

Chapter 5.2. Agricultural Resources

5.2.1 Introduction

The Agricultural Resources Section, a component of the Land Use, Conservation, and Open Space Elements, establishes policies to ensure the stability and productivity of the county's agricultural lands and industries. These policies are intended to provide clear guidelines for land use decisions in agricultural areas. It is also intended to express policies, programs, and measures that promote and protect the current and future needs of the agricultural industry. The required inventory of agricultural resources and open space lands can be found in background studies completed earlier by the County and included as a part of the Conservation and Open Space Elements.

5-2.2 Background

Total farmland acreage can be difficult to quantify. The latest (2002) U.S. Department of Agriculture (USDA) Census of Agriculture indicated that about 27% of Humboldt County land (634,000 acres) is agricultural. However, this total includes large ranches that have a significant amount of timber production contributing to their operations. Also, changing methodologies and perspectives further complicate the issue of tracking farmland acreage.

What is clear is that agricultural operators face growing challenges to maintaining viable operations. Rising costs, increasingly complex regulatory requirements, and growing development pressures are among the hurdles facing today's farmers. As noted in the 2003 *Humboldt County Agricultural Resources Background Report*, it takes approximately 1,750 to over 6,000 acres (depending on the location within the county) to support a farm family raising beef; approximately 300 acres (average herd size of 200 milk cows) to support a family dairy; approximately 15 to 150 acres (depending on management practices) to support a farm family with row crops; and approximately 2,270 to 8,750 acres (depending on the location within the County) to support a farm family raising sheep.

Agriculture is an important component of the local economy and character. Yet, conversion of farmland to other uses has been the trend in recent decades. Despite protection policies in the current Framework Plan, the conversion of agricultural lands to non-agricultural uses has continued to occur over time. Approximately 3,000 to 5,000 acres of agricultural land has been converted to non-agricultural use each year since 1964 (*Humboldt County Agricultural Resources Background Report, 2003*). Rangeland has been converted to both timber production and rural subdivision. Productive farmland near population centers is often being replaced with poorer farmland that requires more energy and costs for transportation, fertilization, and irrigation (*Humboldt County Natural Resources and Hazards Report, 2002*).

Aging individual landowners is another trend in agriculture, particularly in cattle ranching (*Humboldt County Agricultural Resources Background Report*, 2003). Many of these individual ownerships will go through some sort of intergenerational transfer in the next 20 years. Oftentimes with such property transfers, tracts will be broken up and farm sizes reduced. For some of these property transfers, unfunded estate taxes could force some degree of subdivision and removal from production.

The importance of productive resource lands to the county's culture, quality of life, environment, and economy is highly valued by its citizens. Although there are many factors contributing to the profitability of agriculture and the sustainability of Humboldt's agricultural economy, only a few can be controlled or manipulated. These include regulating the amount of farmland lost to rural and urban development, ensuring that subdividing farmland will not adversely effect agricultural production, preventing land use conflicts, and utilizing legal tools to maintain and preserve farm acreage. Agriculture can benefit from having a stable land base, free of speculative land practices and long term policy certainty.

5.2.3 Goals and Policies

Goals

- AG-G1. Agricultural Production.** Promote and increase Humboldt County's agricultural production and the economic viability of its agricultural operations.
- AG-G2. Conservation of Agricultural Lands.** Conserve agricultural land for continued agricultural use. Maintain the maximum amount of land in parcel sizes that a farmer would be willing to buy or lease for agricultural purposes.

Policies

Agricultural Management/Legislative Directives

- AG-P1. Right to Farm.** Utilize the Right-to-Farm Ordinance to protect agricultural activities within the county.
- AG-P2. Predator Control.** Support predator control programs, when necessary, to reduce livestock depredation. (from Framework Plan)
- AG-P3. Support Land Trusts.** Support private non-profit land trusts that provide agricultural conservation programs in Humboldt County.
- AG-P4. Support Voluntary Purchase of Development Rights.** Support the use of voluntary purchase of development rights to limit intrusion of residential development in agricultural lands.
- AG-P5. Support Vegetative Management Programs.** Support vegetation management programs (controlled burning, etc.) when it is found that they improve the availability and quality of rangeland for livestock and

wildlife, reduce the hazard of disastrous wildfires, and increase water quality and quantity. (From Framework Plan)

AG-P6. Advice from Agricultural Community. Seek advice from the agricultural community for any future evaluation of land areas needed for urban development or for any consideration of requests by Humboldt's Local Agency Formation Commission (LAFCo) to change spheres of influence or urban service boundaries next to or near agricultural lands.

AG-P7. LAFCo Use of General Plan for Guidance. The County will request that LAFCo utilize the General Plan in advising the County on the appropriate level of services in the unincorporated areas. (modified Framework Plan policy)

AG-P8 LAFCo Findings for Conversion of Agricultural Land. Encourage LAFCo to find that changes in organization are consistent with the General Plan and would not result in the conversion of agriculturally productive lands.

Agricultural Resource Land Base

AG-P9. Agricultural Zoning and Parcel Size. Utilize Agricultural Exclusive (AE), Agricultural Grazing (AG), and Ranchland (AGR) land use classifications to ensure appropriate parcel sizes and land use for continuing availability of the necessary agricultural land base.

AG-P10. Conservation of Agricultural Lands. Agricultural lands shall be conserved and conflicts minimized between agricultural and non-agricultural uses through all of the following:

A. By establishing stable boundaries separating urban and rural areas and, when necessary, buffer areas to minimize land use conflicts.

B. By promoting in-filling to achieve a more logical urban/agricultural boundary.

C. By developing available lands not suited for agriculture, or those located within Urban Study Areas, prior to the conversion of agricultural lands outside of those areas.

D. By assuring that public service facility expansions and non-agricultural development do not inhibit agricultural viability, either through increased assessment costs or degraded air or water quality.

E. By broadening the utility of agricultural preserves and the Williamson Act Program.

F. By not allowing residential subdivision of lands planned Agricultural Exclusive (AE).

G. By allowing lot-line adjustments for agriculturally designated lands only where planned densities are met and there is no resulting increase in the number of building sites. (modified Framework Plan policy)

AG-P11. Rezoning Agricultural Land. Support rezoning of land from the Agriculture Grazing, Agriculture Exclusive and Ranchlands zones when it can be found that:

- A. The original inclusion was in error or inappropriate; or
- B. The conversion and rezoning is necessary to provide for the logical expansion of an existing adjacent community; or
- C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing and provide permanent protection of the remainder resource lands of the highest value.

AG-P12. Planned Rural Development. Provide a Planned Rural Development (PRD) Program in the AG and AGR designated areas that allows incentive-based clustering of homesites at a density above what would otherwise be allowed when lands most suitable for agricultural production are retained for permanent continued production. To qualify, identified home-site parcels must be clustered to avoid increasing use conflicts and not be in conflict with any applicable conservation plan. Right to farm agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued agricultural production shall be retained solely for permanent production.

Clustering Incentive Options:

Tier 1 clustering program:

- Density credit:* 2 times existing entitlements when 90% of subject lands are protected
- Protection instrument:* B7 zoning or other suitable instrument for remainder
- Rezone of homesite parcels:* County to follow up

Tier 2 clustering program:

- Density credit:* 3 times existing entitlements when 95% of subject lands are protected
- Protection instrument:* Permanent Conservation Easement on remainder
- Rezone of homesite parcels:* County to follow up.

AG-P13. Substandard Parcels. Provide recognition of substandard legal parcels through the Determination of Status/Certificate of Compliance process, but require that separate findings be made regarding the ability to develop with residential structures based upon the conformance with General Plan density and open space development policies.

AG-P14. Road Constraints and Density. Densities should reflect road constraints. No subdivisions are allowed where deficiencies have been identified that are not feasible to correct.

- AG-P15. Residential Uses on Timberland Production Zone (TPZ) Lands within Agricultural Preserves.** Residential uses on TPZ lands within agricultural preserves shall be compatible with the requirements of the Williamson Act and the local Guidelines.
- AG-P16 Public Acquisition.** Public acquisition of lands designated Agriculture Exclusive (AE) shall be from willing sellers only. Support lease back options for continued agricultural operations.

5.2.4 Standards and Land Use Designations

Standards

Agricultural Management/Legislative Directives

- AG-S1. Legislative Priorities.** The policies developed under this section are to be used by the County in formulating its legislative priorities and in drafting policy response to local, state and federal proposals.

Agricultural Resource Land Base

(These may ultimately be moved to a "Rural Lands" Section)

- AG-S2. Subdivisions of AG and AGR.** Subdivision of rural land may be approved if it can be found that:
- A. There is proof of adequate water for domestic use and fire suppression (See Fire Safe Standards) provided through either:
 - 1) Certified dry weather tests of individual developed water supply systems on each parcel using wells, creeks, or springs; or
 - 2) Four or fewer connections to a developed private water system, including certified dry weather testing of source, storage, and transmission facilities, with recorded easements and legal agreements; or
 - 3) Evidence of connection to a public water supply meeting the waterworks standards of the State of California.
 - 4) Cumulative impact of water withdrawals from surface and groundwater sources shall be assessed and found to not be detrimental to beneficial uses.
 - B. There is proof that adequate sewage disposal capability will be provided through either:
 - 1) Individual on-site systems approved by the Humboldt-Del Norte Health Department; or

- 2) Evidence of connection to a public waste disposal system.
- C. Building sites are identified that are not subject to health and safety hazards caused by:
 - 1) Geologic instability, steep slopes, and erosion;
 - 2) Seismic activity;
 - 3) Flooding; and
 - 4) Inadequate access to structural fire protection.
- D. Recorded access or other acceptable legally documented access to a publicly maintained road that is:
 - 1) Adequate for ultimate development at planned densities; and
 - 2) Adequate for use by emergency vehicles.
 - 3) Not subject to adverse impacts caused by:
 - a) Geologic instability, steep slopes, and erosion;
 - b) Seismic activity;
 - c) Flooding; and
 - d) Inadequate access to structural fire protection.

AG-S3. Exceptions to Subdivision of AG and AGR. For subdivisions meeting the following findings, the standards of AG-S2 may be replaced:

- 1) All parcels created and any remainder are each in excess of 160 acres.
- 2) The purpose of the parcels is resource production.
- 3) A transfer of development rights for residential purposes is executed in favor of the County of Humboldt.

Note: Residential development rights may be reclaimed by meeting the standards in AG-S2, Sections A, B, C, and D.

