AGENDA

RIO DELL PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 25, 2012 - 6:30 PM
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME** . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

THE TYPE OF COMMISSION BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

1) 2012/0425.01 - Appointment of Vice Chair to the Rio Dell Planning Commission **(ACTION)**

E. CONSENT CALENDAR

1) 2012/0425.02 - Approve Minutes of the March 28, 2012 Regular Meeting **(ACTION)**

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 4/5ths of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

1) 2012/0425.03 - Albin General Plan Amendment and Zone Reclassification. Consider the Application and Adopt Resolution No. PC 051 -2012 Recommending that the City Council Approve or Deny the Proposed General Plan Amendment and Zone Reclassification Designating Approximately 3 Acres from Community Commercial (CC) to Urban Residential (UR) **(ACTION)**

H. REPORTS/STAFF COMMUNICATIONS

I. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for May 23, 2012 at 6:30 p.m. in the City Council Chambers

675 Wildwood Avenue
Rio Dell, CA 95562

TO: Planning Commissioners

THROUGH: Ron Henrickson, City Manager

FROM: Karen Dunham, City Clerk

DATE: April 25, 2012

SUBJECT: Appointment of Vice-Chair to the Rio Dell Planning Commission

RECOMMENDATION

Vote to elect a person among the appointed voting members of the Commission to serve as Vice-Chair.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

At the April 28, 2011 Planning Commission meeting the Commission elected Commissioner Sweaney as Vice-Chair. With resignation of her position on the Planning Commission, a vacancy now exists for that position.

At this time, I am requesting the matter be placed on the agenda for your consideration. All members of the Commission are considered to be nominated unless a member wishes to decline nomination.

Ballots will be provided at the meeting.

CITY OF RIO DELL
PLANNING COMMISSION
REGULAR MEETING
MARCH 28, 2012

CALL TO ORDER

The Regular meeting of the Rio Dell Planning Commission was called to order at 6:30 p.m. by Planning Commissioner Chapman.

Present were Commissioners Chapman, Angeloff, Johnson and Millington. Absent was Commissioner Gonzales.

Others present were Community Development Director Caldwell, Chief of Police Hill and City Clerk Dunham.

CONSENT CALENDAR

Motion was made by Johnson/Millington to approve the consent calendar including the approval of minutes of the January 25, 2012 regular meeting; Motion carried 4-0.

PUBLIC PRESENTATIONS

None

SCHEDULED MATTERS/PUBLIC HEARINGS

Review of Animal Control Fees
Chief of Police Hill provided a staff report and reviewed the recommended fee schedule associated with animal control functions, the justification for the associated fees, and a fee comparison table representing fees charged by three other local jurisdictions.

He said at this point he is seeking input and recommendations from the Planning Commission in regard to the proposed fee structure, stating that any comments would be forwarded to the City Council for consideration.

Commissioner Millington referred to the $130.00 Litter Surrender Fee charged by other jurisdictions and asked what the age restrictions were for such animals. Chief Hill stated that since the City does not have provisions in the ordinance relating to the surrendering of litters a fee was not included in the proposed fee structure.

Commissioner Millington then referred to the difference in redemption fees for unaltered males ($105) versus unaltered females ($115) and asked why the fee could not simply be $110 for either. Chief Hill stated that he could entertain the suggestion however he

would not recommend charging beyond the actual cost. He said through inquiries with veterinarians he learned that the procedures and charges vary between males and females.

Commissioner Johnson asked about the frequency for revising fees; Chief Hill said he would like to see the fee schedule reviewed annually to make sure the City is recovering actual costs associated with the service.

Commissioner Millington asked what the process is for handling strays in regard to the fee; Chief Hill said the City incurs the cost although often times they are able to locate the owner of the animal and collect the fee.

Commissioner Angeloff referred to the cost for feeding an animal and asked why the cost for Rio Dell was $.82/day whereas it was $14.00/day in Eureka and Arcata; Chief Hill explained the difference is that Rio Dell does not have a facility, therefore our care is usually only for a few hours until the animal can be transported to Miranda's Rescue rather than overnight.

A public hearing was opened at 6:45 p.m. to receive public comment on the proposed fee schedule.

There being no public comment, the public hearing closed.

Chief Hill was excused and left the meeting at this time, 6:46 p.m.

<u>Consider and Discuss Existing Fence Regulations and Approve Resolution No. PC 049-2012 Recommending the City Council Consider and Reaffirm the City's Fence Regulations</u>

Community Development Director Caldwell provided a staff report and stated that in reviewing the City's Zoning Regulations, staff determined that although there are no fence provisions in the current Rio Dell Municipal Code (RCMC), the original provisions under Ordinance No. 167 are still in effect. Apparently when the City's ordinances were codified by Code Publishing, the fence regulations were inadvertently omitted.

He said in discussing the omission with the City Attorney, he recommended staff prepare a Resolution for City Council approval, reaffirming the provisions as established under Ordinance No. 167. He said at this time he is recommending that the Planning Commission review and discuss the existing regulations and any suggested amendments before it is taken to the City Council.

Community Development Caldwell reviewed the existing fence provisions and commented that fence height may be exceeded through the Conditional Use Permit process.

Commissioner Johnson stated that he did not see a provision that addresses hedges that exceed the height limitation within the sight obstruction control (triangle) area; Community Development Director Caldwell explained that under the provisions of the Health & Safety Code, a letter is sent to the property owner and under the provisions of the Nuisance Abatement Ordinance, the City can trim the hedge and charge the property owner if they fail to do so.

A public hearing was opened at 6:52 p.m. to receive public input on existing fence regulations.

There being no public comment, the public hearing closed.

Motion was made by Johnson/Angeloff to approve Resolution No. PC 049-2012 *Recommending that the City Council Recognize and Reaffirm the Existing Fence Regulations, Ordinance No. 167.* Motion carried 4-0.

Approve Resolution No. PC 050-2012 Recommending that the City Council Amend Section 17.30.260 of the Rio Dell Municipal Code (RDMC) by Establishing Election/Political Sign Regulations

Community Development Caldwell stated that staff discovered that the City does not currently have any specific regulations regarding the placement of election or political signs. As a result, he created a table representing regulations established by other cities in the County. He said a draft ordinance which was presented to the City Council at their March 20, 2012 regular meeting and there was some discussion regarding staff's recommendation about the placement of signs within six (6) feet of an existing curb. He said when discussed, the six (6) foot reference was from the property line rather than the curb as stated under provision (f). He said the intention of the six (6) foot provision was so as not to interfere with pedestrian and bicycle traffic in front of the parcel. His recommendation was to keep the six (6) foot setback from the curb as stated in the draft ordinance.

Community Development Caldwell said another issue had to do with placement of signs on fences. The recommended language states that the signs must be freestanding; therefore not allowing signs to be placed on fences or buildings. One concern was that there are a number of structures in town that have front yard fences and there is the possibility of the signs creating an unattractive nuisance should a number of adjacent properties with fences post the maximum number of signs. Staff's recommendation was that no more than four (4) signs be allowed to be posted on any one parcel.

Commissioner Angeloff pointed out that the "freestanding" sign requirement takes care of the issue of signs on fences.

Commissioner Millington commented that she always places signs on her fence since it's the only visible place she has on her property and asked if there could be an exception for the placement of signs within commercial zones.

Community Development Caldwell said he had no objection making a recommendation to the City Council if that is the desire of the Commission.

Community Development Director Caldwell said one suggestion would be to reduce the setback of signs from 6 feet to 3 feet from the curb and from 10 feet to 5 feet from the edge of existing pavement. Commissioners concurred.

Commissioner Johnson suggested that the preclusion of signs within 25 feet of an intersection be expanded to 30 feet to be consistent with the visibility triangle established for fences. In addition, he suggested signs be limited to 3 feet within the visibility triangle as opposed to 4 feet as proposed. Commissioners concurred.

A public hearing was opened at 7:10 p.m. to receive public comment on the proposed resolution.

Billie Joe Long stated for clarification that the recommendation is to expand the 25 foot distance from an intersection to 30 feet; reduce the size of signs within the visibility triangle from 4 feet to 3 feet; and that there be no more than 4 signs on a parcel. He said there are some commercial buildings that are located at the edge of the sidewalk and asked if signs will be allowed to be placed on those buildings.

Commissioner Millington stated that if signs were allowed to be placed on those buildings, it could be obstructing to pedestrians.

Community Development Director Caldwell said language could be added to address the issue.

There being no further public comment, the public hearing closed at 7:13 p.m.

Commissioner Johnson commented on the need to give those properties with structures built out to the street, the same right to post signs.

Community Development Director Caldwell reviewed the Commission's recommended revisions as follows:

- Setback of signs be 3 feet from curb and 5 feet from edge of pavement
- Maximum of 3 feet in height within the visibility triangle
- Signs may be placed on buildings

Commissioners concurred with the recommendations.

Motion was made by Millington/Johnson to approve Resolution No. PC 050-2012 *Recommending Amending the Sign Regulations, Section 17.30.260 of the Rio Dell Municipal Code (RDMC)* with the revisions as noted. Motion carried 4-0.

Albin General Plan Amendment and Zone Reclassification
Community Development Director Caldwell announced this item will be continued to the meeting of April 25, 2012. He suggested the Commission allow the public the opportunity to comment on the proposed project and provided brief background on the project.

A public hearing was opened at 7:20 p.m. to receive public comment on the proposed project.

Billie Joe Long asked for a definition of the Urban Residential (UR) zone and whether it allowed for multi-unit development.

Community Development Director Caldwell explained the Urban Residential Zone allows for detached single-family dwellings as well as attached dwelling units up to 4 units with a Conditional Use Permit. He said what the applicant is proposing is to rezone approximately 3 acres from Community Commercial to Urban Residential for the purpose of constructing 13 or 14 single-family residences.

Ralph Roberts asked if the developer would be bringing an access loop to Wildwood Ave.; Community Development Director Caldwell stated the parcels would be accessed from Painter St. to May then to either Pine St. or North St.

Community Development Director Caldwell indicated that any potential commercial development would need to have access from Wildwood Ave. and noted that there are only 33 acres of undeveloped land in the City of Rio Dell designated as Community Commercial, compared to 350 acres of undeveloped Residential land. He pointed out that once land is reclassified from Commercial to Residential it is very difficult to go back to Commercial.

There being no further public comment, the public hearing closed at 7:25 p.m.

Commissioner Millington expressed concern that not only is it difficult to change Residential land back to Commercial but once the parcel is developed, it is practically impossible during the economic lifespan of the dwellings.

REPORTS/STAFF COMMUNICATIONS

Community Development Director Caldwell reported on upcoming agenda items and stated he would be bringing forward on the next agenda, the Albin General Plan Amendment and Zone Reclassification; Design Review; and provisions for shipping containers used as sheds. He said he was also working on a General Plan Amendment and Zoning Reclassification on the former Eel River Sawmill site re-designating 25 acres from Public Facility (PF) to Industrial Commercial (IC), which will be coming to the Commission for consideration in May.

ADJOURNMENT

The meeting adjourned at 7:30 p.m. to the April 25, 2012 regular meeting.

_____
Gary Chapman, Acting Chair

Attest:

_____
Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532

For Meeting of: April 25, 2012

To: Planning Commission

From: Kevin Caldwell, Community Development Director

Through: Ron Henrickson, City Manager

Date: April 17, 2012

Subject: Albin General Plan and Zone Reclassification

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed General Plan and Zone Reclassification;

2. Open the public hearing, receive public input and deliberate;

3. Consider the application and based on information contained in the staff report, the applicant's justification, public comments and the Commission's deliberation adopt Resolution No. 051-2012 recommending that the City Council either approve or deny the proposed General Plan Amendment and Zone Reclassification designating approximately 3 acres from Community Commercial (CC) to Urban Residential (UR).

Background and Discussion

Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR). Included as **Attachment 1** is the applicant's justification for the proposed amendments.

The property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965. The R-3 zone principally permitted single family, two family and dwelling groups and multiple dwellings for not more than four families.

The property was redesignated in 2004 to Community Commercial. At that time the parcel included some lands to the east of the subject property which was and is designated Urban Residential. In May of 2006, a minor subdivision creating four parcels and a Remainder (the subject parcel) was approved. Sometime in 2008 or 2009 the applicant informally requested the City consider redesignating the parcel from Community Commercial to Urban Residential. At that time, the City chose not to consider amending the land use designations.

As indicated above, the applicant's agent has submitted justification in support of making the required Public Interest and General Plan consistency findings. Below is a summary of the justification:

Public Interest

- Re-zoning to "Urban Residential" would make this parcel compatible with the surrounding existing residential use;
- Residential development will not require modifications to the Gateway improvements adjacent to the parcel;
- Redesignating the parcel to Residential will further encourage commercial development to the Town Center and the Todd parcel;
- Residential development will not detract from the view of the Scotia bluffs and be easy to landscape for privacy

General Plan

- The General Plan encourages commercial development in the Town Center. Consistent with this policy, redesignating the parcel to Residential will further encourage commercial development to the Town Center and the Todd parcel ;
- The General Plan encourages compatible development. Residential development would be more compatible with the existing surrounding residential development.

Procedures for Plan Amendments

California Government Code § 65350-65362 contains the following procedural requirements to amend a general plan:

- Prior to action to amend a general plan, the proposed action should be referred to and circulated for 45 days to: the City, County, school districts, LAFCo, regional planning agencies, any federal or state agencies, water providers, and Native American tribes with traditional lands located within the City;
- The Planning Commission shall hold at least one public hearing before approving a recommendation on the amendment;
- The Planning Commission shall make a written recommendation on the amendment;
- Prior to amending the general plan, the City Council shall hold at least one public hearing;

- The City Council shall amend the general plan by resolution, which shall be adopted by not less than a majority of the legislative body;
- City Council may approve, modify, or disapprove the Planning Commission recommendations, however any substantial modifications not previously considered by the Planning Commission shall first be referred to the Planning Commission for its recommendation;
- Copies of the adopted general plan amendment shall be made available for inspection by the public one working day following adoption;
- Within two working days after a request, copies shall be furnished to those so requesting;
- Any specific plan or other plan of the City that is applicable to the same areas or matters affected by a general plan amendment shall be reviewed and amended as necessary to make the specific or other plan consistent with the General Plan;

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.30.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.30.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.

- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.30.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Plan and Zone Amendment Required Findings:

1. The proposed amendments are deemed to be in the public interest.

The applicant's agent has submitted justification for the proposed amendment which is included as Attachment 1. In regards to the required Public Interest finding, the applicant provided the information below as evidence that the proposed amendment is in the public interest:

> *"It is in the City's and public's interest to encourage commercial development in the "Town Center" and to discourage a commercial "strip mall" development along Wildwood Ave. Rio Dell is not a destination area which will attract the vacationing public to the City. The "Town Center" area of the City stands to benefit from the attractions, subdivision and industrial uses located in the town of Scotia. Residential use of this area will not create the need for additional access onto Wildwood Ave. Residential use is consistent and compatible with the existing residential neighborhood. "*

In addition, the applicant's agent provided the following information as part of the justification included as Attachment 1:

> *"It was once believed that this parcel's proximity to US 101 would make it an ideal commercial site for serving traffic on the highway. Now, the City has identified a more appropriately located parcel along US 101."*

It should be noted that the above reference to the parcel along US 101 is the Todd parcel that the City was pursuing for acquisition and development. However, this parcel was and is already zoned Community Commercial.

Staff Analysis

In order to determine if the proposed amendment is in the public interest, staff believes we need to evaluate the commercial and residential land use inventory for the City. Table 1 below identifies the amount of commercial and residential land within the City.

Table 1
Commercial/Residential Lands

Land Use/Zoning Designation		Acres	% of City
CC	**Community Commercial**	**33**	**2.6%**
NC	Neighborhood Commercial	6.0	0.5%
TC	Town Center	48	3.8%
UR	**Urban Residential**	**323.6**	**25.3%**
SL	Suburban Low	188	14.7%
SR	Suburban Residential*	21.7	1.7%
RR	Rural Residential	334	26.1%

**Does not include approximately 55.5 acres of the Blue Slide Road Annexation*

As the above table indicates, there is ample residential land, approximately 323 acres of lands designated Urban Residential and a total of about 870 acres, to facilitate residential development within the City. At this point in time there doesn't appear to be need for additional residential lands within the City. In contrast there is only about 33 acres designated for

Community Commercial development. Please refer to the Land Use Map included as **Attachment 2**.

Again, referring to the current land use inventory only 2.6% or 33 acres of the City is zoned Community Commercial. There are twenty (20) parcels in the City that area zoned Community Commercial. Of those twenty parcels only four are vacant. Please refer to Table 2. Of the four vacant parcels, only one parcel (APN's 052-232-005 & -010); located at the intersection of Davis Street and Ireland Avenue is larger than a 2/3 of an acre or 30,055 square feet. The other three vacant parcels are 6,724 square feet, 8,276 square feet and 14,460 square feet respectively. The 14,460 square foot parcel (APN 052-211-022) is owned by the Baptist Church and is only about 50 feet deep and about 300 feet wide. In addition, although not permanent, the southerly portion of the parcel is developed with the Community Garden and Orchard. Staff believes that the only parcel with realistic commercial development potential is APN's 052-232-005 & -010. This parcel is a little over a 1/3 of an acre and has excellent access and visibility making ideal for future commercial development. Please refer to the map included as **Attachment 3**.

Table 2
Vacant Community Commercial Parcels

Assessor Parcel Number	Size Sq. Ft.	Developed	Use	Frontage Street	Comments
052-211-022	14,460	No	Vacant	Wildwood Avenue	Parcel is 50'+/- deep. Development potential is very limited.
052-222-004	8,276	NO	Vacant	Wildwood Avenue and Center Street	Parcel is limited due to its size.
052-232-041	6,724	NO	Vacant	Davis Street	Parcel is limited due to its size.
052-232-005 & -010	30,055	NO	Vacant	Davis Street and Ireland Avenue	Very good development potential.

According to both the General Plan and Zoning designations, the purpose of the Community Commercial or CC land use and zoning designation is to provide for large-scale commercial uses, including super-markets, offices, lodging and civic uses. In addition, all uses allowed as conditionally permitted uses in the Neighborhood Commercial zone are also principally permitted. Please refer to **Attachments 4 and 5**.

One of the twenty parcels is the Todd parcel discussed above and it does have very high development potential. The Todd parcel is approximately 18 acres and is developed with a single family residence and barn. As indicated above, the City pursued the purchase and subsequent development of the parcel. Although the City offered the property owner $975,000 for the parcel, the property owner wanted $50,000 guaranteed should the City not be able to complete the terms of the purchase agreement. As such, staff believes the City should not count on this parcel being developed in the near future.

Notwithstanding the asking price ($385,000) of the parcel, past subdivisions of the parcel, which reduced its size and the Gateway road improvements along the frontage of the parcel which will require additional expenditures to develop may have an impact on the parcels commercial viability.

The applicant's agent has pointed out that the parcel has been on the market for close to 2 ½ years. However this in itself has little, if any, bearing on the commercial viability of the parcel. Real estate sales in general are down not only in Humboldt County, but throughout the country as well. In addition, the applicant's agent has provided the following justification on support of the proposed amendments:

- *Some commercial uses have developed northerly along Wildwood Ave. towards this site. Further commercial development along Wildwood would continue the fragmentation of the Town Center.*

Staff disagrees. The commercial development of the parcel should not have an impact on the "fragmentation" of the Town Center. In fact, it is staff's opinion that the commercial development of properties adjacent to and visible from Highway 101 will help attract the traveling public to the City, including the downtown area.

- *Commercial development should be encouraged in the Town Center or adjacent to US 101 where it's possible to draw the traveling public.*

Staff agrees. Commercial development should be and is encouraged in the Town Center. However, the Town Center and Community Commercial designations are intended to provide different commercial use types.

- *This parcel does not have good US 101 visibility and any commercial development here would draw business away from Town Center.*

Staff disagrees. The subject parcel and the Todd parcel provide the best highway visibility of any of the parcels designated Community Commercial. Again, staff believes if we can encourage the traveling public to notice commercial/shopping opportunities within the City that it will help attract business to the down town area.

- *Raw land is more easily developed into today's retail/commercial type businesses. Converting existing structures into desirable retail space is difficult with today's building code requirements.*

Staff agrees. This justification actually supports retaining the property as Community Commercial. There are very few vacant parcels in the Town Center designation that can be commercially developed. Again, the Town Center and Community Commercial designations are intended to provide different commercial use types.

- *Another problem with this parcel is that a commercial establishment would want to take access from Wildwood Ave. which the City would prefer not to allow.*

Staff disagrees. Access off of Wildwood Avenue was and is expected as part of any commercial development of the site. In fact, the parcel's location on Wildwood Avenue adjacent to the Highway is one of the parcels attributes that is identified in the parcels multiple listing on the Humboldt Association of Realtors website. Please see **Attachment 6**.

- *Allowing this parcel to develop into a commercial enterprise would weaken the resolve to maintain a core downtown area.*

Staff disagrees. Again, the commercial development of the parcel should not have an impact on the commercial viability of the Town Center. As indicated above, Town Center and Community Commercial designations are intended to provide different commercial use types. Furthermore, as previously indicated it is staff's opinion that the commercial development of properties

adjacent to and visible from Highway 101 will help attract the traveling public to the City, including the downtown area.

Based on the above discussion and the applicant's justification, it is staff's opinion that the proposed amendment to change the parcel from Community Commercial to Urban Residential **may not be in the public interest** at this time. However, based on the information provided by the applicant's agent, the Commission could recommend that the proposed amendment is in the public interest.

2. The proposed amendments are consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.

The purpose of the General Plan is to provide a balance of use types to encourage and facilitate planned orderly development within the City. Below are goals and policies of the General Plan associated with the proposed amendments:

- Promote a variety of commercial uses and allow light manufacturing in appropriate commercial zones.

The various commercial designations are intended to provide a variety of commercial uses. Based on the limited development potential of all lands designated Community Commercial, it is staff's opinion that the removal of Community Commercially designated lands may be premature at this time. Should base information and/or community values and assumptions change, it would certainly be reasonable to reevaluate land use designations throughout the City.

- Provide sufficient land for business expansion and attraction of new employers by designating a mixed use corridor along Wildwood Avenue and in the Town Center.

As previously discussed and documents, staff believes there is a very limited supply of suitable land designated Community Commercial, especially Community Commercial land visible and adjacent to Highway 101 and commercial land along the City's major thoroughfare.

- Encourage infill development of vacant and underutilized land in the Town Center before amending the General Plan to allow additional commercial and residential land elsewhere.

Staff believes amending the General Plan and Zoning designation from Community Commercial to Urban Residential would conflict with this adopted policy. However, it could be argued that amending the land use designation as requested could facilitate additional commercial development in the Town Center.

- Monitor market demand for residential land and consider, where appropriate, changes in the City General Plan Land Use Element and Zoning to ensure a balance in residential uses and densities.

The applicant's agent has pointed to the fact that the parcel has been on the real estate market for over 2 ½ years. This could indicate that the demand for commercial land in Rio Dell is not present.

At this point in time based on existing General Plan goals and policies, staff believes the proposed amendments **may not be consistent the General Plan** and its implementation policies and programs. However, the Commission could recommend approval if they believe

the proposed amendments would result in focusing commercial development in the Town Center, which is consistent with an overall comprehensive view of the General Plan.

3. The potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.

There is no evidence to suggest that the proposed amendments would be detrimental to the public health, safety or welfare.

4. The proposed amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

State law requires that any amendment of a general plan comply with the California Environmental Quality Act (CEQA). The primary purpose of CEQA is to inform the decision makers and the public of potential environmental effects of a proposed project. Since the project is a discretionary action subject to CEQA, an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project. Because residential development of the site is a "foreseeable" project under the proposed amendments, staff evaluated the impacts of residential development on the site. Through preparation of the Initial Study, it has been found that there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level. These measures are documented in the Initial Study and Draft Mitigated Negative Declaration which has been prepared and is attached to this staff report as **Attachment 7**. The Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012. Pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days.

Financial Impact

The applicant is responsible for the costs associated with the proposed amendments.

Alternatives

The Planning Commission may recommend approval in whole or in part or denial of the proposed amendments. Should the Commission believe the required findings cannot be made, the Commission should approve and adopt Resolution No. 051-2012A. Should the Planning Commission believe the required findings can be made, the Commission should adopt Resolution No. 051-2012B.

Attachments

Attachment 1: Applicant's justification regarding the proposed amendments.

Attachment 2: Existing Land Use map.

Attachment 3: Map of the four vacant Community Commercial parcels.

Attachment 4: Community Commercial Development Standards.

Attachment 5: Neighborhood Commercial Development Standards.

Attachment 6: Parcel's Multiple Listing advertisement.

Attachment 7: Initial Study and Mitigated Negative Declaration.

Attachment 8: Draft Resolution No. 051-2012A recommending denial of the proposed amendments.

Attachment 9: Draft Resolution No. 051-2012B recommending approval of the proposed amendments.

ALBIN GPA/ZR

CITY OF RIO DELL
DEPARTMENT
675 Wildwood Avenue

Rio Dell, CA 95562

Phone: (707)764-3532

Fax: (707)764-5480

PLANNING

Case No.

Application Fee

Consulting Deposit

SUPLEMENTAL APPLICATION FOR:
GENERAL PLAN AMENDMENT

1. Describe the Proposed Plan Amendment:
Answer: This is a map change from "Community Commerical" to "Urban Residential".

2. Indicate why the need for the proposed plan designation cannot be met on other appropriately designated lands in the City(map change only):
Answer: The Gateway Neighborhood is already predominantly residential, with a mix of single-family residences, mobile homes parks, the Rio Dell School, Fire Station and other civic uses. Some commerical uses have developed northerly along Wildwood Ave. towards this site. Further commerical development along Wildwood would continue the fragmentation of the Town Center. This property has been on the market under its "Commerical" zoning for 2.5 years with no buyers.

3. Indicate those goals, objectives, policies, strategies and/or programs of the General Plan which are supported or implemented by the Plan Amendment request and explain the reasoning behind this contention:
Answer: Commerical development should be encouraged in the Town Center or adjacient to US 101 where its possible to draw the traveling public. This parcel does not have good US 101 visibility and any commerical development here would draw business away from Town Center. Raw land is more easily developed into todays retail/commerical type businesses. Converting existing structures into desireable retail space is difficult with todays building code requirements. Another problem with this parcel is that a commerical establishment would want to take access from Wildwood Ave. which the City would prefer not to allow. Converting this parcel to "Urban Residential" would allow residential parcels to back up to Wildwood Ave. with an interior street connecting North St. to Pine St. with no outlet to Wildwood Ave.

4. Indicate those goals, objectives, policies, strategies and/or programs of the General Plan that conflict with the Plan Amendment request; show how those items should be amended to be consistent with the request, and present substantial evidence to justify those changes.
Answer: Vacant land for commerical development will be reduced. Vacant commerical land is scarce in Rio Dell and its zoning must take in to account economic

realities. Any commerical development away from Town Center could further reduce the viability of Town Center. Sales tax revenue could be reduced with a reduction of commerical zoned property. Increases in sales tax must be based on spending by non-residents and commerical location is crucial in getting the non-residents to stop and spend.

5. Document the economic costs and benefits to the City.

Answer: The loss of vacant land zoned for commerical use may cost the City new businesses. It was once believed that this parcel's proximity to US 101 would make it an ideal commerical site for serving traffic on the highway. Now, the City has identified a more appropriately located parcel along US 101. The addition of about 14 residential lots will preserve the residential use in this area and avoid conflict between residential and commerical uses. The City would be relieved of the problem of providing reasonable access to Wildwood Ave. for commerical use. The backyards of residential lots will not detract from the view of the Scotia bluffs and be easy to landscape for privacy.

6. Specify any significant environmental effects that would be expected if the proposal were approved:

Answer: The effects of development whether residental or commerical, will result in increased surface water runoff. A new street for residential use or a paved parking lot for a commerical use can be mitigated by retention basins and/or bio swales and the requirement to make storm drain improvements.

