



**Source of Funding:** The cost of preparing this staff report was borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2013-2014 budget, and the General Plan user fees.

**Discussion:** *TL – Tribal Lands Designation*

At the October 21, 2013 meeting, the Board of Supervisors received a staff report describing the outreach efforts to the tribes for their comments on the proposed TL – Tribal Lands designation. Those outreach efforts are continuing; a meeting with the Blue Lake Rancheria tribe is scheduled in early November.

After receiving a request for formal consultation on the other parts of the Draft Plan, staff forwarded the other sections to the tribes as requested. The 90 day deadline for the tribes to comment pursuant to state law ends on January 25, 2014, two days before the Board is scheduled to review the Cultural Resources section of Chapter 10. Staff recommends the Board postpone taking a straw vote on the TL – Tribal Lands designation until the January 27, 2014 meeting so both those items may be reviewed together.

At the previous meeting, the Board received testimony from the Big Lagoon Rancheria that the County has no permit jurisdiction within rancherias or reservations, which is different than the approach taken by the County to date. Counsel is consulting with Delia Parr, California Indian Legal Services on the matter, and may provide an update at the December 2 meeting.

*Economic Development Element*

At the October 21, 2013 meeting, the Board of Supervisors straw-voted the last few Planning Commission recommendations on the Economic Development Element (Chapter 9), and several of the new implementation measures presented by the ad hoc group. The Board requested further analysis on the items discussed in the following paragraphs.

Proposed new implementation measure (from ad hoc group):

**“ED-IM3X Business license Renewal.** If there is no proposed change in the use type of a business upon change in ownership, no inspection shall be required to obtain a business license.”

Upon further consideration, staff recommends this implementation measure not be added to the General Plan because of the unintended consequences and possible impacts to public health and welfare, as discussed below.

Should the Board wish to add this implementation measure to the General Plan, Staff recommends revising the measure to read;

**ED-IM3X Business license Renewal.** Consult with the affected agencies and report to the Board of Supervisors on options for revising inspection procedures in the Tax Collector's Office and Building Department so that if there is no proposed change in the use type of a business upon change in ownership, no inspection shall be required to obtain a business license.

The requirement for an inspection of an existing business where the business license is being transferred to a new owner comes from Title VIII, Division 1, Chapter 1 of the Humboldt County Codes:

811-1. REQUIRED APPROVAL PRIOR TO ISSUANCE OF LICENSES.

Each application for a new business license, pursuant to the provisions of §811-1 through §811-27, shall before such license is issued, be approved by each of the

following departments: Humboldt Del-Norte County Department of Public Health, Humboldt County Department of Public Works, Humboldt County Planning Department, Humboldt County Building Department, Humboldt County Sheriff's Department, Humboldt County Air pollution Control District, and the Chief of the Fire Department within whose jurisdiction the enterprise will be located... No new business licenses shall be issued until the approval of the aforesaid departments is obtained. (Ord. 587, SS 1, 2/7/67; Ord. 1704, SS 1, 9/3/85)

Based on discussions with County Counsel and the County Treasurer, Tax Collector, it has been the County's policy that when a new owner of a property applies for a business license for an existing business, that this is interpreted as being a "new business license" under the County's code, thereby enabling an approval and possible inspection by the above listed agencies. By adding the proposed implementation measure ED-IM3X, it would impede the ability of all agencies listed in the above County Code in inspecting a business upon a change of ownership.

Depending on the business, some of the listed agencies may have an opportunity to do regular inspections, such as the health department and fire departments regular inspection of food and lodging facilities. Other departments however, such as the Building Department, don't have a regular inspection opportunity and utilize a change of ownership as an occasion to make health and safety inspections. In the past, facilities were changed without the required building permits and inspections, and a change of ownership of a business provides an opportunity where deficiencies or permit violations can be addressed by the previous owner, prior to the transfer of ownership, enabling these deficiencies to be rectified. If violations or deficiencies are not caught during this time of ownership transfer, they may come to light at a much later date and the responsibility may fall unexpectedly to the new owner to rectify problems not of their doing.

At the October 21, 2013 meeting, the Board also requested modified wording for the ad hoc group's proposed new implementation measures ED-IM5X through ED-IM10X to more broadly encourage commercial development, and simplify the language. Accordingly, staff is proposing the following new implementation measures and policies:

**"ED-IM4Xa. Commercial Development.** Streamline regulatory review of proposed commercial development. Zone adequate land for commercial use."  
*(Proposed new implementation measure)*

**"ED-IMX. Coastal Dependent Industry.** Work with the Harbor District and other agencies to develop a program to pre-permit coastal dependent industrial properties with appropriate infrastructure to compete for marine dependent and associated industries."  
*(Replaces ad hoc group's ED-IM5X & 6X)*

**"ED-IM7X. Airport Dependent Industry.** Zone property to create an adequate supply of ready-to-build airport dependent land suitable to compete for air service-dependent and associated industries. Working with the Airport Advisory Commission, develop a program to pre-permit air service-related commercial/industrial properties with appropriate infrastructure."  
*(Replaces ad hoc group's ED-IM7X & 8X)*

**"ED-P5X. Aggregation of Common Businesses.** Promote hub locations designed to provide industries with common infrastructure around which businesses can cluster to increase efficiency, e.g. access for goods movement, warehousing, etc. Pre-determine and pre-permit locations for development to support target industries."  
*(Replaces ad hoc group's ED-IM9X)*

“**ED-IM10X:** Plan for research and development and large-scale training spaces availability in business and industrial parks.” Staff recommends this proposed new implementation measure not be added to the Draft Plan; large scale training would be permitted in the IG – Industrial General and MB – Business Park designations as a Professional or Consultative Service use in the Office and Professional Use Type. Research and Light Industrial Uses are also allowed in these designations, which could also accommodate large scale training spaces.

The Economic Development worksheet in Attachment A of this staff report contains the proposed modifications described above.

#### *Public Guide and Governance Policy*

At the October 21 meeting the Board reviewed Chapters 2 and 3 of the Draft Plan, the Public Guide and Governance Policy. A group of citizens identifying themselves as the “Public Participation Working Group” (PPWG) submitted proposed changes to the Planning Commission recommendations. The Board expressed support of including their proposed modifications, but requested staff revise the numbering and wording to fit into the new format. The worksheet with the proposed new language comparing PPWG recommendations is in Attachment B.

