



**HUMBOLDT ASSOCIATION OF REALTORS® INC.**

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HUMBOLDT COUNTY  
PLANNING DIVISION

April 11, 2007

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Humboldt County Planning Commission  
Community Development Services Dept.  
3015 H Street  
Eureka, California 95501

RE: General Plan Update

Dear Commissioners:

On April 19th the Planning Commission is scheduled to begin review of the "Safety Element" and "Noise Element" sections of the General Plan. The Humboldt Association of Realtors® has reviewed the drafts of the relevant chapters in these sections closely and would like to commend Planning staff on attention to detail and the handling of complex issues.

We support much of the draft language as presented. At the same time, there is language we suggest can be revised or deleted. We are submitting our comments with this letter and by way of utilizing the "Plan Alternatives Comparison Charts" (voting charts) provided by Planning staff on the County's General Plan website. Please note that we have not responded to every item in the charts. There are some issues we are still researching and we anticipate submitting a second comment letter addressing those remaining items.

We would appreciate your review and consideration of the Association's comments as noted on the attached voting charts and in the following narrative.

Noise Element

Most of the requirements found in this Element are existing rules dating from 1977. We agree with staff report that "...no change is warranted in the basic regulations." The introduction of new restrictions under Alternative A is unwarranted in light of this. The introduction of a Noise Ordinance is not needed as its benefits do not outweigh its costs. The addition of a Noise Combining Zone is also unwarranted for its affect on private property rights and addition of more regulation in an already over-regulated environment.

We point out that if noise requirements become too stringent, then approval of new housing projects near major roads may become difficult to attain. This is contrary to good planning which should encourage housing near transportation

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corridors. Additionally, if such projects are approved, then costly construction requirements relating to sound insulation will make new housing more expensive if they are required to build under the proposed rules. *Please see also attached voting chart for detailed response.*

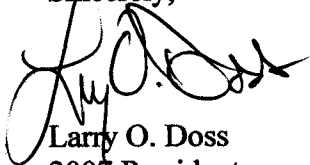
Safety Element

Much of the Safety Element language is existing from the 1984 Framework Plan and is still effective today. Also, much of the draft language comes from the McKinleyville Community Plan and Master Fire Protection Plan. We support the proposed language with exceptions as noted in the voting chart.

One item we would like to focus on is storm water drainage. We encourage the creation of master retention/detention basins. These would serve as collection points for multiple housing projects. These basins would obviate the need for on-site retention/detention basins thereby making more land available for housing. *Please see also attached voting chart for detailed response.*

We look forward to continued participation in this update process and to working with the County in producing an effective General Plan.

Sincerely,



Larry O. Doss  
2007 President



Ken Poletski  
Government Relations Chair

Attachment (voting charts)

cc: Kirk Girard, Community Development Services Director  
H.C.Board of Supervisors

### Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a **Retain**, **Delete** or **Modify**.

Table 20-4. Plan Alternatives Comparison Chart						
Plan Alternative			Goals and Policies	Staff Remarks	Vote: R, D, M	
A	B	C	<b>N-G1. Excessive Noise.</b> Minimize <i>to the extent reasonably possible</i> the exposure of community residents to excessive noise. (California Government Code, Section 65302(f))		M	
A	B	C	<b>N-G2. Incompatible Land Uses.</b> Prevent, <i>where reasonably possible</i> , incompatible land uses by reason of noise levels.		M	
A	B	C	<b>N-P1 Guide to Land Use Patterns.</b> Use current and projected noise levels as a guide for establishing patterns of land use that minimize the exposure of community residents to excessive noise. (California Government Code Section 65302(f))		R	
A	B	C	<b>N-P2 Land Use/Noise Compatibility Matrix.</b> The Land Use/Noise Compatibility Matrix (Figure 20-2) shall be utilized to ensure compatibility of land uses.		D	
A	B		<b>N-P3 Periodic Review Of Combining Zones.</b> Periodically identify and evaluate potential noise problem areas. Review and revise noise impact combining zone areas as necessary, particularly during Airport Land Use Plan updates.		D	
A	B		<b>N-P4. Hwy 101 Surface Maintenance.</b> The County, through its representation on the Humboldt County Association of Governments and by other means, shall request CalTrans prioritize roadway surface maintenance on U.S. 101 in the vicinity of Arcata and McKinleyville in order to minimize roadway noise impacts, and, if feasible, consider use of special noise-reducing surface treatments.		D	