7. Discuss the compatibility of the proposed Plan Amendment with adjacent land uses.

Answer: Re-zoning to "Urban Residential" would make this parcel compatible with the surrounding existing residential use.

8. Describe the impact of the proposal on traffic and circulation systems.

Answer: The addition of 14 residential lots will have minimal effect on the residential streets. A new street connecting North St. to Pine St. will provide circulation within the community with the feeling of living on a cul-de-sac. May St. and Painter St. will experience more traffic. Most traffic would turn on Painter St. towards Wildwood Ave. and turn left onto Wildwood Ave. to go downtown or right to access US 101. At certain times of the day, people may choose to go east on Painter St. to Ireland St. and south to Davis St. to access US 101 or the downtown area.

9. Evaluate the adequacy of public service systems to accommodate the change in the General Plan.

Answer: This area currently has access to all "public service systems" that exist within the City of Rio Dell. Any new development will be required to install its fair share of infrastructure to accomadate future residents. An existing sewage collection system is in place. New water mains will be installed on North St. Existing storm drains will be extended along North St. PG&E currently supplys existing residents with electricty and gas, telephone services exist, waste disposal services are available, police and fire protection are already provided in this area. An elementary school is within walking

distance to this site.

10. Analyze the impacts of the proposal on the long-term development phasing of the City and on the City as a whole.

Answer: During the current recession it is unlikely that residental buildout will occur within the next 5 to maybe 10 years. Much depends on factors outside the control of the City. This area of May St., North St. and Pine St. is surrounded by residential use. Allowing this parcel to develope into a commerical enterprise would weaken the resolve to maintain a core downtown area. Hopefully, the Humboldt Redwood Mill in Scotia will continue to expand bringing more jobs to the area. With the subdivision of the town of Scotia, more permanent residents in the area will spill over and be beneficial to businesses in the downtown area of Rio Dell.

11. Analyze the impacts of the proposal on each individual element of the General Plan not previously discussed:

Answer: Conservation Element; this property has been used for grazing of livestock and the making of hay. The property is bounded on the north by the US 101 freeway and on the other sides by residential development which precludes the use by wildlife. Open Space Element; the Eel River corridor provides open space for residents of Rio Dell as well as the viewshed of surrounding forests and the Scotia Bluffs. Noise Element; Highway 101 is a minimal noise source for the northerly portion of the property which can be mitigated by tree screening and well insulated houses. Safety Element; this area is in an active seismic zone which is addressed by current building codes. The threat of flooding from the Eel River and local drainages is not an issue. The threat of wild fire is very low in this urban setting.

12. Prepare findings that are based upon identified and documented facts and clearly demonstrate how the proposal is in the public interest.

Answer: It is in the City's and public's interest to encourage commerical development in the "Town Center" and to discourage a commerical "strip mall" development along Wildwood Ave. Rio Dell is not a destination area which will attract the vacationing public to the City. The "Town Center" area of the City stands to benefit from the attractions, subdivision and industrial uses located in the town of Scotia. Residential use of this area will not create the need for additional access onto Wildwood Ave. Residential use is consistent and compatible with the existing residential neighborhood.

RESPONSE TO STAFF REPORT ON
ALBIN GP/ZONING AMENDMENT

April 17, 2012

Analysis of Community Commerical zoned properties:

As quoted from staff report "community commerical land use and zoning is to provide for large scale commerical uses, i.e. super markets, offices, lodging and civic uses." Whether the frontages of Wildwood Avenue, from the south end to the US 101 overpass, are best suited to be reserved for community commerical is the question. The answer to the question revolves around what "professional" planners believe the City of Rio Dell should look like over the comming 10 to 20 years. The future is very un-certain. Do the citizens of Rio Dell want this area to develop commerically? Do they care if this property stays vacant for 2 more years, or 5 more years? Do they want this area to develop if it means that the downtown area will continue to decline? Are we carefully taking into account the affects, now and in the future, of the Town of Scotia? How much equivalent commerical acreage exists in Scotia? Is the permitting process easier, the same or more difficult in the Town of Scotia compared to Rio Dell? How long should a property owner be held hostage to a zoning designation?

Analysis of Attracting the "Traveling Public" to Rio Dell:

The presumption that the "traveling public" will "see" something that will cause them to exit US 101 into the City of Rio Dell does not fit with my traveling experiences. First, you are traveling 65 miles per hour on a freeway. Secondly, you need to have some sort of advertising so that you know that what ever it is you are looking for is available via a freeway offramp. Freeway advertising conflicts with the groups wanting to keep our "Redwood Highway" free of billboards. This site is not visible from the freeway. The Todd parcel, on the other hand, has the visibility from the freeway, at least for north bound traffic, to take advantage of the "freeway visibility factor". Development of the Todd parcel would likely soften the demand for "community commerical" property for years into the future rather than create a "demand" for commerical development.

Analysis of "General Plan" goals:

Every community in the State would like businesses to open and expand in their communities. How successful has the "promotion" of commercial and light manufacturing in appropriate commerical zones been? "Light manufacturing" may not be appropriate at this site due to the surrounding residential uses. The Eel River Sawmill site would be ideal for "heavy" or "light" manufacturing. Some types of commerical development would be suitable at this site, but some types would conflict. Allowing access from Wildwood Ave would require a complete re-design of the "Gateway" approach to downtown Rio Dell. Looking at the aerial map, Attachment 3, the current use of properties north of Center St. and east and west of Wildwood Ave is for residential use. The "General Plan" is designed to be amended and the applicant feels that the current and future economic realities justify a review of the zoning on this parcel.

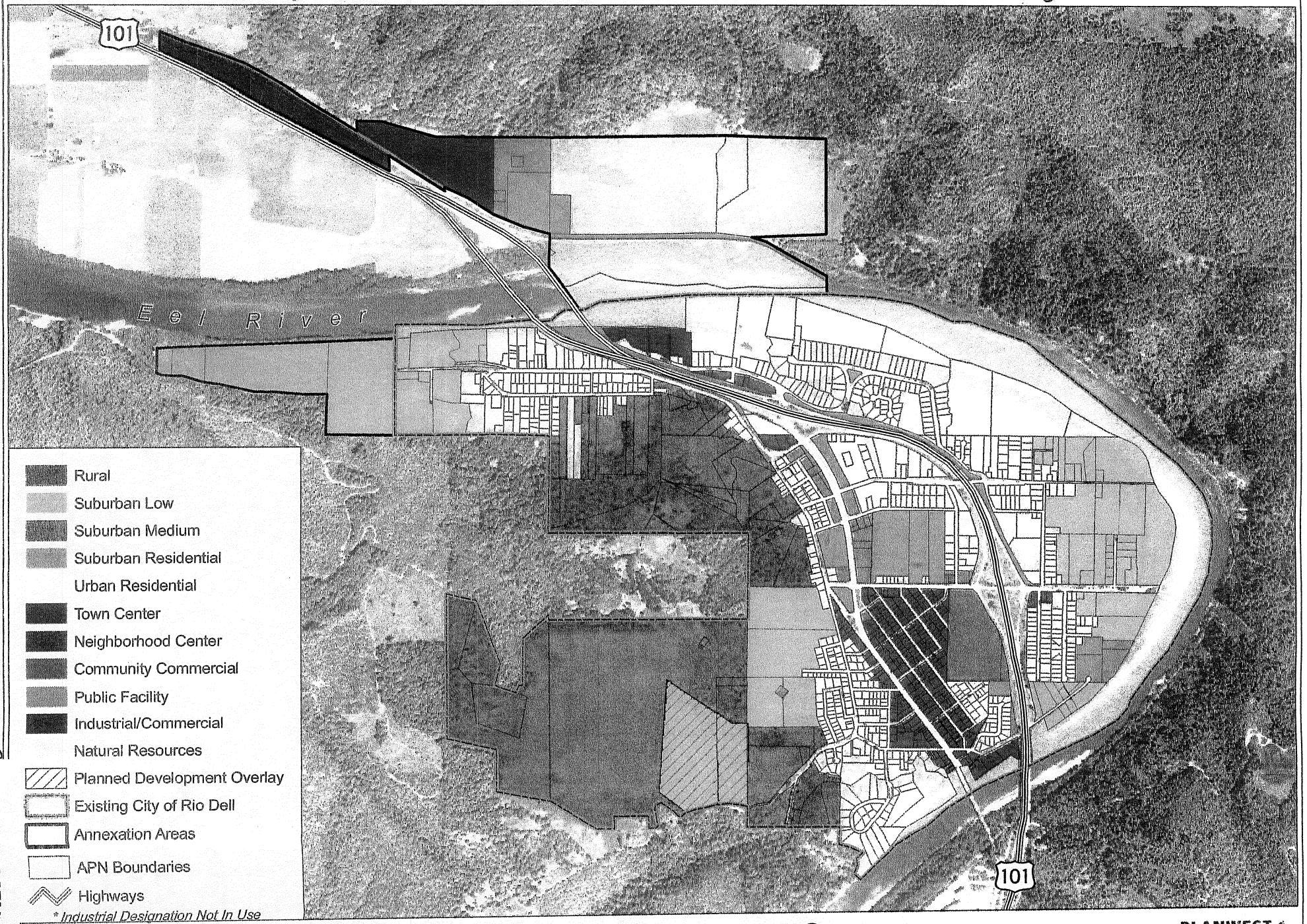
Respectfully submitted for the Albin General Plan Amendment:

Wally Wright

Wally Wright

RECEIVED
APR 17 2012

City of Rio Dell General Plan Land Use and Zoning



Map Compiled by Planwest Partners
January 14, 2009

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ATTACHMENT 2

ATTACHMENT 3

21

17.20.060 Community Commercial or CC zone.

The purpose of the community commercial or CC zone is to provide for large-scale commercial uses. The following regulations shall apply in all community commercial or CC zones:

(1) Principal Permitted Uses.

(a) Large-scale retail stores and retail services, including supermarkets;

(b) Automotive sales, automotive services contained entirely within a building, and gas stations;

(c) Light manufacturing contained entirely within a building;

(d) All uses permitted with a use permit in neighborhood center or NC zones, without regard to the securing of any use permit, except as provided in subsection (2) of this section.

(2) Use Permitted with a Use Permit.

(a) Motels in a lodging building or in a mixed use building, RV parks;

(b) Small animal hospitals, completely enclosed within a building;

(c) Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards, metalworking shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing and lithographic;

(d) Civic and cultural uses including City offices and other government services and City parking facilities.

(3) Other Regulations. See Table 17.20.060 for development standards for the community commercial (CC) zone.

(a) Minimum lot area, width, and minimum yards shall be the same as those required in the neighborhood commercial or NC zones.

(b) Maximum building height: 45 feet.

Table 17.20.060

Development Standards for the Community Commercial or CC Zone

Site Development Standard	**Zone Requirement**
Minimum Lot Area:	5,000 sq. ft.
Maximum Ground Coverage:	100% [Floor Area Ratio = 1.5]
Minimum Lot Width:	50 ft.
Minimum Yard	
Front:	15 feet if abutting residential, otherwise none required
Rear:	15 feet if abutting residential, otherwise none required
Side:	15 feet if abutting residential, otherwise none required
Maximum Building Height:	3 stories or 45 feet

[Ord. 252 § 4.08, 2004.]

17.20.050 Neighborhood Center or NC zone.

The neighborhood center or NC zone is intended to provide for small-scale shopping centers located within neighborhoods which will provide convenient sales and service facilities to residential areas, without detracting from the residential desirability of such areas. The following regulations shall apply in all neighborhood center or NC zones:

(1) Principal Permitted Uses.

(a) Social halls, fraternal and social organizations and clubs, plant nurseries and greenhouses;

(b) Professional and business offices and commercial instruction;

(c) Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, bookstores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations and repair, studios, tailor shops, enclosed theaters, and variety stores;

(d) Sales of used and secondhand goods, when appurtenant to any of the foregoing.

(e) Pet shops, public garages, sales of used or secondhand goods, and storage warehouses.

(2) Uses Permitted with a Use Permit.

(a) Boarding and rooming houses, and bed and breakfast inns in a mixed use building;

(b) Professional and business offices, health services, and commercial instruction when part of a mixed use building;

(c) Small animal hospitals completely enclosed within a building;

(d) Civic and cultural uses including City offices and day care centers.

(3) Other Regulations. See Table 17.20.050 for development standards for the neighborhood center (NC) zone.

Table 17.20.050

Development Standards for the Neighborhood Center or NC Zone

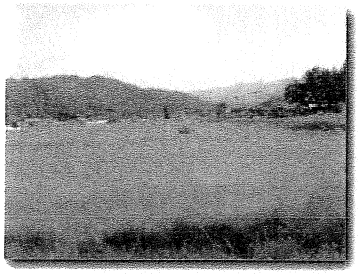
Site Development Standard	**Zone Requirement**
Minimum Lot Area:	2,000 square feet
Maximum Ground Coverage:	100% [Floor Area Ratio = 1.5]
Minimum Lot Width:	25 feet
Minimum Yard*	
Front:	15 feet if abutting residential, otherwise none required*
Rear:	15 feet if abutting residential, otherwise none required*
Side:	15 feet if abutting residential, otherwise none required*
Maximum Building Height:	3 stories or 45 feet

*Note: Setbacks are required where NC abuts a residential zone to provide separations between these uses.

[Ord. 252 § 4.07, 2004.]

MULTIPLE LISTING SERVICE

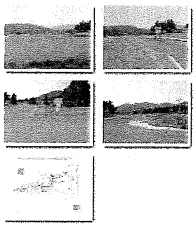
Printer-friendly version



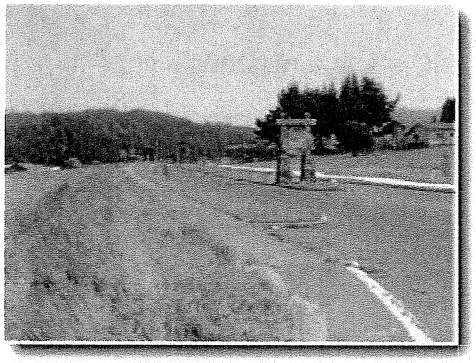
Rio Dell Land/Property - $ 385,000
000 Wildwood Avenue, Rio Dell 95562
Humboldt County

Approximately 2.7 acres of both highway exposure and Wildwood Ave frontage zoned Community Commercial. Minimum parcel size of 5000 sq foot makes property ideal for a subdivision. Principal permitted uses include retail, super markets, auto sales, gas stations, light manufacturing.