AG-S4 Subdivision of Lands Planned Agricultural Exclusive (AE). Within areas designated AE, no agricultural land division will be approved whereby any parcel thusly created will be less than 60 acres. However, divisions of these agricultural lands to a minimum size of 20 acres—and which are otherwise consistent with this Chapter—may be approved if the County or Planning Commission finds that the division is necessary for a specific agricultural purpose (e.g., to provide for a separate starter farm for a family member), and the division will not adversely affect the area's agricultural economy or habitat resources. The rezoning and parcel map may be approved only upon satisfaction of all of the following conditions:

- 1) Conveyance of an open space easement to the County of Humboldt or other public entity or private non-profit corporation, having as its chief goal the preservation of agricultural or open space lands.
- 2) Conveyance of development rights beyond those necessary for agricultural purposes.

- 3) Acknowledgment either on the parcel map or in a covenant within the chain of title that, although the new parcel is of a size below that considered a viable economic agricultural unit, its creation was approved for a specific agricultural purpose, and no further division or other conversion from agricultural use, except to other open space or habitat restoration use, will be allowed in the future even if agricultural use of such separate parcel does not provide adequate economic return.

AG-S5 Historical Preservation. An exception to the minimum parcel size for lands planned Agricultural Exclusive may be made for the purposes of historic preservation where the following findings are made:

- (1) The viability of continued agricultural operations is not impaired, and;
- (2) No additional building sites beyond what would be permitted as part of the existing agricultural operations are created.

AG-S6. Resource Protection Acquisition Programs. Division of lands planned Agriculture Exclusive creating parcels of less than 60 acres may be approved to facilitate replacement of residences, agriculture-related structures, or protect water supplies and water rights lost in public acquisition when the County or Planning Commission finds that such a division will not adversely affect the area's agricultural economy.

Land Use Classifications

Agricultural Exclusive (AE)

This plan designation applies primarily to bottomland farms and lands that can be irrigated. Typical uses include dairy, row crops, orchards, specialty agriculture, and horticulture.

Areas mapped under this designation include the lands that support the above described agricultural uses.

Density Range: 20–60 acres/unit
Residential uses must support agricultural operation.

Agricultural Grazing (AG)

This designation applies to dry-land grazing areas in relatively small land holdings that primarily support cattle ranching supplemented by timber harvest activities that are part of the ranching operation.

NOTE: The Ranchland designation (AGR) has been applied to the identified cohesive major cattle ranching areas, with the balance of the lands in this use designated AG. Some areas formerly carrying the AG designation have been re-designated to large-lot rural residential to reflect apparent existing use.

Density: 20–160 acres/unit
Residential uses must support agricultural operation.

Zoning: based on an average parcel size of 40 acres may be permitted, where the protection of agricultural operations will be ensured, maintained or enhanced based on the following findings:

1. It shall not significantly detract from the use of the property for, or inhibit agricultural operations; and
2. It shall not inhibit economically viable agricultural an timber production on adjoining lands; and
3. Uses and parcel sizes in the adjoining area are compatible; and
4. It is consistent with a comprehensive view of all relevant plan policies; and
5. Each parcel has frontage on an existing publicly maintained road; and
6. All such zoning is within 1/4 mile of an existing maintained public road.

Subdivision: The minimum parcel size allowed in the zone may be permitted based on the findings that:

- A. The subdivision will result in significant production improvements through intensive management for the growing of crops and animals; and
- B. The subdivision shall not significantly detract from the use of the property for, or inhibit agricultural operations; and
- C. The subdivision shall not inhibit economically viable agricultural an timber production on adjoining lands; and
- D. Adequate access, water and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements; and
- E. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity; and
- F. Access to the remainder is consistent with the uses of the remaining property.

Second Residences: The total density shall not exceed one (1) dwelling unit per twenty acres. A use permit or special permit shall be required where a density of more than one dwelling unit per 40 acres or larger parcel is sought. Parcels less than 40 acres shall not have second units. Homesite coverage shall not exceed two (2) acres total for both dwellings and accessory structures.

Ranchland (AGR)

This designation applies to dry-land grazing areas that primarily support cattle ranching, supplemented by timber harvest activities that are part of the ranching operation. The AGR has been applied to cohesive major cattle ranching areas and includes the lands that support the above described agricultural use, as well as TPZ land that may be intermixed and typically considered an integral part of the ranching operations. The balance of lands in this use in smaller management units are designated AG.

Parcel Size: 160 acres

Density: 1 unit per 160 acres

Residential uses must support agricultural operation.

Second Residences: The total density shall not exceed one (1) dwelling unit per 160 acres. A use permit or special permit shall be required for more than one dwelling unit per 160 acres is sought. Parcels less than 160 acres shall not have second units. Homesite coverage shall not exceed two (2) acres total for both dwellings and accessory structures.

Note: Implementation of this land use designation does not require rezoning of lands under Williamson Act contracts with TPZ and AE-B5(160) zoning. A Williamson Act contract, together with TPZ and AE or AG-B5(160) zoning shall be deemed to be an appropriate implementation of the AGR land use designation.

Compatible Uses for lands planned Agriculture Exclusive (AE) Agriculture Grazing (AG and) Ranchland (AGR)

Primary and Compatible Uses: Primary uses shall be limited to the production of food, fiber, plants, timber, timber agriculturally related uses, and agriculture related recreational uses. Very low intensity residential uses may be allowed if they are incidental to the property and if they support agricultural activities, or are necessary for the enhancement and protection of the natural resources of the area. Building sites shall be clustered adjacent to existing developed areas or on portions of land least suited for agricultural use with the least adverse effects on the environment.

Compatible uses in the AE, AG and AGR designations include:

- A. Hog production.
- B. Animal feed yards and sales yards.
- C. Agricultural and timber products processing plants.
- D. Animal hospitals.
- E. Rental or sale of agricultural equipment and storage thereto.
- F. Watershed management.
- G. Management for fish and wildlife habitat.
- H. Recreational uses under the control of the owner which will not significantly detract from or inhibit timber or agricultural production on the project site or adjoining lands.
- I. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities.
- J. Farm labor housing and temporary labor camps.
- K. Cottage industries.

5.2.5 Implementation Measures

- AG-IM1. Monitor Conversion of Agricultural Lands.** Annually monitor the conversion of agricultural land to other uses. If conversions have accelerated over previous historic rates, report to the Board of Supervisors with corrective policy recommendations. (modified Framework Plan measure)
- AG-IM2. LAFCo Coordination.** County Planning Department will work in close cooperation with LAFCo to assure that conversions of agricultural lands around the periphery of urban areas will be consistent with the General Plan. (from Framework Plan)
- AG-IM3. Williamson Act Contracts.** Support, promote, and broaden the application of Williamson Act contracts and agricultural preserves. (from Framework Plan)
- AG-IM4. Economic Development Assistance.** Develop programs within the County's Economic Development Division that assists local producers to promote strong local product identity and enhance economic viability of agricultural operations.

NOTE: the section below will fall out of the ‘final’ version found in the GP, but will be critical to the process of review

5.2.6 Staff Analysis and Alternatives

State Requirements

California Government Code Section 65302 requires that a general plan designate a land use category that provides for agricultural production. Also, California Government Code Section 65302(e) requires that a general plan include an open space element, as provided in Article 10.5, commencing with Section 65560. Section 65560(b) describes open space land as including “open space used for the managed production of resources, including but not limited to agricultural lands and areas of economic importance for the production of food or fiber.” Planning for the conservation and preservation of open space lands via a comprehensive open space program and plan includes inventory of resources, conservation measures, an action program, and consistency of the open space plan with building permits issued, subdivision maps approved, and adopted open space zoning ordinances (California Government Code Sections 65563-65567).

Background

The protection of agricultural resources and open space was a key concern raised during the public scoping meetings for the General Plan update. The *Critical Choices Report*, prepared by the County in March of 2000, compiled the public input received during Phase I and made recommendations for Phase II of the program. The following issues scored high with regard to agricultural resources in the report.

- Develop County programs to provide incentives for preservation (e.g., conservation easements, TDR’s, economic incentives);
- Develop programs that recognize and encourage smaller agriculture operations (intensive uses, organic and micro-agriculture) and allow smaller parcels in the Williamson Act;
- Implement County-wide protection policies through Plan and zone map changes.

In October 2002, the Department of Community Development Services released the *Natural Resources and Hazards Report* prepared by Dyett and Bhatia. Chapter 4 of this report describes Humboldt County’s agricultural resources, with an emphasis on production. County staff and the agricultural community found the chapter lacked detail in the inventory and analysis of agricultural resources and recommended a more thorough review of the issues. Following that recommendation and significant additional input from the agricultural community, planning staff prepared a revised draft *Agricultural Resources Policy Report* in August 2003, addressing agricultural resource policy issues in more depth.

In December 2003, the “Deliberative Dialog” meetings introduced a set of “sketch plan alternatives”. The alternatives underwent public review at 24 separate meetings during 2004. The *Sketch Plan Alternatives Report* included two-tier agricultural land-use classifications, including the “Ranchlands” designation.

In September 2004, *Sketch Plan Alternatives: Summary of Planning Commission and Board of Supervisors Recommendations* laid out policy guidance to be used in drafting the General Plan and its alternatives. Included in the recommendations were:

- A set of Guiding Principles
- Policy option development recommendations
- Directives for developing a range of Plan Alternatives (Sketch Plans A, B, and C)

Ten “guiding principles” for developing a “proposed project” were provided as part of policy guidance developed in the September 2004 recommendations. Five guiding principles particularly relevant for agricultural resource land-use issues are listed below (numbers correspond to those in the list of 10 principles):

- 1) The proposed project must ensure efficient use of water and sewer services and focus development in those areas and discourage low-density residential conversion of resource lands and open space.
- 4) The proposed project must support the County’s economic development strategy and work to retain and create living wage job opportunities.
- 7) The proposed project must contain long-term agriculture and timberland protections, such as increased restrictions on resource land subdivisions and patent parcel development.
- 8) The proposed project must include unambiguous natural resource protections; especially for open space, water resources, water quality, scenic beauty, and salmonids.
- 10) Development of the proposed project and alternatives must involve stakeholders and be supported with accurate and relevant data.

Policy options were developed based on the September 2004 recommendations. Those recommendations included:

- A policy to ensure lot line adjustments and other development are consistent with the General Plan densities notwithstanding underlying land units.
- A policy to allow flexibility for additional development at original homesite areas (similar to RCC standards) for large ranches.
- A policy that the County take a proactive approach to conservation of working resource lands landscapes.

Recommendations also included directives for developing plan alternatives, with characteristics of the preferred plan alternative to include:

- Reduction in existing large-lot residential subdivision potential outside of community planning areas.
- Increased resource land protection from residential and other conversion, using a range of planning tools such as: clustered development incentives, minimum lot sizes, patent parcel development standards, conservation easements, and regulatory reform.
- An “exit strategy” plan for alternative land use on large resource production lands proven to be no longer economically viable.

