

Comments from the
Humboldt County Resource Lands Working Group (HCRLWG)
regarding Section 10.2 Open Space

Updated version

The structure for this document is as follows:

Title of the Goal, Standard, Policy, or Implementation Measure

HCRLWG RECOMMENDATION: Recommended language for that section from the Humboldt County Resource Lands Working Group in blue.

HCRLWG COMMENTS: Rationale for the changes and other comments in blue.

Any portions in green are related to changes made at the first planning commission review and were indicated that way in the version sent to the Board of Supervisors.

Any portions in black bold are related to changes made at the second planning commission review and were indicated that way in the version sent to the Board of Supervisors.

Items that were updated for the March 18 version from the September 20 version are highlighted

Items that were reviewed by the planning commission a second time are indicated with a *

*CO-G4. Parks and Recreation.

HCRLWG RECOMMENDATION:

If the most recent language from the Planning Commission is to be retained we recommend the following additions.

CO-G4. Parks and Recreation. Consider ~~Well~~ well maintained and accessible parks **and regional trails** offering a range of popular recreation opportunities and a countywide trail system that meets future recreational and non-motorized transportation demands.

HCRLWG COMMENTS:

The group did not originally input on this goal. We are generally supportive of trails in higher population areas and support a regional trail system. In light of the ongoing community conversation, we wanted to request that the Board of Supervisors be aware of and consider the negative impacts to private rural landowners when trail users stray from the trail and trespass on private property.

The emphasis for expanding regional trails should be on public lands. Impacts on resource production should be considered and addressed as a part of trail development.

There is also the concern about creating trails in conjunction with the substandard roads that exist in many parts of the County.

The group is fine with either version of CO-P5

*CO-G5. Open Space and Residential Development

New PC version

CO-G5. Open Space and Residential Development. Orderly residential development of open space lands that protects natural resources, **and** sustains resource production **while allowing compatible uses.** ~~, minimizes exposure to public safety hazards, and recovers~~ **minimizes** the costs of providing public services.

HCRLWG RECOMMENDATION:

The group can support Version B sent forward to the Board of Supervisors from the Planning Commission with 3 votes

CO-G5. Open Space and Residential Development. Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to public safety hazards, and **recovers minimizes** the costs of providing public services.

The group is fine with either version of CO-P1

*CO-P1. Conservation and Open Space Program.

New PC version

CO-P1. Conservation and Open Space Program. The County shall inventory and appropriately zone conservation, **resource** and open space lands and work to ~~protect~~ **maintain** these lands through development review; ~~of~~ Williamson Act programs; TPZ zoning designations; conservation easement and recreation programs; and support for continued resource production.

HCRLWG RECOMMENDATION:

The group supports the Alternative A/B from the Planning Commission forwarded to Board of Supervisors.

CO-P1. Conservation and Open Space Program. The County shall inventory and appropriately zone conservation and open space lands and work to protect these lands through development review; Williamson Act programs; TPZ zoning designations; conservation easement and recreation programs; and support for continued resource production.

The group is fine with either version of CO-P1xx

*CO-P1xx. Open Space Acquisition.

New PC version

CO-P1xx. Open Space Acquisition. The County ~~shall seek~~ **may consider** opportunities to acquire high value open space lands, including community forests, and open space conservation easements **from willing sellers at market price.** ~~Full-fee acquisitions shall only be from willing sellers.~~

HCRLWG RECOMMENDATION:

The group originally recommended deleting this Policy.

CO-P1xx. Open Space Acquisition. The County shall seek opportunities to ~~purchase~~ acquire high value open space lands, including community forests, and open space conservation easements. Full-fee acquisitions shall only be from willing sellers.

HCRLWG COMMENTS:

The group thinks that the County should not be in the business of seeking acquisition of open space resource lands.

The group is fine with either version CO-P2

*CO-P2. Support for Working Lands.

New PC version

CO-P2. Support for Working Lands. The County shall support policies that maintain profitable resource production on timber and agricultural lands as a means to secure long-term protection and sustainability of open space lands through programs such as the Williamson Act and Timber Production Zone incentive programs.

HCRLWG RECOMMENDATION:

The group continues to support the version sent forward to the Board of Supervisors from the Planning Commission

CO-P2. Support for Working Lands. The County shall support policies that maintain profitable resource production on timber and agricultural lands as a means to secure long-term protection and sustainability of open space lands through programs such as the WA and TPZ incentive programs.

*CO-P3. Conservation Easements.

HCRLWG RECOMMENDATION:

The group continues to recommend Alternative C from the first Planning Commission options with a slight modifications as indicated.

CO-P3. Conservation Easements. Support **voluntary** conservation easements ~~programs~~ that protect natural resource and open space assets. Promote ~~and develop~~ voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for *long-term* protection of natural resource and open space values.

HCRLWG COMMENTS:

No need to develop new programs. The flexibility of long-term versus permanent is preferred.

*CO-P4. Community Separation Greenbelts.

HCRLWG RECOMMENDATION:

The group is fine with this change.