MLS #: 228505
Lot Size: 2.75 acres



Mouse over any photo to enlarge it.



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Location:

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ATTACHMENT 6
26

INITIAL STUDY and CHECKLIST
DRAFT MITIGATED NEGATIVE DECLARATION

Project Title: Albin General Plan Amendment and Zone Reclassification.

Lead Agency: City of Rio Dell
Address: 675 Wildwood Avenue
Rio Dell, CA. 95562
Contact Person: Kevin Caldwell,
Community Development Director
Phone: 707-764-3532
Email: kcaldwell@riodellcity.com

Applicant: Andy Albin
Address: P.O. Box 610
Fortuna, CA. 95540
Phone: 707-726-7973

This Initial Study and Checklist Prepared by: City of Rio Dell

Project Location: May St., North St. and Pine St.
County: Humboldt
City: Rio Dell
Cross Streets: Painter St.
Acres of Project: Parcel 1 = 1.13.
Section: Sec. 6, T1N, R1E, Humboldt Meridian
APNs: 052-162-049

Project Site Conditions:
Airport/Airport Zone: none
Schools: none
Railways: none
Blue Line Streams: none
Prime Farmland: none
100-Year Floodplain: none
Earthquake Faults: none
Wildland Fire Hazard: none
Existing Buildings: none

CEQA Document Type:
☐ NOP ☐ Supplement/Subsequent ☐ Neg. Dec. ☒ Mitigated Neg Dec.
☐ Early Cons ☐ Draft EIR ☐ Other: ____

Local Action Type:
General Plan Amendment and Zone Reclassification to redesignate approximately 3 acres (APN 052-162-049) from Community Commercial (CC) to Urban Residential (UR).

General Plan Land Use Designations/Zoning: Urban Residential (UR).

Local Public Review Period: February 28, 2012 to March 28, 2012

Initial Study Figures:
Figure 1: Project Site
Figure 2: Project Site (Air Photo)
Figure 3: Assessor Map

Project Summary:

NOTE – This Initial Study evaluates the proposed Plan Amendment and Zone Reclassification and the potential major subdivision of the parcels into approximately 15 lots.

The Albin General Plan Amendment and Zone Reclassification application is to change the current land use designations of about 3+/- acres from Community Commercial to Urban Residential. The purpose of the amendments is to facilitate the development of the 3+/- acres into a 15+/- lot residential subdivision. The parcel immediately east of the project site was recently approved for a 5 lot residential subdivision.

Existing Conditions: The project site is currently vacant and contains grass vegetation and a couple trees. The ground is mostly flat, with elevations ranging from approximately 130 feet msl to approximately 120 feet msl. There are no existing buildings on the project site. There are no known creeks, streams, wetlands, or biological, cultural, historical, or scenic resources at the project site.

Present General Plan Land Use (GPLU) Designation and Zoning: The site is currently designated/zoned as UR.

Surrounding Land Uses and Setting: The site is surrounded by seven single-family residences to the north and eight single family units to the east. The parcel is bound by Wildwood Avenue to the west, Painter Street to the south and a short portion of the south bound Highway 101 on ramp to the north.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gases	☐ Hazards/Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/Service Systems	☐ Mandatory Findings

DETERMINATION:
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kevin Caldwell
Signature

February 28, 2012
Date

Kevin Caldwell
Printed Name

City of Rio Dell
For

ENVIRONMENTAL IMPACT ANALYSIS REQUIREMENTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each questions. A "No Impact" answer should be explained.

2) All answers must take account of the whole action involved, including offsite and onsite, cumulative and project-level, indirect and direct, and construction and as operational impacts.

3) If the lead agency determines that an impact may occur, it must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

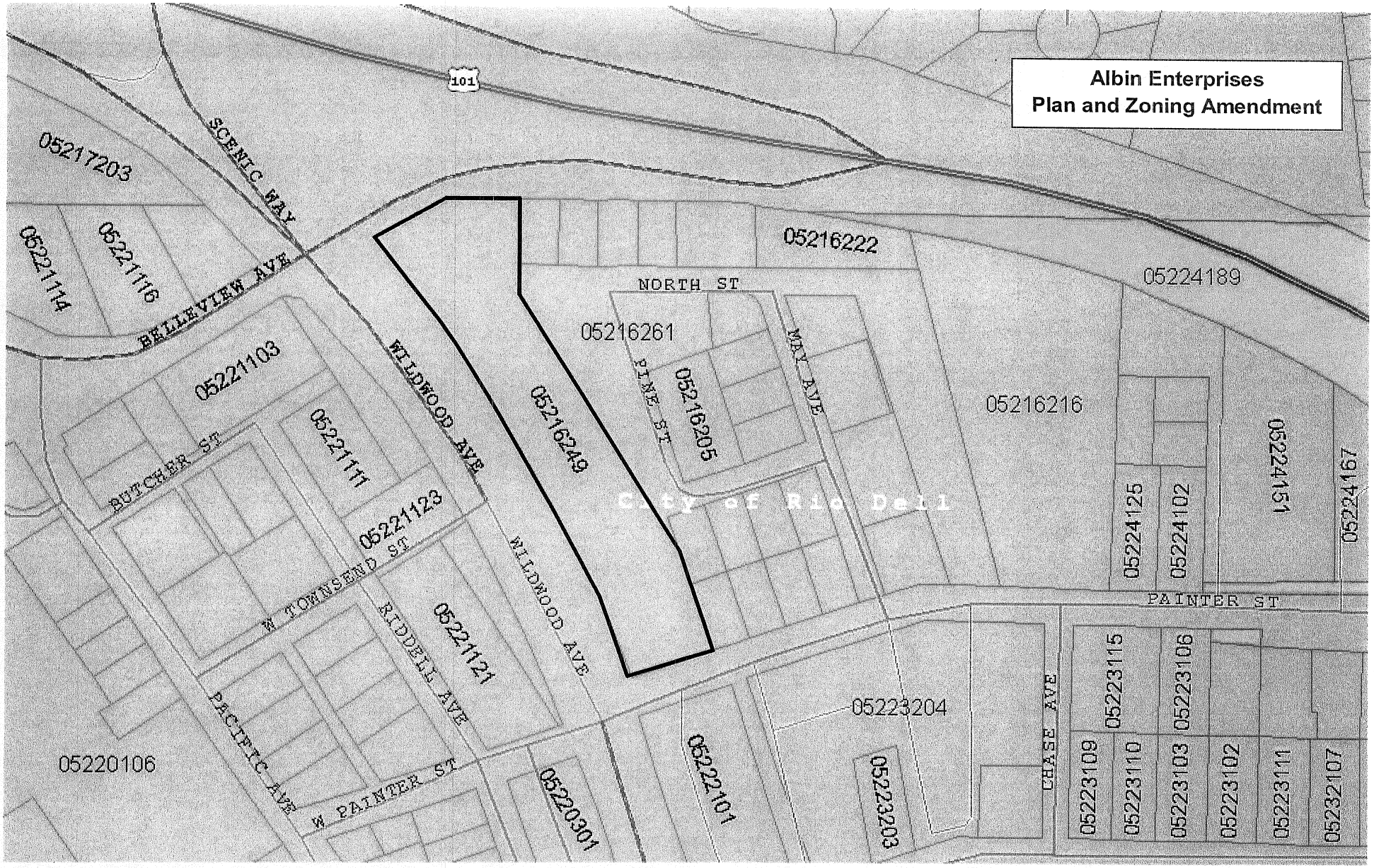
5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

6) Lead agencies are encouraged to incorporate references to information sources for potential impacts Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be citied in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify the significance criteria or threshold used and any mitigation measures required to reduce the impact to less than significant levels.



Project Description: An application to amend the current plan and zoning designation of APN 052-162-049 (approximately 3 acres) from Community Commercial to Urban Residential.

Project Location: The project is located within the City of Rio Dell on the east side of Wildwood Avenue, north of Painter Street and at the westerly ends of North Street and Pine Street.

FIGURE 1

CITY OF RIO DELL CALIFORNIA

31

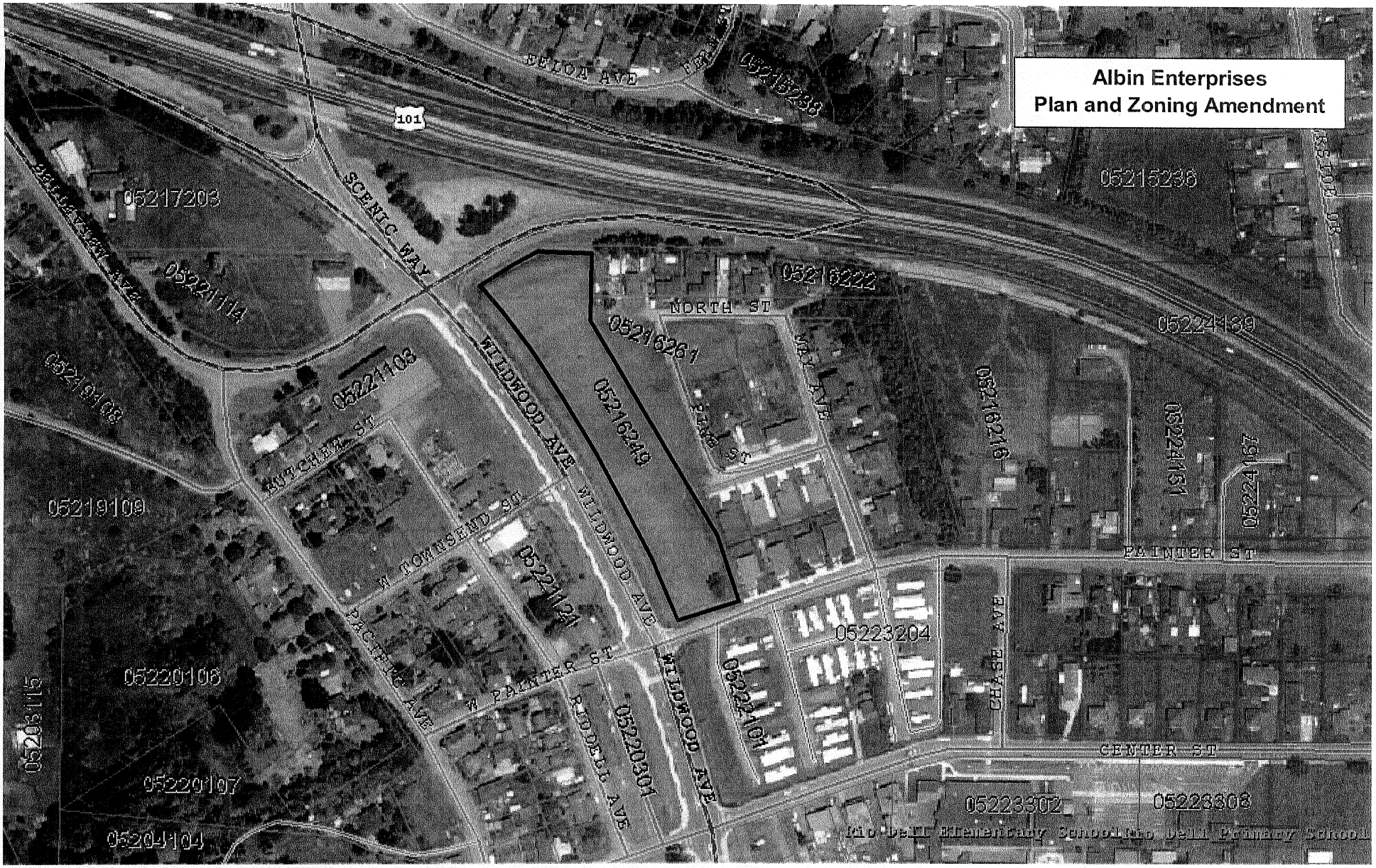


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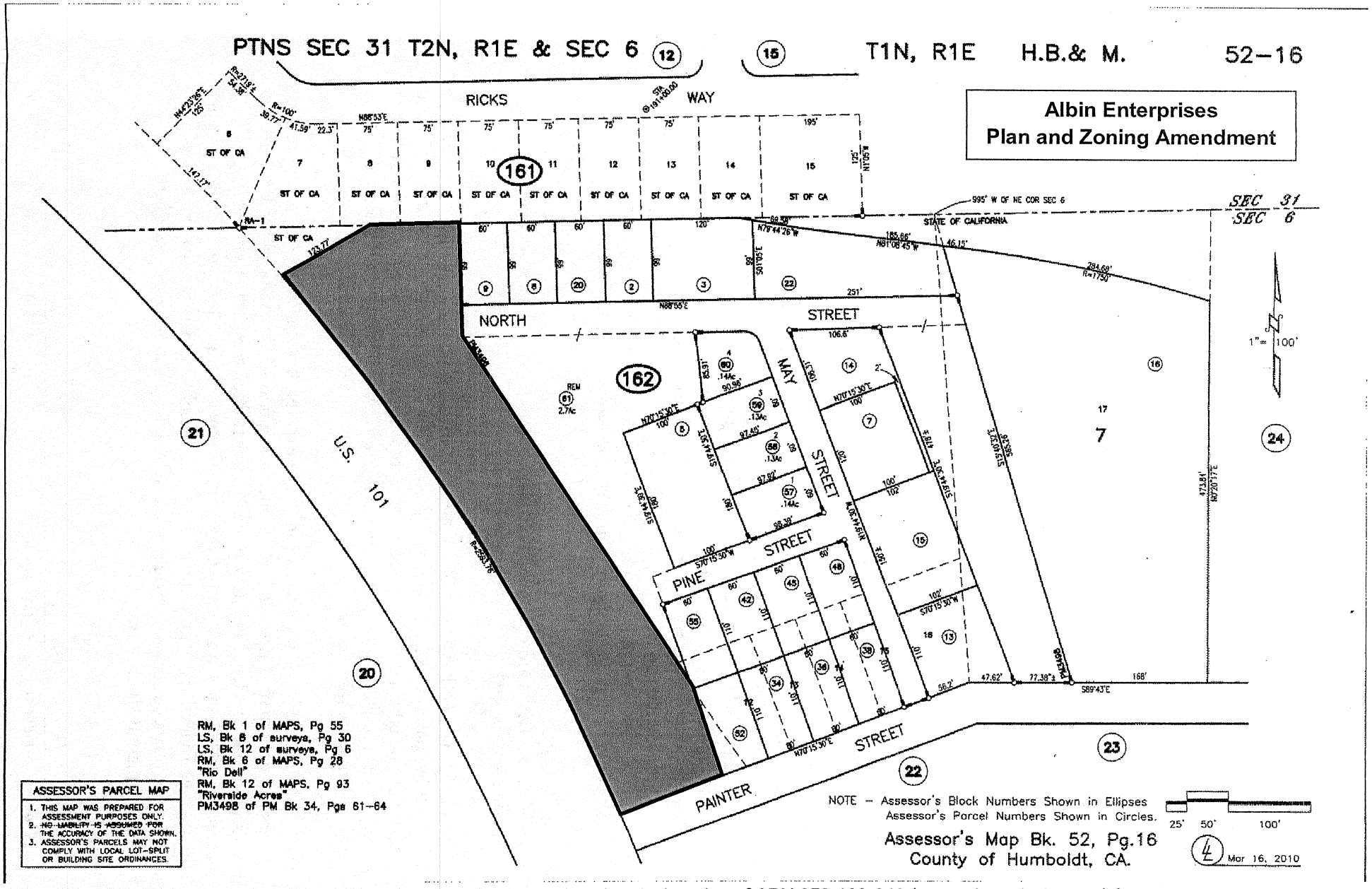
FIGURE 2