The themes contained in the guiding principles, policy option recommendations, and plan alternative development direction outlined above were used in the development of a “Draft Timber and Agricultural Resources Land Use Element.” The document, which focuses on agricultural land policies, was presented to the Planning Commission in June 2005. During this meeting, the Planning Commission and members of the public questioned whether the resource land base was in fact threatened by putting houses on resource lands, timberlands in particular. Key issues raised at that time related to questions of reducing housing and parcel “entitlements” in resource lands.

The June 2005 Draft Land Use Element included policies that proposed a Ranchlands (AGR) land use classification. The proposed AGR designation made residential uses at a density of one unit per 600 acres maximum, and provided an “exit strategy” allowing clustered development on portions of the land that might be suitable for residential development, with the remainder retained for agricultural production.

In response to input received on the Draft Land Use Element, the Planning Commission subsequently directed planning staff to:

- Re-visit forestry issues with the public and the FRC, providing more opportunities for stakeholder input;
- Provide a discussion of the impacts of residential development on the resource land base; and
- Provide a broader range of alternatives for resource lands which would include an alternative that provides a greater supply of developable lands for residential development.

This agricultural resources component of the Land Use Element has been developed in response to the above inputs and direction, reflecting expressed desires for protection of resource lands, allowing some residential development, and emphasizing incentive-based programs that provide landowner assistance to achieve focused development.

Staff recommends Plan Alternative B, the “identified proposed project” under CEQA. Discussion and the comparison of plan alternatives in Table 5.2 presents options for Alternative A, the “environmentally superior” option under CEQA, and Alternative C, the “alternative proposed project” under CEQA. Plan Alternatives A, B, and C, with their associated policy options, provide a “menu” of plan alternative choices.

Discussion and Staff Recommendation

Agricultural Lands Management and State Law

Agricultural operators must conduct business through a maze of state, federal, and local regulations. Some regulations attempt to protect agricultural resources from conversion to other uses, while others can cause an economic hardship for the operator. Following is a list of the primary state, federal, and local regulations that impact agricultural operations in Humboldt County:

- **Federal Water Quality Regulations.** The Clean Water Act of 1972 was the first federal legislation to address pollution caused by stormwater runoff from the landscape. The sections of the Clean Water Act that directly impact farming operations attempts to address water quality issues as a result of nonpoint source pollution—the legal framework for nonpoint source pollution control are found within Sections 208 and 404.
- **State Water Quality Regulations.** The State Water Resources Control Board has also implemented statewide water quality regulations for dairies, in an attempt to prevent discharges of contaminated water. The U.S. Department of Agriculture’s National Resource Conservation Service and Humboldt County have coordinated efforts to help aid dairy farmers in retrofitting existing dairy operations to meet these standards. Farmers are being required to install manure storage ponds on their property in order to contain contaminated discharges and improve water quality on lands surrounding dairy farms in the Eel River Delta area.
- **Williamson Act.** The California Land Conservation Act of 1965, better known as the Williamson Act, created a program for counties to protect viable agricultural land by offering a tax incentive to property owners for keeping their land in agricultural production. The Humboldt County Board of Supervisors first adopted local guidelines for the Williamson Act on June 24, 1969. In June 2002, the Board adopted the first comprehensive update to the local guidelines since 1978. The update reflected major changes to the Williamson Act, including the 1998 adoption of Government Code Section 51296, otherwise known as the Farmland Security Zone (FSZ). From 1972 to 1981, nearly 243,000 acres were put under Williamson Act contracts in the county. Currently, there are just over 280,000 acres in the program (in 155 established preserves), indicating that participation has not significantly increased over the past 20 years.
- **Coastal Act.** The 1976 California Coastal Act sets out a series of policies to protect and enhance the California Coastal Zone. This legislation requires counties to adopt separate policies and zoning for areas within the state-designated coastal zone, which are often more restrictive in terms of land use than policies that apply to other areas in the county. The protection of agriculturally productive lands is a very high priority in Coastal Act policies. The Act established policies that require the maximum amount of agricultural land remain in agriculture to protect the agricultural economy, and to minimize conflicts between agriculture and urban uses, thus preventing premature conversion of agriculturally productive lands.

- **General Plan and Zoning.** The policies set forth in the current Framework Plan strongly protects agricultural land and timberlands (particularly prime agricultural land) from conversion to other uses. From these policies, the County or cities have been writing zoning ordinances as implementing devices.
- **Incentive Based Programs.** Incentive-based agricultural protection programs are beginning to receive increased support throughout the county. These types of programs include transfer-of-development-rights programs, right-to-farm ordinances, and federal/state programs that partner with landowners to encourage stewardship. While over 70% of both agricultural producers and the general public support the use of some type of incentive-based protection program throughout the county, there is less support for taxes to fund this type of program.

Although there are many factors contributing to the profitability of agriculture and the sustainability of Humboldt's agricultural economy, only a few can be controlled or manipulated. These factors include regulating the amount of farmland lost to rural and urban development, ensuring that subdividing farmland will not adversely affect agricultural production, preventing land use conflict, and utilizing legal tools to maintain and preserve farm acreage.

Throughout the General Plan update process, there has been broad support for the development of county policies that protect agricultural lands. The reasons range from the industry's bearing on the local economy to the open space that agriculture adds to the county's rural character. There is particular support for incentive-based programs for working lands. Policies have been included that provide for the purchase of development rights while protecting the agricultural integrity of the land.

Agricultural Resource Land Base

The total agricultural acreage tabulated by the Humboldt County GIS mapping program in 2002 was approximately 345,238 acres. These agricultural lands can be divided by land type, such as delta land, river and mountain alluvial flats, and upland grazing. Some areas are actively engaged in ranching, row cropping, or specialty agriculture—such as organic foods and natural meats—while others have focused on housing developments or parkland acquisition.

The total agricultural acreage reported by Humboldt County is significantly lower than the U.S. Department of Agriculture, National Agricultural Statistics Service's Census of Agriculture statistics and the County Agricultural Commissioner's figures. The 1997 census reported 584,538 acres of productive agricultural lands in the county, while the County Agricultural Commissioner estimated it at 492,876 acres. This difference is primarily due to the tabulation of "grazing" lands (the County Agricultural Commissioner reported a total of 470,000 acres as "rangelands," whereas the County classified only 295,105 acres as "rangelands") which includes timberlands zoned as TPZ.

By California standards, Humboldt County's agricultural production is small, a mere \$120 million appetizer on the \$27 billion banquet table of farm goods produced annually by the state. However, agriculture is a large part of the local economy, sustaining hundreds of farm and ranch families and workers. Over 25% of the lands are in some form of agriculture.

While the number of farms has been in decline over the last decade, the agricultural industry had seen an increase in employment of 37% since 1985, accounting for 2.2% of the employment sector. This is primarily a result of the expansion of Sun Valley Bulb Farm in the Arcata bottoms.

Excluding timber production values, Humboldt County ranked 36th in the state for gross value of agricultural production (when timber receipts are included, it ranked 18th). The top four valued agricultural crops in 2005 were:

- 1) Nursery Stock – \$44 million
- 2) Milk and Dairy products – \$43 million
- 3) Livestock – \$24 million
- 4) Field Crops – \$10 million

The 1997 Census of Agriculture indicated that during a 15-year period (1982–1997) the number of farms in the county declined from 876 to 792, while the acreage in farms declined from 648,820 to 584,538. In addition, 13,228 acres—2% of farmland or 82 farms—were lost during the period 1992–1997. The average farm size increased in those five years from 684 acres to 738 acres. The number of full-time farmers also decreased 13% from 482 to 417.

Aging individual landowners is another trend in agriculture, particularly in cattle ranching. Many of these individual ownerships will likely undergo an intergenerational transfer in the next 20 years. Oftentimes with such property transfers, tracts will be broken up and parcel sizes reduced. For some of these property transfers, unfunded estate taxes could force some degree of subdivision.

Conversion of farmland to other uses was considered a disturbing trend to a majority of the participants at the public scoping meetings for the General Plan update. Despite protection policies in the current Framework Plan, the conversion of agricultural lands to non-agricultural uses has been occurring at an alarming rate. Approximately 3,000 to 5,000 acres of agricultural lands have been converted to non-agricultural use each year since 1964. Rangeland has been converted to both timber production and rural subdivision.

In Humboldt County, approximately 60,000 acres of agricultural resource lands were involved in a permitted land use activity or public acquisition that may have resulted in a conversion of agricultural lands. Of the 162 applications received for the rezoning of resource production lands during 1985–2000, only two were denied. Not all of the zoning changes involved the land being designated into non-resource production uses such as residential or commercial, but many of the changes probably led to the loss of agricultural production because of the parcelization of properties into sizes too small for continued viable agricultural operation. A recent study found that the agricultural lands protected by the stricter California Coastal Act policies remained, for the most part, in agricultural production; most of the conversion occurred in the inland grazing and timberlands where numerous tracts of rural “ranchettes” have been created.

Agriculture lands in Humboldt County have historically been converted to other uses as a result of the following:

- * Issuance of Certificate of Compliance (patent parcel) titles on large ranchlands resulting in subdivision.
- * Public purchase of grazing land for parks and of farms near the bay to re-establish

- wetlands or develop wildlife habitat and riparian restoration.
- * Encroachment by urban and manufacturing development on the fringes of population centers around the bay.
 - * Allowance for mobile homes on flood plains.
 - * Demand for large-lot subdivision or “country” homestead real estate.
 - * Fragmentation pressure caused by poor estate planning and high land inheritance taxes.
 - * Preference by builders for flat agriculture building sites over steeper hillsides.
 - * Rezoning of agricultural lands to other uses (public officials are pressured to allow conversion to encourage economic development).
 - * Issuance of conditional use permits for uses that are incompatible with agriculture.

Currently, only 47% of farmland in the county is actively preserved under the Williamson Act (utilizing the acreage figures from the Census). Of this amount, only 2% is located on prime agricultural soils (approximately 7.5% of all prime ag lands are in Williamson Act program). This General Plan update includes a policy to actively pursue increasing these acreages, particularly lands with prime agricultural soils.

The county’s large grazing lands represent a cultural and historic land use that is as important today as it was 100 years ago. These lands are usually in ranching and timber operations, and are the primary private lands that provide open space. It is essential to keep enough lands in grazing to maintain a critical economic mass for this industry and its supporting industries, so that all may remain financially viable.

Yearly collection of data concerning agricultural land conversion is specified in the County’s current policies, but in practice this procedure has not been rigorously followed. To amend this, the County could lead an interagency effort to coordinate data collection. The agencies should include the County Agricultural Commissioner, UC Cooperative Extension, County Planning, and the citizen’s watershed associations that have formed over the last 10–20 years.

When agricultural enterprises are economically viable, the pressure to convert land to other uses is lower. The key to maintaining a healthy agricultural base in Humboldt County is ensuring the sustainability of the industry. The fields in which Humboldt is most able to compete are dairy, floral and greenhouse production, and specialty agriculture such as organic foods and natural meats.

