

3.11 LAND USE AND PLANNING

This section describes the environmental and regulatory setting for land use and planning. It also describes existing conditions and potential impacts related to land use and planning that would result from implementation of the proposed project, and mitigation for potentially significant impacts, where feasible.

3.11.1 Environmental Setting

Project Site

The proposed project would include the subdivision of a parcel, consisting of seven APNs, for a total of approximately 81 acres, into mixed-use lots to develop up to 320 residential units, approximately 22,000 square feet of commercial uses, and an off-site water storage tank on approximately 0.3 acre located 2.5 miles to the south. The proposed land uses would include single-family dwellings, multi-family dwellings, and neighborhood commercial. Approximately 21.73 acres would be left as undeveloped open space that would be dedicated to the County for future trail management. The off-site water storage tank would be owned and managed by HCSD and would support the proposed development.

The proposed development site is largely occupied by young redwood forest of mostly second and third growth trees. An overhead powerline corridor passes through the middle of the project area, just north of the existing Redwood Fields Park. The proposed water storage tank site is covered with grass and a nearby existing water tank owned by HCSD.

Surrounding Land Uses

The 81-acre development site is surrounded by the following land uses:

- North: Timber forests, gulch occupied by Ryan Creek, and residential development at the end of Manzanita Avenue
- East: Ryan Slough, PG&E powerline, the McKay Community Forest (owned by the County), and Green Diamond Industrial Timberland
- South: Timber forests and Glen Paul School
- West: Redwood Fields Park and residential development farther west

The proposed water storage tank location is surrounded on all sides by dense vegetation and undeveloped areas.

Humboldt County General Plan Land Use Designation

The project site is designated as Residential Low Density (RL) 1-7 units/acre in the County General Plan. The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. Single-family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types, including townhouses and common-wall clustered units (Humboldt County 2017c). The water storage tank location is designated as Timberland (T). This designation is utilized to classify land that is primarily suitable for the growing, harvesting, and production of timber (Humboldt County 2017c).



Humboldt County Zoning

County Zoning Regulations for areas outside the coastal zone can be found in Title III, Chapter 4. The project site is out of the coastal zone and is currently zoned as Residential One-Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO). The water storage tank parcel is zoned as a TPZ. The County Code includes the following requirements for these zoning designations:

- **Residential One-Family (R-1):** The Residential One-Family, or Residential Single-Family zone is intended to be applied to the County in which topography, access, utilities, and public services make the area suitable and desirable for low density residential development.
- **Planned Unit Development (P):** The purpose of the Planned Unit Development zone is to encourage planned unit developments and to allow flexibility to cope with difficulties due to topography and other natural or manmade features. Additionally, the Planned Unit Development zone allows for clustered development in concert with the provision of residential amenities such as open space, recreation areas, and neighborhood commercial services.
- **Recreation (R):** The Recreation zone is intended to be combined with any principal zone in which the addition of recreational uses is desirable and will not be detrimental to the uses of the principal zone or of adjacent zones.
- **Greenway and Open Space (GO):** The Greenway and Open Space Combining zone is intended to be applied within the urban limits of the Eureka Community Planning Area in sensitive habitat areas historically known as gulches.
- **Timberland Production Zone (TPZ):** The TPZ is intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber

Eureka Community Plan Area

The 2017 County General Plan has identified and mapped 18 inland Community Plan Areas (CPA). Some of these CPAs have an adopted Community Plan and others do not. The purpose of a Community Plan is to develop an internally consistent General Plan, allow for expanded public participation in the planning process, and meet the needs of individual communities (Humboldt County 2017c).

The Eureka CPA, which has an adopted Community Plan as of 1995, encompasses 11,000 acres and includes the developed area around Eureka, outside the coastal zone, including Cutten, Ridgewood, Pine Hills, Humboldt Hill, and portions of Myrtle town (Humboldt County 2017c, 1995). Although the SOI for the Eureka CPA does not include the entire proposed project area, the North McKay development is specifically discussed and has relevant policies in the Community Plan and is therefore relevant to this section.

3.11.2 Regulatory Setting

State

Cortese-Knox-Hertzberg Local Government Reorganization Act

The Cortese-Knox-Hertzberg Local Government Reorganization Act (Act) of 2000 establishes procedures for establishing, updating, or amending an SOI. The Act's purpose (Section 56301) is discouraging urban



sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation of local agencies based upon local conditions and circumstances. Section 56425 of the Act grants a LAFCo the authority to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies to advantageously provide for the present and future needs of the County and its communities.

General Plans

The land use planning and zoning authority of local jurisdictions in California is set forth in the state's planning laws. California Government Code Section 65300, et seq. obliges cities and counties to adopt and implement general plans. A general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that, in the city's or county's judgment, bears relation to its planning. A general plan addresses a broad range of topics including, at a minimum, land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the city's or county's vision for the area. A general plan is a long-range document that typically addresses the physical character of an area over a 20-year period. Although a general plan serves as a blueprint for future development and identifies the overall vision for the planning area, it remains general enough to allow flexibility in the approach taken to achieve the plan's goals.

State Zoning Law

The State Zoning Law (California Government Code Section 65800, et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific district, are required to be consistent with a general plan and any applicable specific plans. When amendments to a general plan are made, corresponding changes in the zoning ordinance may be required within a reasonable time to ensure the land uses designated in that general plan would also be allowable by the zoning ordinance (California Government Code Section 65860, sub.[c]).

Local

Humboldt County General Plan

The County General Plan, adopted October 23, 2017, provides a blueprint for growth within the County. The General Plan contains 12 topical elements: Land Use, Community Infrastructure and Services, Telecommunications, Circulation, Economic Development, Housing, Conservation and Open Space, Water Resources, Energy, Noise, Safety, and Air Quality. Each element establishes goals and policies to guide future land use activities and development within the County General Plan boundaries. The applicable goals and policies are discussed later in this section, in Table 3.11-1, General Plan Policy Consistency Analysis.

The project Applicant is proposing to re-designate the proposed development site from RL 1-7 units/acre to RL 1-7 units/acre, Residential Medium Density (RM) 7-30 units/acre, and CG. No land use designation change is required for the water storage tank site. The General Plan describes the purpose and intent of these land use designation as follows:



Residential Low Density

The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. Single-family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types including townhouses and common-wall clustered units.

Residential Medium Density

The RM designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments and manufactured home park developments. Design review can be used to ensure compatibility with neighborhood character.

Commercial General

The CG designation is intended to classify lands that, because of their location, access, and availability of services, are suitable for commercial development. This includes retail trade services that are easily accessible, compatible and geared for local neighborhood or regional needs.

Humboldt County Code

The County Code provides regulation of land and structures in order to promote health, safety, and welfare of the public, and to ensure the orderly development of the County. Title III Land Use and Development, Chapter 4, describes where specific allowed uses, such as residential development, may be located. To establish consistency with the General Plan, rezoning of parcels from R-1, with combining zones indicating P, R, and GO to R-1, R, GO, Apartment Professional (R-4), and C-1 with a Planned Unit Development overlay. The water storage tank location would remain zoned as TPZ. The primary purpose of the Planned Unit Development (P) overlay district is to encourage and facilitate the creative and innovative use of land that may otherwise be limited or prohibited by the standard provisions of this title. The P combining district is designed to allow diversity in the relationship between buildings and open spaces to create interesting physical environments and to maximize the development potential of underutilized or problematic land areas.