<i>Plan Alternative</i>			<i>Goals and Policies</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B		<p><b>N-P5. U.S 101 Speed Limits/ Noise Barriers.</b> Should roadway surface maintenance fail to prevent significant noise impacts on U.S. 101 in the vicinity of Arcata and McKinleyville, consideration should be given to requesting from CalTrans a speed limit reduction (65 to 60 mph) or installation of noise barriers.</p>		D
A			<p><b>N-P6. New Noise Generators.</b> New noise generators may be allowed in areas where projected noise levels are “conditionally acceptable” only after an analysis of possible noise reduction measures is made and indoor and outdoor noise mitigation features are included in the project design such that noise impacts from the project are less than significant.</p>		D
		C	<p><b>N-P7. Modification or Waiver of Noise Insulation Requirements.</b> Where full mitigation in accordance with the policies and standards of this Noise Element is not feasible, the Planning Commission may modify or waive such policies or standards to enable reasonable use of the property, provided that noise levels are mitigated to the maximum extent feasible.</p>		R
			<i>Standards</i>		
A	B		<p><b>N-S1. Noise Impact Combining Zones.</b> The 20 year projected noise contours of Appendix A shall be used to identify noise impact combining zone areas to indicate where special sound insulation measures may apply.</p>		D
A	B	C	<p><b>N-S2. Environmental Review Process.</b> For noise sensitive locations where noise contours do not exist, the environmental review process required by the California Environmental Quality Act shall be utilized to generate the required analysis and determine the appropriate mitigation per state standards. Future noise levels shall be predicted for a period of at least 10 years from the time of building permit application. (Source: California Code of Regulations, Title 24, Appendix Chapter 12, Section 1208A.8.2)</p>		R

<i>Plan Alternative</i>			<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	<b>N-S3. Uniform Building Code.</b> Use the Uniform Building Code as adopted for California (California Code of Regulations, Title 24, Appendix Chapter 12) for determining required noise separation requirements for buildings.		R
A	B	C	<b>N-S4. Noise standards for habitable rooms.</b> Noise reduction shall be required as necessary to achieve a maximum of 45 CNEL interior noise levels in all habitable rooms per State building standards.		R
A	B	C	<b>N-S5. Noise Reduction Standards for Interior Areas.</b> Noise reduction standards in Appendix B of this Element shall be used to identify building construction assemblies to achieve acceptable interior noise levels in habitable areas of structures in noise impact areas.		R
A	B	C	<b>N-S6. Noise Reduction Guidelines for Exterior Areas.</b> The Noise Guidebook published by the federal Department of Housing and Urban Development ( <a href="http://www.hud.gov">www.hud.gov</a> ) shall be used to guide appropriate exterior noise reduction measures in noise impact areas. For residential areas, a usable outdoor living area at least 200 square feet in size per dwelling unit that meets the 60 CNEL standard shall be maintained somewhere on the property.		R
A			<b>N-S7. Industrial Performance Standards.</b> Add the Industrial Performance Standards currently contained in the County Coastal Zoning Code to the Inland Zoning Code as well.		D
			<i>Implementation Measures</i>		
A	B		<b>N-IM1 Noise Impact Combining Zones.</b> Utilize Noise Impact Combining Zone designations to flag where existing standards need to be applied.		D
A	B	C	<b>N-IM2 Environmental Review.</b> Use review required by the California Environmental Quality Act to implement policies for noise impacts		R
A			<b>N-IM3 Adoption of Performance Standards.</b> Adopt Industrial Performance Standards Countywide.		D
A			<b>N-IM4 Noise Ordinance.</b> Adopt a noise ordinance based on current zoning districts, tailored to community noise standards.		D

<i>Plan Alternative</i>		<i>Implementation Measures</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
<b>A</b>		<p><b>N-IM5. Sound Walls in CalTrans Right of Way.</b>                      Encourage CalTrans to allow sound walls to be constructed within the highway right of way in all Urban Study Areas.</p>		<b>D</b>
<b>A</b>		<p><b>N-IM6. Exterior Noise Reduction Standards.</b>                      Adopt standards specifying appropriate measures to reduce exterior noise levels in noise impact areas. Standards shall consider the portion of a lot where noise level reduction measures would apply, acceptable sound wall designs, and standards for achieving noise level reductions through effective site planning techniques.</p>		<b>D</b>

### Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a Retain, Delete or Modify.