Policies and programs aimed at supporting agriculture can increase its economic viability. The marketing of Humboldt agricultural products should be a regional goal. The ranching, dairy, and small-scale farming industries could benefit from the natural, healthy image of Humboldt County’s open space grasslands and pastures and beautiful rivers and bottomlands, which can add value to their products.

There are programs within the County’s Small Business Development Center, such as business and marketing planning that could assist the large- and small-scale farmer. The County could do more outreach to the farmers to let them know these services exist, and to tailor the services to the farmers’ needs. These services could be expanded to include information about state and federal programs available to farmers, and include advice on the need for sound estate planning.

Other factors that would assist county ranchers and farmers are the easing of the permitting

process for agriculture-related structures, streamlining regulatory programs, utilizing one lead agency to interact with farmers, making application to the Williamson Act program easier and less costly, and supporting transportation development. Additionally, industries such as shipping, agricultural equipment and supplies sales, and processing facilities are important to the industry.

Recent national trends in the dairy and beef industry have favored larger farms. In contrast, Humboldt County is experiencing growth in the numbers of small-scale producers. The County may wish to accommodate small-scale producers; however, caution should be used to avoid encouraging sprawl development patterns on prime agriculture land via very small enterprises, which results in large lot subdivisions. Land prices, especially on prime soils, have risen dramatically in recent years, which make it very difficult for agricultural enterprises, particularly smaller ones, to remain viable. This General Plan update includes policies to help preserve what remains and deter development from encroaching on agriculturally exclusive lands.

In selecting among policy options for agricultural resources, striking the right balance is very important. The guiding principle should be to provide enough flexibility in implementation to respond to different needs throughout the county, without adversely affecting critical resources or ongoing farming, dairy, and livestock operations.

An effective long-term agricultural land protection tool is a countywide open space district and program. Surveys conducted for the Humboldt County Farm Bureau found support for this type of program, but the general populace at this time is not willing to fund it. However, this is an option that should be discussed throughout this update process. Policy language for this type of program has thus been proposed in Alternative A, which is discussed in the Alternatives Section below.

Patent Parcels and Fragmentation of the Resource Lands

Fragmentation of the agricultural lands resource base in Humboldt County is affected by the existence of patent parcels and strong support for property rights usually associated with land ownership. A land patent is the right of ownership to a parcel of land granted by government to an individual or private company. The Subdivision Map Act sets out a process that determines whether a patent parcel is considered a separate legal parcel under the law, a process usually culminating in the recordation of a Certificate of Compliance (or Conditional Certificate of Compliance).

Over 18,000 patent parcels have been issued in Humboldt County. A number of these have been altered by subdivision, lot-line adjustments, and mergers, and do not retain their original status. Development rights associated with many of these patents imply that lands that would not otherwise be considered for rural residential development may in fact be available for such use. Thus, several policies have been developed here to consider the potential impacts of these parcels on fragmentation and parcelization of the forest and agricultural resource land base.

The County adopted a Merger Ordinance in 1986 that set forth a process that merged substandard TPZ lands. A section of the merger ordinance, Article II, applies to “new

mergers,” and gives conditions for merging substandard parcels zoned TPZ and to parcels enforceably restricted by a Williamson Act Contract. To date, this section of the Merger Ordinance has only been implemented as a precondition to entry into Williamson Act contracts, and not lands zoned TPZ.

During the development of the Merger Ordinance, which followed the adoption of the Framework Plan in 1984, the County raised concerns over the impact unregulated transfers of substandard patent parcels could have on land use planning goals. Specific concerns included:

- Allowing for the creation of smaller units of land without regard to general plan policies addressing resource management
- Adequate access
- Building site suitability
- Sewage disposal
- Water supply
- Slope stability
- Impacts on public service delivery

Concerns remain over patent parcel development on resource lands, and the Board of Supervisors has recommended that merger issues be addressed in the General Plan update process.

Patent Parcels and Open Space

Development on patent parcels and associated merger issues are key General Plan update issues. California Government Code Section 65567 requires that the County find *consistency with the local Open Space Element* before issuing a building permit. This provision can result in restrictions on building permits on legally created lots, such as patent parcels, if the issuance of the permit is contrary to General Plan policies.

State law defines open space lands to include “open space used for managed production of resources.” Implementation of the Open Space Element is carried out via the General Plan, including provisions of density and compatible uses. The policy for issuing building permits on patent parcels designated as agriculture or timberlands is not clearly defined in the current Framework Plan, and will be addressed during the General Plan update process.

County staff has digitized the patent parcel information, which includes over 17,400 parcels from the masterplats. However, caution should be used when viewing this information, as many of the patent configuration patterns have changed over time due to merger and subdivision.

A preliminary statistical analysis of patent parcels was conducted. The mean was 153 acres/patent overall (including non-TPZ lands). The mean drops to approximately 129 acres/patent when non-TPZ lands are removed from the analysis. However, the wide range

of patent sizes (ranging from 1/10th of an acre to 11,000 acres) limits the meaningfulness of these numbers.

Development Rights Established

According to the California Supreme Court, the right to develop becomes vested when all *discretionary* approvals for a project have been obtained and only *ministerial* approvals remain. More specifically, vested rights have *not* been established *unless* the developer has:

- Obtained a valid building permit (as distinguished from merely a foundation or other specific permit); *and*
- Performed substantial work; *and*
- Incurred substantial liabilities in good faith reliance upon the permit.

To give further certainty to the development process, the state legislature provided for vested rights to be established by means of two specific types of local actions. One is a *development agreement*. State statutes allow a county or city to enter into a binding agreement with a developer enabling a project to proceed in accordance with policies, rules, and regulations existing and any conditions established at the time of the agreement (Government Code, Section 65864 et seq.). "A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes" (Section 65865.2).

The second form of agreement between a developer and the local land use jurisdiction, which establishes vested development rights, is a *vesting tentative map* (Government Code, Section 66498.1 et seq.). Such agreements "confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved" (Section 66498.1(b)).

Policy issues regarding patent parcels and property rights include those having to do with the Merger Ordinance as well as with other development-related issues, including:

- Recognizing substandard patent parcels as legal parcels for sale or transfer only, versus recognition of substandard patent parcels as developable parcels in resource lands.
- Issuing building permits on substandard resource lands vis-à-vis state laws regarding open space and findings of General Plan consistency.
- Applying development credits for patent parcels for cluster development in resource lands as an incentive for resource protection.
- Allowing for unrestricted residential development of patent parcels.

The pressure to convert resource lands occurs when the market value of land for resource production is lower than the market value for residential use. When other uses, namely residential development, are considered, concerns are raised as to how to create incentives for maintaining agricultural lands in production. Concerns are also raised regarding potential loss in valuation that might come with restricting residential development on these lands. Techniques available to address concerns regarding potential loss in valuation include:

- Two-tiered density
- Clustering
- Transfer of Development Rights (TDR) programs
- Select conversion
- Planned Rural Development (PRD) incentive programs

Two-tiered density would identify agricultural lands adjacent to community planning areas and other residential development as “transitional resource land”. These areas would provide higher density allowances for residential development than the adjacent agricultural land classification. The concept is to provide a buffer between the core agricultural areas (designated either “AGR” for Ranchland or “AE” for Agriculture Exclusive) and the adjacent residential areas, which would be designated as an Agriculture Grazing (AG) or Rural Residential (RR) general plan land use designation.

The two-tiered density approach was a key concept contained in the above-referenced “Draft Agricultural Resources Land Use Element” policy paper released in June 2005. The Humboldt County Cattlemen’s Association and larger agricultural community were critical of the ranchland concept, particularly the 600-acre density limitation—this density limitation is not included in the preferred plan alternative presented in Sections 5.2.3–5.2.5 above. The dilemma remains as to how to ensure the compatibility of uses without reducing the financial expectations of land holders.

Clustering is a technique that transfers an otherwise uniform residential density standard (e.g., 1 unit/160 acres) to areas adjacent to services or areas that could more easily accommodate residential development. This technique allows key resource lands to remain intact and contiguous, and helps avoid checkerboard residential development that otherwise might adversely affect agricultural production operations.

Transfer of Development Rights (TDR) is a mechanism similar to clustering, but where the development potential is transferred off-site to properties owned by other parties. In this scheme, the off-site owners buy the development rights of resource lands to be retained in production in trade for gaining development credits on lands suitable for residential development. This typically happens as an increase in allowed density on the targeted residential area.

Select conversion allows for planned exit for some lands classified as agricultural to be planned for other uses at a time where the landowner determines that resource production was not economically viable. This would trigger a general plan amendment in selected areas to recoup development and investment potential within areas that could accommodate other planned uses.

A *Planned Rural Development (PRD)* incentive program would allow incentive based clustering of homesites at a density above what would otherwise be allowed, where lands most suitable for agricultural production are retained for permanent continued protection and identified homesite parcels meet specific criteria.

Discussion of Alternatives

Policy options have been developed for Plan Alternatives A, B, and C to reflect a range of approaches to the protection of, and residential development in, resource lands. In general, policy options for Plan Alternative A are the most environmentally protective and most restrictive of development in resource lands. Options for Plan Alternative C are the least restrictive of development and the least environmentally protective. Plan Alternative B is designed to balance protections with regulations, using incentive approaches and program assistance to landowners. A fourth plan, “Plan Alternative D,” is the “no-project” alternative, which would continue the policies, standards, and implementation measures of the current Framework Plan.

Staff recommends the adoption of Plan Alternative B as the preferred plan alternative. Details of this alternative appear in Sections 5.2.3–5.2.5 above. The other alternatives are discussed below.

Plan Alternative A

This alternative is the “environmentally superior” option—as required by the California Environmental Quality Act (CEQA)—with more limitations on resource land development than Plan Alternative B. Key characteristics of Plan Alternative A include:

- Housing needs are met solely through infill of areas currently served by existing water and sewer lines.
- Resource land protections and significant limitations on large-lot residential development.

No additional goals are recommended for Alternative A besides the goals proposed for the preferred plan alternative. Additional policies, however, are proposed that would provide the most protection to agricultural lands and limit residential development. The Ranchlands (AGR) designation has been modified to include a density of one house per 600 acres. The Planned Rural Development program would not be available in Alternative A; rather a “Withdrawal from Ranchlands” process is proposed that allows for additional development credit when homesites are clustered and the remaining lands are placed under a permanent conservation easement. Additional language has been added to Policy **AG-P10(h)** that would require no net loss of the prime agricultural lands planned AE. Also, a policy that supports the creation of greenbelts and agricultural buffers between communities has also been included (**AG-P18**).