Eureka Community Plan

The Eureka Community Plan, adopted April 25, 1995 and amended on October 23, 2017, acts as a blueprint, guiding development throughout the Eureka Planning Area over the next 20 years. While the County General Plan covers countywide issues, the Eureka Community Plan specifically deals with land use within the Eureka Planning Area. The County General Plan and the Eureka Community Plan together comprise the County General Plan within the project area. The applicable goals and policies are discussed later in this section, in Table 3.11-2, Eureka Community Plan Policy Consistency Analysis.

Humboldt County LAFCo

The state has charged the LAFCo with carrying out changes in governmental organization to promote specified legislative policies now codified in the Act. LAFCo has both the local and countywide perspective necessary to implement the policies of the Act. Decisions relating to the most efficient form of local government and the preservation of open space and agricultural land inherently involve the balancing of potentially competing interests of jurisdictions, because applications subject to LAFCo



proceedings may involve the interests of the County, a city, and one or more special districts. Humboldt County LAFCo has developed standards and guidelines in its Boundary Change Policies and Procedures that aid in the implementation of the Act and are provided later in this section, in Table 3.11-3, LAFCo Consistency Analysis (Government Code Section 56668). LAFCo may make exceptions to these general and specific standards if it determines that such exceptions: (1) are necessary due to unique circumstances; (2) are required to resolve conflicts between general and specific standards; (3) would result in improved quality or lower cost of services available; or (4) if there exists no feasible or logical alternative.

3.11.3 Methodology for Analysis

The analysis of potential land use impacts considers the project's consistency with adopted plans and policies that regulate land use on the project site, and the project's compatibility with surrounding land uses. The determination of consistency with applicable land use policies and ordinances is based upon a review of the previously identified planning documents that regulate land use or guide land use decisions pertaining to the project site. CEQA Guidelines section 15125(d) requires that an EIR discuss inconsistencies with applicable plans that the decision-makers should address. Evaluations are made to determine whether a project is consistent with such plans. Projects are considered consistent with regulatory plans if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. The intent of the consistency evaluation is to determine if noncompliance with regulatory plans would result in a significant impact.

The impact analysis was based on review of the County General Plan and Eureka Community Plan to identify planned land uses and policies applicable to the proposed project. Additionally, applicable LACFo policies and procedures were reviewed to determine if the proposed project would result in urban sprawl. Existing land uses were determined from site reconnaissance and General Plan designations. The County's zoning regulations were also reviewed to determine the proposed project's consistency with existing zoning.

3.11.4 Thresholds of Significance

The CEQA Guidelines' Appendix G Environmental Checklist was assessed during the NOP scoping process to identify the proposed project components that have the potential to cause a significant impact. The following thresholds of significance were used to determine if further evaluation within this EIR was warranted to ascertain whether the proposed project may:

- Physically divide an established community
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

3.11.5 Project Impact Analysis and Mitigation Measures

This section analyzes the proposed project's potential to result in significant impacts to land use and planning. When a potential impact was determined to be potentially significant, feasible mitigation measures were identified to reduce or avoid that impact.



Established Communities**Impact LU-1: The proposed project would not physically divide an established community.****Impact Analysis**

The proposed project does not include any improvements or components that would physically divide any existing and established communities in the Cutten area. The proposed project would provide a new mixed-use development in the eastern portion of Cutten on a previously undeveloped area. The proposed project would provide additional commercial and residential space for future use and would expand upon an already established neighboring community. Existing roads would be extended east into undeveloped site to serve the proposed residential and commercial development and would not create new roads that would divide existing neighborhoods. The proposed water storage tank would be located adjacent to an existing HCSO tank and, as such, would not divide any existing community. Therefore, the proposed project would have no potential to physically divide the established community in the area, and there would be no impact.

Level of Significance Before Mitigation

No Impact.

Mitigation Measures

None required.

Level of Significance After Mitigation

No Impact.

Land Use Plans, Policies, or Regulations**Impact LU-2: The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.****Impact Analysis**

The following analysis considers the proposed project's potential to conflict with applicable land use plans and policies and regulatory compatibility.

Land Use and Zoning Consistency

The current land use designation for the project site is Residential Low Density (RL) 1-7 units/acre (Humboldt County 2017a) and the project parcels are currently zoned Residential One-Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), and Timberland (T).

The proposed project would require the approval of land use and zoning designation changes in order to allow the development of the proposed residences and commercial lots. The proposed project would require the following land use and zoning designation changes (See Figure 2-4):

- **County General Plan:** A General Plan Amendment would change the land use designation of a portion of the parcel from RL 1-7 units/acre to Residential Medium Density (RM) 7-30 units/acre, and CG.



- **County Zoning:** The project site would require rezoning of a portion of the parcel from R-1, P, R, and GO to Apartment Professional (R-4), and C-1 with a P overlay.

The General Plan Amendment for the proposed project would allow for the development of commercial uses as well as include a higher density of development in the area. The proposed General Plan Amendment would be consistent with widely accepted planning principles of facilitating logical and orderly growth, ensuring compatibility with surrounding uses, and ensuring consistency with the goals and policies of the General Plan. Each of these planning principles is evaluated below:

- **Logical and orderly growth:** The project site is within the Eureka CPA and is anticipated to be developed in the future. The proposed General Plan amendment implements the Humboldt County General Plan. The proposed project identifies goals, principles, mandatory requirements, and design standards and guidelines. While the proposed project requires utility extensions, including sanitary sewer and a new, off-site water storage tank, these extensions would allow development adjacent to previously developed land, including community ballfields, a school, and residences. As such, the proposed project would facilitate logical and orderly growth.
- **Compatibility with surrounding land uses:** The project site is surrounded by timberland resources on the north, east, and south, and existing residential and recreational uses directly to the west. The proposed mixed-use development on 81 acres is east of existing residential and recreational land uses and would connect to these existing uses through roads and trails. The proposed 59 multi-family residential units would be located nearest existing single-family residential, school, and park uses; the commercial and small lot single-family residential development would be adjacent to the existing ballfields at Redwood Fields Park. The mixed-use nature of the proposed project means a variety of uses and densities would be present within a defined area.
- **Consistency with goals and policies of the General Plan:** The proposed project would be consistent with applicable goals and policies of the General Plan. Table 3.11-1 provides a consistency determination.

The rezoning would allow for commercial uses located adjacent to residential land uses. In addition, a Planned Unit Development overlay would encourage creative and innovative use of land to allow for diversity of uses and maximize the development potential the project site. The proposed project would also incorporate trail connections. Approximately 21.73 acres of the project site would be dedicated to the County as open space or conveyed in fee.

The General Plan establishes a density of 1 to 7 dwelling units per acre for RL-1-7, a density of 7 to 30 dwelling units per acre for RM land use, and a maximum floor area ratio of 3 for neighborhood commercial and use. The proposed project contemplates development of 146 single-family dwelling units on approximately 37.57 acres, thus establishing a density of 3.8 dwelling units per acre. Up to 174 multi-family dwelling units are proposed on 19.45 acres, resulting in a density of 8.9 dwelling units per acre. The 22,000 square feet commercial uses would be built on 2.1 acres and resulting in floor area ratio of 0.25:1. Therefore, the proposed project conforms to the General Plan densities. In summary, the proposed project is consistent with the proposed land use designations. Impacts would be less than significant.