New PC version

CO-P4. Community Separation Greenbelts. Maintain separation of urbanized communities through appropriate land use designations and zoning density. Avoid merging urban development boundaries of adjacent communities.

CO-P5. Planning for Recreational Needs within Communities

HCRLWG RECOMMENDATION:

The group continues to support the version sent forward to the Board of Supervisors from the Planning Commission

CO-P5. Planning for Recreational Needs within Communities. Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities.

*CO-P7. Encourage Private Outdoor Recreation.

HCRLWG RECOMMENDATION:

The group recommends the Version B from the original Planning Commission to the Board of Supervisors with few additional changes

CO-P7. Encourage Private Outdoor Recreation. Encourage private acquisition, development, and management of **compatible** outdoor recreational services and facilities as a means to generate economic returns **for the landowner** from conservation and open space lands. where such recreational uses shall not convert the land, will remain subordinate and ~~de~~ will not significantly detract from the agricultural capability/capacity or timber productivity of lands planned and zoned for agriculture or timber and are designed, to the maximum extent feasible, to protect agricultural capability and timber productivity.

CO-Px4. Public Recreation

HCRLWG RECOMMENDATION:

The group is supportive of this policy due to the need for recreation sites in the County.

CO-Px4. Public Recreation. Support ~~acquisition,~~ development and management of **existing public lands for parklands** and trails primarily in locations that are highly accessible to the public in order to serve the outdoor recreation and ADA needs of current and future residents, and where such uses do not reduce the agricultural capability/**capacity**, timber productivity and ecological services on **adjacent** open space lands.

HCRLWG COMMENTS:

There is a need for access to public recreation sites in the County such as off highway vehicle areas and shooting ranges.

CO-Px5. Access on Private Open Space Lands.

HCRLWG RECOMMENDATION:

The group recommends modifications to this policy.

CO-Px5. Access on Private Open Space Lands. ~~Work with willing landowners to develop public access to appropriate open space lands. Support~~

Where private landowners wish to develop public access to open space lands, ensure such use, development, and management of multi-use trails and other outdoor recreational facilities ~~where such uses~~ do not reduce **or convert** the agricultural capability/**capacity**, timber productivity and ecological services on **the subject land or adjacent lands.** ~~open space lands~~

CO-S4. Open Space Consistency Determination on Substandard Parcels.

HCRLWG RECOMMENDATION:

Modifications to the Planning Commission version as indicated below by the blue:

CO-S4. Open Space Consistency Determination on Substandard Parcels. Require an open space consistency determination, based upon the conformance with General Plan density and open space development policies, for the development of residential structures based upon the following standards:

- 1) For substandard residentially designated lots:
 - Substandard lots may be developed with a residential structure if the lot was lawfully created and has not been previously merged, regardless of whether or not development of the lot would be consistent with the density of the General Plan. A Special Permit is required for the development of a residential structure on a substandard lot located wholly within a flood hazard zoned or a Streamside Management Area (SMA) or Other Wet Area (OWA).
- 2) **Substandard R**esource production, open space, and public land designated lots may be developed with a residential structure if:
 - the lot was lawfully created for uses other than utility or right of way purposes; and,
 - has not been previously **voluntarily** merged.;~~and,~~
 - ~~plan density can be met; or,~~
 - ~~the lot is planned for agricultural production and found necessary for an agricultural operation. Or~~
 - ~~the lot is zoned TPZ and it is found necessary for the management of timber, and if less than 20 acres, a use permit and/or rezone out of TPZ is required.~~

HCRLWG COMMENTS:

The group wants to make sure that the Supervisors understand the treatment of substandard parcels in this section.

The treatment of substandard parcels is a very large issue and it is important for the Supervisors to understand the effects on the landowners of this type of policy -- that could essentially prohibit single family residence construction in most circumstances.

March 18, 2014

(Revised from September 20, 2013 version previously submitted to the Board)

CO-IM1. Conservation and Recreation Easement Program

HCRLWG RECOMMENDATION:

Modifications to the Planning Commission version as indicated below by the blue:

CO-IM1. Conservation ~~and Recreation Easement~~ Program. ~~Provide staffing and s~~Secure continued funding to support the Williamson Act Program ~~and expand the County's Conservation and Recreation Easement Program~~ as a means to protect working landscapes, **and** priority open space lands, ~~and outdoor recreational opportunities.~~

HCRLWG COMMENTS:

We support the Williamson Act program and its implementation. We do not agree with the expansion of the County staffing and programs.

CO-IM2. Working Landscapes

HCRLWG RECOMMENDATION:

Modifications to the Planning Commission version as indicated below by the blue:

CO-IM2. Working Landscapes. Advocate for state and federal regulatory policy that sustains profitable resource production as a means to sustain the conservation and open space values of forest and agricultural land. Support market development efforts that maximize financial returns to the landowner for agriculture and timber products, recreation, and ecological services. **Support Williamson Act and Forest Productivity Act.**

HCRLWG COMMENTS:

Changed term to Working Lands as defined in glossary for consistency.