Table 21-1. Plan Alternatives Comparison Chart Goals and Policies, Standards and Implementation Measures						
Plan Alternative			Goals & Policies	Staff Remarks	Vote: R, D, M	
<b>GOALS</b>						
A	B	C	<b>S-G1 Minimize loss.</b> Minimize the potential for loss of life and property resulting from natural and manmade hazards.		R	
A	B	C	<b>S-G2 Prevent Unnecessary Exposure.</b> To prevent unnecessary exposure of people and property to risks of damage or injury from flooding.		R	
A	B	C	<b>S-G3 Natural Drainage and Watershed Protection.</b> To protect the community's <i>life and property resulting from damage to</i> natural drainage channels and watersheds by minimizing erosion, runoff and interference with surface and ground water flows.		M	
A	B	C	<b>S-G4 Adequate Fire Protection.</b> Assure adequate fire protection for new development.		R	
A	B	C	<b>S-G5 Reduce Risk.</b> Reduce the risk of destructive fire to Humboldt County communities.		R	
A	B	C	<b>S-G6 Response Preparedness.</b> Ensure that the County is prepared to anticipate, respond to and recover from emergencies.		R	
<b>POLICIES</b>						
A	B	C	<b>S-P1 Reduce the potential for loss.</b> Plan land uses and regulate new development to reduce the potential for loss of life, injury, property damage, and economic and social dislocations resulting from natural and manmade hazards, including but are not limited to, steep slopes, unstable soils areas, active earthquake faults, high wildland fire risk areas, airport influence areas, flood plains and tsunami runup areas.		D	

Table 21-1. Plan Alternatives Comparison Chart Goals and Policies, Standards and Implementation Measures						
A	B	C	D	<b>S-P2 Coastal Zone.</b> Development within the coastal zone shall minimize risks to life and property in areas of high geologic, flood and fire hazard, assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*	From Local Coastal Plans	R
A	B	C	D	<b>S-P3 Hazard Education.</b> Encourage the education of the community regarding the nature and extent of hazards.*	Framework Plan	R
A	B	C	D	<b>S-P4 Disaster Response Plans.</b> Continue to provide for the maintenance and upgrading of disaster response plans.*	Framework Plan	R
	B	C		<b>S-P5 Local Hazard Mitigation Plan.</b> Participate in FEMA's pre-disaster mitigation program by developing, maintaining, and implementing a local hazard mitigation plan.		D
A				<b>S-P5.1 GIS Hazards Database.</b> A Geologic Constraints and Hazards Database shall be developed and maintained in the County Geographic Information System (GIS). The GIS shall be used to identify areas containing hazards and constraints that could potentially impact the type or level of development allowed in these areas. Maps maintained as part of the GIS include: a. Active Regional Faults b. Relative Seismic Shaking Hazards c. Relative Landslide Susceptibility d. Relative Earthquake Induced Liquefaction Susceptibility e. Steep Slope Constraints f. Coastal Erosion g. Moderate and High Erosion Hazards h. Highly Erodible Soils		D
A	B	C		<b>S-P6 Structural Hazards.</b> Provide for the identification and evaluation of existing structural hazards.		D
A	B	C	D	<b>S-P7 Detailed Analysis.</b> Encourage more detailed scientific analysis of natural hazards in the County.*	Framework Plan	R
A	B	C	D	<b>S-P8 Federal Flood Insurance Program.</b> The County shall participate in the Federal Flood Insurance Program to regulate land uses in flood hazard areas in order to minimize loss of life and property, and in order to minimize public flood-related expense.*	Framework Plan	R
A	B	C	D	<b>S-P9 Flood Plains.</b> Agricultural lands which are in flood plain areas shall be retained for use in agriculture.*	Framework Plan	R



Table 21-1. Plan Alternatives Comparison Chart Goals and Policies, Standards and Implementation Measures						
				<b>S-P10 Natural Drainage Courses.</b> Natural drainage courses, including ephemeral streams, shall be retained and protected from development which would impede the natural drainage pattern, increase erosion or sedimentation, or have a significant adverse effect on water quality or wildlife habitat.	From McKinleyville Area Plan	<b>CTC (Comment to Come)</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>S-P11 Storm water discharges.</b> Storm water discharges from outfalls, culverts, gutters and other drainage control facilities which discharge into natural drainage courses shall be dissipated so that they make no contribution to additional erosion, and where feasible are filtered and cleaned of pollutants.	From McKinleyville Area Plan	<b>CTC</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>S-P12 Natural vegetation.</b> Natural vegetation within and immediately adjacent to the bankfull stream channel shall be maintained except for flood control and public safety purposes.	From McKinleyville Area Plan	<b>CTC</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>S-P13 Downstream Peak Flows.</b> Development shall only be allowed in such a manner that downstream peak flows will not be increased.	From McKinleyville Area Plan	<b>CTC</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>S-P14 Additional Drainage Facilities.</b> Where it is necessary to develop additional drainage facilities, they shall be designed to be as natural in appearance and function as is feasible. All drainage facilities shall be designed to maintain maximum natural habitat of streams and their streamside management areas and buffers. Detention/retention facilities shall be managed in such a manner as to avoid reducing streamflows during critical low flow periods.	From McKinleyville Area Plan	<b>CTC</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>S-P15 Restoration Projects.</b> The County shall encourage restoration projects aimed at reducing erosion and improving existing habitat values in Streamside Management Areas. These projects may be pursued utilizing community volunteer programs and urban stream renewal grants.	From McKinleyville Area Plan	<b>CTC</b>