Humboldt County General Plan Consistency

The proposed project must be consistent with the County’s General Plan. The OPR states that, “an action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment.” (OPR 2005) As shown in Table 3.11-1, the proposed project would be consistent with most of the applicable goals and policies of the General Plan with mitigation incorporated.

Table 3.11-1: General Plan Policy Consistency Analysis

Goal/Policy	Project Consistency
Land Use	
<p>Goal GP-G2. Community Planning Areas. Sufficient development emphasis and public investment in Urban Development Areas to create expanding commerce and housing opportunities, economically viable urban services and conservation of open space and resource lands.</p>	<p>Consistent. The proposed project consists of housing and commercial development, trail connections, and open space preservation.</p>
<p>Goal FR-G4: Incompatible and Conflicting Uses. Timberlands protected from the encroachment of incompatible uses and managed for the inclusion of compatible uses.</p>	<p>Consistent. Although the proposed project area currently consists of a timberland area that was previously used for timber harvesting and is within a THP area, the area has been identified in planning documents and through zoning and general plan land use designations as an area for future development.</p>
Community Infrastructure	
<p>Policy IS-P3: Requirements for Discretionary Development. The adequacy of public infrastructure and services for discretionary development greater than a single-family residence and/or second unit shall be assessed relative to service standards adopted by the Board of Supervisors, local service providers, and state and federal agencies. Such discretionary development may be approved if it can be found that:</p> <ul style="list-style-type: none"> a. Existing services are adequate; or b. Adequacy will be attained concurrent with project implementation through project conditions; or c. Adequacy will be obtained over a finite time period through the implementation of a defined capital improvement or service development plan; or d. Evidence in the record supports a finding that approval will not adversely impact health, welfare, and safety or plans to provide infrastructure or services to the community. 	<p>Consistent. As discussed in Section 3.18, Utilities and Service Systems, the proposed project includes annexing to HCSD and extending and installing necessary infrastructure to serve the project. A new off-site water tank would be constructed as part of the proposed project, expanding HCSD’s service capacities. A sewer line will also be extended to Hemlock Street and Walnut Drive to provide sanitary sewer facilities to the proposed project.</p>



Goal/Policy	Project Consistency
<p>Policy IS-P4: Fiscal Impact Assessment. The fiscal impacts of discretionary development (i.e. projects that require the preparation of an Environmental Impact Report that may have significant impacts on existing and planned public infrastructure and services) shall be considered during the project review process. Significant adverse effects shall be mitigated to the extent feasible.</p>	<p>Consistent. As discussed in Section 3.18, Utilities and Service Systems, the proposed project includes annexing to HCSD, and extending and installing necessary infrastructure to serve the project. A new off-site water tank would be constructed as part of the proposed project, expanding HCSD's service capacities. A sewer line will also be extended to Hemlock Street and Walnut Drive to provide sanitary sewer facilities to the proposed project.</p>
<p>IS-P9. District Boundaries, Spheres of Influence, and Community Plans. District boundaries, spheres of influence, municipal service reviews, and community plans shall be mutually compatible and support the orderly development and timing of infrastructure and services.</p>	<p>Consistent. As discussed in Section 3.18, Utilities and Service Systems, the proposed project includes annexing to HCSD, and extending and installing necessary infrastructure to serve the project. A sewer line will also be extended to Hemlock Street and Walnut Drive to provide sanitary sewer facilities to the proposed project. The proposed project represents orderly and compatible development as discussed in Table 3.11-3.</p>
<p>Policy IS-P25: Fire Service Impacts from New Development. During review of discretionary permits within fire related district boundaries or identified response areas, utilize recommendations from the appropriate local fire chief as feasible mitigation measures to reduce impacts to emergency response and fire suppression services from new development.</p>	<p>Consistent. The proposed project would be constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. As discussed in Section 3.14, Public Services, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE's regulations for fire safety. MM PS-1 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and County regulations.</p>
Telecommunications	
<p>Goal T-G3: New Construction. Broadband service capability integrated into new buildings and developments.</p>	<p>Consistent. Broadband service capability would be included in the new development as a condition of approval.</p>
<p>Policy T-P13: Subdivision Improvement Requirements. New residential and commercial development projects shall include the infrastructure components necessary to support modern communication technologies, such as conduit space within joint utility trenches for future high-speed data equipment and flexible telephone conduit to allow for easy retrofit for high-speed data systems.</p>	<p>Consistent. The proposed project would include adequate telecommunications and broadband service capability as a condition of approval.</p>



Goal/Policy	Project Consistency
Circulation	
<p>Policy C-P4: Mitigation Measures. Development with potentially significant circulation impacts as determined by CEQA review shall be conditioned to proportionally mitigate such impacts through payment of impact fees, construction of on- and off-site improvements and dedication of rights-of-way or a combination of impact fees, improvements and dedications.</p>	<p>Consistent. As discussed in Section 3.16, Transportation, the proposed project would result in less than significant impacts to transportation with implementation of mitigation measures MM TRANS-1, Traffic Management Plan, MM TRANS-2, Intersection Improvements, and MM TRANS-3, Fair Share Contribution incorporated.</p>
<p>Policy C-P5: Level of Service Criteria. The County shall strive to maintain Level of Service C operation on all roadway segments and intersections, except for U.S. 101, where Level of Service D shall be acceptable. Level of Service improvements for automobiles should not adversely affect Level of Service and/or Quality of Service for other modes of transportation, if possible.</p>	<p>Consistent. As discussed in Section 3.16, Transportation, the proposed project would not result in substantial impacts to level of service (LOS) with mitigation incorporated. Adequate service levels would be maintained with the implementation of MM TRANS-1 and MM TRANS-2.</p>
<p>Policy C-P11: Transportation Demand Management Programs. Require residential subdivisions and multifamily development that would result in fifteen or more dwelling units, and non-residential development that would employ greater than ten persons, and that require a discretionary permit, to comply with County transportation demand management programs.</p>	<p>Consistent. The proposed project would result in more than 15 dwelling units and a discretionary permit is required. As discussed in Section 3.16, Transportation, mitigation measures would be implemented to address any significant impacts.</p>
<p>Policy C-P31: Removal of Obstacles in Pathways. Where feasible and consistent with the County-Wide Transportation Plan, new pathways and sidewalks shall be free of obstacles such as utility poles and mailboxes. Where obstacles are unavoidable on existing sidewalks or pathways, pedestrian facilities shall be widened or otherwise designed to provide the least amount of obstruction to users.</p>	<p>Consistent. The proposed project would include the dedication of easements and public rights-of-way for pedestrian pathways and roads that would include sidewalks. Conditions of approval would require pathways and pedestrian ways to be clear of obstacles.</p>
<p>Policy C-P34: Traffic Calming. Use traffic calming measures, where feasible and appropriate, as a means of improving safety for all users. Traffic calming measures may include, but are not limited to, roundabouts, chicanes, curb extensions, and traffic circles.</p>	<p>Consistent. As discussed in Section 3.16, Transportation, the proposed project would incorporate intersection improvements through MM TRANS-2, Intersection Improvements. These intersection improvements would help minimize traffic congestion in the vicinity of the proposed project.</p>



