementation/Compliance:</b> prior to each event
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> To be confirmed during review of annual report submitted to HCP&BD.
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Lighting will be included as part of the Monitoring Report required under Condition of Approval #10.

2. Where a racing event occurs during a period with dry and windy conditions, the operator will periodically apply water or other dust suppressants to minimize the potential for dust to escape from the racetrack and fairgrounds properties.

<b>Timing for Implementation/Compliance:</b> on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each motorsports event
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Dust Control will be included as part of the Monitoring Report required under Condition of Approval #10.

3. Concerts and Motorsports events shall end no later than 10pm.

<b>Timing for Implementation/Compliance:</b> on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each event
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Event Cutoff will be included as part of the Monitoring Report required under Condition of Approval #10.

4. During flat track racing events, racers may only use motorcycles which produce no more than 90 decibels of noise when measured 20 inches from the end of the exhaust pipe. To accomplish this, motorcycles shall be equipped with exhaust systems featuring sound reduction components, including resonators/mufflers, fiberglass insulation, and baffles.

<b>Timing for Implementation/Compliance:</b> prior to start of race/on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each event
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Exhaust Noise Reduction will be included as part of the Monitoring Report required under Condition of Approval #10.

5. During flat track racing events, noise from all participating motorcycles will be tested and measured prior to allowing riders to use the track. Noise shall be measured using the current testing procedure found in the 2020 American Flat Track Association Rulebook (Appendix D). Noise from each motorcycle must be at or below 90 decibels. To best insure all riders are able to comply with this requirement to compete, event promoters and participants shall be notified of the noise standard as early as possible in advance of the event.

<b>Timing for Implementation/Compliance:</b> prior to each event
<b>Person/Agency Responsible for Monitoring:</b> Applicant & all flat track event operators
<b>Monitoring Frequency:</b> Each event.
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Pre-event Noise Testing will be included as part of the Monitoring Report required under Condition of Approval #10.

6. During all concert events, a dense strawbale sound wall will be installed near the rear of the stage between the concert and Arlington Avenue. The sound wall shall be of sufficient thickness and height to insure it provides at least 20 decibels of noise attenuation.

<b>Timing for Implementation/Compliance:</b> prior to each event
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each event.
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Sound wall Noise Attenuation will be included as part of the Monitoring Report required under Condition of Approval #10.

7. A sound engineer will be used during all concert events. The engineer will work with event staff to ensure that amplified music does not exceed CNEL values and associated maximum noise levels identified as follows:

EVENT TYPE	TIME WHEN MEASUREMENT IS TAKEN	MAX. CNEL VALUE (DB)	MEASUREMENT LOCATION
Concerts	during main performance (headlining act)	73	Arlington Ave.
			FHS admin lot

<b>Timing for Implementation/Compliance:</b> prior to each event/on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Annually
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Concert Noise Reduction will be included as part of the Monitoring Report required under Condition of Approval #10.

8. A maximum of four (4) motorsports events will be held each year. Only one (1) motorsport event will occur featuring Monster Trucks.

<b>Timing for Implementation/Compliance:</b> prior to each event/on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each event.
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Event Type Limitations will be included as part of the Monitoring Report required under Condition of Approval #10.



9. The calculated CNEL noise value shall not exceed 63 decibels during flat track motorcycle racing events. During concerts, the calculated CNEL noise value shall not exceed 73 decibels. HCFA will monitor noise levels during concerts and racing events to ensure that event-related noise levels remain at or below these limits. Noise will be measured from the locations used in the Noise Impact Study prepared by Whitchurch Engineering (shown below).

EVENT TYPE	TIME WHEN MEASUREMENT IS TAKEN	MAX. CNEL VALUE (DB)	MEASUREMENT LOCATION
Motorcycle Racing	during largest race group / heat of the day	63	Arlington Ave.
			FHS admin lot
Concerts	during main performance (headlining act)	73	Arlington Ave.
			FHS admin lot

<b>Timing for Implementation/Compliance:</b> during events/on-going
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Each event.
<b>Evidence of Compliance:</b> Documentation, evidence, and discussion of Compliance with Max CNEL will be included as part of the Monitoring Report required under Condition of Approval 10.