#### *Open Space and Conservation (Chapter 10)*

At the October 21, 2013 meeting, the Board of Supervisors discussed how to approach discussions for Chapter 10, Open Space and Conservation. The Board took public input on which items to discuss. Below is the short list of items selected by the Board in July, 2012 for the first section of the Conservation and Open Space Element (Chapter 10, Section 10.2 – Open Space) supplemented by items provided by individual Board members. Attachment C is the introductory Report #1. Attachment D contains the worksheet comparing the Planning Commission recommendations with those from others.

### **Chapter 10, Conservation and Open Space**

#### **Section 10.2, Open Space**

- CO-G3. Conservation and Open Space Program.
- CO-G5. Open Space and Residential Development.
- CO-P1. Conservation and Open Space Program
- CO-P3. Conservation Easements.
- CO-P4. Greenbelts.
- CO-P7. Encourage Private Outdoor Recreation.
- CO-S4. Open Space Consistency Determination on Substandard Parcels.
- CO-S5. Lot Line Adjustments on Resource Lands.
- CO-IM1. Conservation and Recreation Easement Program.

#### *Land Use Mapping Meetings and Public Noticing Protocol*

The Board voted to hold night meetings for review of the Land Use Maps, beginning at 5:30 pm and ending at 9:00 pm. In preparation for those meetings in 2014, the Board has several options for providing public notice for those meetings as described in the following paragraphs. In general the more extensive notification procedures will cost more for the County, both directly for items like postage, and indirectly for other items such as staff resources. Attachment E contains details of the estimated costs for each option.

**Option 1 - Minimum Notification Allowed:** Provide notification in a manner similar to the other GPU meetings, which involves simply posting an agenda for a meeting at least 72 hours in advance of the meeting. This approach would involve no costs for the County over and above what is already being done to meet the minimum requirements of state law. While the low up-front cost of this option has obvious fiscal benefits, this option also has the highest

potential for changing a property's general plan designation without the owner's knowledge, which could lead to unpredictable and significant future costs such as defending the County from lawsuits filed by disagreeable property owners challenging the County's new General Plan.

**Option 2 – Newspaper Notices:** Option 1 plus publishing display ads for the meetings in several newspapers three (3) times over a week beginning 30 days before the meeting. This approach would cost an estimated **\$2,515.63**. It has a somewhat reduced potential for changing a property's general plan designation without the knowledge of the property owner compared to Option 1.

**Option 3 (Staff Recommendation) – Letters Responding to Owner Requests:** Option 2 plus sending notices by mail to all persons that submitted requests for land use changes on their property. This approach would cost an estimated **\$5,542.12**. It further reduces the potential for changing a property's general plan designation without the knowledge of the property owner compared to Options 1 and 2.

**Option 4 – Letters to All Property Owners with Substantial Plan Changes:** Option 3 plus sending notices by mail to all persons owning property where the proposed new land use designation is changing substantially from the current designation. This approach would cost an estimated **\$22,356.25**. It would minimize the chances a property's general plan designation would change significantly without the knowledge of the property owner. The staff resources needed for this option are significant, and would likely cause schedule delays, including hearings on the Draft Plan.

**Option 5 – Letters to All Property Owners with Plan Changes:** Option 4 plus sending notices by mail to all persons owning property where the proposed new land use designation is changing from the current designation. This approach would cost an estimated **\$38,012.50**. While this option would minimize the chances a property's general plan designation would change in any way without the knowledge of the property owner, it would also be the most expensive in terms of direct costs and staff resources, which would likely impact the schedule for the Draft Plan and other programs.

**Other Agency Involvement:** The General Plan Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft General Plan. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

**Alternatives to Staff Recommendations:** Board's discretion.

**Attachments:**

- Attachment A: Board worksheet for the Economic Development Element updated as of 10/21/2013 with remaining items.
- Attachment B: Chapters 2 & 3, the Public Guide and Governance Policy modified to insert recommendations from the Public Participation Working Group.
- Attachment C. Report #1 for the Conservation and Open Space Element (Chapter 10, Section 10.2 Open Space).
- Attachment D. Board worksheet for Chapter 10, Section 10.2 – Open Space.
- Attachment E. Detail of cost estimates for Land Use Mapping meeting noticing options.

## **Attachment A**

### **Board Worksheet for the Economic Development Element Updated as of 10/21/2013 with Remaining Items**

Economic Development Element Items – Planning Commission Draft, Proposed Changes based on Ad Hoc Working Group Comments, and Staff Recommendations