Goal/Policy	Project Consistency
<p>Policy C-P38: Develop a Regional Trails System. Support efforts to establish and connect regional trails, particularly in the greater Humboldt Bay and lower Mad River areas, the Eel River Valley, along the Avenue of the Giants and in the Klamath-Trinity area. The System should include the California Coastal Trail system and consist of multi-use trails where feasible.</p>	<p>Consistent. The proposed project would include 20-foot-wide trail easements and would construct trail connection to the future public trails to access the McKay Community Forest, consistent with efforts to establish a regional trail system.</p>
<p>Policy C-P39: Encourage Bicycle and Pedestrian-Friendly Development: Incentives should be given to developers who provide non-motorized facilities that connect neighborhoods in a design appropriate to the character of those neighborhoods.</p>	<p>Consistent. The proposed project would include pedestrian pathways and 20-foot-wide trail easements, which would connect the new development to the existing community and surrounding recreational opportunities. The project would include the construction of the McKay Community Forest trail segments that are within the project boundary.</p>
Housing Element¹	
<p>Goal H-G2: Housing Diversity. An adequate supply of all types of housing affordable for all income levels in all areas of the County, including urban, suburban, rural, hamlet and remote areas.</p>	<p>Consistent. The proposed project consists of a mixed-use development which would include 146 single-family houses and 174 multi-family units. The development would provide for a range of income levels, with 18 affordable units, 50 smaller (less than 5,000 square feet) single-family lots, and 96 larger lots measuring 6,600 square feet or more.</p>
<p>Goal H-G3: Workforce Housing. An adequate supply of rental and homeownership opportunities affordable to wage earners within close proximity to local businesses, recreational facilities, community services, transit corridors and schools.</p>	<p>Consistent. The proposed project consists of a mixed-use development that would place residences and new commercial uses near existing residential, business, and community services. The range of unit types, including multi-family and single-family residential, would provide for ownership and rental opportunities. The nearest transit stop is approximately 0.2 mile to the west, the nearest elementary school is adjacent to the site, and more extensive employment, commercial, health and other services and opportunities are approximately 1 mile to the north.</p>
<p>Policy H-P13: Support Innovative Construction and Design Methods. The County shall support the use of innovative construction and design methods and building materials that make more efficient use of land and materials, including water conserving waste disposal systems, energy systems, dwelling designs, and uses of recycled materials for building. The County shall also encourage and support sweat-equity and collaborative construction methods.</p>	<p>Consistent. As discussed in Section 2.0, Project Description, the proposed project would include energy conservation features that would meet or exceed the state's current Title 24 requirements. Additionally, rooftop solar would be provided on single-family homes and electrical vehicle charging would be provided in commercial uses and multi-family homes.</p>



Goal/Policy	Project Consistency
<p>Policy H-P21: Siting of Multifamily Housing Developments. The County shall plan, prioritize, and support development proposals that locate multifamily uses along major transportation corridors, near transit stops, public services, recreation areas, neighborhood commercial centers and work opportunities.</p>	<p>Consistent. The proposed project includes a mixed-use development located approximately 0.3 mile from the neighborhood commercial area at Maple Avenue and Fern Avenue, and adjacent to existing recreational opportunities. The nearest transit stop is approximately 0.2 mile to the west, the nearest elementary school is adjacent to the site, and more extensive employment, commercial, health and other services and opportunities are approximately 1 mile to the north.</p>
<p>Policy H-P22: Allowances for a Mixture of Housing Sizes and Types. The County shall allow a variety of housing types and sizes in all residential areas served by public sewer to encourage a mix of housing opportunities for all income categories.</p>	<p>Consistent. The proposed project includes a variety of housing types, including 96 larger single-family lots (6,600 square feet or greater), 50 smaller single-family lots (less than 5,000 square feet), and 174 multi-family units; 18 housing units would be affordable. The residences would be served by public sewer through HCSD.</p>
<p>Economic Development Element</p>	
<p>Goal ED-G6: Competitive Quality of Life. Maintained and enhanced natural resources, recreational opportunities, quality education, vibrant town centers, access to employment, housing, retail, health care, childcare, safety, multimodal transportation, advanced telecommunications, and cultural and natural amenities.</p>	<p>Consistent. The proposed project includes trails to provide access to adjacent recreational and open space opportunities and proposed commercial spaces and would be located within one mile of retail, childcare, transportation, employment and retail opportunities.</p>
<p>Conservation and Open Space</p>	
<p>Goal CO-G4: Parks and Recreation. Well maintained and accessible parks offering a range of popular recreation opportunities and a regional trail system that meets future recreational and non-motorized transportation demands.</p>	<p>Consistent. The proposed project includes designating and preserving 21.73 acres of permanent open space through a permanent easement dedicated to the County. In addition, 20-foot wide trail easements and trail connections would be provided on-site to connect to the future public trails to the McKay Community Forest.</p>
<p>Goal CO-G5: Open Space and Residential Development. Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to natural hazards, and seeks to minimize the costs of providing public infrastructure and services.</p>	<p>Consistent. The project site is currently zoned to allow 320 residential dwelling units. The project location is adjacent to developed lands, including community playfields at Redwood Fields Park, and would be provided with public water and sewer from HCSD, as outlined in the approved MSR. The Eureka Community Plan calls for the site's development, and the Housing Element identifies 5 of the 7 APNs as available for residential development in the Residential Land Inventory. As noted earlier, 21.73 acres of permanent open space would be preserved and dedicated to the</p>



Goal/Policy	Project Consistency
	County through an easement or conveyed in fee. Additionally, 20-foot wide trail easements and constructed trail connections would connect the future public trails to the McKay Community Forest.
<p>Policy BR-P1: Compatible Land Uses. Area containing sensitive habitats shall be planned and zoned for uses compatible with the long-term sustainability of the habitat. Discretionary land uses and building activity in proximity to sensitive habitats shall be conditioned or otherwise permitted to prevent significant degradation of sensitive habitat, to the extent feasible consistent with California Department of Fish and Wildlife guidelines or recovery strategies.</p>	<p>Consistent. As discussed in Section 3.4, Biological Resources, this EIR requires that mitigation for impacts to special-status species and jurisdictional features are implemented to reduce impacts on sensitive habitats.</p>
<p>Water Resources</p>	
<p>Policy WR-P6: Subdivision Water Supply. Any subdivision of land shall be conditioned to require evidence of sufficient water supply during normal and drought conditions to meet the projected demand associated with the proposed subdivision. Sufficient water supply shall include the requirements of the proposed subdivision and existing and planned future uses. Written service letters from a public water system written in conformance with this policy is sufficient evidence. Subdivisions to be served through on-site water supplies or private water systems must provide evidence of sufficient water supply to the County Department of Environmental Health.</p>	<p>Consistent. As discussed in Section 3.10, Hydrology and Water Quality, the proposed project would have less than significant impacts related to water supply. Upon annexation, HCSD would supply water to the project, and a new off-site water storage tank would be constructed to support the new development.</p>
<p>Policy WR-P12: Project Design. Development should be designed to complement and not detract from the function of rivers, streams, ponds, wetlands, and their setback areas.</p>	<p>Consistent. The proposed project would include design features that would blend with the existing environment and would therefore be consistent with this policy.</p>
<p>Policy WR-P36: Natural Stormwater Drainage Courses. Natural drainage courses, including ephemeral streams, shall be retained and protected from development impacts which would alter the natural drainage courses, increase erosion or sedimentation, or have a significant adverse effect on flow rates or water quality. Natural vegetation within riparian and wetland protection zones shall be maintained to preserve natural drainage characteristics consistent with the Biological Resource policies. Stormwater discharges from outfalls, culverts, gutters, and other drainage</p>	<p>Consistent. The proposed project would be required to comply with the County's MS4 Permit requirements related to LID. LID design is intended to maintain a site's pre-development runoff characteristics by using design techniques that capture, treat, and infiltrate stormwater on site. Per the Humboldt Low Impact Development Stormwater Manual, the proposed project is considered a Hydromodification Project because the project would create more than 1 acre of impervious surface and create a net increase in impervious surface. As discussed in Section 3.10, Hydrology and</p>



