

CALIFORNIA ENVIRONMENTAL QUALITY ACT

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| 2. | FINDING: | <p>CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Board of Supervisors has considered the project and finds the proposed project is not subject to further environmental review pursuant to Section 15183 (Projects Consistent with a Community Plan or Zoning) of Article 12 (Special Situations) of the CEQA Guidelines.</p> |
| | EVIDENCE: | <p>a) Section 15183 of the CEQA Guidelines acknowledges CEQA’s mandate that projects are not subject to additional environmental review when consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, noting that subsequent environmental review is only necessary where the Lead Agency determines any of the following circumstances apply:</p> <p>Project-specific environmental effects: are peculiar to the project or the parcel on which it is located are significant and were not analyzed as such in a prior EIR are off-site and/or cumulative and were not discussed in the prior EIR were identified in a prior EIR as significant but due to substantial new information (not known at the time the EIR was certified) are determined to have a more severe adverse impact than what was disclosed.</p> |
| | | <p>b) The McKinleyville Community Plan and the Humboldt County General Plan were each adopted after certification of an EIR in 2002 for the McKinleyville Community Plan and 2017 for the General Plan. The Environmental Impact Report prepared for the current Humboldt County General Plan includes all of the required elements specified in Section 65302 of the Government Code.</p> |
| | | <p>c) The Residential Density for the property is the same (Medium Density Residential) for both the Community Plan and the General Plan allowing up to 30 units per acre. For this 2.47- acre parcel this would allow 74 units. The 62 units proposed are consistent with the allowed density.</p> |

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| | d) | There are no environmental effects peculiar to the project or the parcel on which the project is located. The property is not host to any sensitive habitat and is currently developed with a mixture of agricultural and low-density residential uses. Traffic generated from the site has been addressed cumulatively in the General Plan EIR and a there is evidence that no wetlands exist on the site. |
| | e) | The proposal is seeking a Planned Development Permit to allow reduction of the minimum lot size to enable more accessible financing of the project. The Planned Development Permit does not allow development above that envisioned by the General Plan, Community Plan or Zoning and does not raise issues not otherwise addressed as part of the General Plan or Community Plan EIRs. |
| | f) | Potential Impacts such as those common to projects of this sort were analyzed and addressed during preparation of Environmental Impact Reports (EIR's) for the McKinleyville Community Plan (SCH# 1998082024) and 2017 Humboldt County General Plan (SCH#2007012089). |
| | g) | No potentially significant off-site impacts and cumulative impacts have been identified which were not discussed in the above referenced EIR's (SCH# 1998082024 & SCH#2007012089). The appeal by the applicant and public testimony have raised CEQA concerns related to traffic, housing density, hydrology, and public safety. The General Plan EIR analyzed traffic and found the build-out of all allocated land uses within the General Plan time horizon would not result in degradation of any intersections or street segments. The Community Plan and General Plan call for this level of housing density on this site. The Community Plan include requirements to address drainage that all projects must address as part of the construction plan review, and public safety is not adversely affected because the applicant has agreed to off site improvements which will serve to slow traffic and provide complete sidewalk connections to Central Avenue. |
| | h) | There is not substantial new information that would cause the project to result in a more severe adverse impact than what was known and disclosed at the time the General Plan EIR was certified. |
| | i) | There is not substantial evidence, given the whole record before the agency, that the project may have a significant effect on the environment, as proposed. |
| | j) | The project site is not located within a scenic vista area and will not impact visual resources within the County. thus there is no impact to |

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| | | designated scenic resources. |
| | k) | Project referrals were sent to both the Northwest Information Center and the Tribal Historic Preservation Officers (THPO's) for the Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of the Rohnerville Rancheria. Two of the THPO's declined to comment on the proposal. The "Inadvertent Archaeological Discovery Protocol" condition has been placed on the project, as requested by the THPO for the Bear River Band of the Rohnerville Rancheria. |
| | l) | The project site is not included on a list of hazardous material sites, nor does the proposed project involve routine transport, use or disposal of hazardous materials. The California Redwood Coast-Humboldt County Airport is located approximately 1.3 miles north of the project site and the northern portion of the property is located within Safety Zone 6. This safety zone carries no restrictions on residential density, lot coverage, or height. Single-family and multi-family residential uses are listed as compatible uses under the Airport Land Use Compatibility Plan. A Condition of approval has been included requiring the applicant to grant an avigation/overflight easement to the County Department of Aviation. |
| | m) | According to the Humboldt County Fire Hazard Severity map, the parcel is not located in a moderate, high or very high fire hazard severity zone. The site is within the Arcata Fire Protection District. Future development of the site will require compliance with the Uniform Fire Code and Uniform Building Code. |
| | n) | The project will not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality or degrade groundwater supplies. Future residential development of the parcels being created will receive water and sewer service provided by the McKinleyville Community Services District. Bioretention facilities and subsurface detention systems will be created to handle the increase in stormwater runoff that will result from the introduction of new impervious surfaces. |
| | o) | A Drainage Report and access road improvement plans are required to be prepared by a Civil Engineer registered within the State of California and must be submitted for review and approval prior to commencement of the project. This is noted in section 3.2 of the current Department of Public Works memo dated 12/01/2022. To comply with drainage policy of the McKinleyville Community Plan, the project is required to detain stormwater in such a manner so that |

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| | | <p>there will be no increase in downstream peak flows. Additionally, in their latest memo the Department of Public Works note that they are aware of local concerns regarding seasonal flooding in the project vicinity and will be requiring the developer to include measures to ensure the project will not contribute to or worsen seasonal flooding conditions on neighboring parcels.</p> |
| | p) | <p>The project will not conflict with any adopted program, ordinance, or policy addressing transportation systems within the County or result in inadequate emergency access. There is no evidence that the proposed subdivision and future residential development will result in significant changes in vehicle miles traveled not already contemplated in the EIR prepared during adoption of the 2017 General Plan. The proposed project will not result in a change in air traffic patterns, will not result in vehicle miles traveled beyond that anticipated during the analysis conducted during preparation of the EIR prepared for the 2017 General Plan. The proposed design has adequate on-site circulation and parking capacity to accommodate the degree of development proposed.</p> |
| | q) | <p>The parcel has been planned and zoned for multi-family residential development for over twenty years. The property's zoning designation of Residential Multiple-Family (R-3) allows multi-family development of four or fewer units per building and Accessory Dwelling Units as principally permitted uses. The Use Permit and Planned Development Permit are primarily being processed to allow zero lot line attached single-family dwellings to be constructed on the four parcels fronting on Pickett Rd, in order to serve as a buffer between the lower density along Pickett Rd. and the higher density proposed within the southern portion of the parcel. At buildout, cumulative density would be approximately 25 units per acre, below the maximum density (30 units/acre) set by the RM land use designation. Adding subdivision and development of four (4) attached one-family dwellings does not introduce new potential impacts or result in a greater density of development than what could already be achieved without subdividing or securing approval of a Use Permit.</p> |