10. By December 31st of each year, the Humboldt County Fair Association (HCFA) shall prepare and submit an annual report to the Director of the Planning & Building Department. The report shall detail all Concert and Motorsports events held during that year and include the following information:

- *Listing and summary of all concerts and motorsports events held.* Including the scheduled date of each event, beginning and ending times for each event, number of tickets sold and number of attendees/spectators, parking areas utilized, and event-specific noise measurements.
- *Noise measurements.* Noise levels shall be measured during all concerts and motorsports events, and readings shall be taken from the Arlington Avenue and "City of Ferndale" locations used in the Noise Impact Study prepared by Whitchurch Engineering. A noise meter similar to the type used in the Noise Study (PCE Instruments PCE-322A) shall be used. If measurements reveal noise levels exceeding the following thresholds, HCFA staff shall document the exceedance and coordinate with event staff to implement measures which consistently reduce event-related noise to levels at or below the limits in the following table:

EVENT TYPE	TIME WHEN MEASUREMENT IS TAKEN	MAX. CNEL VALUE (DB)	MEASUREMENT LOCATION
Motorcycle Racing	during largest race group / heat of the day	63	Arlington Ave.
			FHS admin lot
Concerts	during main performance (headlining act)	73	Arlington Ave.
			FHS admin lot

- *Adaptive management.* The report shall document wherever refinement or addition of a mitigation measure or operational restriction was needed to ensure events are held in conformance with the established conditions of the permit and lease agreement. These changes shall be memorialized in standard operating procedures and thereby remain a requirement of the Conditional Use Permit.
- *Lighting.* Photographs shall be taken showing the stage and track configuration used during each event. Photographs shall be provided for events which occurred in the evening, documenting compliance with the restrictions on temporary stage lighting to prevent light spillage onto neighboring residential properties.

The report may also include correspondence from agencies affected by the events (i.e., Humboldt County Public Works, Division of Environmental Health, Sheriff's Office, California Highway Patrol, City of Ferndale Police Department, California Department of Transportation).

*Note: HCFA need only submit documentation showing that events have been successfully operated in conformance with all mitigation measures, operational restrictions, and conditions of project approval during two (2) successive instances for each of the following event types:*

- *Concerts*
- *Motorcycle Racing*
- *Monster Trucks/Tractor Pulling*

*The Director of Planning & Building Department may request further documentation where HCFA has not sufficiently demonstrated conformance with the terms of the permit and required mitigation measures. The Director may waive the need for submittal of future reports during subsequent years if review of the information submitted reveals strong compliance with the terms of the permit and mitigation measures.*

<b>Timing for Implementation/Compliance:</b> prior to December 31 <sup>st</sup> of each year events are held.
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Annually until the applicant has demonstrated that they have successfully operated in conformance with all mitigation measures and project conditions following two instances for each of the following event types: <ul style="list-style-type: none"> <li>• Concerts</li> <li>• Motorcycle Racing</li> <li>• Monster Trucks/Tractor Pulling</li> </ul>
<b>Evidence of Compliance:</b> To be confirmed during review of the report submitted to Planning & Building Department.

11. The Humboldt County Fair Association shall execute a revised lease agreement with the County of Humboldt amended to reflect and authorize future motorsports and concert uses operated consistent with the all terms of this permit. Terms include all conditions of approval and mitigation measures applied or committed to during project approval.

<b>Timing for Implementation/Compliance:</b> prior to holding or scheduling any events.
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Lease should be provided periodically to the Humboldt County Planning Building Department, as amended.
<b>Evidence of Compliance:</b> receipt of executed lease agreement

12. All motorsports and concert events shall be conducted in accordance with the *Plan of Operations* submitted by the applicant, received May 15, 2019.
13. By no later than February 14<sup>th</sup> of each year, the Humboldt County Fair Association shall provide the Humboldt County Planning & Building Department a schedule of all events planned to occur that year.