Goal/Policy	Project Consistency
control facilities that discharge into natural drainage courses shall be dissipated so that they make no significant contribution to additional erosion and, where feasible, are filtered and cleaned of pollutants.	Water Quality, post-project runoff would not exceed estimated pre-project flow rate for the 2-year, 24-hour storm, consistent with the LID Stormwater Manual.
<p>Policy WR-P37: Downstream Stormwater Peak Flows. Peak downstream stormwater discharge shall not exceed the capacity limits of off-site drainage systems or cause downstream erosion, flooding, habitat destruction, or impacts to wetlands and riparian areas. New development shall demonstrate that post development peak flow discharges will mimic natural flows to watercourses and avoid impacts to Beneficial Uses of Water.</p>	<p>Consistent. The proposed project would be required to comply with the County’s MS4 Permit requirements. LID design is intended to maintain a site’s pre-development runoff characteristics by using design techniques that capture, treat, and infiltrate stormwater on site. Per the Humboldt Low Impact Development Stormwater Manual, the proposed project is considered a Hydromodification Project because the project would create more than 1 acre of impervious surface and create a net increase in impervious surface. Conditions of approval would require post-project runoff to not exceed estimated pre-project flow rate for the 2-year, 24-hour storm, consistent with the LID Stormwater Manual.</p>
<p>Policy WR-P42: Erosion and Sediment Control Measures. Incorporate appropriate erosion and sediment control measures into development design and improvements.</p>	<p>Consistent. The proposed project would be required to comply with the County’s MS4 Permit requirements related to LID, including erosion and sediment control features.</p>
<p>Policy WR-P44: Storm Drainage Impact Reduction. Develop and require the use of Low Impact Development (LID) standards consistent with Regional Water Board requirements to reduce the quantity and increase the quality of stormwater runoff from new development and redevelopment projects in areas within the County’s MS4 boundary or as triggered under other Regional Water Board permits. For all other watersheds, develop storm drainage development guidelines with incentives to encourage LID standards to reduce the quantity and increase the quality of stormwater runoff from new developments.</p>	<p>Consistent. As discussed in Section 3.10, Hydrology and Water Quality, the proposed project aims to have stormwater quality protection measures such as bioswales, filter strips infiltration galleries, rain gardens, rain barrels, trees, or other accepted BMPs incorporated into the on-site drainage system to treat urban runoff.</p>
Energy	
<p>Goal E-G2: Increase Energy Efficiency and Conservation. Decrease energy consumption through increased energy conservation and efficiency in building, transportation, business, industry, government, water and waste management.</p>	<p>Consistent. The proposed project would include energy conservation features, including homes that are energy efficient with a goal to meet or exceed the state’s current Title 24 requirements, by meeting current Tier 2 Energy Efficiency standards. Additionally, electric vehicle charging stations would be installed for the commercial and multi-family portions of the</p>



Goal/Policy	Project Consistency
	proposed project, per County Building Code requirements.
<p>Policy E-P12: Water Efficiency. Promote the efficient use of water in residences, businesses, industries, and agriculture.</p>	<p>Consistent. The proposed project would be designed to meet or exceed the state’s current Title 24 requirements by meeting Tier 2 Energy Efficiency standards. This includes features for efficient water use.</p>
<p>Policy E-P17: Residential Design. Proposed single-family residential structures should be designed to maximize solar access, energy conservation and passive solar energy generation. Solar access potential should be evaluated based on each climate zone within the County as established by the National Weather Forecast Center in Eureka.</p>	<p>Consistent. The proposed project would include rooftop solar on single-family homes and electrical vehicle charging stations in commercial and multi-family use. In addition, the proposed project would meet or exceed the state’s current Title 24 requirements by meeting current Tier 2 Energy Efficiency standards.</p>
Safety	
<p>Policy S-G4: Fire Risk and Loss. Development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential for loss of life, property, and natural resources.</p>	<p>Consistent. The proposed project would be located adjacent to existing wooded areas and constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. As discussed in Section 3.19, Wildfires, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE’s regulations for fire safety. MM WF-1 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and County regulations. Therefore, the proposed project would be consistent with this policy with MM WF-1 incorporated.</p>
<p>Policy S-P11: Site Suitability. New development may be approved only if it can be demonstrated that the proposed development will neither create nor significantly contribute to, or be impacted by, geologic instability or geologic hazards.</p>	<p>Consistent. As discussed in Section 3.7, Geology and Soils, the proposed project would not substantially increase or contribute to site geologic instability or place structures within a geologic hazard area. The proposed project would be designed and built in conformance with all applicable federal, state, and local building code requirements related to site stability.</p>
<p>Policy S-P18: Subdivision Design in High and Very High Fire Hazard Zones. Subdivisions within State Responsibility Area (SRA) high and very high fire severity classification areas shall explicitly consider designs and layout to reduce wildfire hazards and improve defensibility; for example, through clustering of lots in defensible areas, irrigated green belts, water storage, perimeter roads, roadway layout and design,</p>	<p>Inconsistent. The proposed project is located in an SRA with a high fire severity classification. As discussed in Section 3.19, Wildfires, MM WF-1 and MM WF-2 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and County regulations. However, the proposed project does not provide a 100-foot defensible space along the perimeter of the subdivision and is not consistent with this policy.</p>



Goal/Policy	Project Consistency
slope development constraints, fuel modification plans, and vegetation setbacks.	
<p>Policy S-P19: Conformance with State Responsibility Areas (SRA) Fire Safe Regulations. Development shall conform to Humboldt County SRA Fire Safe Regulations.</p>	<p>Consistent. The proposed project is located in an SRA with a high fire severity classification. The proposed project would be constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. As discussed in Section 3.19, Wildfires, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE’s regulations for fire safety. MM WF-1 would be implemented in order to ensure that safety measures are put in place in accordance with CAL FIRE and Humboldt County regulations.</p>
<p>Policy S-S9: SRA Fire Safe Regulations. Development within SRA shall conform to SRA Fire Safe Regulations (Humboldt County Code, Division 11 of Title III as amended).</p>	<p>Consistent. The proposed project is located in an SRA with a high fire severity classification. The proposed project would be constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. As discussed in Section 3.19, Wildfires, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE’s regulations for fire safety. MM WF-1 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and County regulations.</p>
<p>Policy S-S10: California Building Codes. New construction shall conform to the most recently adopted California building codes</p>	<p>Consistent. County Code requires new construction, including the proposed project, to be designed and constructed to meet the most recent California building code specifications.</p>
<p>Policy S-S11: California Fire Code. The California Fire Code shall be applied to all applicable development.</p>	<p>Consistent. County Code requires all development, including the proposed project, to be designed and constructed in compliance with the California Fire Code. As discussed in Section 3.19, Wildfires, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE’s regulations for fire safety. MM WF-1 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and Humboldt County regulations. Therefore, the proposed project would be consistent with this policy with MM WF-1 incorporated.</p>