A policy calling for the creation of an Open Space District and Advisory Board has been recommended for Alternative A (**AG-P17**). Citizens have expressed interest in the coordination of planning across disciplines to optimize land and resource use, along with conservation. This program would work only with willing landowners. Land conservation would include the purchase of development rights for conservation easements, and outright purchase or land-in-fee. An open space program would work closely with land trusts to develop a conservation strategy and funding options for the conservation of open space/resource lands. An open space program would include regularly scheduled educational sessions for the Planning Commission and the

Board of Supervisors to keep them abreast of land development and resource issues within the county. This program would likely require some kind of taxing mechanism to support staffing and the purchase of development rights.

Alternative A includes a policy that limits the export of water out of the county (**AG-P19**). Prior to approval of any water exportation projects, agricultural needs for future and potential production would be evaluated. Projects would be approved that would not adversely impact the viability of the agricultural industry and local markets.

Additional Policies Under Plan Alternative A

AG-P10(h) Support no net loss of Agriculture Exclusive (AE) land.

AG-P13a. Substandard Parcels. Provide recognition of substandard legal parcels through the Determination of Status/Certificate of Compliance process (except for those parcels created by subdivision maps preceding 1929). Require that separate findings be made regarding the ability to develop with residential structures based upon the conformance with General Plan density and open space development policies. Parcels not originally created for residential purposes will not be recognized for residential development.

AG-P17 Support the creation of a countywide Open Space District and an Open Space/Resource Advisory Board.

AG-P18 Support creation of greenbelts and agricultural buffers where agricultural operations may pose land use conflicts.

AG-P19 Export of water out of county shall not occur until future water needs for regional agricultural uses are determined to be adequate

Alternative Land Use Designation:

Ranchland (AGR). This designation applies to dryland grazing areas that primarily support cattle ranching, and timberlands that are part of the ranching operation. The AGR has been applied to cohesive major cattle ranching areas and includes the lands that support the above-described agricultural use, as well as TPZ land that may be inter-mixed and typically considered an integral part of the ranching operations. The balance of the lands in this use in smaller management units are designated AG.

Parcel Size: 160 acres

Density: 1 house per 600 acres

Residential uses must support agricultural operation

Implementation of this land use designation does not require rezoning of lands under Williamson Act contracts with TPZ and AE B5 (160) zoning. A Williamson Act contract, together with TPZ and AE (or AG) B5(160) zoning shall be deemed to be an appropriate implementation of the AGR land use designation.

AG-P12a. *Withdrawal from Ranchland (AGR).* This plan will support map amendments to withdraw lands from the AGR designation for areas that meet all of the following conditions:

- a) Portions suitable for non-agricultural use.
- b) Adjacent to a roadway suitable for the intended use.
- c) No increased risk of wildland fire.
- d) Clustered to avoid increasing use conflicts between agricultural production and other intended uses.
- e) Can be adequately serviced.

The remaining lands most suitable for continued agricultural production shall be retained for permanent agricultural production through a conservation easement or other suitable instrument. The withdrawal area shall receive a density credit of 1 unit per 160 acres of land retained for permanent agricultural production, or per the average size of legally entitled parcels. Right-to-farm agreements shall be secured for proposed parcels.

Plan Alternative C

Policy options for Plan Alternative C impose the least restrictions on development, and are the least environmentally protective. Key characteristics of Plan Alternative C include:

- Accommodates the demand for approximately 18,000 new dwelling units (approximately three times the fair-share housing needs).
- Existing entitlements for large-lot residential development would remain but would not be increased.

Besides the goals recommended for the preferred plan alternative, an additional goal is included in Alternative C that provides a mechanism for converting agricultural land for increased residential uses if found to be in the public interest (**AG-G3**). A policy supporting the conversion of agricultural lands where continued agricultural production is deemed not to be economically feasible is included (**AG-P21**). Residential subdivisions would be allowed in AE zones (**AG P10(f)** has been removed from Alternative C) and new building sites created through lot-line adjustments would be allowed (**AG P10(g)** has been removed from Alternative C). Allowance for second residences on agricultural lands is provided regardless of density standards (**AG-P20**). Added density would be allowed for clustering of homesites with permanent protection under the Planned Rural Development Program in AGR.

Additional Goals Under Plan Alternative C

AG-G3. Conversion of Agricultural Lands. Support conversion of agricultural resource lands to residential uses when it is determined that such conversion would be in the public interest.

Additional Policies Under Plan Alternative C

AG-P20. Second Dwellings. Two single-family dwelling units and normal accessory uses and structures for owner and caretaker on agricultural lands shall be

permitted regardless of density standards. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of resource lands for residential use is limited to an area 5% of the total parcel, or a maximum area of one acre for a homesite and appurtenant uses. The total area need not be a contiguous unit.

AG-P21. Conversion of Agricultural Lands. The conversion of agricultural land should only be considered where continued agricultural production is not economically feasible and proposed development is consistent with Rural Subdivision Standards (**AG S2**). (modified from Framework Plan)

Plan Alternative D

This is the “no project” alternative and would result in continuation of the policies, standards, and implementation measures of the current Framework Plan. The policies, standards, and implementation measures are included in the alternatives or were either deleted as redundant, modified or replaced with other policies. While staff recommendations provide a range of policy options and associated standards and implementations suggested for Plan Alternatives A, B, and C, policies may be modified, retained as recommended, or deleted to effect resource protection and meet housing needs as appropriate.

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

Plan Alternative				Goals & Policies	Staff Remarks	Vote: R, D, M
A	B	C		AG-G1. Agricultural Production. Promote and increase Humboldt County’s agricultural production and the economic viability of its agricultural operations.		
A	B	C		AG-G2. Conservation of Agricultural Lands. Conserve agricultural land for continued agricultural use. Maintain the maximum amount of land in parcel sizes that a farmer would be willing to buy or lease for agricultural purposes.		
		C		AG-G3. Conversion of Agricultural Lands. Support conversion of agricultural resource lands to residential uses when it is determined that such conversion would be in the public interest.		
				Policies		
A	B	C		AG-P1. Right to Farm. Utilize the Right-to-Farm Ordinance to protect agricultural activities within the county.	Currently in use.	
A	B	C	D	AG-P2. Predator Control. Support predator control programs, when necessary, to reduce livestock depredation.	Existing Framework Plan 2523.5.	
A	B	C		AG-P3. Support Land Trusts. Support private non-profit land trusts that provide agricultural conservation programs in Humboldt County.		
A	B	C		AG-P4. Support Voluntary Purchase of Development Rights. Support the use of voluntary purchase of development rights to limit intrusion of residential development in agricultural lands		
A	B	C	D	AG-P5. Support Vegetative Management Programs. Support vegetation management programs (controlled burning, etc.) when it is found that they improve the availability and quality of rangeland for livestock and wildlife, reduce the hazard of disastrous wildfires, and increase water quality and quantity.	Existing Framework Plan 2523.6.	
A	B			AG-P6. Advice from Agricultural	(Currently in use)	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

				Community. Seek advice from the agricultural community for any future evaluation of land areas needed for urban development or for any consideration of LAFCo requests to change spheres of influence or urban service boundaries next to or near agricultural lands.		
A	B	C		AG-P7. LAFCo Use of General Plan for Guidance. The County will request that LAFCO utilize the County’s General Plan in advising the County on the appropriate level of services in the unincorporated areas.	Modified Framework Plan	
A	B	C		AG-P8. LAFCo Findings for Conversion of Agricultural Land. Encourage LAFCo to find that changes in organization are consistent with the General Plan and would not result in the conversion of agriculturally productive lands.	Consistent with State law.	
A	B	C		AG-P9. Agricultural Zoning and Parcel Size. Utilize Agricultural Exclusive (AE), Agricultural Grazing (AG), and Ranchland (AGR) land use classifications to ensure appropriate parcel sizes and land use for continuing availability of the necessary agricultural land base.		
A	B	C		AG-P10. Conservation of Agricultural Lands. Agricultural lands shall be conserved and conflicts minimized between agricultural and non-agricultural uses through all of the following: A. By establishing stable boundaries separating urban and rural areas and, when necessary, buffer areas to minimize land use conflicts. B. By promoting in-filling to achieve a more logical urban/agricultural boundary. C. By developing available lands not suited for agriculture, or those located within Urban Study Areas, prior to the conversion of agricultural lands outside of those areas. D. By assuring that public service facility expansions and non-agricultural development do not inhibit agricultural	Modified Framework Plan 2523.1 Additions/revisions highlighted in yellow	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>viability, either through increased assessment costs or degraded air or water quality.</p> <p>E. By broadening the utility of agricultural preserves and the Williamson Act Program.</p>		
A	B		<p>(AG-P10. Continued)</p> <p>F. No residential subdivision of lands planned Agricultural Exclusive (AE).</p> <p>G. Allowing lot-line adjustments for agriculturally designated lands only where planned densities are met and there is no resulting increase in the number of building sites.</p>	<p>Currently in zoning ordinance</p> <p>From McKinleyville Community Plan</p>	
A			<p>H. Support no net loss of Agriculture Exclusive (AE) land.</p>		
A	B	C	<p>AG-P11. Rezoning out of Agriculture. Support rezoning of land from the Agriculture Grazing, Agriculture Exclusive and Ranchlands zones when it can be found that:</p> <p>A. The original inclusion was in error or inappropriate; or</p> <p>B. The conversion and rezoning is necessary to provide for the logical expansion of an existing adjacent community; or</p> <p>C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing and provide permanent protection of the remainder resource lands of the highest value.</p>		
	B	C	<p>AG-P12. Planned Rural Development. Provide a Planned Rural Development (PRD) Program in the AG and AGR designated areas that allow incentive based clustering of homesites at a density above what would otherwise be allowed when lands most suitable for agricultural production are retained for permanent continued production. To qualify, identified homesite parcels must be clustered to avoid increasing use conflicts</p>		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