<b>Timing for Implementation/Compliance:</b> prior to February 14 <sup>th</sup> of each year.
<b>Person/Agency Responsible for Monitoring:</b> Applicant / Humboldt County Planning & Building Department (HCP&BD)
<b>Monitoring Frequency:</b> Annually
<b>Evidence of Compliance:</b> receipt of events schedule

14. **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](http://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).*

15. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka.

### Informational Notes:

1. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. 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) are 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 is ultimately responsible for ensuring compliance with this condition.

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

## ATTACHMENT 2

### STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan, Open Space Plan, and 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;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
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. The project either:
  - a. Is categorically or statutorily exempt; or
  - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
  - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

**Staff Analysis:**

**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 both the Humboldt County General Plan as well as the City of Ferndale General Plan.

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Humboldt County General Plan Chapter 4, Land Use Element Section 4.8, Land Use Designations		General Plan and Zoning maps for the City of Ferndale show that the county-owned lands of the fairgrounds complex are all planned and zoned "Public Facilities".  Primary and Compatible for this land use designation reference those listed in the corresponding "PF" zoning district which lists "public fairgrounds and related uses" as a principally permitted use, likely in recognition of the long history and use of the site for this purpose.  A "Public Facility" land use designation can be found within the Humboldt County General Plan, and is intended to be applied in instances where land is appropriate for use by a governmental agency or public agency serving the public health, safety, convenience, or welfare.
Public Facility (PF)  The Public Facilities designation is utilized to classify land appropriate for use by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience, or welfare.		
City of Ferndale General Plan §2620(10) Public Facility (P-F)		
Character: The Public Facility designation is intended to be applied to lands owned by public agencies or to lands upon which such agencies operate public facilities.  Primary and Compatible Uses: Permitted uses of land shall be those uses enumerated in Section 4.16 of the Ferndale Zoning Ordinance, as amended.		

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding									
	<p>Humboldt County General Plan Chapter 13 Noise:</p> <p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Short-term Noise Performance Standards (Lmax).</p> <p>The following noise standards constitute the maximum permissible noise level within the respective zones.</p> <table data-bbox="203 762 760 919"> <tr> <td>Zoning Classification</td><td>Day (max dBA) 6am to 10pm</td><td>Night (max dBA) 10pm to 6am</td></tr> <tr> <td>RM, R-3, R-4</td><td>65</td><td>60</td></tr> <tr> <td>RS, R-1, R-2, NR</td><td>65</td><td>60</td></tr> </table> <p>Exceptions. Short Term Noise levels shall not apply to Temporary events in conformance with an approved Conditional Use Permit.</p>	Zoning Classification	Day (max dBA) 6am to 10pm	Night (max dBA) 10pm to 6am	RM, R-3, R-4	65	60	RS, R-1, R-2, NR	65	60	<p>The Noise Element includes an inventory of prominent noise sources and identifies the County Fairgrounds as a stationary noise source for the Ferndale Community. The Noise Element contains compatibility standards for both long-term and short-term noise sources. Given the temporary and periodic nature of the events proposed, use of the performance standards for short-term noise is appropriate. The short-term noise standards establish a series of limits for daytime and nighttime noise based on zoning, with exceptions provided for certain land uses where noise limit exceedances are expectable. Excepted activities include <i>"temporary events in conformance with an approved Conditional Use Permit"</i>. The exception language is similar to provisions for short-term noise found in the 2016 Final Draft of the City of Ferndale Noise Element. Given the limited number of motorsports events and particular venue characteristics that are needed to host events of this sort, the project is a good candidate for considering an exception to the general plan short term noise standards.</p> <p>The Recommended Conditions of Approval include a number of mitigation measures designed to minimize impacts from event-related noise experienced on neighboring properties in the vicinity. The Noise Impact Study prepared by Whitchurch Engineering provides calculations and analysis of potential event-related noise levels as well as the benefit of implementing various noise mitigation measures. With the incorporation of mitigation selected, CNEL noise estimates for motorcycle racing events fall below the 65-decibel short-term noise threshold and CNEL noise estimates for concert events are 73 decibels. Anecdotal evidence suggests that noise levels during Monster Truck events in excess of 80 decibels are not uncommon. Condition of Approval #8 limits Monster Truck events to one (1) event per year. Feasible mitigation measures have been incorporated which will significantly reduce event-related noise levels in accordance with local objectives in the General Plan.</p>
Zoning Classification	Day (max dBA) 6am to 10pm	Night (max dBA) 10pm to 6am									
RM, R-3, R-4	65	60									
RS, R-1, R-2, NR	65	60									