Planning Commission Recommendation	GPU Ad Hoc Working Group (AHWG) Proposed Changes	Straw Votes 9-09 & 9-23-2013; Staff Recommendation & Notes
<b>9.4 Economic Development Element (Chapter 9)</b>		
<p><b>Planning Commission Version (Modified Alternative A/B/C Version)</b>  <b>ED-G2. Natural Resource Assets.</b> Long term economically viable and environmentally sustainable agricultural, mineral resource, timber, and coastal dependent lands.</p>	<p><b>ED- G2. Natural Resource Assets.</b>  <b>Option 1: Economic Development Assistance Programs.</b> Financial and technical assistance programs that support <del>workers, businesses, service providers, micro-enterprise, and disadvantaged communities</del> <u>wage growth, full employment, and businesses inclusive of disadvantaged communities.</u></p> <p><b>Option 2: Economic Development Assistance Programs.</b> Financial and technical assistance programs that support <del>workers, businesses, service providers, micro-enterprise, and disadvantaged communities</del> <u>wage growth, full employment, and businesses.</u></p> <p>Discussion: Environmentally sustainable" &amp; "economically viable" are vague terms. Sustainable is a standard, not a buzz word, included in planning documents throughout the state and is defined. Other natural resource assets missing, such as water.</p> <p>No policies, standards, or IM that refer to it; can it be more direct?</p>	<p><b>9/9/13 Straw Vote Ad hoc group's Option 1: Unanimous</b></p>
<p><b>Planning Commission Version (Modified Alternative A/B Version)</b>  <b>ED-G5. Economic Development Assistance Programs.</b> Financial and technical assistance programs that support workers, businesses, service providers, micro-enterprise, and disadvantaged communities.</p>	<p><b>ED-G5. Economic Development Assistance Programs.</b>  <b>Option 1: Economic Development Assistance Programs.</b> Financial and technical assistance programs that support <del>workers, businesses, service providers, micro-enterprise, and disadvantaged communities</del> <u>wage growth, full employment, and businesses inclusive of disadvantaged communities.</u></p> <p><b>Option 2: Economic Development Assistance Programs.</b> Financial and technical assistance programs that support <del>workers, businesses, service providers, micro-enterprise, and disadvantaged communities</del> <u>wage growth, full employment, and businesses.</u></p> <p>Discussion: List is too long. Who isn't included? If everyone included, why have goal? Disadvantaged communities are a target for grant funding, good to have them specifically listed. EDD, EDA likes terms so they can reference when submitting an application. Wouldn't be to our advantage to remove.</p>	<p><b>9/9/13 Straw Vote Ad hoc group's Option 1: Unanimous</b></p>
<p><b>Planning Commission Version (Modified Alternative A/B/C Version)</b>  <b>ED-G6. Competitive Quality of Life.</b> Natural resources, recreational opportunities, quality schools and vibrant town centers that incorporate a mix of employment, housing, and retail uses as well as access to childcare, multi-modal transportation, and cultural and natural amenities.</p>	<p><b>ED-G6. Competitive Quality of Life.</b> Maintain and enhance natural resources, recreational opportunities, quality <del>schools</del> <u>education</u>, and vibrant town centers, <del>that incorporate a mix of access to</del> employment, housing, <del>and retail uses as well as access to</del> <u>health care, childcare, safety</u>, multimodal transportation, and cultural and natural amenities.</p>	<p><b>9/9/13 Straw Vote Ad hoc group's version as modified below: Unanimous</b></p> <p><b>ED-G6. Competitive Quality of Life.</b> Maintained and enhanced natural resources, recreational opportunities, quality <del>schools</del> <u>education</u>, and vibrant town centers, <del>that incorporate a mix of access to</del> employment, housing, <del>and retail, uses as well as</del> <u>health care, childcare, safety</u>, multimodal transportation, <u>advanced telecommunications</u>, and cultural and natural amenities.</p>
<p><b>Planning Commission Version (Modified Alternative A/B/C Version)</b>  <b>ED-G7. Skilled and Ready Workforce.</b> Proactive development of the workforce through early and higher education, vocational training and retraining, and lifelong learning, so that there is a trained workforce prepared to contribute to the industries in Humboldt County and our region.</p>	<p><b>ED-G7. Skilled and Ready Workforce.</b> Proactive development of the workforce through <u>access to</u> early and higher education, vocational training and retraining. <del>and lifelong learning, so that our residents are there is a trained workforce prepared to contribute to the industries in Humboldt County and our region.</del></p>	<p><b>9/9/13 Straw Vote Planning Commission version: Unanimous</b></p>
<p><b>Planning Commission Version (Modified Alternative A/B/C Versions)</b>  <b>ED-G8. Regulatory and Permit Streamlining.</b> Permitting and licensing</p>	<p><b>ED-G8. Regulatory and Permit Streamlining.</b> <del>Stated and clear</del> permitting and licensing processes <del>that respond to the needs and timelines of market conditions and remove unnecessary barriers to</del> <u>which engage with businesses</u></p>	<p><b>9/9/13 Straw Vote Ad hoc group's recommendation modified below: Unanimous</b></p>

Economic Development Element Items – Planning Commission Draft, Proposed Changes based on Ad Hoc Working Group Comments, and Staff Recommendations

Planning Commission Recommendation	GPU Ad Hoc Working Group (AHWG) Proposed Changes	Straw Votes 9-09 & 9-23-2013; Staff Recommendation & Notes
<p>processes that respond to the needs and timelines of market conditions and remove unnecessary barriers to businesses, especially those that discourage micro-enterprise and home-based start ups.</p>	<p><u>as customers which engage with businesses as customers</u>, especially micro-enterprise and home-based startups.</p>	<p><b>ED-G8. Regulatory and Permit Streamlining.</b> <del>Stated and clear permitting and licensing processes that respond to the needs and timelines of market conditions and remove unnecessary barriers to businesses which engage with businesses as customers, especially</del> (including micro-enterprise and home-based startups) <u>in a timely, effective and proactive manner.</u></p>
<p><b>----- End of 9/9/13 Straw Votes -----</b></p>		
<p><b>Planning Commission Version (Modified Alternative A/B/C Versions)</b>  <b>ED-G9. Telecommunications.</b> Reliable and modern telecommunications infrastructure and services that can attract and retain internet and knowledge-based businesses.</p>	<p><b>ED-G9. Telecommunications.</b> <del>Reliable, redundant and modern</del> telecommunications infrastructure and services that can attract and retain <del>internet and knowledge-based</del> businesses.</p> <p><b>Discussion: Technology evolves quickly and it's a 20 year plan, so should not include specifics such as the internet.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation: Unanimous</b></p>
	<p><b>ED-P5X. Telecommuting and Workforce Development.</b> <del>Promoteing and seeking</del> resources to ensure that the county has a broadband infrastructure that encourages economic and workforce development and promotes telecommuting. (from Telecomm Chapter)</p> <p><b>Discussion: Retain as written</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as a policy (PX5): Unanimous</b></p>
	<p><b>ED-GX2. Embraces new communication technology.</b> <del>Assure that we are a county that welcomes new technology advancements put resources into assuring that broadband infrastructure keeps up with the capacity and demand needs of new technologies.</del></p> <p><b>Discussion: Delete. Redundant with ED-G9.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation to delete: Unanimous</b></p>
<p><b>Planning Commission Version (Modified Alternative A/B/C Versions)</b>  <b>ED-G10. Public Water and Wastewater.</b> Adequate public water and wastewater facilities to accommodate the business and residential needs of the community. Utilize available industrial water resources to provide jobs, revenue, and economic resources to the county.</p>	<p><b>ED-G10. Public Water and Wastewater.</b></p> <p>Option 1: <b>Public Water and Wastewater.</b> Adequate public water and wastewater facilities to accommodate the <del>business and residential</del> needs of the community. Utilize available industrial and renewable water resources to provide jobs, revenue, economic resources and <u>environmental enhancement</u> to the county.</p> <p>Option 2: <b>Public Water and Wastewater.</b> Adequate public water and wastewater facilities to accommodate the <del>business and residential</del> needs of the community. Utilize <del>available industrial water resources to provide jobs, revenue, and economic resources to the county.</del></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by staff: Unanimous</b></p> <p><b>ED-G10. Public Water and Wastewater.</b> Adequate public water and wastewater facilities to accommodate the <del>business and residential</del> needs of the community. Utilize available industrial and renewable water resources to provide jobs, revenue, economic resources and <u>environmental enhancement</u> to the county.</p>
<p><b>Planning Commission Version (Modified Alternative A/B/C Versions)</b>  <b>ED-G12. Land Inventory.</b> A sufficient land inventory to meet the demand for commercial and industrial expansion and profitable natural resource production.</p>	<p><b>ED-G12. Land Inventory.</b> A <del>sufficient</del> land inventory <u>ready</u> to meet the demand for <u>high value uses such as</u> commercial and industrial expansion and <del>profitable</del> natural resource production.</p> <p><b>Discussion: Consistent with Prosperity Strategy D1. Profitable is assumed.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by the Board: Unanimous</b></p> <p><b>ED-G12. Land Inventory.</b> A sufficient land inventory <u>ready</u> to meet the <u>current and future</u> demand for <u>high value uses such as</u> commercial and industrial expansion and <del>profitable</del> natural resource production.</p>
<p><b>Planning Commission Version (Modified Alternative A/B Versions)</b>  <b>ED-G13. Brownfields.</b> A successful recycling program converting underutilized brownfields into valuable land for housing and business</p>	<p><b>ED-G13. Brownfields.</b> A successful recycling program converting underutilized brownfields into valuable land uses for <del>housing and business expansion.</del></p> <p><b>Discussion: Might also include public or recreational uses.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation: Unanimous</b></p>