Goal/Policy	Project Consistency
Air Quality	
<p>Policy AQ-P2: Reduce Localized Concentrated Air Pollution. Reduce or minimize the creation of “hot spots” or localized places of concentrated automobile emissions.</p>	<p>Consistent. As discussed in Section 3.3, Air Quality, the proposed project would not result in exceedances of NCUAQMD thresholds related to operational criteria air pollutants. Automobile emissions specifically would not exceed the NCUAQMD thresholds of 50 tons per year of any criteria air pollutant.</p>
<p>Policy AQ-P4: Construction and Grading Dust Control. Dust control practices on construction and grading sites shall achieve compliance with NCUAQMD fugitive dust emission standards.</p>	<p>Consistent. As discussed in Section 3.3, Air Quality, the proposed project would be required to comply with Rule 104 of the NCUAQMD related to limiting fugitive dust from construction activities. The proposed project would incorporate the requirements of this rule through MM AQ-1, which would ensure compliance with Rule 104 related to fugitive dust.</p>
<p>Policy AQ-P5: Air Quality Impacts from New Development. During environmental review of discretionary permits, reduce emissions of air pollutants from new commercial and industrial development by requiring feasible mitigation measures to achieve the standards of the NCUAQMD.</p>	<p>Consistent. As discussed in Section 3.3, Air Quality, the proposed project would be below all NCUAQMD thresholds for criteria air pollutants for both construction and operation of the proposed project. Therefore, no further mitigation measures would be required to achieve standards of the NCUAQMD.</p>
<p>Policy AQ-P6: Buffering Land Uses. During environmental review of discretionary commercial and industrial projects, consider the use of buffers between new sources of emissions and adjacent land uses to minimize exposure to air pollution.</p>	<p>Consistent. The project area is surrounded on the north, east, and south by forested land that would not produce air emissions. The existing community of Cutten and the Redwood Fields Park to the west of the project area would not produce substantial emissions that would be incompatible with the new development. Therefore, the proposed project would not require any buffers between new source emissions or adjacent land uses to minimize exposure to air pollution.</p>
<p>Policy AQ-P11: Review of Projects for Greenhouse Gas Emission Reductions. The County shall evaluate the greenhouse gas (GHG) emissions of new large scale residential, commercial and industrial projects for compliance with state regulations and require feasible mitigation measures to minimize GHG emissions.</p>	<p>Consistent. As discussed in Section 3.8, Greenhouse Gas Emissions and Climate Change, both the construction and operational GHG emissions resulting from implementation of the proposed project would be below the BAAQMD thresholds of significance. BAAQMD GHG thresholds were used to compare the proposed project GHG emissions because the NCUAQMD does not have specified GHG thresholds. Additionally, the proposed project would be consistent with the state’s 2017 Scoping Plan related to GHG emissions.</p>



Goal/Policy	Project Consistency
<p>Policy AQ-P17: Preservation and Replacement of On-Site Trees. Projects requiring discretionary review should preserve large trees, where possible, and mitigate for carbon storage losses attributable to significant removal of trees.</p>	<p>Consistent. Although the proposed project would require the removal of approximately 59.27 acres of the existing forest land in the area, the other 21.73 acres of forested land within the project would be preserved through a permanent open space easement or conveyed in fee with trails that would connect to the McKay Community Forest. In addition, as discussed in Section 3.8, Greenhouse Gas Emissions and Climate Change, the Applicant will purchase verified forest carbon offsets from the Arcata Community Forest (CAR 935 and 575), Climate Reserve Tonnes.</p>

Notes:

¹ The approved 2019 Housing Element goals and policies was used in this analysis.

Eureka Community Plan Consistency

The proposed project is located within the Eureka CPA, and the Eureka Community Plan was adopted on April 25, 1995, and has since been amended through October 23, 2017 (Humboldt County 1995). Because the proposed project is located within this CPA, it would be required to be consistent with the goals and policies of the Community Plan. The goals and policies within this Community Plan build on policies already contained in the Humboldt County General Plan, Zoning code, and Design Guidelines. As shown in Table 3.11-2, the proposed project would be consistent with all applicable goals and policies for the Eureka Community Plan.

Table 3.11-2: Eureka Community Plan Policy Consistency Analysis

Goal/Policy	Project Consistency
<p>Goal 2210.1. To ensure that adequate land is designated with appropriate densities to allow the Planning Area to absorb its share of anticipated Humboldt County population growth, while retaining as much as possible the current quality of life.</p>	<p>Consistent. The proposed project would establish a mixed-use residential and commercial development that would allow for 320 residential units. The project would include dedication of open space and dedication and construction of trails.</p>
<p>Goal 2310.1. To develop and maintain community and neighborhood commercial uses to support the expected increased residential growth.</p>	<p>Consistent. The proposed project would include residential and commercial units as well as open space. This would allow the County to maintain community and neighborhood commercial uses.</p>
<p>Goal 2310.2. To establish commercial areas close to neighborhoods to reduce traffic on our roads and conserve energy resources.</p>	<p>Consistent. The proposed project includes neighborhood commercial amenities within walking distance of residences. This is expected to reduce traffic, as the commercial uses would be within walking distance to residential uses.</p>



Goal/Policy	Project Consistency
<p>Goal 2410.1. To provide adequate housing and a satisfactory living environment for all community residents.</p>	<p>Consistent. The proposed project would provide 320 new residential units, 22,000 square feet of commercial, trail connectivity, and open space within approximately one mile of employment, commercial, health and other services and opportunities. The project's 22,000 square feet of commercial space would provide accessible amenities.</p>
<p>Goal 2410.3. To provide for affordable housing.</p>	<p>Consistent. The proposed project would create a range of housing types and sizes, including small lot single-family, multi-family, and 18 affordable units.</p>
<p>Policy 2420.2. To reduce conflict between two different land uses, approval of uses on the edges of a zoning district or general plan designation should include provisions for insuring compatibility such as landscaped buffer areas.</p>	<p>Consistent. The proposed project would require a General Plan Amendment and rezoning of the parcels. These land use changes are being analyzed in this Draft EIR for compatibility. All adjacent land uses would be compatible with the proposed development.</p>
<p>Goal 2510.1. To protect resource production lands (agriculture, timberlands) in the outlying areas by concentrating future development around existing communities and infrastructure.</p>	<p>Consistent. Although the proposed project consists of a previously undeveloped area with timber harvesting operations, the area has been identified in the Eureka Community Plan as an area proposed for future development.</p>
<p>Goal 2510.2. To assure rural residential development will occur in a manner consistent with rural fire safety standards.</p>	<p>Consistent. The proposed project would be constructed in compliance with all applicable federal, state, and local regulations pertaining to fire safety. As discussed in Section 3.19, Wildfires, consultation with CAL FIRE would be required in order to ensure that any structures built within the SRA are constructed in accordance with CAL FIRE's regulations for fire safety. MM WF-1 would be required in order to ensure that safety measures are put in place in accordance with CAL FIRE and Humboldt County regulations. Therefore, the proposed project would be consistent with this goal with MM WF-1 incorporated.</p>
<p>Policy 2520.1. Subdivisions. Subdivisions for residential purposes, including subdivisions developed in phases, shall not be approved unless the roads planned to serve such subdivision or individual phases are acceptable to Public Works for development at planned densities and for use by emergency vehicles. Costs of bringing new on-site roads up to standards shall be borne by the subdivider.</p>	<p>Consistent. The proposed project would require that the roads included in the development be constructed early in the process for each phase of development to provide adequate access for construction personnel and equipment. Conditions of approval would require Public Works review and approval for each phase through the Final Map and improvement plans processes.</p>