B		<p>and not be in conflict with any applicable conservation plan. Right-to-farm agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued agricultural production shall be retained for permanent production.</p> <p>Clustering Incentive Options:</p> <p><u>Tier 1 clustering program:</u> 2 times existing entitlements when 90% of resource lands are protected. <i>Protection instrument:</i> B7 zoning or other suitable instrument for remainder. <i>Rezone of homesite parcels:</i> County to follow up.</p> <p><u>Tier 2 clustering program:</u> 3 times existing entitlements when 95% of resource lands are protected <i>Protection instrument:</i> Permanent conservation easement on remainder. <i>Rezone of homesite parcels:</i> County to follow up.</p>		
	C	<p><u>Tier 1 clustering program:</u> 2 times existing entitlements when 80% of resource lands are protected B7 zoning or other suitable instrument for remainder <i>Rezone of homesite parcels:</i> county to follow up</p> <p><u>Tier 2 clustering program:</u> 3 times existing entitlements when 90% of resource lands are protected <i>Protection instrument:</i> Permanent conservation easement on remainder. <i>Rezone of homesite parcels:</i> County to follow up</p>		
A		<p>AG-P12a. Withdrawal from Ranchland. This plan will support map amendments to withdraw lands from the AGR designation for areas that meet all of the following conditions:</p> <ul style="list-style-type: none"> a) Portions suitable for non-agricultural use. b) Adjacent to a roadway suitable for the intended use. 		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>c) No increased risk of wildland fire. d) Clustered to avoid increasing use conflicts between agricultural production and other intended uses. e) Can be adequately serviced.</p>		
	B	C	<p>AG-P13. Substandard Parcels. Provide recognition of substandard legal parcels through the Determination of Status/Certificate of Compliance process, but require that separate findings be made regarding the ability to develop with residential structures based upon the conformance with General Plan density and open space development policies.</p>		
A			<p>AG-P13a. Substandard Parcels. Provide recognition of substandard legal parcels through the Determination of Status/Certificate of Compliance process (except for those parcels created by subdivision maps preceding 1929). Require that separate findings be made regarding the ability to develop with residential structures based upon the conformance with General Plan density and open space development policies. Parcels not originally created for residential purposes will not be recognized for residential development.</p>		
A	B	C	<p>AG-P14. Road Constraints and Density. Densities should reflect road constraints. No subdivisions are allowed where deficiencies have been identified that are not feasible to correct.</p>	Modified Framework Plan 2554.8	
A	B	C	<p>AG-P15. Residential Uses on TPZ Lands within Agricultural Preserves. Residential uses on TPZ lands within agricultural preserves shall be compatible with the requirements of the Williamson Act and local Guidelines.</p>		
A	B	C	<p>AG-P16. Public Acquisition. Public acquisition of lands designated Agriculture Exclusive shall be from willing sellers only. Support lease back options for continued agricultural operations.</p>	Modified Coastal Plans	
A			<p>AG-P17. Open Space District. Support</p>		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			the creation of a countywide Open Space District and an Open Space Resource Advisory Board.		
A			AG-P18. Greenbelts. Support creation of greenbelts and agricultural buffers where agricultural operations may pose land use conflicts.		
A			AG-P19. Water Export. Exporting water out of county shall not occur until future water needs for regional agricultural uses are determined to be adequate.		
		C	AG-P20. Second Dwellings. Two single-family dwelling units and normal accessory uses and structures for owner and caretaker on agricultural lands shall be permitted regardless of density standards. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of resource lands for residential use is limited to an area 5% of the total parcel, or a maximum area of one acre for a homesite and appurtenant uses. The total area need not be a contiguous unit.		
		C	AG-P21. Conversion of Agricultural Lands. The conversion of agricultural land should only be considered where continued agricultural production is not economically feasible and proposed development is consistent with rural subdivision standards (AG-S2).	Modified Framework Plan 2554.10	
<i>Alternative</i>			<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	AG-S1. Legislative Priorities. The policies included for agricultural management /legislative directives are to be used by the County in formulating its legislative priorities and in drafting policy responses to local, state and federal proposals.		
A	B	C	AG-S2. Subdivisions of AG and AGR. Subdivision of rural lands may be approved for if it can be found that:	Modified Framework Plan 2554.9 Additions/revisions	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>A. There is proof of adequate water for domestic use and fire suppression (See Fire Safe Standards) provided through either:</p> <ol style="list-style-type: none"> 1) Certified dry weather tests of individual developed water supply systems on each parcel using wells, creeks, or springs; or 2) Four or fewer connections to a developed private water system including certified dry weather testing of source, storage, and transmission facilities, with recorded easements and legal agreements; or 3) Evidence of connection to a public water supply meeting the water works standards of the State of California. 4) Cumulative impact of water withdrawals from surface and groundwater sources shall be assessed and found to be not detrimental to beneficial uses. <p>B. There is proof that adequate sewage disposal capability will be provided through either:</p> <ol style="list-style-type: none"> 1) Individual on-site systems approved by the Humboldt–Del Norte Health Department; or 2) Evidence of connection to a public waste disposal system. <p>C. Building sites are identified that are not subject to health and safety hazards caused by:</p> <ol style="list-style-type: none"> 1) Geologic instability, steep slopes, and erosion; 2) Seismic activity; 3) Flooding; and 4) Inadequate access to structural fire protection. <p>D. Recorded access or other acceptable legally documented access to a publicly maintained road that is:</p> <ol style="list-style-type: none"> 1) Adequate for ultimate development at planned densities; and 2) Adequate for use by emergency vehicles. 	<p>highlighted in yellow</p>	
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**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>3) Not subject to adverse impacts caused by:</p> <ul style="list-style-type: none"> a) Geologic instability, steep slopes, and erosion; b) Seismic activity; c) Flooding; and d) Inadequate access to structural fire protection. 		
A	B	C	<p>AG-S3. Exceptions to Subdivision of AG and AGR. For subdivisions meeting the following conditions, the standards of AG-S2 may be replaced:</p> <ul style="list-style-type: none"> 1) All parcels created and any remainder are each in excess of 160 acres; and 2) The purpose of the parcels is resource production; and 3) A transfer of development rights for residential purposes is executed in favor of the County of Humboldt. <p><i>Note:</i> Residential development rights may be reclaimed by meeting the standards in AG-S2, Sections A, B, C, and D.</p>	<p>Modified Framework Plan 2554.10</p> <p>Additions/revisions highlighted in yellow</p>	
	B	C	<p>AG-S4. Subdivision of Lands Planned Agricultural Exclusive (AE). Within areas planned for Agriculture Exclusive (AE), no agricultural land division will be approved where any parcel created thereby is less than 60 acres. However, divisions of these agricultural lands to a minimum size of 20 acres—and which are otherwise consistent with this Chapter—may be approved if the County or Planning Commission finds that the division is necessary for a specific agricultural purpose (e.g., to provide for a separate starter farm for a family member), and the division will not adversely affect the area’s agricultural economy or habitat resources. The rezoning and parcel map may be approved only upon satisfaction of all the following conditions:</p> <ul style="list-style-type: none"> 1) Conveyance of an open space easement to the County of Humboldt or other public entity or private non-profit corporation having as its chief goal the preservation of 	<p>Coastal Plans - modified</p>	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

				<p>agricultural or open space lands.</p> <p>2) Conveyance of development rights beyond those necessary for agricultural purposes.</p> <p>3) Acknowledgment either on the parcel map or in a covenant within the chain of title that, although the new parcel is of a size below that considered a viable economic agricultural unit, its creation was approved for a specific agricultural purpose, and no further division or other conversion from agricultural use, except to other open space or habitat restoration use, will be allowed in the future even if agricultural use of such separate parcel does not provide adequate economic return.</p>		
A	B	C		<p>AG-S5. Historical Preservation. An exception to the minimum parcel size for lands planned Agricultural Exclusive may be made for the purposes of historic preservation where the following findings are made:</p> <p>(1) The viability of continued agricultural operations is not impaired, and;</p> <p>(2) No additional building sites beyond what would be permitted as part of the existing agricultural operations are created.</p>	Coastal Plans	
A	B	C		<p>AG-S6. Resource Protection Acquisition Programs. Division of lands planned Agriculture Exclusive creating parcels of less than 60 acres may be approved to facilitate replacement of residences, agriculture related structures or protect water supplies and water rights, lost in public acquisitions when the County or Planning Commission finds that such a division will not adversely affect the area's agricultural economy.</p>	Modified Coastal Plans (ERAP 3.34E2)	
				Land Use Designations:		
A	B	C	D	<p>Agricultural Exclusive (AE) This plan designation applies primarily to bottomland farms and lands that can be irrigated. Typical uses include dairy, row crops, orchards, specialty agriculture, and</p>	Existing Framework Plan	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

				horticulture. Areas mapped under this designation include the lands that support the above described agricultural uses. <i>Density Range:</i> 20–60 acres/unit. Residential uses must support agricultural operation.		
A	B	C		Agricultural Grazing (AG). This designation applies to dryland grazing areas in relatively small land holdings, which support primarily cattle ranching, supplemented by timber harvest activities as part of the ranching operation. The “ranchland” designation has been applied to the identified cohesive major cattle ranching areas, with the balance of the lands in this use designated AG. (Some areas formerly carrying the AG designation have been re-designated to large-lot rural residential to reflect apparent existing use). Density: 20–160 acres/unit. Residential uses must support agricultural operation.	Modified Framework Plan	
A				Density: 160 acres/unit		
	B	C	D	Zoning: based on an average parcel size of 40 acres may be permitted, where the protection of agricultural operations will be ensured, maintained or enhanced based on the following findings: 1. It shall not significantly detract from the use of the property for, or inhibit agricultural operations; and 2. It shall not inhibit economically viable agricultural an timber production on adjoining lands; and 3. Uses and parcel sizes in the adjoining area are compatible; and 4. It is consistent with a comprehensive view of all relevant plan policies; and 5. Each parcel has frontage on an existing publicly maintained road; and 6. All such zoning is within 1/4 mile of an existing maintained public road.	Existing Framework Plan	
	B	C		Subdivision: The minimum parcel size	Modified Framework Plan	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>allowed in the zone may be permitted based on the findings that:</p> <p>A. The subdivision will result in significant production improvements through intensive management for the growing of crops and animals; and</p> <p>B. The subdivision shall not significantly detract from the use of the property for, or inhibit agricultural operations; and</p> <p>C. The subdivision shall not inhibit economically viable agricultural and timber production on adjoining lands; and</p> <p>D. Adequate access, water and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements; and</p> <p>E. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity; and</p> <p>F. Access to the remainder is consistent with the uses of the remaining property.</p>	<p>2723.4</p> <p>Additions/revisions highlighted in yellow</p> <p>B and C are currently in Framework Plan 2723.3</p>	
	B	D	<p><u>Second Residences:</u> The total density shall not exceed one (1) dwelling unit per twenty acres. A use permit or special permit shall be required where a density of more than one dwelling unit per 40 acres or larger parcel is sought. Parcels less than 40 acres shall not have second units. Homesite coverage shall not exceed two (2) acres total for both dwellings and accessory structures.</p>	<p>Existing Framework Plan</p>	
A	B	C	<p>Ranchland (AGR)</p> <p>This designation applies to dryland grazing areas that support primarily cattle ranching, and timberlands that are part of the ranching operation.</p> <p>The AGR has been applied to cohesive major cattle ranching areas and includes the lands that support the above described agricultural use, as well as TPZ land that may be inter-mixed and typically considered an integral part of the ranching operations. The balance of the lands in this use in smaller management units are designated AG.</p> <p>Parcel Size: 160 acres</p>		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