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expansion.		
	<p><b>ED-P1X. Economic Stability and Diversity.</b> Promote economic stability, growth and diversity by emphasizing development of <del>base and emerging</del> industries identified as priorities in the current County Economic Development Strategy <del>(without excluding other industries)</del> and encouraging innovation, entrepreneurship, and global competition.</p> <p><b>Discussion: Removed old language to replace with current terminology that will remain relevant. Want to encourage any economic activity and not inadvertently be used to limit activity. Consider terminology like "federally legal businesses".</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by the Board: Unanimous</b></p> <p><b>ED-PX1: Economic Stability and Diversity.</b> Promote economic stability, growth and diversity by emphasizing development of <del>base and emerging</del> industries identified as priorities in the <del>current</del> County's Comprehensive Economic Development Strategy <del>(without excluding other industries)</del> and encouraging innovation, entrepreneurship, and global competition.</p>
<p><b>Planning Commission Version (Modified Alternative A/B Versions)</b>  <b>ED-P2. Job Growth and Workforce.</b> Collaborate with economic development entities in the region to promote job growth, technological innovations, and entrepreneurship in base and emerging industries. Work with the education and private sectors to promote education, vocational training, professional development, and lifelong learning in the workforce.</p>	<p><b>ED-P2. Job Growth and Workforce.</b> Collaborate with economic development entities in the region to promote job growth, <del>technological innovations,</del> and entrepreneurship in <del>base and emerging</del> industries identified as priorities in the current County Economic Development Strategy <del>(without excluding other industries)</del>. Work with the education and private sectors to promote education, vocational training, professional development, and lifelong learning in the workforce.</p> <p><b>Discussion: Similar to PDX1. Concern with adoption of experimental technologies related to workforce development. Not necessary to mention at this point where technology is a core part of this effort.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by the Board: Yes 4 No 1 (Bohn)</b></p> <p><b>ED-P2. Job Growth and Workforce.</b> Collaborate with economic development entities in the region to promote job growth, <del>technological innovations,</del> and entrepreneurship in <del>base and emerging</del> industries identified as priorities in the <del>current</del> County's Comprehensive Economic Development Strategy <del>(without excluding other industries)</del>. Work with the education and private sectors to promote education, vocational training, professional development, and lifelong learning in the workforce.</p>
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P3. Affordable Housing.</b> Ensure housing at a price commensurate with income levels as reflected in the County Regional Housing Needs Assessment, and a transportation system to provide efficient connectivity between housing and places of employment to minimize commute travel times and distances.</p>	<p><b>ED-P3. Affordable Housing.</b> <del>Ensure</del> <u>Promote</u> housing at a price commensurate with income levels as reflected in the County Regional Housing Needs Assessment, and a transportation system to provide efficient connectivity between housing and places of employment to minimize commute travel times and distances.</p> <p><b>Discussion: Doesn't seem feasible to ensure.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by the Board: Unanimous</b></p> <p><b>ED-P3. Affordable Housing.</b> <del>Ensure</del> <u>Promote</u> housing at a price commensurate with income levels as reflected in the County Regional Housing Needs <del>Assessment</del> <u>Allocation</u>, and a transportation system to provide efficient connectivity between housing and places of employment to minimize commute travel times and distances.</p>
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P5. Aging Population.</b> Respond to the increasing transportation, service, and housing needs of the county's aging population.</p>	<p><b>ED-P5. Aging Population.</b> Plan for <del>Respond to</del> the increasing transportation, service, and housing needs of the county's aging population.</p>	<p><b>9/23/13 Straw Vote Ad hoc group's recommendation as modified by the Board: Unanimous</b></p> <p><b>ED-P5. Aging Population.</b> <u>Plan for and r</u>Respond to the increasing transportation, service, and housing needs of the county's aging population.</p>
<p><b>Planning Commission Version (Amended Alternative B Version)</b>  <b>ED-P6. Large Format Retail.</b> Require discretionary review, including analysis of the economic and workforce impacts, of large format "big box" commercial uses.  PC Split Vote 4-2-1</p>	<p>Option 1. Retain.  Option 2. Delete.</p> <p><b>Discussion: Option 1: The goal of the economic development element is to support local businesses, so large format retail proposals should be analyzed for their impacts on local business.</b></p> <p><b>Option 2: No longer relevant. The County should support more jobs, regardless.</b></p>	<p><b>9/23/13 Straw Vote Ad hoc group's Option 2 to delete: Yes 3 No 1 (Lovelace) Abstain 1 (Fennell)</b></p>
<p><b>- - - - - End of 9/23/13 Straw Votes - - - - -</b></p>		