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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,CT-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>HCFA has a proven track record of successfully managing large traffic flows at the site and it is highly unlikely that traffic volumes from concert and motorsports events will exceed concentrations historically encountered during peak periods of the annual County Fair.</p> <p>One of the most popular attractions during the fair is the live horse racing. Racing events are time-sensitive, as all races are pre-scheduled, and each day begins at a set time. On popular weekend days, horseracing attendance often exceeds 5,000 people, occurring simultaneously with other fair activities and attractions. As HCFA is seeking permission to hold concert events with a maximum of 5,000 persons in attendance, it is unlikely that traffic volumes will exceed peak levels already encountered during annual operation of the Humboldt County Fair.</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>Referrals and offers to consult were circulated to Tribal Historic Preservation Officers of both the Wiyot tribe and the Bear River Band of the Rohnerville Rancheria. A referral was also sent to the Northwest Information Center. Neither Tribe has expressed any cultural resource concerns or requested an opportunity to further consult pursuant to AB52.</p>



<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p> <p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.</p>	<p>The project involves use of an existing public facility for additional public events. No new facilities need be developed, or significant ground disturbance undertaken. Grading associated with preparation of the racetrack should not exceed amounts needed during preparation and maintenance of the track during horseracing. Impacts on stormwater are therefore unlikely.</p>
<p>Safety Element Chapter 14</p> <p>Geologic &amp; Seismic</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>The racetrack and grandstands have a long history of use during the annual county fair and have weathered several large seismic events during their tenure. These include large events in 1955 as well as the more recent 1992 earthquake which wrought havoc on many buildings in the greater Ferndale area.</p>

<p>Safety Element Chapter 14</p> <p>Flooding</p> <p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas</p>	<p>The racetrack and grandstands are both located outside of any of the mapped flood zones in the vicinity.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p> <p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The Fairgrounds is located within the City limits of the City of Ferndale and over ½ a mile from the nearest State Responsibility Area for Fire Protection.</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-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>To control the potential creation of fugitive dust, Condition of Approval # 2 requires water or chemical dust suppressants be used during windy conditions.</p>

**2. & 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
	<p>Humboldt County</p> <p>The Humboldt County Fairgrounds is primarily located within the City of Ferndale.</p> <p>Not zoned.</p> <p>However, pasture used for overflow parking in association with fairgrounds use on APN 100-181-003 is Zoned Agricultural Exclusive with Flood Hazard and Stream and Riparian Protection Combining Zones (AE-60/F,R)</p>	<p>The use of the adjacent pasture for temporary overflow parking in association with Fairgrounds use is an existing legal non-conforming use.</p>
	<p>City of Ferndale</p> <p>Zoning Ordinance</p> <p>§5.17 Public Facility or PF Zone</p> <p>The Public Facility or PF Zone is intended to be applied to lands owned by public agencies or to lands upon which such agencies operate public facilities.</p> <p>5.17.1 Principal permitted uses:</p> <p>a. Public schools, parks, playgrounds and recreational facilities.</p> <p>b. Public fairgrounds and related uses. i. Public buildings, including City Hall, fire stations, libraries, courts, museums, auditoriums, hospitals, and similar uses.</p> <p>5.17.2 Uses permitted with a Use Permit:</p> <p>a. Penal, correctional or detention institutions and facilities for the care of mental patients.</p> <p>b. Public corporation yards, shops, repair and storage yards and buildings.</p> <p>5.17.3 Other regulations: a. None, except as provided in use permit conditions.</p>	<p>The Public Facility "PF" zoning district lists "public fairgrounds and related uses" as a principally permitted use, likely in recognition of the long history and use of the site for this purpose.</p>