CITY OF RIO DELL CALIFORNIA

32



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Project Location: The project is located within the City of Rio Dell on the east side of Wildwood Avenue, north of Painter Street and at the westerly ends of North Street and Pine Street.

FIGURE 3

CITY OF RIO DELL CALIFORNIA

ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS:

1. **AESTHETICS.** Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?		X		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings visible from a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

a): The project site is not located within a mapped/designated scenic vista or scenic resource area (City of Rio Dell 1975, Humboldt County 1984, Planwest 2008), is not located within an area visible from a state scenic highway (California State Scenic Highway Mapping System 2008), and does not contain rock outcroppings, historic buildings or other scenic resources.[1] The Scotia Bluffs are considered a local scenic resource and is visible from Wildwood Avenue, the City's main thoroughfare. The Community Commercial zone allows a maximum building height of 45 feet. The Urban Residential zone limits single family structures to 35 feet. Although the Urban Residential zone limits the building height to 35 feet, the possible construction of two-story single family residences up to 35 feet in height could impede views of the bluffs and the City's hillsides to the west. These impeded views could be considered a significant impact. This potential impact would be ***less than significant with mitigation incorporated.***

Mitigation Measures:
AESTHETICS-1: Residential development shall be limited to single story and in no case shall the residences exceed 20 feet in height.

b): The project site is currently vacant. There are no scenic resources, including trees, rock outcroppings or other natural scenic resources that would be damaged as a result of the proposed subdivision and lot line adjustment.. Therefore, the project would not have a substantial adverse effect on a scenic vista or substantially damage scenic resources visible from a state scenic highway, and ***no impact*** would occur.

c): The project site currently is currently vacant. The existing land use designations principally permit a number of commercial uses, including buildings up to 45 feet in height. Therefore the City has no discretionary review regarding principally permitted uses complying with the development standards of the Community Commercial zone. Under the proposed amendments, the site could be subdivided into approximately 14 residential lots. Any proposed subdivision would be subject to the discretionary review of the subdivision and review pursuant to the California Environmental Quality Act (CEQA).

The City's Subdivision Standard Improvement Specifications require that future utilities be placed underground. Future residences would be visible from the existing residences along North Street, Pine Street, Wildwood Avenue and Painter Streets and by travelers on Wildwood Avenue and Highway 101. Residential development would be consistent in size, mass, scale, use and character with the existing adjacent single-family residential development. In addition, Section 2.2.5-2 of the City's General Plan encourages the planting of street trees. Staff has conditioned the project accordingly. Therefore, the project would not substantially degrade the existing visual character or quality of the site and its surroundings, and the impact would be ***less than significant.***

d): The project site does not currently contain light sources, but is partially illuminated by street lights and residential and church lighting along Wildwood Avenue. Again, the existing commercial land use designations principally permit a number of commercial uses and associated lighting. The redesignation of the property from commercial to residential would actually allow the discretionary review of any proposed residential subdivision of the parcel. While residential development would introduce new light sources to a site currently devoid of light sources: (1) the site is already partially illuminated by the existing adjacent light sources; (2) new light sources associated with the proposed development would be limited to low-intensity residential lighting; (3) this lighting would be subject to the City's lighting standards which have been formulated to avoid significant lighting impacts; and (4) this lighting would be consistent with the intensity and scale of the existing adjacent lighting. Furthermore, because of the nature of the potential residential development, it would not include large expanses of glass/other reflective surfaces. Therefore, the project would not create substantial sources of new light/glare, and the impact would be ***less than significant.***

2. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?				X
b) Conflict with agricultural zoning or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland?				X
d) Result in the loss or conversion of forest land?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?				X

a-d): The project site is currently vacant; the site does not contain forest land and is not zoned for agricultural use. Furthermore, the site is not underlain by prime agricultural soils, and is not under a Williamson Act contract (Humboldt County, 2011). Therefore, the proposed project would not convert Farmland to urban use, would not conflict with agricultural zoning or a Williamson Act contract, and would not result in the loss/conversion of forest land. ***No impact***

would occur.

e): The development of new residential uses can sometimes restrict existing adjacent agricultural and logging operations when such operations generate dust, odor and/or other emissions which are later determined to be "nuisances" to the residential uses. Because the project site is not located within the vicinity of agricultural or logging operations, it would not present any such potential. Therefore, the project would not involve other changes which could result in the conversion of Farmland or forest land, and ***no impact*** would occur.

3. AIR QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

a,c): The project site is located within the North Coast Air Basin (NCAB). The Humboldt County portion of the NCAB is currently designated as "nonattainment" or in excess of allowable limits for respirable particulate matter of 10 microns or less (PM_{10}) and as "attainment" or within allowable limits with respect to the balance of the criteria pollutants (COE 2008). Because the NCAB is in "nonattainment" for PM_{10}, the NCUAQMD has prepared a draft PM_{10} Attainment Plan identifying cost effective control measures that can be implemented to bring ambient PM_{10} levels to within California standards. These include transportation measures (e.g., public transit, ridesharing, vehicle buy-back programs, traffic flow improvements, bicycle incentives, etc.), land use measures (infill development, concentration of higher density adjacent to highways, etc.), and combustion measures (open burning limitations, hearth/wood burning stove limitations; NCUAQMD 1995).

While construction and operation of the potential residential uses facilitated under the proposed amendments would emit small quantities of PM_{10} (Table 1), the proposed project would be consistent with much of the PM_{10} Attainment Plan in that it would: (1) represent infill development within an existing urban core (City of Rio Dell) and thus require shorter commutes shopping and work commutes; (2) be developed adjacent to an existing transit route (Wildwood Avenue) and thus generate less automobile trips; and (3) would emit PM_{10} at levels below the District's PM_{10} significance threshold of 16 tpy . Still, without implementation of control measures required by the NCUAQMD to reduce PM_{10} emissions to the greatest extent

practicable, the project could conflict with or obstruct implementation of the PM_{10} Attainment Plan or result in a cumulatively considerable net increase in criteria pollutants (specifically PM_{10}) for which the project region is nonattainment. This impact would be ***less than significant with mitigation incorporated.***

Mitigation Measures:

AIR-1: The following measures shall be implemented during construction to control dust and other regulated particulate matter:

- Spray exposed soils with water during grading on a daily basis.
- Apply soil stabilizers to inactive exposed soils.
- Suspend earth moving and trenching activities when winds exceed 20 mph.
- Plant ground cover in disturbed areas immediately after grading.
- Cover haul truck loads.
- Use only low VOC asphalt, coatings, paints and building materials.
- Ensure that all construction vehicles and equipment possess EPA- and/or NCUAQMD-approved exhaust systems and are kept tuned.

AIR-2: Any fireplaces in the new residences shall be restricted to either gas fireplaces or EPA- or NCUAQMD-approved low emission word burning fireplaces.

b): Table 1 identifies NCUAQMD significance thresholds for criteria pollutants and provides estimates of the construction and operational emissions of criteria pollutants under the proposed project. As indicated, construction and operation of potentially 15 new residences to be facilitated under the proposed amendments would generate emissions at levels well below NCUAQMD significance thresholds for criteria pollutants. Therefore, the proposed project would not violate air quality standards or contribute substantially to an existing or proposed air quality violation, and the impact would be ***less than significant.*** See Section 7 of this IS/MND for an evaluation of GHG emissions.

d): As discussed above the proposed amendments would facilitate a future residential subdivision of the parcel and would emit pollutants. However, it is not anticipated that these emissions would expose sensitive receptors to substantial pollutant concentrations because: (1) construction activities would be short term, temporary, and extremely limited (limited to 3+/- acres); (2) construction and operation would result in the emission of criteria pollutants well below NCUAQMD significance thresholds; and (3) project peak hour motor vehicle trips are estimated at approximately 7 which would be too few to generate pollutant concentrations at existing adjacent residential uses above applicable thresholds. Therefore, the impact would be ***less than significant.***

e): The proposed amendments would preclude currently allowed principally permitted commercial uses, some of which may cause objectionable odors. The proposed amendments would not facilitate the development of uses (e.g., dairies, restaurants, industrial facilities, wastewater treatment plants, landfills, etc.) that could generate objectionable odors. Therefore, ***no impact*** would occur.

4. **BIOLOGICAL RESOURCES.** Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the DFG or FWS?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the DFG and FWS?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA?				X
d) Interfere substantially with the movement of native resident or migratory fish//wildlife species or impede the use of native wildlife nursery sites?				X
e) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

a-c): The project site includes 3+/- acres of disturbed grass land surrounded by a highway, streets and urban development. No blue line streams occur on or adjacent to the site (Humboldt County, 2011), no wetlands have been mapped on the site by either Humboldt County or the National Wetlands Inventory (Humboldt County, 2011; USFWS, 2011), no special-status species have been mapped on or within the vicinity of the site by the California Natural Diversity Database (CNNDB; CDF, 2010), and no wetlands, riparian habitat or other sensitive natural community are known to occur at the site. Therefore, ***no impact*** would occur.

d): The proposed project would not interfere substantially with wildlife movement because: (1) the project is too small to function as an impediment to movement; (2) the site is already surrounded on all sides by a highway, streets and urban development; and (3) the site is located within an existing suburban neighborhood where any wildlife corridors that may have existed in the past have already been disrupted. Therefore, the project would not interfere substantially with the movement of native resident or migratory wildlife species, and ***no impact*** would occur.
e-f): The project site is not subject to an HCP, NCCP, or local policies or ordinances protecting biological resources. Therefore, ***no impact*** would occur.

5. **CULTURAL RESOURCES**. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

a): The project site includes 3+/- acres of disturbed grass land. Given that the site does not contain buildings and is not listed in the National Register Information System (NRIS, 2011), the project would not have the potential to cause a substantial adverse change in the significance of a historical resource. ***No impact*** would occur.

b-d): The site contains some fill material from the construction of Highway 101(now Wildwood Avenue) in 1950. In addition, past grading activities associated with the fill and disking/tilling activities associated with past agricultural use of the parcel have disturbed the surface soils of the site. Minimal grading operations will required to construct the required road improvements. In addition, minor excavation activities will be required for undergrounding utilities and foundation excavation. There is no apparent surficial evidence of archaeological resources, paleontological resources or human remains occurring at the project site. The project was referred to the Bear River Band of the Wiyot Nation and they indicated that they have no records or knowledge to indicate the presence of any cultural resources within the project site. However, project excavation activities could potentially encounter cultural resources and/or remains. Any such impact would be ***less than significant with mitigation incorporated.***

Mitigation Measures:

CULT-1: Construction personnel shall monitor subsurface construction activities, and representatives of the Bear River Band of Rohnerville Rancheria and the Wiyot tribe shall be invited to observe these activities. If potential archaeological resources, paleontological resources or human remains are unearthed during these activities, all work ground disturbing activities shall be stopped and a qualified archaeologist funded by the applicant and approved by the City of Rio Dell and the Bear River Band of the Wiyot Nation, shall be contracted to evaluate the find, determine its significance, and identify any required mitigation (e.g., data recovery, resource recovery, in-situ preservation/capping, etc.). Any such mitigation shall be implemented by the developer prior to resumption of any ground disturbing activities.