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<p><b>Planning Commission Version (Amended Alternative A Version)</b>  <b>ED-P8. Public Infrastructure.</b> Assist local service providers in the pursuit of state and federal funding and development of land use assessment, rates and connection fee programs to upgrade and enhance water and wastewater facilities.</p>	<p><b>ED-P8. Public Infrastructure.</b> Assist <del>local service providers</del> <u>Community Services or Improvement Districts</u> in the pursuit of state and federal funding and development of land use assessment, rates and connection fee programs to upgrade and enhance <u>infrastructure, including water, and wastewater and recreational</u> facilities.</p>	<p><b>10/7/13 Straw Vote Ad hoc group's recommendation with "local service providers" retained: 5-0</b>  <b>ED-P8. Public Infrastructure.</b> Assist local service providers in the pursuit of state and federal funding and development of land use assessment, rates and connection fee programs to upgrade and enhance <u>infrastructure, including water, and wastewater and recreational</u> facilities.</p>
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P9. Freight Mobility.</b> Pursue financial and technical solutions to provide unrestricted interstate truck access on both U.S. 101 and State Highway 299.</p>	<p><b>ED-P9. Freight Mobility.</b> <del>Support pursuit of</del> <u>Pursue</u> financial and technical solutions to <del>provide unrestricted</del> <u>improve</u> interstate truck access <del>on both U.S. 101 and State Highway 299.</del></p>	<p><b>10/7/13 Straw Vote Ad Hoc Working Group adding "and rail" after truck: 5-0</b>  <b>ED-P9. Freight Mobility.</b> <del>Support pursuit of</del> <u>Pursue</u> financial and technical solutions to <del>provide unrestricted</del> <u>improve</u> interstate truck <u>and rail</u> access <del>on both U.S. 101 and State Highway 299.</del></p>
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P11. Port Development.</b> Support efforts to maintain and develop the port for the fishing industry, marine dependent coastal industries, mariculture and recreation. Zone and develop infrastructure to create an adequate supply of ready-to-build coastal dependent land suitable to compete for marine dependent industries.</p>	<p><b>ED-P11. Port Development.</b> Support efforts to maintain and develop the port for <u>shipping, the fishing industry, aquaculture, renewable energy, marine coastal-dependent and -associated</u> industries. <del>Zone and develop infrastructure to create an adequate supply of ready-to-build coastal dependent land suitable to compete for marine dependent industries.</del></p>	<p><b>10/7/13 Straw Vote Ad hoc group's recommendation: Unanimous</b></p>
	<p><b>ED-P12A. Airport-Related Business Development.</b> Support efforts to maintain and develop airports to accommodate air service-dependent and -associated industries.</p>	<p><b>10/7/13 Straw Vote Ad Hoc Working Group adding "including air freight": 5-0</b>  <b>ED-PX2. Airport-Related Business Development.</b> Support efforts to maintain and develop airports to accommodate air service-dependent and -associated industries, <u>including air freight</u>.</p>
<p><b>Planning Commission Version (Amended Alternative A Versions)</b>  <b>ED-P14. Industrial and Business Parks.</b> Promote development of well-planned and designed industrial and business parks catering to existing local, as well as outside, opportunities, where appropriate. Encourage master environmental assessments for industrial and business parks in order to streamline the subsequent development process.</p>	<p><b>ED-P14. Industrial and Business Parks.</b> Promote development of <del>well-planned and designed</del> industrial and business parks <u>with special consideration for ports, airports, value-added manufacturing and industries identified as priorities in the current County Economic Development Strategy catering to existing local, as well as outside, opportunities, where appropriate.</u> Encourage master environmental assessments and pre-permitting for industrial and business parks in order to streamline the subsequent development process.</p>	<p><b>10/7/13 Straw Vote Ad Hoc Working Group with minor edits: 5-0</b>  <b>ED-P14. Industrial and Business Parks.</b> Promote development of <del>well-planned and designed</del> industrial and business parks <u>with special consideration for access to highways, ports, airports, and benefit to value-added manufacturing and target industries identified as priorities in the County's Comprehensive Economic Development Strategy catering to existing local, as well as outside, opportunities, where appropriate.</u> Encourage master environmental assessments and pre-permitting for industrial and business parks in order to streamline the subsequent development process.</p>
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P15. Revitalization.</b> Promote the revitalization of communities in transition due to the decline of resource-based industries.</p>	<p><b>ED-P15. Revitalization.</b> Promote <del>the revitalization strategies such as</del> <u>infrastructure and/or economic development to assist of disadvantaged communities in transition due to the decline of resource-based industries.</u></p> <p><b>Discussion: Focus on the clearly defined term of "disadvantaged" communities" (S-4). Willow Creek is a good example of what infrastructure support can do to vitalize a disadvantaged community.</b></p>	<p><b>10/7/13 Straw Vote Ad Hoc Working Group with minor edits: 5-0</b>  <b>ED-P15. Revitalization.</b> Promote <del>the revitalization strategies such as</del> <u>infrastructure and/or economic development to</u> <u>revitalize assist of</u> <u>disadvantaged</u> communities in transition due to the decline of resource-based industries.</p>
<p><b>----- End of 10/7/13 Straw Votes -----</b></p>		

Economic Development Element Items – Planning Commission Draft, Proposed Changes based on Ad Hoc Working Group Comments, and Staff Recommendations