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Zoning Finding
Off-Street Parking Requirements, HCC §314-109	Prescriptive requirements for the number, size and location of off-street parking spaces based upon building site footage and/or occupation.	Parking for the event attendees will be accommodated with the paved parking lot at the grounds entrance which has 126 parking spaces; the adjacent fields to the west (APN: 030-011-003 and 030-021-003)) which holds 984 vehicles can be filled from north to south. If additional parking is required, an additional 1,172 spaces are available in the next lot over to the west (APN: 030-011-002) bringing the total parking to 2,282 vehicles. With a maximum attendance of 5,000 persons at the largest events, there is sufficient spaces to accommodate nearly 1 vehicle for every two attendees. Additionally, the field immediately north of the fairgrounds (100-181-003) has been historically used for overflow parking in conjunction with fairgrounds use. This field could provide parking for 1,370 vehicles.

#### 4. Public Health, Safety and Welfare:

<b>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:</b>	<b>Evidence supporting the finding:</b>
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 4 - Agency Recommendations
The proposed project is consistent with the general plan.	See previous discussion
The proposed project is consistent with the zoning.	See previous discussion
The proposed project will not cause environmental damage.	See following discussion

#### *Further Discussion & Summary*

The project involves a request to authorize use of a public facility (the Humboldt County Fairgrounds) for land uses that are ultimately consistent with the original purpose of the site. Concerts and Motorsports events at the Fairgrounds are not without historic precedent –live outdoor concert events have occurred on at least nine (9) separate occasions during the last twenty-five (25) years. Given the nature of the facility, it is likely that use of the Fairgrounds for live concerts has occurred further back in time, especially during operation of the annual Humboldt County Fair each August. Newspaper information from both the Ferndale Enterprise and Humboldt Standard reveals the racetrack at the County Fairgrounds was used for automotive racing events as far back as 1947 and 1954. Nevertheless, the proposed uses do represent a modest change in the current environmental baseline for the site, both in terms of number of events held annually, timing of events, and types of events.

Noise from the types of events proposed is the principal component of the project that could be viewed as a potential nuisance to neighboring land uses. The Fairgrounds is bordered by residential single-family homes to the south along Arlington Avenue and to the east along Highway 211 (Main Street). For this reason, the project has been conditioned to require an

assortment of mitigation measures designed to address the potential for nuisance. Short-term noise from temporary uses is naturally given consideration under the County General Plan and Draft Noise Element revisions to the City of Ferndale General Plan, which provide permitting pathways for temporary land uses exceeding thresholds for short-term noise. Mitigation measures have been applied through operational restrictions and requirements included with the Recommended Conditions of Approval for the project. Requirements for adaptive management and reporting are also included and allow for monitoring of mitigation performance and collection of community feedback.

Considering the balance of the proposed activities, historical use of the site, local noise thresholds, mitigation measures included, and project monitoring requirements, findings can be made that the project can be implemented without creating a potential long-term nuisance to surrounding land uses of the environmental setting.

**5. Residential Density Target:** The following table documents the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The property was not included in the 2019 Housing Inventory and is not in a Housing Opportunity Zone. The parcel has a history of use as a public facility and is not targeted for future residential development. The project is in conformance with the standards in the Housing Element.

## 6. Environmental Impact:

Please see the attached draft Mitigated 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 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 \$2,456.75. [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, 2020 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](http://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 \$2,406.75 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 #14 of Attachment 1.