CULT-2: In accordance with California Health and Safety Code §7050.5 and California Public Resources Code §5097.94 and 5097.98, if human remains are uncovered during project subsurface construction activities, all work shall be suspended immediately and the City of Rio Dell, Humboldt County Coroner and the Bear River Band of the Wiyot Nation shall be immediately notified. If the remains are determined by the Coroner to be Native

American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours of the determination, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

6. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, or collapse?				X
d) Be located on expansive soil, creating substantial risks?				X
e) Have soils incapable of adequately supporting the use of septic tanks?				X

a*i*): The project site is not bisected by a known earthquake fault or an Alquist-Priolo Special Studies Zone, and thus is not subject to fault rupture from a know fault (Humboldt County, 2002; Humboldt County, 2011). ***No impact*** would occur.

a*ii*): There are three active faults or fault systems within 20 miles of the project site: the Russ Fault located two miles to the southwest; the Little Salmon Fault located 5 miles to the north; and the Mendocino Triple Junction system located 17 miles to the west. In 1992, Rio Dell experienced three earthquakes of magnitude 6.7, 6.8 and 7.2 on the Richter scale which caused serious damage to infrastructure and un-reinforced masonry buildings (Winzler & Kelly 2007). Given the presence of active faults within the area and the City's experience with the 1992 earthquakes, the project site is potentially subject to strong seismic ground shaking. However: (1) such exposure is no greater than in other parts of northwest California: (2) wood-framed single-family residences which are resistant to earthquakes (rather than multi-story, steel-framed and/or masonry which are often not as resistant) are proposed; and (3) proposed construction would be consistent with the standard earthquake engineering design requirements of the California Building Code (CBC) which have been formulated to avoid exposure of people or

property to substantial adverse effects involving strong seismic ground shaking. Therefore, a ***less than significant impact*** would occur.

a*iii*): The project site occurs in a seismically active area which is potentially subject to strong ground shaking, and occurs on the valley floor on alluvial material deposited by the Eel River (Rio Dell 1975). However, the constricted width of the valley in this area suggests that river velocity has been sufficiently high to preclude the deposition of other than course sand, gravel and cobles in the area, while groundwater levels in the area are generally below these alluvial layers, thus reducing the potential for seismically-related ground failure including liquefaction (Ibid.). A Preliminary Geologic Soils Report will be required at the time of any proposed development. The Soils Report for the adjacent parcel (APN 052-162-061) was recently submitted and concluded that the site "... has a low risk of liquefaction due to the soil types located at the site and the height of the ground water table." For these reasons, and for the same reasons discussed under Response 6.aii above, the project would not expose people or property to substantial adverse effects involving seismic-related ground failure, including liquefaction. A ***less than significant impact*** would occur.

a*iv*): The project site and immediate vicinity is relatively flat. Therefore, the project and its environs would not be subject to landslides, and ***no impact*** would occur.

b): The valley floor portion of Rio Dell, including the project site, may be subject to some erosion and topsoil loss depending on the vegetative cover and weather conditions. However, the project site is relatively flat such that the potential for water-born erosion and topsoil loss is low. As indicated above, all construction is subject to the requirements of the California Building Code. In addition, projects that disturb one or more acres of soil or that disturb less than one acre but are part of a larger common plan of development, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity from the Regional Water Quality Control Board (RWQCB). A component of the required General Permit is the preparation and submittal of a Storm Water Pollution Prevention Plan which includes Best Management Practices (BMP's) for erosion control. Furthermore, Mitigation Measure Air-1 in Section 3 of this Initial Study outlines wind-born erosion and dust control measures to be implemented during project construction. For all these reasons, the project would not result in substantial erosion or loss of topsoil, and a ***less than significant impact*** would occur.

c-d): The valley floor portion of Rio Dell, including the project site, is underlain by alluvial deposits of course sand, gravel and cobles sand, with some silt and clay near the surface (Rio Dell 1975, Winzler & Kelley, 2007). These soils have low expansion, subsidence and settlement potential, do not exhibit expansive qualities or instability, and are moderately well drained. Again, referring to the Soils Report for the adjacent parcel (APN 052-162-061), "... differential settlement is not expected to exceed ½ inch for any 25 foot span for the assumed economic life of 50 years. In addition, initial construction settlement is not expected to exceed ¼ inch." Therefore, the project site is not underlain by a geologic unit or soil that is unstable or which could become unstable as a result of the project. ***No impact*** would occur.

e): The project proposes connecting to the City of Rio Dell municipal sewer system rather than

disposing of project wastewater via septic systems. Therefore, ***no impact*** would occur.

7. **GREENHOUSE GAS EMISSIONS**. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

a): Gases believed to be most responsible for global warming include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_20), various hydro fluorocarbons, and sulfur hexafluoride. The greenhouse effect occurs when concentrations of these gases exceed the natural concentrations in the atmosphere. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities, with CO_2 generated largely by fossil fuel combustion and CH_4 generated largely from off-gasing associated with agricultural practices and landfills (COE 2008).

The California Energy Commission (CEC) estimates that, in 2004, California produced 492 million tons of greenhouse gas emissions (CO_2 equivalent units or $CO_2e = CO_2+CH_4+N^20$; CEC 2006). As indicated in Table 1 below, the potential new residential units to be facilitated under the amendments (e.g., area source + mobile vehicle emissions) would generate an estimated 251.83 tpy of CO_2e. This would represent less than 0.00006% of statewide GHG emissions. Using a different comparative measure, the Association of Environmental Professionals (AEP) has indicated that large stationary combustion sources that emit more than 25,000 tpy of CO_2e, such as cement plants, coal-fired electric plants, oil refineries, large forest fires, etc., may be expected to individually have a measurable impact on global climate change (AEP, 2007). Because project GHG emissions would represent only 0.5% of this threshold, the impact would be ***less than significant.***

Table 1
Project Operational GHG Emissions

GHG Pollutants (tpy)			
CO_2[a]	CH_4[b]	N_2O[b]	Total CO_2e[c]
236.54	0. 47	14.82	251.83

[a] *From URBEMIS Model (e.g., area plus operational emissions).*
[b] *Based on CA Inventory of GHG Emissions CO_2 scaling factor (COE 2008).*
[c] *$CO2_e$ is CO_2 equivalent units = $CO_2+CH_4+N_20$.*
Source: Planwest Partners, April 2011.

b): Three types of analyses are used to determine whether a proposed project would conflict with the State's goal of reducing GHG emissions (COE 2008). They include:

1) The potential for the project to conflict with CARB 44 GHG emission reduction measures (e.g., CARB 44 Early Action Strategies);

2) The relative size of the potential project in comparison to the AB 32 goal of reducing statewide GHS by 174 million tpy by 2020, and in comparison to the size of major

facilities that are required to report GHG emissions (25,000 tpy of CO_2e); and

3) The characteristics of the project to determine whether its design is energy-efficient.

With regard to Item #1, the proposed project would not conflict with the most recent list of CARB GHG emission reduction measures because these measures apply to transportation, fuel, solid waste and industrial/commercial uses rather than residential uses.

With regard to Item #2, because project GHG emissions are estimated at only 251.83 tpy of CO_2e, the project would not be classified as a major source of GHG emissions as project emissions would be substantially less than the lower reporting limit for major facilities of 25,000 tpy of CO_2e. Also, when compared to the overall State reduction goal of 174 million tpy of CO_2e, the GHG emissions associated with the project (251.83 tpy of CO_2e or 0.00006% % of the State goal) would be de-minimus and should not conflict with the State's ability to meets its AB 32 goals.

With regard to Item #3, the amendments would facilitate new urban residential uses within an existing urban environment (e.g., City of Rio Dell) and adjacent to existing freeways/arterials, and thus would be inherently energy-efficient in that it would avoid many of the long-distance commutes often associated with more rural development. The project would also be developed adjacent to a public transit route along Wildwood Avenue and a bicycle route along Painter Street, and thus would experience some trip reduction associated with alternative transportation use.

Based on the above, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases with respect to Items #1 and 2 above. Future residences are subject to Title 24 energy conservation requirements ensuring that the units energy efficient. This impact would be ***less than significant.***

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard through the routine generation, transport, use, storage or disposal of fuels/hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites per Government Code § 65962.5 and, as a result, create a significant hazard to the public or the environment?				X

e) For a project located within an airport land use plan or two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response or evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?				X

a,c): The proposed amendments could facilitate a future residential subdivision where individual residents may use small quantities of household cleaners, solvents and pest control substances typical of a residential use. However, the project would not include the routine transport, use or disposal of hazardous materials that could create a significant hazard to the public or the environment, and would not emit hazardous emissions within one-quarter mile of an existing or proposed school. ***No impact*** would occur.

b,d): The project site does not contain existing structures to be demolished or retrofitted, and thus the project does not have the potential to release asbestos or lead-based paint. The project site contains about 3 acres of grass land and there is no known past history of hazardous material usage on or in the immediate vicinity of the site. Based on the above, the project would not create upset and accident conditions involving hazardous materials or otherwise create a potential hazard to the public or the environment involving the release of hazardous materials. ***No impact*** would occur.

e-f): The project site not located within an airport land use plan area, within two miles of a public airport, or within the vicinity of a private airstrip. The site is located approximately three miles southeast of Rohnerville Airport, but is located outside the boundaries of the airport's land use plan area as specified in the Humboldt County Airports Land Use Compatibility Plan (Humboldt County, 1993). Therefore, the project would not result in an airport safety hazard for people residing or working in the project area. ***No impact*** would occur.

g): The City of Rio Dell's Emergency Operations Plan (EOP) identifies emergency planning, organization, response policies, and procedures in the City, and outlines coordination requirements with other local, state and federal emergency response operations in case of hazardous materials spills, wildland fires or natural disasters. The proposed amendments would not reduce vehicular access, generate substantial traffic congestion, create the need to extend the emergency response area of the City's EOP, or create substantial additional demand for emergency response or evacuation planning. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan, and ***no impact*** would occur.

h): The project site is located in the relatively flat and un-forested urban core of the City of Rio Dell; is surrounded by streets and urban development, is served by existing streets and fire hydrants, and is not located within a mapped wildland high fire hazard severity area (Humboldt

GIS, 2012). Therefore, the proposed project would not subject people or structures to a significant risk of loss, injury or death involving wildland fires. ***No impact*** would occur.

9. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?			X	
c) Substantially alter the existing drainage pattern, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would exceed the capacity of the existing/planned stormwater drainage systems or result in flooding onsite or offsite?		X		
d) Substantially alter the existing drainage pattern of the site or area, including through stream or river course alteration, in a manner which would result in substantial water born erosion or siltation on- or off-site?			X	
e) Create or contribute runoff water which would provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard Area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

a,e,f): The proposed amendments could facilitate a residential subdivision on the 3+/- acre parcel. Future residential development of the site would not be expected to discharge pollutants to either the wastewater or stormwater drainage systems above that typical of small-scale domestic residential development (e.g., would not generate commercial or industrial pollutant constituents that could interfere with the City's ability to comply with its NPDES wastewater and stormwater discharge permits). Therefore, a ***less than significant impact*** would occur.

b): The proposed amendments could facilitate a residential subdivision on the 3+/- acre parcel. Any future development would be connected to the City of Rio Dell's municipal water system which obtains its water from ranney collectors in the Eel River. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table, and a ***less than significant impact*** would occur.

c-d): The 3+/- acre parcel is currently grass land and is not bisected by a stream or river. The existing prevailing direction of runoff is towards the northeast to an existing drainage ditch along the south side of North Street which in turn drains to the Painter & Center Street drainage ditch to the east. The previous Albin subdivision to the east was required to size drainage facilities to accommodate development of the subject parcel.

Staff is recommending that Low Impact Development (LID) techniques to address stormwater impacts. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as retention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions. LID has been characterized as a sustainable stormwater practice by the Water Environment Research Foundation and others.

Staff is recommending that an on-site detention basin, grassy swales with check dams be incorporated on the future subdivision design to minimize pollutants and stormwater flows. The on-site detention basin shall be designed and located to the satisfaction of the City Engineer. With the use of these techniques the impact to stormwater drainage facilities would be ***less than significant with mitigation incorporated***. Please refer to Section 9, subdivision c) for the recommended mitigation measures.

Mitigation Measure:
STORM WATER-1: The applicant shall construct detention facilities such that storm flows from a 100-year (Q_{100}) storm are detained so as to release water from the site at a rate no greater than the predevelopment 2-year (Q_2) storm flows.

Mitigation Measure:
STORM WATER-2: The applicant shall implement Low Impact Development (LID) techniques, including grassy swales and Best Management Practices (BMP's).

g,h,j): The project site is not located within a 100-year flood hazard area or tsunami run-up zone (Humboldt County GIS, 2012). The site is also not located adjacent to any large water bodies or unstable hillside areas where the potential could exist for seiches and mudflows, respectively. Therefore, the project would not place housing within a 100-year flood hazard area, impede or

redirect 100-year flood flows, or expose people or structures to inundation by seiche, tsunami or mudflows. ***No impact*** would occur

i): The project site is well outside of the mapped 100- and 500-flood zones. The main fork of the Eel River is dammed (Van Arsdale Dam) at Lake Pillsbury. According to maps published by the California Department of Water Resources (DWR) and the Office of Emergency Services (OES) the project site is outside the mapped dam inundation area. Refer to Figure 4 (Source: Humboldt County GIS) below.