Planning Commission Recommendation	GPU Ad Hoc Working Group (AHWG) Proposed Changes	Straw Votes 9-09 & 9-23-2013; Staff Recommendation & Notes
<p><b>Planning Commission Version (Amended Alternative A/B Versions)</b>  <b>ED-P16. Brownfields.</b> Pursue and distribute funding and technical assistance to assess, clean up, and reuse Brownfield's. Streamline regulatory review for proposed development in commercial and industrial zoned Brownfields.</p>	<p><b>ED-P16. Brownfields.</b> Pursue and distribute funding and technical assistance to assess, clean up, and reuse Brownfield's. <del>Streamline regulatory review for proposed development in commercial and industrial zoned Brownfields.</del>  <b>Discussion: County doesn't lead regulatory review for Brownfields, they look for funds. This is addressed in IM-4.</b></p>	<p><b>10/21/13 Straw Vote PC Recommendation with minor edits: 4-0 (Fennell absent)</b>  <b>ED-P16. Brownfields.</b> Pursue and distribute funding and technical assistance to assess, clean up, and reuse Brownfield's. Streamline <u>the County's</u> regulatory review <u>process</u> for proposed development in commercial and industrial zoned Brownfields.</p>
	<p><b>ED-P2X: Local Vendor Preference.</b> Identify under-utilized and discarded materials and the waste byproducts of local industry (esp. manufacturing, forest products and agriculture/food production). Develop "highest and best use" opportunities for waste reduction and end-use markets with in the local economy such as reuse or as feedstock for local manufacturers.</p>	<p><b>10/21/13 Straw Vote ad hoc group's recommendations with modifications on Smart Board: 4-0</b>  <b>ED-P2X. Local Vendor Preference.</b> <u>Support and assist with the development and support</u> implementation of procurement policies and procedures that increase access for locally-owned companies to bidding process, and that considers local economic impact in selection process.  <b>ED-IM11X. Material Reuse.</b> Identify under-utilized and discarded materials and the waste byproducts of local industry (esp. manufacturing, forest products and agriculture/food production). <u>Work with other entities to encourage</u> <del>Develop</del> "highest and best use" opportunities for waste reduction and end-use markets with in the local economy such as reuse or as feedstock for local manufacturers.</p>
	<p><b>ED-P3X: Value Added Manufacturing.</b> Support opportunities to remove barriers to and facilitate expansion of value-added manufacturing.</p>	<p><b>10/21/13 Straw Vote ad hoc group's recommendations: 4-0</b></p>
	<p><b>ED-P4X: Tribal Government Partnership.</b> Pursue and support economic and infrastructure partnerships with Tribal Governments.</p>	<p><b>10/21/13 Straw Vote ad hoc group's recommendations: 4-0</b></p>
<p><b>ED-S2. Large Format Retail.</b> The County shall require discretionary review of retail uses with a total building floor area; including multiple buildings, outdoor sale areas and storage, in excess of 50,000 square feet.</p>		<p><b>10/21/13 Straw Vote ad hoc group's recommendations to delete: 3-1 (Lovelace)</b></p>
<p><b>ED-IM7. Large Format Retail.</b> Develop guidelines for conducting economic and workforce impact analysis for "big box" commercial uses.</p>		<p><b>10/21/13 Straw Vote ad hoc group's recommendations to delete: 3-1 (Lovelace)</b></p>
	<p><b>ED-IM1X:</b> Encourage local economic development entities to provide support and information resources for entrepreneurial business systems efficiency and management, particularly as the marketplace evolves (e.g. licensed Point of Sale systems). <b>Don't want the County setting a standard, but want it to provide support. Recommend use of CEDS Strategies B &amp; C as IMs.</b></p>	<p><b>10/21/13 Straw Vote ad hoc group's recommendations as a policy rather than an implementation measure, titled, "ED-P6X. Support For Entrepreneurial Business Systems Efficiency" : 4-0</b></p>
	<p><b>ED-IM2X:</b> Use permits shall renew if there are no significant changes made to a business.</p>	<p><b>10/21/13 Straw Vote to delete: 4-0 (bring back with Mineral Resources Element)</b></p>

Economic Development Element Items – Planning Commission Draft, Proposed Changes based on Ad Hoc Working Group Comments, and Staff Recommendations

Planning Commission Recommendation	GPU Ad Hoc Working Group (AHWG) Proposed Changes	Straw Votes 9-09 & 9-23-2013; Staff Recommendation & Notes
	<p><b>ED-IM3X:</b> If there is no proposed change in the use type of a business upon change in ownership, no inspection shall be required to obtain a business license.</p>	<p><b>10/21/13 : provide additional analysis</b></p> <p>See discussion in staff report</p>
	<p><b>ED-IM4X:</b> Share regional economic status updates with the business sector and the public on at least an annual basis, preferably on a quarterly basis. E.g. HSU Economic Index (too broad), EDD Labor Market Information Division data, comparison of regional and state target cluster data and analysis of significant changes in workforce.</p>	<p><b>10/21/13 Straw Vote ad hoc group's recommendations with modifications: 4-0</b></p> <p><b>ED-IM4X. Economic Data Sharing.</b> Publish economic data showing how the county, the region and the target industries are performing at least annually. Compare Humboldt to other rural counties in the region, the state and the nation.</p>
		<p><b>10/21/13 Bring back sew implementation measure recommended by HAR modified by staff</b></p> <p><b>ED-IM4Xa. Commercial Development.</b> Streamline regulatory review of proposed commercial development. Zone adequate land for commercial use." (Proposed new implementation measure)</p>
	<p><b>ED-IM5X:</b> Zone and develop infrastructure to create an adequate supply of ready-to-build coastal dependent land suitable to compete for marine dependent and associated industries. Develop an overlay program to pre-permit coastal commercial/industrial development.</p>	<p><b>10/21/13 : provide alternative wording</b></p> <p><b>Proposed alternative wording: ED-IMX. Coastal Dependent Industry.</b> Work with the Harbor District and other agencies to develop a program to pre-permit coastal dependent industrial properties with appropriate infrastructure to compete for marine dependent and associated industries.</p>
	<p><b>ED-IM6X:</b> Creating a program and overlay zone to principally permit coastal commercial/industrial development, giving special consideration for priority industries.</p>	<p><b>10/21/13 : provide alternative wording</b></p> <p><b>Combined with above implementation measure.</b></p>
	<p><b>ED-IM7X:</b> Zone and develop infrastructure to create an adequate supply of ready-to-build airport dependent land suitable to compete for air service-dependent and associated industries. Develop an overlay program to pre-permit air service-related commercial/industrial development.</p> <p><b>Discussion: Want to make sure that "-associated" industries also means air operations &amp; maintenance facilities/services such as hangars and maintenance and other Fixed Base Operation services.</b></p>	<p><b>10/21/13 : provide alternative wording</b></p> <p><b>Proposed alternative wording: ED-IM7X. Airport Dependent Industry.</b> Zone property to create an adequate supply of ready-to-build airport dependent land suitable to compete for air service-dependent and associated industries. Working with the Airport Advisory Commission, develop a program to pre-permit air service-related commercial/industrial properties with appropriate infrastructure.</p>
	<p><b>ED-IM8X:</b> Creating a program and overlay zone to principally permit airport-related commercial/industrial development, giving special consideration for priority industries.</p>	<p><b>10/21/13 : provide alternative wording</b></p> <p><b>Combined with above implementation measure.</b></p>