### ATTACHMENT 3

#### Applicants' Evidence In Support of the Required Findings

Document	Date Received by Planning	Location
Indemnification Agreement	March 21, 2019	On file with Planning
Application Form	March 21, 2019	On file with Planning
Noise Impact Study – Flat Track Racing at Humboldt County Fairgrounds	April 8, 2019	included in attachment 4
Noise Study Addendum – Open Air Concerts (Rev. 2 – February 11, 2020)	February 11, 2020	included in attachment 4
Plan of Operations	May 15, 2019	included in attachment 4
Site Plan	April 8, 2019	Included with maps
Parking Plan	April 8, 2019	Included with maps

**ATTACHMENT 4**

**Draft Initial Study and Mitigated Negative Declaration**

**Attached Separately and On file**



## ATTACHMENT 5

### Referral Agency Comments and Recommendation

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

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection	X	Conditional Approval		X
County Public Works, the Land Use Division	X	Conditional Approval	X	
County Division of Environmental Health	X	Approval		X
Humboldt County Sheriff's Office	X	Approval		X
City of Ferndale – Public Works				
City of Ferndale – Fire Department				
City of Ferndale – Police Department				
City of Ferndale – City Manager				
Regional Water Quality Control Board				
North Coast Unified Air Quality Management District				
California Coastal Commission				
California Department of Fish & Wildlife				
Northwest Information Center	X	Comments		X
THPO - Bear River Band of the Rohnerville Rancheria	X	No Concerns		X
THPO - Wiyot Tribe	X			X



DEPARTMENT OF PUBLIC WORKS  
**C O U N T Y   O F   H U M B O L D T**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ON-LINE  
WEB: CO.HUMBOLDT.CA.US

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

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

LAND USE	445-7205
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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Steve Lazar, Senior Planner, Planning & Building Department

FROM: Kenneth Freed, Assistant Engineering 

DATE: 08/26/2020

RE: **HUMBOLDT COUNTY FAIR ASSOCIATION**  
**APN 030-071-001, APPS# PLN-2020-15519-CUP**

Van Ness Avenue is a paved road. The majority of Van Ness Avenue is within the City limits of Ferndale and a portion lying west of California Street is within unincorporated Humboldt County and maintained by the Department.

The proposed events will occur within the fairgrounds and not within the right of way of Van Ness Avenue. However, event traffic is directed down Van Ness Avenue to the off-street parking areas. When a fee for parking is charged, a temporary pay station has been historically setup on the County maintained portion of Van Ness Avenue (County Road No. 2G060) and a portion of Van Ness Avenue turned into a one-way road.

A comprehensive Traffic Management Plan is required to address event traffic. Coordination with the City of Ferndale, Caltrans, and the Department on the traffic management plan will ensure that the plan is effective. Conducting traffic control operations of any type on the County maintained road shall require a Special Event Permit to be issued by the Department.

**The following conditions are recommended:**

1. A comprehensive Traffic Management Plan shall be submitted for review and approval by the Department. The applicant shall coordinate with the Department, the City of Ferndale, and Caltrans to develop the comprehensive Traffic Management Plan. The comprehensive Traffic Management Plan shall consist of multiple event-specific plans that are included as chapters. The event specific plans are to address the various sized events that the applicant intends to hold. It is intended that the event specific plans are living documents that are to be updated and refined over time based upon lessons learned from hosting events as well as in response to changed conditions. Updates to the event specific plans shall be coordinated with the City of Ferndale, Caltrans and the Department; and approved by the Department.
2. Any traffic control operations that will occur on a County maintained road shall be done under a Special Event Permit issued by the Department. The Department may issue an Annual Special Event Permit to allow the applicant to conduct traffic control operations on a County maintained road without the need for obtaining a separate permit for each event.

// END //

**ATTACHMENT 6**

**Public Comments Received**

**Attached Separately and On file**