Goal/Policy	Project Consistency
<p>Goal 2531.2. To protect timberland in areas not proposed for residential expansion.</p>	<p>Consistent. The Eureka Community Plan designated the project site for development. The project would include dedication of open space to the County and would abut a regional park and trail system.</p>
<p>Goal 2610.1. To concentrate new development around existing public services and improvements.</p>	<p>Consistent. The proposed project includes and requires annexation into the HCSD for provision of utilities, which are currently exist on adjacent lands near the project site.</p>
<p>Goal 2610.2. To protect the area’s numerous drainage gulches (greenway/open space areas) while providing for development along hillside terrain.</p>	<p>Consistent. The proposed project includes the designation of 21.73 acres of permanent open space, including areas of steep slopes and drainages to be preserved through the establishment of permanent easements.</p>
<p>Goal 2610.3. To provide opportunities for public recreation.</p>	<p>Consistent. The proposed project includes the designation of 21.73 acres of permanent open space, including areas of steep slopes and drainages, to be preserved through the establishment of permanent easements.</p>
<p>Goal 2610.4. To ensure that new development will be provided with adequate infrastructure and services.</p>	<p>Consistent. The proposed project would include extending water, wastewater, and telecommunications facilities consistent with applicable development requirements.</p>
<p>Policy 2620.1. Residential Density and Lot Sizes:</p> <ul style="list-style-type: none"> a. The Eureka Community Plan density for all Residential Single Family (RL) designations shall be from 1 to 6 dwelling units per acre. b. The Eureka Community Plan density for all Residential Multiple Family (RM) designations shall be from 7 to 30 dwelling unit per acre. c. The minimum lot sizes for all Residential zoning districts (R-1, R-2, R-3, R-4) with the exception of the Residential Suburban (RS) zone, shall be 6,000 square feet, unless otherwise specified on the zoning maps. 	<p>Consistent. The proposed project would have an average density of 3.8 dwelling units per acre for the residential single-family designation (RL) with 96 larger (6,600-square-foot to 39,670-square-foot) lots and 50 smaller (4,758-square-foot) lots and 9 dwelling units per acre for the residential multiple family designation (RM) with 174 multi-family units. The smaller single-family residential lot sizes would be allowed through a Planned Unit Development.</p>



Goal/Policy	Project Consistency
<p>Policy 2620.8. North McKay Tract. Development of this area shall include at least three access points onto Walnut Drive (the extension of Redwood, Fern and Arbutus Streets). Development of this area should also include a through road and its northerly extension to the intersection of Manzanita and Harrison Avenue. Development of the property should occur with an approved plan and rights-of-way for the through road. The timing for extension of each street shall be determined by Public Works.</p>	<p>Consistent. The project would have two primary access points, Redwood Street and Arbutus Street, which would be extended to access 320 units (all but three single-family residential lots), the commercial space, and the open space. Fern Street would provide secondary access to two lots because it currently terminates at the adjacent community ballfields at Redwood Fields Park and does not provide an opportunity for a connection. Manzanita Avenue would access three single-family residential lots. The project does not include a through-road and would not provide a future extension to the intersection of Manzanita and Harrison Avenues.</p> <p>The North McKay Tract was previously rezoned from TPZ to Residential One-Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), which is consistent with this policy. The project proposes a total of 320 units with a range of lot sizes, trails, and permanent open space.</p> <p>The total Immediate Rezone area of the North McKay Tract is approximately 81 acres. The parcel has been given combining zones to facilitate development of a 10-acre minimum youth sports field facility with a surrounding low density residential community.</p> <p>The Planned Unit Development limits the number of dwelling units to 320. The Planned Unit Development should include a clustering of homesites with lot sizes ranging from 4,000 square feet (adjacent to the park) to 9,600 square feet (along the bluff), enabling a large portion of land to be preserved through a permanent easement as open space.</p>



Humboldt County Local Agency Formation Commission (LAFCO) Consistency

There are seven incorporated cities within the County. All cities but the City of Ferndale have SOIs beyond their city boundaries, ranging in size from 160 acres (City of Trinidad) to 8,200 acres (City of Eureka). The boundaries of a city’s SOI are subject to review and approval by the County LAFCo. The proposed project would require annexation into HCSD for provision of utilities, requiring approval from the County LAFCo.

California Government Code Section 56668 establishes factors LAFCos must use in reviewing annexation proposals to encourage well-planned, well-ordered, efficient urban development and discouraging urban sprawl. Table 3.11-3 provides a consistency analysis with California Government Code Section 56668. As shown in the table, the proposed annexation of the proposed project would be consistent with Section 56668. Impacts would be less than significant.

Table 3.11-3: LAFCo Consistency Analysis (Government Code Section 56668)

Section	Consistency Determination
<p>Section 56668(a): Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.</p>	<p>Consistent: The proposed project would be adjacent to the City of Eureka SOI and would be directly adjacent to the existing community of Cutten. The project site, while currently undeveloped, is zoned for future residential development, identified for development in the Eureka Community Plan, and addressed in the HCSD MSR for future growth and development.</p>
<p>Section 56668(b): The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.</p> <p>“Services,” as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.</p>	<p>Consistent: The proposed project would include infrastructure improvements, such as water, wastewater, and waste collection, in order to properly serve the new development. As discussed in Section 3.14, Public Services, and Section 3.18, Utilities and Service Systems, the proposed project would be required to pay all necessary fees for utility service connections. A new off-site water tank and a sanitary sewer line extension would be constructed to support the new development and is thus being analyzed throughout this Draft EIR.</p>
<p>Section 56668(c): The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.</p>	<p>Consistent: The proposed project would function as an extension of the Cutten community to the east, would be annexed to HCSD, would include water and sanitary sewer connections, would add off-site sidewalks to provide pedestrian connectivity, and would include trails to provide access to open space areas. The area would remain an unincorporated area</p>



Section	Consistency Determination
	<p>of the County, relying Humboldt Bay Fire Protection District (FPD) and CAL FIRE for fire protection services, the County for road maintenance, and Sherriff for police services. The development may increase the tax base for the area in the form of assessed values and property taxes. Sales tax and new employment generation from the 22,000 square feet of commercial development cannot be estimated at this time.</p>
<p>Section 56668(d): The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. (Section 56377 is reproduced below)</p>	<p>Consistent: As discussed in Section 3.2, Agricultural and Forestry resources, the proposed project area does not contain important farmlands or farmlands subject to Williamson Act contracts. The proposed project area currently contains a forested area that has been subject to timber harvesting activities within the last 30 years. The Eureka Community Plan identifies the parcels for development, and the parcels are currently zoned for residential development. The site is located within the HCSD SOI.</p>
<p>56377</p> <p>In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:</p> <p>(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.</p> <p>(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.</p>	