Economic Development Element Items – Planning Commission Draft, Proposed Changes based on Ad Hoc Working Group Comments, and Staff Recommendations

Planning Commission Recommendation	GPU Ad Hoc Working Group (AHWG) Proposed Changes	Straw Votes 9-09 & 9-23-2013; Staff Recommendation & Notes
	<p><b>ED-IM9X:</b> Promoting aggregation of common infrastructures. Hubs for particular industries regarding moving goods/access, e.g. warehouse at airport for shippers, trucking-needs industries clustered. Sites for clusters of common businesses. Pre-determined locations for certain priority industries (e.g. Lost Coast Brewery, Cypress Grove).</p> <p><b>Discussion: Could infrastructure support also mean marketing/shipping/systems incubator support for startup businesses?</b></p>	<p><b>10/21/13 : provide alternative wording</b></p> <p><b>Proposed alternative wording: ED-P5X. Aggregation of Common Businesses.</b> Promote hub locations designed to provide industries with common infrastructure around which businesses can cluster to increase efficiency, e.g. access for goods movement, warehousing, etc. Pre-determine and pre-permit locations for development to support target industries.</p>
	<p><b>ED-IM10X:</b> Plan for research and development and large-scale training spaces availability in business and industrial parks.</p>	<p><b>Delete.</b> Large scale training would be permitted in the IG – Industrial General and MB – Business Park designations as a Professional or Consultative Service use in the Office and Professional Use Type. Research and Light Industrial Uses are also allowed in these designations, which could also accommodate large scale training spaces)</p>

## Attachment B

### Chapters 2 & 3, Public Guide and Governance Policy Modified to Insert Recommendations from the Public Participation Working Group (PPWG)

Note; Text shown in **black** is recommended language from the Planning Commission. Text shown in **red** is proposed to be added to the Chapter by the PPWG; words shown in red strikeout and words shown in **blue** are changes to the PPWG recommendations proposed by staff; words shown in **green** are staff notes, which will be deleted from the published document.

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## Chapter 2. Public Guide

### 2.1 Purpose

This chapter provides a guide for reading and using the Plan. It describes the organization of the Plan, the layout of a typical chapter, and the relationship of this document to other planning documents.

To maximize the public participation in land use decision-making and opportunity to educate the public about the broad public participation opportunities programs, this chapter describes the history of public participation from the beginning of the 1984 Framework Plan, and outlines ways in which the public may continue to be involved. This chapter emphasizes the public participation policies and programs in the Governance Policy presented later in Chapter 3. also centralizes a complete public guide to the all the public participation provisions, in context, that the Planning Commission adopted from the Framework Plan Section 1500 (into the March 19, 2012 Draft). Additionally, this Public Guide provides guidance a template for the on the maintenance of the Citizens Handbook, a resource for those who want to participate in local land use decision-making.

### 2.2 Background

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### 2.8 History & Overview of Public Participation in Land Use

"Broadened public participation at all levels of the decision making process; including education, study, workshops, hearings, and plan revisions" (1984 Framework Plan §1231.4) is was a Major Plan Policy of the earlier General Plan for the County, the 1984 Framework Plan. with the following goal: The goal was "to maximize the opportunity for individuals and groups to have meaningful participation in the planning process" (1984 Framework Plan §1343).

This goal was developed from the understanding that the public will would be more able to support policies guiding the development of the County when given an opportunity to participate in the development and review of the general plan. has been provided. Through this exposure, and the contributions it makes made to the process and the product, the public will hopefully gained greater understanding of the plan. Participation not only in the review of this that document, but also in proposing subsequent revisions to improved what is was adopted and will would help insure ensured that this that document will the Plan remained a current statement of public policy (1984 Framework Plan §1343).

As part of the Work Program authorized in October 1980 the Citizens Participation Advisory committee (CPAC) was formed and charged with the responsibility of developing goals, policies and standards for public participation.

The material developed by the CPAC was reviewed by the Planning Commission and the Board of Supervisors. The Board approved these policies as direction for developing the Hearing Draft, as

well as reviewing it. These policies were again reviewed by the Planning Commission in their preparation of the Commission Rules of Procedure. Revisions made for those Rules of Procedure were also recommended for inclusion in the Hearing Draft General Plan on September 30, 1982.

The Board of Supervisors, following the 26 month review and public hearing process of the Hearing Draft, adopted the Rules of Procedure as the Planning and Coordination for Public Participation §1500 policies for inclusion as an integral part of the Humboldt County General Plan adopted on December 10, 1984.

(NOTE: Above word changes were made to reflect an historical statement.)

~~The Humboldt County Planning Commission approved the §1500 policies for inclusion into the March 19, 2012 General Plan Update Hearing Draft and are consolidated here into the Public Guide to assist the public understanding of these Rules of Procedure and how to become a productive participant.~~

## ~~1500~~ — **PLANNING FOR PUBLIC PARTICIPATION**

### ~~§1510~~ —

~~The policies for citizen for public participation~~ The County recognizes the need for public involvement in the land use planning process. The successful application of any law depends to a great extent on the citizens' understanding and support of that law.