	B	C		Density: 1 unit per 160 acres Residential uses must support agricultural operation.		
A				Density: 600 acres/unit		
	B			Second Residences: The total density shall not exceed one (1) dwelling unit per 160 acres. A use permit or special permit shall be required for more than one dwelling unit per 160 acres is sought. Parcels less than 160 acres shall not have second units. Homesite coverage shall not exceed two (2) acres total for both dwellings and accessory structures.	Modified Framework Plan	
A	B	C	D	<p>Compatible Uses for lands planned Agriculture Exclusive (AE) Agriculture Grazing (AG and) Ranchland (AGR)</p> <p><u>Primary and Compatible Uses:</u> Primary uses shall be limited to the production of food, fiber, plants, timber, timber agriculturally related uses, and agriculture related recreational uses. Very low intensity residential uses may be allowed if they are incidental to the property and if they support agricultural activities, or are necessary for the enhancement and protection of the natural resources of the area. Building sites shall be clustered adjacent to existing developed areas or on portions of land least suited for agricultural use with the least adverse effects on the environment.</p> <p>Compatible uses in the AE, AG and AGR designations include:</p> <ul style="list-style-type: none"> A. Hog production. B. Animal feed yards and sales yards. C. Agricultural and timber products processing plants. D. Animal hospitals. E. Rental or sale of agricultural equipment and storage thereto. F. Watershed management. G. Management for fish and wildlife habitat. H. Recreational uses under the control of the owner which will not significantly detract 	Existing Framework Plan	

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

				<p>from or inhibit timber or agricultural production on the project site or adjoining lands.</p> <p>I. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities.</p> <p>J. Farm labor housing and temporary labor camps.</p> <p>K. Cottage industries.</p>		
<i>Alternative</i>			<i>Implementation Measures</i>		<i>Staff Remarks</i>	▶
A	B	C		<p>AG-IM1. Monitor Conversion of Agricultural Lands. Annually monitor the conversion of agricultural land to other uses. If conversions have accelerated over previous historic rates, report to the Board of Supervisors with corrective policies and recommendations. (modified FMWK)</p>	<p>Modified Framework Plan 5-2520.1</p>	
A	B	C	D	<p>AG-IM2. LAFCo Coordination. County Planning Department will work in close cooperation with LAFCo to assure that conversions of agricultural lands around the periphery of urban areas will be consistent with the County General Plan.</p>	<p>Existing Framework Plan 5-2520.2</p>	
A	B	C	D	<p>AG-IM3. Williamson Act Contracts. Support, promote, and broaden the application of Williamson Act contracts and agricultural preserves.</p>	<p>Existing Framework Plan 5-2520.3</p>	
A	B	C		<p>AG-IM4. Economic Development Assistance. Develop programs within the County's Economic Development Division that assists county producers to promote strong local product identity and enhance economic viability of agricultural operations.</p>		
<i>Existing Plan Goals and Policies</i>						
			D	<p>2522 GOAL- The optimum amount of agricultural land shall be conserved for and maintained in agricultural use to promote and increase Humboldt County's agricultural production.</p>		
AG POLICIES:						
			D	<p>2523.1. Agricultural lands shall be conserved and conflicts minimized between agricultural</p>		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>and non agricultural uses through the following:</p> <p>A. By formulation of logical boundaries separating urban and rural areas and when necessary, buffer areas to minimize land use conflicts.</p> <p>B. By focusing future conversions in areas where land use conflicts would not threaten the viability of existing agriculture.</p> <p>C. By promoting in-filling to achieve a more logical urban/agricultural boundary.</p> <p>D. By allowing development of uneconomical or marginally viable agricultural lands, or agricultural lands already severely limited by conflicts with urban uses to limit the market pressures for conversion of more productive lands.</p> <p>E. By assuring that public service facility expansions and non-agricultural development do not inhibit agricultural viability through degraded water supplies, access systems, air quality, and other relevant considerations, such as increased assessment costs.</p> <p>F. By broadening the utility of agricultural preserves and the Williamson Act Program to accommodate and encourage intensively managed farms.</p>		
		D	2523.2. The conversion of economically viable agricultural lands shall be monitored and reported annually.		
		D	2523.3. In-filling shall be encouraged for all development.		
		D	2523.4. Prime agricultural land should be retained in parcel sizes large enough to provide for an economic management base.		
		D	2523.5. The County shall support predator control programs to reduce livestock depredation		
		D	2523.6. Vegetation management programs (controlled burning, etc.) shall be supported where they improve the availability and quality of rangeland for livestock and wildlife, reduce the hazard of disastrous wildfires and increase water quality and quantity.		
		D	2523.7. Areas with General Plan designations of Agriculture Exclusive should not be annexed to cities or service districts providing sewer service unless it is in the public interest.		
		D	2523.8. The County Planning Department and		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			Board of Supervisors will request the Local Agency Formation Commission to utilize the County's General Plan in advising the County on the appropriate level of services to be provided in the County's unincorporated areas.		
		D	2523.9. Agricultural production requiring smaller parcels and more intensive management, including aquaculture shall be encouraged wherever feasible consistent with the Remote Rural Development Section 2550 and other policies of this section.		
		D	2523.10. The conversion of agricultural land should only be considered where continued agricultural production is not economically feasible and proposed development is consistent with Remote Rural Development Section 2550.		
		D	2523.11. Affirm and support the public services provided by County Government which are necessary in maintaining a viable agricultural products industry.		
		D	REMOTE RURAL DEVELOPMENT POLICIES		
			2553.1 Lands adjacent to areas designated as agricultural and timberlands in the General Plan should be planned for uses compatible with agriculture and timber wherever possible.		
		D	2553.2 Parcels in areas of Timber Site Quality III or higher should be retained for timber production or compatible uses wherever possible.		
		D	2553.3 Lands containing sensitive habitats should be developed consistent with the maintenance requirements of the habitat. (Sections 3400- 3433).		
		D	2553.4 Lands which contain identified hazards shall be developed consistent with the objective to reduce public exposure to the hazards.		
		D	7. Cumulative impacts of water withdrawal from surface and groundwater sources and sewage disposal should be assessed during the zoning of all areas designated for Rural Development.		
		D	2554.1 When TPZ is intermixed with areas designated as Agriculture Grazing (AG) the TPZ shall have a minimum parcel size the same as the minimum parcel size established for the AG designation but no less than 40 acres on Site III or lower, or 20 acres on Site I or II,		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

				whichever is less.		
			D	2554.8 Densities should reflect road constraints, identified by the County Public Work Department.		
				LAND USE DESIGNATIONS:		
				<p>2722 Agriculture Exclusive (AE)</p> <p>1. <u>Character</u>: Agricultural Exclusive includes prime agricultural lands as identified by any of the following definitions:</p> <p>A. Land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.</p> <p>B. Land which qualifies for rating 80 through 100 in the Storie Index Rating. (Res. 85-55, 5/7/85)</p> <p>C. Land that has a livestock carrying capacity of one animal unit per acre.</p> <p>D. Land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally provide a return adequate for economically viable operations during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production.</p> <p>E. Land capable of producing an unprocessed plant production adequate for economically viable operations.</p> <p>F. Additional lands adjacent to 1, 2, or 3 above which presently or historically have been necessary to provide for economically viable agricultural areas. These lands are included to prevent the establishment of incompatible land uses within an area defined by natural or man-made boundaries.</p> <p>2. <u>Primary and Compatible Uses</u>: Primary uses shall be limited to the production of food, fiber, plants, timber, timber agriculturally related uses, and agriculture related recreational uses. Very low intensity residential uses may be allowed if they are incidental to the property and if they support agricultural activities, or are necessary for the enhancement and protection of the natural resources of the area. Building sites shall be clustered adjacent to existing</p>		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>developed areas or on portions of land least suited for agricultural use with the least adverse effects on the environment.</p> <p>Compatible uses in the Agriculture Exclusive designation include:</p> <ul style="list-style-type: none"> A. Hog production. B. Animal feed yards and sales yards. C. Agricultural and timber products processing plants. D. Animal hospitals. E. Rental or sale of agricultural equipment and storage thereto. F. Watershed management. G. Management for fish and wildlife habitat. H. Recreational uses under the control of the owner which will not significantly detract from or inhibit timber or agricultural production on the project site or adjoining lands. I. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities. J. Farm labor housing and temporary labor camps. K. Cottage industries. <p>3. <u>Minimum Parcel Size</u>: Sixty (60) acres minimum parcel size, except that divisions to 20 acres may be permitted where the parcel is subject to an agricultural preserve contract or agreement.</p> <p>The total number of building sites shall not exceed a density of one dwelling unit per 20 acres. A use permit or special permit shall be required where a density of more than one dwelling unit per parcel is sought, except that 40 acres or larger agriculture parcels zoned Agriculture Exclusive (AE) will be allowed two single family farm dwellings as a principal use. Total homesite coverage shall not exceed two acres for both dwellings and accessory structures. (Res. 89-106, 6- 27-89).</p>		
			<p>2723 Agriculture Grazing (AG)</p> <p>1. <u>Character</u>: Agriculture Grazing includes lands characterized by any of the following:</p> <ul style="list-style-type: none"> A. Lands which are not prime agricultural lands, but are in agricultural uses shall be planned for continued agricultural use. This 		

**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>should include lands rated "fair" to "very good" or "medium" to "very high" by soil-vegetation maps for grazing use.</p> <p>B. Lands which are not prime agricultural lands and are not currently being used for agricultural purposes but are in proximity to agricultural areas and which are predominantly of a suitable parcel size shall be planned for future agricultural use. These lands can contribute to the maintenance of the long term viability and integrity of the County's grazing lands.</p> <p>C. Lands which are not in agricultural production, but which directly contribute to the viability of adjoining viable agricultural land, should be planned for uses compatible to and consistent with agriculture.</p> <p>2. <u>Primary and Compatible Uses:</u> (See 2722.2)</p> <p>3. <u>Density Range:</u> One (1) dwelling unit per 160 acres to one (1) dwelling unit per 20 acres. The following findings must be made in determining appropriate density ranges.</p> <p>A. <u>Zoning</u> based on an average parcel size of 40 acres may be permitted, where the protection of agricultural operations will be ensured, maintained or enhanced based on the following findings:</p> <ol style="list-style-type: none"> 1. It shall not significantly detract from the use of the property for, or inhibit agricultural operations; and 2. It shall not inhibit economically viable agricultural or timber production on adjoining lands; and 3. Uses and parcel sizes in the adjoining area are compatible; and 4. It is consistent with a comprehensive view of all relevant plan policies; and 5. Each parcel has frontage on an existing publicly maintained road; and 6. All such zoning is within 1/4 mile of an existing maintained public road. <p>4. <u>Subdivision</u> to the minimum parcel size allowed in the zone may be permitted based on the findings that:</p> <ol style="list-style-type: none"> A. The subdivision will result in significant production improvements through intensive management for the growing of crops and animals; and B. An agricultural economic feasibility plan is 		
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**Table 5.2. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards, and Implementation Measures**

			<p>approved on the significant production improvements; and</p> <p>C. Adequate access, water and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements; and</p> <p>D. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity; and</p> <p>E. Access to the remainder is consistent with the uses of the remaining property.</p> <p>5. Lot line adjustments of AG lands may be approved without regard to the standards of 3 and 4 of this section in order to consolidate by merger logical management units. Such adjustments shall be in keeping with the spirit and intent of the Plan and shall not result in a net reduction of the area of land available for agricultural management.</p> <p>6. The total density shall not exceed one (1) dwelling unit per twenty acres. A use permit or special permit shall be required where a density of more than one dwelling unit per 40 acres or larger parcel is sought. Parcels less than 40 acres shall not have second units. Homesite coverage shall not exceed two (2) acres total for both dwellings and accessory structures (Res. 89-106, 6-27-89).</p>		
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Preliminary Environmental Impact Analysis

The Land Use Element frames the policies that will govern the use and intensity of development for lands located in the unincorporated area. These policies impact a broad spectrum of uses and development ranging from creation of new residential, commercial and industrial lots, the construction or remodel of structures on existing lots, as well as minor projects such as accessory structures. The policies also cover agricultural lands.