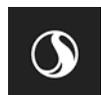


Section		Consistency Determination
<p>Section 56668(e): The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. (Section 56016 is reproduced below.)</p>		<p>Consistent: Although the project site currently consists of a site that has historically been used for timber harvesting, it is not currently producing any commodities (i.e., agricultural commodities). The site is no longer zoned for timber harvesting and is planned for a mixed-use development. Therefore, the proposed project would be consistent with this section.</p>
<p>56016</p>	<p>“Agricultural lands” means land currently used for the purpose of producing an Agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.</p>	
<p>Section 56668(f): The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.</p>		<p>Consistent: The project area would be located directly adjacent to the existing community of Cutten. The proposed project would connect this established community to the new residential, commercial, and recreational uses proposed. The project proposes dedicating open space to the County that would abut existing community fields and provide some buffer between a portion of the new development and the existing neighborhood to the west. The County owns the McKay Community Forest property to the east of the project site, which is planned for a future regional park and trails.</p>
<p>Section 56668(g): A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans. (Section 65080 is not reproduced below due to length; however, its information was used in this analysis and the link is provided in a footnote for further reference¹)</p>		<p>Consistent: As discussed in Section, 3.16, Transportation, and under the General Plan Consistency analysis above (Table 3.11-1), the proposed project would be consistent with all transportation policies that are relevant to the proposed project.</p>
<p>Section 56668(h): The sphere of influence of any local agency which may be applicable to the proposal being reviewed.</p>		<p>Consistent: The proposed project is within the HCSD SOI.</p>
<p>Section 56668(i): The comments of any affected local agency or other public agency.</p>		<p>Consistent: The Draft EIR and proposal will be circulated to local and affected agencies. Responses to comments will be provided in the Final EIR.</p>
<p>Section 56668(j): The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.</p>		<p>Consistent: The proposed project would be served by municipal services provided by HCSD for water and wastewater, by the Humboldt Bay FPD and CAL FIRE for fire protection services, and the County Sheriff Office for police protection services. Sections 3.14, Public Services, and 3.18, Utilities and Service</p>

¹ http://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65080.&lawCode=GOV



Section	Consistency Determination
	<p>Systems, describe the service and infrastructure requirements necessary to ensure that adequate levels of service are provided. The proposed project Applicant would provide the full costs of all infrastructure necessary to serve the proposed project. The proposed project would pay its share of development impact fees.</p>
<p>Section 56668(k): Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. (Section 65352.5 is reproduced below.)</p> <p>65352.5</p> <p>(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply agencies and California's land use approval agencies to ensure that proper water supply planning occurs in order to accommodate projects that will result in increased demands on water supplies.</p> <p>(b) It is, therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p>(c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, shall provide the planning agency with the following information, as is appropriate and relevant:</p> <p>(1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.</p> <p>(2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code.</p> <p>(3) A description of the source or sources of the total water supply currently available to the water supplier by water right or contract,</p>	<p>Consistent: As discussed in Section 3.18, Utilities and Service Systems, there are sufficient water supplies for retail water suppliers, HBMWD retail customers, industrial customers, and system losses during normal, single dry, and multiple dry years (HBMWD 2016). HCS D has a total of 5 million gallons per day (MGD) of storage capacity, has a peak daily water consumption of approximately 3.20 MGD, and an average daily water consumption of approximately 2.56 MGD (SHN Engineers & Geologists 2014).</p> <p>The need for a water tank to support the proposed development was identified by HCS D and, therefore, the construction and operation of this new water tank is being considered as part of this Draft EIR.</p>



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<p>taking into account historical data concerning wet, normal, and dry runoff years.</p> <p>(4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years.</p> <p>(5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years.</p> <p>(6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being proposed.</p> <p>(7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category:</p> <p>(A) Agricultural users.</p> <p>(B) Commercial users.</p> <p>(C) Industrial users.</p> <p>(D) Residential users.</p> <p>(8) Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan.</p> <p>(9) Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p>	
<p>Section 56668(I): The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.</p>	<p>Consistent: The Eureka Community Plan calls for the site's development, and the Housing Element identifies 5 of the 7 parcels as available for residential development in the Residential Land Inventory included the Housing Element. The development would provide for a range of income levels with 18 affordable units, 50 smaller (less than 5,000 square</p>



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65580	<p>The Legislature finds and declares as follows:</p> <p>(a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.</p> <p>(b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.</p> <p>(c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.</p> <p>(d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.</p> <p>(e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.</p>	<p>feet) single-family lots, and 96 larger lots measuring 6,600 square feet or more.</p>
	<p>Section 56668(m): Any information or comments from the landowner or owners, voters, or residents of the affected territory.</p>	<p>Consistent: The proposed project property is owned by the Applicant of the proposed project. Annexation to HCSD would be considered “uninhabited,” and the Owner/Applicant is in favor of the annexation. Neighboring property owners would be noticed about the availability of the CEQA documents and public meetings. These individuals will have the opportunity to submit comments to both the County and the County LAFCo.</p>



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<p>Section 56668(n): Any information relating to existing land use designations.</p>	<p>Consistent: The proposed project parcels are designated Residential Low Density (RL) 1-7 units/acre (Humboldt County 2017c). The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. Single-family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types, including townhouses and common-wall clustered units (Humboldt County 2017c). The project site also lies within the Eureka Community Plan Planning Area Boundary, but not within its SOI. The water tank location is designated as Timberland (T).</p> <p>The proposed project parcels are zoned Residential One-Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO). The water tank location is zoning as a TPZ.</p>
<p>Section 56668(o): The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.</p>	<p>Consistent: According to the Governor’s OPR LAFCO MSR Guidelines, a LAFCO decision to approve an extension of a service area or a change in city boundaries could have a significant environmental justice impact especially if it results in the siting of a major industrial, residential, or public works project. Environmental justice can be broken down into two categories: procedural inequity and geographic inequity. In the case of land development projects, procedural inequity can include unfairly attaching mitigation measures to certain projects and not uniformly to all projects, as well as unfair meeting or noticing procedures. Geographic inequity can include concentrating undesirable land uses, such as denser development, in one area of a county while concentrating desirable uses, like parks, in other areas of the county.</p> <p>The proposed project is subject to the procedural requirements of state law and County Code, including but not limited to the analysis contained in this EIR, public hearings before the Planning Commission and Board of Supervisors, and approval from LAFCo for annexing to the HCSD.</p> <p>The proposed project includes 18 affordable housing units that would help address the County’s housing needs, and a combination of single-family and multi-</p>



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	family residential, together with commercial development, located adjacent to existing ballfields at Redwood Fields Park and, eventually, a regional park and regional trail system.

Timber Harvest Plan Consistency

A THP was developed for the site in September 2017 and is valid through March 5, 2023. This THP serves as the functional equivalent of a CEQA EIR and required approval through CAL FIRE as the lead agency. The THP was developed for the proposed project to allow the timber currently located on the project site to be harvested and sold. The current THP contemplated residential development of the project site as an alternative to timber harvesting; however, the development alternative was rejected at the time because development did not address project objectives of the THP. The proposed project would be consistent with the THP, as development is permitted under the current zoning. Based on market conditions, the Applicant may harvest timber as per the approved THP or remove trees to accommodate the development of the project. This EIR analysis includes a conservative assumption of removal of approximately 59.27 acres of trees onsite, and impacts are discussed in Section 3.1, Aesthetics; Section 3.3 Air Quality; Section 3.4, Biological Resources; Section 3.8, Greenhouse Gas Emissions and Climate Change; and Section 3.10 Hydrology and Water Quality. Once the THP expires in 2023, the site would no longer be used for timber harvesting operations. Therefore, the impact related to consistency with the THP would be less than significant.

Level of Significance Before Mitigation

Less Than Significant Impact.

Mitigation Measures

None required.

Level of Significance After Mitigation

Less Than Significant Impact.



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