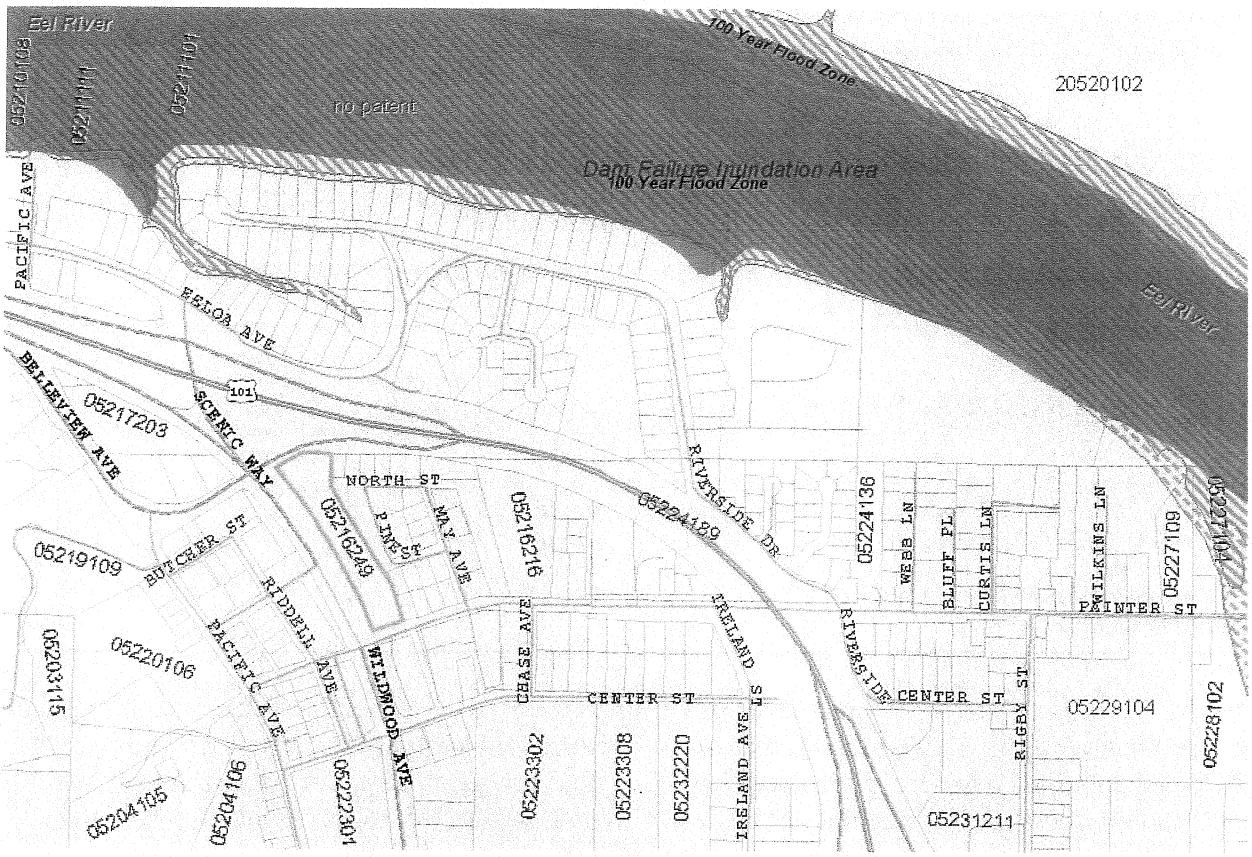

Figure 4

Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding resulting from the failure of a levee or dam, and the impact would be ***less than significant.***

10. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but				X

not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				
c) Conflict with any applicable habitat conservation plan (HCP) or natural community conservation plan NCCP)?				X

a): The 3+/- acre site is too small to include development that could divide an established community. Furthermore, the proposed amendments would be consistent with the surrounding land uses and would not include the types of uses most often associated with dividing an established community (e.g., new highways, railways, levees, airports, etc.). Therefore, ***no impact*** would occur.

b,c): The proposed amendments would not conflict with a General Plan policy adopted for the purpose of avoiding or mitigating environmental effects. Furthermore, the project site is not subject to a specific plan, local coastal program, HCP, or other plan adopted for the purpose of avoiding or mitigating environmental effects. Therefore, ***no impact*** would occur.

11. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site?				X

a-b): The project site is not suitable for or currently involved in mineral extraction activities, nor is the site located on or adjacent to any locally important mineral resource recovery sites delineated in a local general plan, specific plan or land use plan. Therefore, the project would not result in the loss of availability of a known mineral resource or of a designated locally-important mineral resource recovery site. ***No impact*** would occur.

12. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to excessive groundborne noise/vibration?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise			X	

levels in the vicinity above levels existing without the project?				
e) For a project located within an airport land use plan or within two miles of a public airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people to excessive noise levels?				X

a): Sound is described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by differentiating among frequencies in a manner approximating the sensitivity of the human ear.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is perceived to be twice as loud and 20 dBA higher is perceived to be four times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud).

The proposed project would expose residents associated with the future residential units to existing mobile source noise from Wildwood Avenue and Highway 101. Wildwood Avenue and Highway 101, including the southbound on-ramp, lie approximately 30 feet from the residential property lines. Existing instantaneous noise levels at the property lines were measured the afternoon of February 23, 2012 and the readings ranged from 57 to 73 dBA along both Wildwood Avenue and HWY 101. These measurements are consistent with the measurements indentified in the Noise Element taken at various points adjacent to the Highway. Below is a copy of the locations and measurements:

> *"Highway 101-corridor ambient and single event noises are only significant at three locations:*
>
> > *Riverside Drive north of Painter Street [78dB(A)]*
> > *Ireland Street adjacent to the freeway [79 dB(A)]*
> > *Belleview Avenue near River Street [79dB(A)]"*

Because peak hour traffic noise from both Wildwood Avenue and Highway 101 exceed the City's 60 dBA noise standard for residential properties, the project could expose future project residents to mobile source noise in excess of applicable noise standards.

A standard construction wood frame house reduces noise transmission by 15dBA. Since interior noise levels for residences are not to exceed 45dBA (EPA), the maximum acceptable exterior noise level for residences is 60dBA without any additional insulation being required. Typically, residential windows are the primary source of noise intrusion. Sound Transmission Class (or STC) is an integer rating of how well a building partition attenuates airborne sound. In the USA,

it is widely used to rate interior partitions, ceilings/floors, doors, windows and exterior wall configurations. Alternatively, Outdoor-Indoor Transmission Class (OITC) is a standard used for indicating the rate of transmission of sound between outdoor and indoor spaces in a structure that considers frequencies down to 80 Hz (Aircraft/Rail/Truck traffic) and is weighted more to lower frequencies.

Typical windows have a STC rating ranging from 28 to 38 and have an OITC rating ranging from 20 to 30. Sound attenuating windows typically have at least a 40 STC rating and a minimum of a 30 OITC rating.

As indicated above due to the proximity of both Highway 101 and Wildwood Avenue noise levels at the property lines range from 57 to 73 dBA, exceeding the 60 dBA thresholds at residential property lines. However, the impact would be ***less than significant with mitigation incorporated.***

Mitigation Measures:
NOISE-1: Future residential construction shall incorporate sound attenuating windows with a minimum 40 STC rating and a minimum 30 OITC rating.

b): The existing commercial designations are more likely to generate excessive groundborne noise/vibration than the proposed residential designations and ultimate residential development. Future residential project construction activities, including grading, trenching, the use of dump trucks, etc., could potentially generate some groundborne noise/vibration perceptible at existing adjacent residences. However, any such groundborne noise/vibration would not be excessive because it would not include jack hammering, pile driving or blasting and would be temporary in nature. Therefore, a ***less than significant impact*** would occur.

c): The proposed amendments will likely result in a residential subdivision provided energy from PG&E and thus would not include generators, industrial-grade ventilation (HVAC) systems, loading docks, parking lots or other stationary noise sources common to non-residential development. However, the project could include the use of residential-grade air conditioners and gas-powered landscaping mowers/blowers which can generate noise levels of up to 50 and 80 dBA L_{eq}, respectively, at 50 feet from the noise source (Glendora, 2004). While existing adjacent residential property lines occur within 50 feet of the potential subdivision, neither of these potential noise sources would exceed the City's 1 or 8 hour noise exposure standard. Therefore, a ***less than significant impact*** would occur.

d): Project construction activities would generate temporary noise during the construction period. Table 5 below identifies the noise levels generated by standard construction equipment at 50 feet from the noise source. While most of the existing adjacent residential property lines occur greater than 50 feet from the proposed subdivision, and thus would not experience project construction noise above the City's 1 or 8 hour noise exposure standards as identified in Table 3, several existing adjacent residences property lines occur closer than 50 feet, including those of five residences located on the north side of North Street , several mobile homes located on the south side of Pine Street, and the Hill residence located along the project site's easterly property line. Hence, the outdoor activity areas of these residences could potentially experience

temporary project construction noise on above the levels identified in Table 3, and potentially above the City's 1 hour noise exposure standard of 90 dBA L_{eq}. This impact would be ***less than significant with mitigation incorporated.***

Table 3 **Noise Levels from Typical Construction Equipment**	
Equipment	**Maximum Level L_{eq} dBA @ 50 Ft.**
Truck	85
Backhoe, Air compressor	78
Concrete mixer	79
Scraper	84
Dozer	82
Paver	77
Generator	81
Source: FHWA, 2006.	

Mitigation Measure:
NOISE-2: Project construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. In addition, heavy equipment required for any mass grading of the project site (e.g., heavy trucks, backhoe, scrapers, dozers) shall access the site from Pine Street rather than North Street, and any generators used on-site during the construction period shall be located as far away from existing adjacent residences as possible.

e-f): The project site is not located within a public airport land use plan area, within two miles of a public airport, or within the vicinity of a private airstrip. The closest airport is Rohnerville Airport located approximately 3 miles to the north. Therefore, the proposed project would not expose people residing or working in the amendment area to excessive airport or aircraft-related noise levels. ***No impact*** would occur.

13. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

a): The proposed amendments will likely facilitate a future residential subdivision. The City of Rio Dell has an existing resident population of about 3,300 persons, and Humboldt County has an existing county-wide average number of persons per household of 2.37 (DOF, 2008). Based on these numbers, the project could increase the resident population of the City by 35 to 40

persons, assuming that all these are new residents to the City, which would represent a little more than one percent of the City's existing population. The project site is located in an existing urban setting and surrounded by existing roads and development, and no extension of roads or infrastructure to new areas would occur. Therefore, the project would not induce substantial population growth in the area, and a ***less than significant impact*** would occur.

b,c): The project site does not contain existing housing, and therefore the proposed project would not displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. ***No impact*** would occur.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	

a-b): Fire protection service to the project site is provided by the Rio Dell Fire Protection District (RDFPD) out of its station on Wildwood Avenue in Rio Dell. The RDFPD has 7 firefighters and associated fire engines to serve the City's 3,300 residents (DOF, 2008; HLAFCO, 2008b). Based on comments from the RDFPD, the proposed amendments will not result in the demand for additional facilities and services.

Police protection service to the project site is provided by the City of Rio Dell Police Department (RDPD). The RDPD has 4 officers and 4 police cruisers to serve the City's 3,300 residents. Based on comments from the RDPD, the proposed amendments will not result in the demand for additional facilities and services.

Based on comments from both the Fire District and the Police Department, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire or police protection service, and a ***less than significant impact*** would occur.

c): Elementary and middle school service to the project site is provided by the Rio Dell Elementary School District (RDESD), while high school service is provided by the Fortuna Union High School District (FUHSD). RDESD operates two schools in Rio Dell: Eagle Prairie Elementary with a capacity of 300 students, a current enrollment of 210 students and an existing unused capacity of 90 students; and Monument Middle School with a capacity of 150 students, a current enrollment of 86 students and an existing unused capacity of 64 students (DOE, 2008; Varner, 2008). FUHSD operates two high schools in Fortuna: Fortuna Union High School with

a capacity of 1,500 students, a current enrollment of about 950 students and a current unused capacity of 550 students; and East High with a current capacity of 100 students, a current enrollment of 86 students and a current un-used capacity of 14 students (HLAFCo, 2008a).

Based on the statewide student generation rates per residential unit from the California State Allocation Board (2003) of 0.30 grade K-5 students, 0.20 grade 6-8 students and 0.2 grade 9-12 students, the proposed 5-lot residential subdivision would generate an estimated 2, 1 and 1 elementary, middle school and high school students, respectively. Because all the public schools that would serve the project have adequate capacity to accommodate the new students to be generated by the project, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school service. Therefore, a ***less than significant impact*** would occur.

d): Park service to the project site is the responsibility of the City of Rio Dell. There are several existing park and recreational facilities available to City residents, including playing fields, playgrounds and tennis courts (16.1 acres) located at Eagle Prairie Elementary and Monument Middle School, a playground and ball park (3.4 acres) adjacent to the RDFPD fire hall, two small triangle parks, and two City-maintained access points to the river (Winzler & Kelly, 2008). The potential amendments could generate a small demand for City parks. However, it is not anticipated that this demand would result in substantial adverse physical impacts associated with the provision of new or physically altered park service or facilities because the potential population would represent a little more than one percent of the City's existing population, and thus would generate a minimal demand for City parks. Therefore, a ***less than significant impact*** would occur.

15. RECREATION	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

a-b): See Response 14.d.

16. TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including		X		

mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.				
b) Conflict with an applicable CMP, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

a): Existing Conditions: Regional access to the project site is provided by U.S. Highway 101 (HWY 101). HWY 101 is a grade-separated four-lane highway with interchanges in Rio Dell at Wildwood Avenue and Davis Street. Wildwood Avenue is adjacent to the site on the west and is the main arterial and business route for the City, running through the Town Center.

Access to the project site is provided off of Wildwood Avenue to Painter Street to May Street to Pine Street and North Street. The first 200 feet of Painter Street is improved with two 14+ foot travel lanes. A portion (approximately 240 feet) of the north side of Painter, westerly from May Street, is improved with curb, gutter, sidewalk, an 8 foot parking lane and a 12 foot travel lane. May Street is improved with two 12 foot travel lanes, 8 foot parking lanes on each side and curb, gutter and sidewalk on the west side of the street. Pine Street is also improved with two 12 foot travel lanes, 8 foot parking lanes on each side and curb, gutter and sidewalks. North Street is currently a two lane gravel road. A condition of the adjacent approved five lot subdivision required the applicant to construct curb, gutter, sidewalks, an 8 foot parking lane along the south side of North Street and two 12 foot travel lanes.

Impact Analysis: Based on the Institute of Traffic Engineers (ITE) trip generation rate for single-family detached residential units of 9.57 and 1.02 for daily and p.m. peak hour trips, respectively, the 15 potential residences would generate an estimated 144 daily and 15 peak p.m. hour trips. However, many believe the ITE's estimated 9.57 trips per day per residential unit is likely twice as high as the actual trip generation rate. The potential of 15 additional residences will basically double the existing traffic in the immediate neighborhood. It's expected that the peak p.m. (5:00 p.m. to 6:00 p.m.) traffic will be approximately 30 trips per hour, one trip every two minutes. This is not considered a significant impact.

Current City standards for the future cross-street connection between Pine Street and North Street require two 12 foot travel lanes, 8 foot parking lanes on each side and curb, gutter and

sidewalks. In addition, curb, gutter and sidewalks will be required along that portion of the parcel along Painter Street.

As indicated above, a condition of the adjacent approved five lot subdivision required the applicant to construct curb, gutter, sidewalks, two 12 foot travel lanes and an 8 foot parking lane along the south side of North Street. Both the General Plan and the City's Subdivision Improvements Standards encourage street and pedestrian improvements to provide a maximum of pedestrian safety.