The Framework Plan, each of the individual community plans, coastal plans, the Natural Resources and Hazards Report and the Agricultural Resources Report contain a complete discussion of agricultural resources within the County. A brief summary of agricultural resources is included below. The General Plan Update (GPU) continues to use many of the policies that currently govern agricultural lands in Humboldt County. The land use impacts of changed or new policies that are added through this GPU are discussed in this section. Impacts identified in this section are limited to those related to land use issues (e.g., potential conflicts with existing or proposed land uses, conflicts with adopted land use policies, loss or conversion of resource land).

Setting

By California standards, Humboldt County's agricultural production is small, a mere \$120 million appetizer on the \$27 billion banquet table of farm goods produced annually by the state. However, agriculture is a large part of the local economy, sustaining hundreds of farm and ranch families and workers. Over 25% of the lands are in some form of agriculture. While the number of farms has been in decline over the last decade, the agricultural industry had seen an increase in employment of 37% since 1985, accounting for 2.2% of the employment sector.

The total agricultural acreage tabulated by the Humboldt County GIS mapping program in 2002 was approximately 345,238 acres. These agricultural lands can be divided by land type, such as delta land, river and mountain alluvial flats, and upland grazing. Some areas are actively engaged in ranching, row cropping, or specialty agriculture—such as organic foods and natural meats—while others have focused on housing developments or parkland acquisition.

The total agricultural acreage reported by Humboldt County is significantly lower than the U.S. Department of Agriculture, National Agricultural Statistics Service's Census of Agriculture statistics and the County Agricultural Commissioner's figures. The 1997 census reported 584,538 acres of productive agricultural lands in the county, while the County Agricultural Commissioner estimated it at 492,876 acres. This difference is primarily due to the tabulation of "grazing" lands (the County Agricultural Commissioner reported a total of 470,000 acres as "rangelands," (whereas the County classified only 295,105 acres as "rangelands") which includes timberlands zoned as TPZ.

The top four valued agricultural crops in 2005 were:

- 1) Nursery Stock – \$44 million
- 2) Milk and Dairy products – \$43 million
- 3) Livestock – \$24 million
- 5) Field Crops – \$10 million

While still an important part of the local economy, total land area in an agricultural use is on the decline. According to the 1997 Census of Agriculture, between 1992 and 1997, Humboldt lost 13,228 acres or two percent of farmland and 82 farms. Despite protection policies in the Framework Plan, the conversion of agricultural lands to non-agricultural uses has been occurring at an alarming rate. Approximately 3,000 to 5,000 acres of agricultural lands has been converted to non-agricultural use each year since 1964. The *Critical Choices Report, 2000*, documented protection of agricultural resources and open space was a key concern raised during the public scoping meetings for the General Plan Update. A majority of citizens responded more effort should be put into protecting agricultural resources from conversion to other uses.

Williamson Act Lands

The California Land Conservation Act of 1965, better known as the Williamson Act, created a program for counties to protect viable agricultural land by offering a tax incentive to property owners for keeping their land in agricultural production. The Act provides an arrangement where private landowners voluntarily restrict their land to

agricultural and compatible open space uses under a contract with the County, known as a Land Conservation Contract.

The Williamson Act contract is an enforceable restriction on land and is binding on successors to both the landowner and the local government. The minimum term for a contract is ten years, and the contract is automatically renewed annually, unless either party gives advance notice on non- renewal. Contracts may also be canceled immediately, terminating the restriction to agricultural uses, only if the local legislative body finds that it would be consistent with the Act and in the public interest. The purpose of the Act is to encourage property owners to continue to farm their land and to prevent the premature conversion of farmland to urban uses.

Humboldt County Board of Supervisors first adopted guidelines for the Williamson Act locally on June 24, 1969. From 1972 to 1981, nearly 243,000 acres were put under Williamson Act contracts in the County. Currently, there are just over 280,000 acres in the program in 155 established preserves. The Board of Supervisors continues to provide support of the program by establishing grant funding to offset costs of enrollment for new preserves and County policies that strive to protect and enhance existing contracted lands.

Summary

Agricultural operations are etched more deeply into the cultural and aesthetic landscape than economic data can convey. The ranches that spread out across the lower Eel River and the Arcata Bottoms provide habitat for migrating waterfowl and shorebirds. Wide-open spaces create images of stirring beauty with meandering sloughs and cows foraging in fields of grass. This setting is available for all residents to enjoy and often provides inspiration for local artists, preserving historical settings on canvas.

Policies in the Framework Plan, community plans, coastal plans, and other regulations serve to protect agricultural lands from impacts of residential uses. Techniques include transfer of development rights, regulation through low-density zoning, gifts, land dedication and the purchase of lands by public entities.

Potential Impacts

A number of policies and programs in the Plan may indirectly result in a loss of some agricultural lands as vacant lands are converted to residential uses. The greatest potential for indirectly reducing agricultural uses are policies and programs directed at meeting the projected housing needs by encouraging housing development in the Urban Study Areas. Specifically, the Plan targets the production of new homes to meet its entire share of the projected population, as required by the state Housing and Community Development Department.

Agricultural operations and agricultural resources may potentially be adversely affected by encouraging development in areas used for or suitable for agricultural use and zoned to allow non-agricultural uses. Conflicts between agricultural and non-agricultural uses reduce

the productivity of the agricultural lands, making them less valuable, and more vulnerable to conversion.

The incompatibility of agriculture and non-agricultural uses has not resulted in many serious nuisance complaints primarily because open space buffers agricultural land uses. However, as non-agricultural uses encroach into rural areas, the possibility of nuisance complaints increases. Conflict with residential neighbors may arise with noise, dust and odors. These conflicts may result in trespass, vandalism theft, and can threaten the viability of farming operations. The Right to Farm ordinance, adopted by the Board of Supervisors in June 1995, was intended to minimize these impacts.

One of the major goals of the Framework Plan is to protect agricultural operations. Numerous policies contained in the Framework Plan, community plans and coastal plans protect agricultural uses and agricultural lands. This theme is carried through the General Plan Update in continuation of existing policies and standards as well as proposed plan policies. These are described more fully under "Mitigation Measures" below.

As stated previously, the General Plan Update has been crafted to achieve a balance between accommodating the County's housing needs both now and in the future, and preserving agriculture, timberlands and open space. This is primarily achieved through focusing growth toward existing urban areas or areas adjacent to them.

Another standard of significance deals with the need for the land use element to be crafted to avoid and minimize conflicts between different adjacent or nearby land uses. An example of a negative impact might be placement of a residential subdivision adjacent to an active agricultural operation. This standard is a primary basis for land use planning. It goes to the foundation and basic requirements of land use planning.

Most of the future development in the unincorporated areas will occur as in-fill or as the extension of existing developed areas. Conversion of agricultural land and other natural resources to rural residential, commercial, and other urban type uses will be limited and there is a conscious and concerted attempt to preserve valuable resource lands.

The Plan policies promote the retention of agricultural and timberlands in large parcel sizes that are supportive of resource production uses. Among the most significant potential impacts stemming from the change of land uses are those when land use activities in one area disturb or deteriorate the value of adjacent land use activities. The most relevant example of this impact will occur where residential areas expand toward existing agricultural areas or active timberlands and adversely affect the productivity of the adjacent agricultural operation.

By focusing residential development via in-fill strategies, the General Plan will result in a smaller percentage of the County's population being located in agricultural or timberland areas. Most of the rural population increase will be concentrated near existing communities and in existing remote areas which have already been subdivided. A higher percentage of existing parcels will be occupied because of restraints on new parcel creation. Because of

this less, new parcels will be created, and fewer acres subdivided, thus lessening the geographic extent of impacts on agricultural resources.

The Plan includes a variety of mitigation measures aimed at maintaining resource production lands in use. These mitigation measures will not completely eliminate the non-resource dependent development of the County's resource production lands, but they will substantially reduce it. On balance (after mitigation and policy implementation), the environmental effects of General Plan policies on prime agricultural and grazing lands are not significant. The continued availability of these lands is insured by the mitigating policies incorporated into the General Plan.

Summary of Impacts

The new Plan encourages the construction of new residential, commercial and industrial development, which may affect land conserved for managed production of natural resources, and land protected as open space. If the plan concept of community centered growth, compact development boundaries, and increased protections for resource production lands are followed, impacts will be minimal. If not, they will be significant.

Mitigation

Proposed policies, standards and implementation measures will help reduce the impacts to agricultural lands resulting from this project to less than significant levels. By focusing residential growth to the Urban Study Areas and infill, the loss of agriculturally productive lands will be minimized. Existing policies and standards protecting agricultural resources are proposed to be continued or expanded (AG-P1, AG-P10, AG-P14, AG-S5 and S6) along with new policies including incentives for cluster development in exchange for additional protection of agricultural lands (AG-P12). Limiting development on substandard agricultural lands is also proposed that will add increased protection of agricultural viability (AG-P10G and AG-P13) along with the prohibition of residential subdivisions on the prime agricultural resource lands in the County (AG-P10F, AG-S4). A new land use classification has been developed to recognize the importance of the County's rangelands (Ranchlands, AGR) and providing standards to protect these ranches as cohesive units. Implementation measures (AG-IM3 and IM4) are proposed to provide economic programs that assist producers in marketing their products and to support and enhance the use of the Williamson Act program for future protection of agricultural resources.

Conclusions

If the policies and programs proposed for Alternatives A or B are followed, the impacts to agricultural resources will be minimal. If Alternative C is selected, the impacts to agricultural resources could be significant.