In addition, in an attempt to mitigate potential circulation, including vehicular, pedestrian and bicycle movements and drainage on North Street, staff recommends that North Street be improved to include curb, gutter, sidewalks and parking lane along the north side of North Street. These recommended improvements will complete the traffic/pedestrian facilities in the neighborhood to ensure the safe movement of vehicles, pedestrian and bicyclists of the area. This impact would be ***less than significant with mitigation incorporated.***

Mitigation Measure:
TRANSPORTATION/TRAFFIC-1: North Street shall be improved to include curb, gutter, sidewalks and parking lane along the north side of North Street.

b): Rio Dell does not have a Congestion Management Plan (CMP), so the project is not subject to any CMP identified level of service or other performance standards. Finally, the project does not include proposals to remove bicycle lanes or bus stops, or undertake other actions that could potentially adversely impact alternative modes of transportation (e.g., pedestrian, bicycle, and mass transit). Therefore, a ***less than significant impact*** would occur.

c): Rohnerville Airport, located south of Fortuna, is the closest airport to Rio Dell. However, most commercial aviation traffic in the county is based well to the north at Arcata/Eureka Airport. The project site is not located within the Airport Land Use Compatibility Zones for Rohnerville Airport or any other airport as designated in Humboldt County's Airport Land Use Compatibility Plan, and the project would have no effect on existing air traffic patterns. Furthermore, the small number of new residential units that would be facilitated by the project would not substantially increase air traffic levels. Therefore, ***no impact*** would occur.

d-e): Future street improvements would be designed in accordance with City of Rio Dell's Design Improvement Standards. The project does not proposed farm uses and thus would not have a potential to generate hazards associated with mixing farm equipment with vehicles on area streets. Therefore, ***no impact*** would occur.

f): Redwood Transit System (RTS) provides transit service to and within the City of Rio Dell from three bus stop locations within the City: Wildwood Avenue at Davis Street, Rigby Street at Davis Street, and Center Street at Rigby. The Wildwood and Davis stop is located 0.2 miles south of the project site. The City also contains 10 designated bikeways (a bike lane designated by roadway striping or a paved land separated from motor vehicle use; Ibid.). The Painter Street bikeway is a Class II bikeway (stenciled bike lane on either side of the street) that is located approximately 100 feet south of the project site.

As indicated above the future residential development of the site will require street and pedestrian improvements consistent with the City's Subdivision Improvements Standards, including improvements to the north side of North Street, to ensure the safe movement of vehicles, pedestrians and bicyclists. Furthermore, nothing about the project would conflict with City or HCAOG Humboldt County Regional Trails Master Plan policies encouraging alternative transportation use, and in fact the project would represent infill development within an existing urban setting and thus potentially foster alternative transportation use. Therefore, the proposed amendments and potential residential development of the site would not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, and a ***less than significant*** impact would occur.

17. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

a): The proposed amendments from commercial to single-family residential subdivision could generate a small increase in the amount of wastewater requiring treatment/disposal at the City of Rio Dell Wastewater Treatment Facility (WWTF). The WWTF treats City wastewater to secondary standards and discharges the treated wastewater to the Eel River. Because of the small amount of additional wastewater to be generated, the fact that this wastewater would not include heavy metals or other pollutants which could compromise the ability of the WWTF to comply with its discharge permits, and the fact that these permits have been formulated to meet

the Total Maximum Daily Load (TMDL) requirements for the Eel River, the project would not exceed the wastewater treatment requirements of the RWQCB. Therefore, a ***less than significant impact*** would occur.

b-e): Water: Domestic and fire flow water in the project area is provided by the City's municipal water system which obtains its water from an infiltration gallery in the Eel River. The City has a water right of 1.701 MGD, a winter water capacity of 1.008 MGD, a summer water capacity of 0.792 MGD, a water treatment facility (WTF) capacity of 0.792 MGD, and a water tank storage capacity of 1.1 million gallons (Rio Dell 2003, HLAFCo 2008a). Water from the tanks is gravity-fed to the City's distribution system which includes 11 miles of pipe, including a water line in North Street immediately adjacent to the project site which has been sized to serve buildout of the North/May/Painter Streets neighborhood.

The City has an existing peak water demand of 0.474 MGD and a per capita peak water use rate of 144 gpd per person (HLAFCo, 2008a). Based on this rate, and assuming the County-wide average of 2.37 persons per household (DOF, 2008), the proposed amendments could generate a demand for approximately 5,200 gpd (0.0052 MGD) of water. Adding this to existing peak water demand yields an existing plus project water demand of 0.4792 MGD. Hence, the City has sufficient water supplies available to serve the project from existing entitlements and resources, and has sufficient water infrastructure to serve the project without the need to construct new infrastructure that could result in significant environmental effects. A ***less than significant impact*** would occur.

Wastewater: Wastewater collection, treatment and disposal service in the project area is provided by the City's municipal wastewater system. Treatment is provided by the City's WWTF which has an existing average dry weather flow (ADWF) design capacity of 0.9 MGD and currently treats 0.41 MGD ADWF (HLAFCo 2008a, Winzler & Kelly 2007). Collection is provided by a gravity fed flow system with two lift stations (Hale, 2008), including a sewer line in North Street immediately adjacent to the project site which has been sized to serve buildout of the North/May/Painter Streets neighborhood.

Due to concerns regarding the use of the existing seasonal percolation pond near the river, the RWQCB issued a Cease and Desist Order in 2003 requiring the City to upgrade its WWTF. The Order placed a cap (125 EDUs) on the number of new wastewater connections the City could approve before remediating the problem, and outlined an effluent disposal compliance schedule for the remediation. To date, approximately 35 EDUs worth of excess connections remain under the cap. However, the City expects to start construction on its 12.8 million dollar wastewater improvement project in April of this year. Completion of the upgraded WWTF is expected to be completed before the end of 2013.
Thus, adequate treatment capacity, sewer lines and remaining sewer connections exist to serve the project without the need to construct new infrastructure that could result in significant environmental effects. A ***less than significant impact*** would occur.

c): Storm Water Drainage: Storm water drainage service in the project area is provided by the City of Rio Dell municipal storm water drainage system which drains to the Eel River under a Phase II National Pollution Discharge Elimination System (NPDES) storm water permit

(Humboldt County 2002). The system is composed of a series of underground drainage conduits, artificial and natural drainage ditches, drainage inlets and storm drain manholes.

The proposed amendments could facilitate 15+/- lot residential subdivision on the 3+/- acres, with an estimated 1.50+/- acres to be developed with impervious surfaces. This development would generate an incremental increase in stormwater runoff requiring conveyance by the City's storm drain system, including North Street and Painter & Center Street drainage ditches.

Staff is recommending that Low Impact Development (LID) techniques to address stormwater impacts. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as retention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions. LID has been characterized as a sustainable stormwater practice by the Water Environment Research Foundation and others.

Staff is recommending that an on-site detention basin, grassy swales with check dams be incorporated on the future subdivision design to minimize pollutants and stormwater flows. The on-site detention basin shall be designed and located to the satisfaction of the City Engineer. With the use of these techniques the impact to stormwater drainage facilities would be ***less than significant with mitigation incorporated***. Please refer to Section 9, subdivision c) for the recommended mitigation measures.

f-g): The City of Rio Dell generated a total of 1,220 tons per year (tpy) of solid waste in 2004 (CIWMB 2008). This waste is collected and disposed of by the Eel River Disposal & Resource Recovery Inc. (ERD). In addition, the City has contracted with ERD to provide bi-weekly curbside recycling and green waste pick-up in an effort to reduce the City waste stream, and the City promotes composting to reduce its waste stream through the selling of compost bins residents and businesses at subsidized rates. Municipal and recycling waste are transported to ERD's transfer facility in Fortuna, where the municipal waste is transported to the Anderson Landfill in Shasta County and the recycling waste sorted and sold to a variety of users (Ibid.). Green waste is transported to the Scotia transfer station where it is used as fuel in Scotia's cogeneration plant to generate electricity (Ibid.).

Based on Humboldt County's average per capita solid waste generation rate of 0.44 tpy (CIWMB), and its average of 2.37 persons per household (DOF, 2008), the proposed project would generate an estimated 5.2 tpy of solid waste. The Anderson Landfill has an existing permitted capacity of 16.0 million cubic yards and an existing remaining capacity of 8.0 million cubic yards (approximately 2.4 million tons; CIWMB, 2008). Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs, and the impact would be ***less than significant impact.***

The Integrated Waste Management Act (AB 939) requires cities to reduce their solid waste streams by incremental targets leading to a 70% reduction by 2015 (HLAFCo, 2008a). The City of Rio Dell has been implementing the recycling, green waste and compositing programs described above in an effort to comply with AB 939. Because project residents would be required to participate in these waste reduction programs, the project would not interfere with the City's ability to comply with AB 939. Therefore, a ***less than significant impact*** would occur.

18. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less Than Significant Impact w/Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife, cause fish/wildlife population to drop below self-sustaining levels, threaten to eliminate plant/animal community, reduce the number/range of a rare/endangered species, or eliminate important examples of major periods of CA history/prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable?			X	
c) Does the project have environmental effects which will cause substantial direct/indirect adverse effects on human beings?			X	

a-c): While the proposed project would generate some environmental effects as discussed in this IS/MND, there is no evidence to indicate that the project would result in any of the following after implementation of the mitigation measures identified in this IS/MND:

- The potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, threaten to eliminate a plant or animal community or eliminate important examples of the major periods of California history or pre-history;
- Impacts that individually limited but cumulatively considerable; or
- Environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Therefore, a ***less than significant impact*** would occur.

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RESOLUTION NO. PC 051 – 2012A

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL RECOMMENDING DENIAL OF THE ALBIN GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION:

WHEREAS Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR); and

WHEREAS the property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965; and

WHEREAS the property was redesignated in 2004 to Community Commercial; and

WHEREAS there is ample residential land, approximately 323 acres of lands designated Urban Residential and a total of about 870 acres, to facilitate residential development within the City; and

WHEREAS at this point in time there doesn't appear to be need for additional residential lands within the City; and

WHEREAS in contrast there is only about 33 acres designated for Community Commercial development; and

WHEREAS there are only twenty (20) parcels in the City that area zoned Community Commercial; and

WHEREAS of those twenty parcels only four are vacant; and

WHEREAS of the four vacant parcels, only one parcel (APN's 052-232-005 & -010); located at the intersection of Davis Street and Ireland Avenue is larger than a 2/3 of an acre or 30,055 square feet; and

WHEREAS the other three vacant parcels are 6,724 square feet, 8,276 square feet and 14,460 square feet respectively. The 14,460 square foot parcel (APN 052-211-022) is owned by the Baptist Church and is only about 50 feet deep and about 300 feet wide; and

WHEREAS based on information on file, existing land use designations and the applicant's justification, the proposed amendment to change the parcel from Community Commercial to Urban Residential **is not in the public interest** at this time; and

WHEREAS the General Plan calls to promote a variety of commercial uses and allow light manufacturing in appropriate commercial zones; and

WHEREAS based on the limited development potential of all lands designated Community Commercial, it is staff's opinion that the removal of Community Commercially designated lands may be premature at this time; and

WHEREAS the General Plan requires the City to provide sufficient land for business expansion and attraction of new employers by designating a mixed use corridor along Wildwood Avenue and in the Town Center; and

WHEREAS there is a very limited supply of suitable land designated Community Commercial, especially Community Commercial land visible and adjacent to Highway 101 and commercial land along the City's major thoroughfare; and

WHEREAS the General Plan encourages infill development of vacant and underutilized land in the Town Center before amending the General Plan to allow additional commercial and residential land elsewhere; and

WHEREAS amending the General Plan and Zoning designation from Community Commercial to Urban Residential would conflict with this adopted policy; and

WHEREAS based on existing General Plan goals and policies, the proposed amendments **are not consistent the General Plan** and its implementation policies and programs; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.30.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment has been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project; and

WHEREAS through preparation of the Initial Study, it has been found that should the amendments be approved, there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level; and

WHEREAS pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days; and

WHEREAS the Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council deny the applicant's request to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR).

PASSED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of March 28, 2012 by the following vote:

I HEREBY CERTIFY that the forgoing Resolution was duly noticed, introduced and approved at a regular meeting of the Planning Commission of the City of Rio Dell on March 28, 2012 by the following vote:

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

_____
Dave Gonzales, Chair

ATTEST:

_____
Karen Dunham, City Clerk

RESOLUTION NO. PC 051 – 2012B

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL RECOMMENDING APPROVAL OF THE ALBIN GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION:

WHEREAS Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR); and

WHEREAS the property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965; and

WHEREAS the property was redesignated in 2004 to Community Commercial; and

WHEREAS it is in the City's and public's interest to encourage commercial development in the "Town Center" and to discourage a commercial "strip mall" development along Wildwood Ave; and

WHEREAS residential development of the parcel is consistent and compatible with the existing residential neighborhood; and

WHEREAS commercial development of the parcel could weaken the City's desire to maintain a core downtown area; and

WHEREAS based on information on file, existing land use designations and the applicant's justification, the proposed amendment to change the parcel from Community Commercial to Urban Residential **is in the public interest**; and

WHEREAS the General Plan calls to monitor market demand for residential land and consider, where appropriate, changes in the City General Plan Land Use Element and Zoning to ensure a balance in residential uses and densities; and

WHEREAS based on information from the applicant's agent, the current demand for commercial land is less than that for residential land; and

WHEREAS the General Plan encourages residential infill development of vacant and underutilized land; and

WHEREAS based on existing General Plan goals and policies, the proposed amendments **can be found consistent the General Plan** and its implementation policies and programs; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.30.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment has been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project; and

WHEREAS through preparation of the Initial Study, it has been found that should the amendments be approved, there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level; and

WHEREAS pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days; and

WHEREAS the Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council approve the applicant's request to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR).

PASSED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of March 28, 2012 by the following vote:

I HEREBY CERTIFY that the forgoing Resolution was duly noticed, introduced and approved at a regular meeting of the Planning Commission of the City of Rio Dell on March 28, 2012 by the following vote:

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

_____
Dave Gonzales, Chair

ATTEST:

_____
Karen Dunham, City Clerk