The most successful land use planning process, then, ~~must will~~ provide for the education of the public. ~~Armed with k~~ Knowledge of the process, ~~the~~ allows citizens ~~can to~~ have meaningful access to the decision makers, evaluate alternative proposals, and make specific recommendations ~~in support of, or for change to, the~~ on hearing draft land use proposals.

In the most successful local determination of the future character of Humboldt County, the residents ~~must will~~ understand the land use planning process, and the alternatives and ~~the~~ reasons for decisions made that affect our County and our neighborhoods.

Besides, the individual residents and property owners, other citizens in the form of corporate, municipal and special district entities ~~must will~~ also participate. In Humboldt County there are seven incorporated cities, more than fifty special districts providing varied services plus school and street lighting districts that will be affected by this plan. Much of the resource land of the County is in corporate and other forms of business interests and 28% of the County is in public ownership. This section of the plan provides direction for public participation in the planning process.

### ~~§1520~~ — **FINDINGS**

~~1.—It is an essential to the function of the a democratic society that public policy shall be reflective of reflects the needs of the citizenry as expressed by the citizens themselves.~~ ~~2.—Citizens will participate when they feel their participation will have an effect.~~ ~~3.— But the large size of the County limits the opportunity for centralized can make it difficult for citizen involvement.~~ ~~4.— The disparate nature of the County creates Plus, there are conflicting land uses and interests within the County and which points to the need for creative solutions and a forum for resolution.~~ The following goals and policies seek to provide the opportunities needed to overcome these challenges.

(NOTE: The format of the "Findings" was modified to fit into the style of the Draft Plan.)

## 2.9 Goals and Policies

### ~~§1530 GOALS~~

#### ~~§1531 Program Goals~~

### Goals

- PG-G1. Comprehensive Planning Documents.** ~~To establish~~ A set of planning documents that is a comprehensive statement of public policy concerning land use and the provision of public services. (Chapter 3, GP-Gx)
- PG-G2. Community Plans.** ~~To Coordinate the preparation of~~ regional plans that include more than one incorporated city, community, special district, and/or unincorporated area. (Chapter 3, GP-P12)
- PG-G3. Accessible General Plan.** ~~To provide~~ A comprehensive General Plan written in understandable language which is readily accessible to the public and encourages citizen participation throughout the planning process. (Chapter 3, GP-Gx1)
- PG-G4. Meaningful Participation.** ~~To maximize the~~ Maximum opportunity for individuals and groups to have meaningful participation in the planning process. (NOTE: This goal emphasizes the second part of PG-G3 above)

#### ~~§1532 The Citizen Goals~~

- PG-G5. Process Education.** ~~The County shall maximize the~~ Maximum opportunities to educate the public about the planning process and the citizen's role in it. (Chapter 3, GP-10(I))
- PG-G6. Direct Access to Decision Making Process.** ~~The planning process shall maximize~~ Maximum public access to the decision making process. (Chapter 3, GP-10(F))
- PG-G7. Outreach Program.** ~~The County shall aggressively~~ Aggressive solicitation ~~the~~ of input of the public through an "outreach" program of public participation. (Chapter 3, GP-10(A))

#### ~~§1533 Goals for Organizational Structure~~

- PG-G8. Direct Access to Decision Makers.** ~~The policy making organizational structure shall~~ Planning Commission and Board of Supervisors provide the most direct relationship between the public and the decision makers. (Chapter 3, GP-10(F))
- PG-G9. Budgetary Constraints.** ~~The Funding to provide opportunities for public participation in the land use planning process shall be~~ is maximized consistent with the budgetary constraints of the County.

(NOTE: Language was changed to be consistent with Goals in other chapters)

### ~~§1540 POLICIES~~

#### ~~§1541 Education~~

## Policies

- PG-P1. Planning Process Education.** ~~1.—The County shall provide for the education and information of to the public to activate encourage them to participate participation in the planning process.~~ ~~2.—The education of the public shall be provided prior to public hearings on the plan proposals in adequate time to insure informed participation.~~ (Chapter 3, GP-10(G))
- PG-P2. Method of Education.** ~~3.—The education of the public shall be provided through, but not limited to: Citizens Handbook, print and electronic media, and public meetings.~~ (Chapter 3, GP-S4)

### §1542 Access to Decision Makers

- PG-P3. Procedures for Fairness.** ~~1.—The Planning Commission shall develop clear and fair follow State, Federal, and local procedures for operation which ensure fairness in and relationships with the public, the Board of Supervisors, ad-hoc committees, and local. State and Federal agencies. (Note: Similar to Chapter 3, GP-GP3. These procedures are provided to the Planning Commissioners when they begin their terms.)~~
- PG-P4. Access to Procedures.** ~~2.—Planning Commission procedures shall be prepared in a format and language that is clear and readily available to the public. (Chapter 3, GP-GP3) (NOTE: See note above.)~~
- PG-P5. Citizen Committees.** ~~3.—The County shall encourage the formation of citizen organizations and citizen committees to provide input on specific matters in a format consistent with the adopted policies and procedures. (Chapter 3, GP-10(B))~~
- PG-P6. Community Plans.** ~~4.—The County shall encourage the development of Community Plans consistent with overall County policies in the General Plan. (Similar to Chapter 3, GP-G5)~~
- PG-P7. Community Input.** ~~5.—The County shall insure that the encourage a variety views within an area are be taken into consideration in land use decisions. (Note: Modified to contain costs.)~~
- PG-P8. Community Preference.** ~~6.—Community preferences for urban and urbanizing areas, which otherwise are consistent with the overall county policies, shall be given preferential consideration. (Note: It's unclear how this would work.)~~
- PG-P9. Public Notification of Planning Commission Meetings.** ~~7.—The Planning Commission shall provide notification of meetings adequate to insure public participation consistent with the goals of this program. (Chapter 3, GP-GP10(D))~~
- PG-P10. Planning Commission Meeting Accessibility.** ~~8.—The meetings of the Planning Commission whenever practical, shall be held in the geographic areas under consideration or, where the meetings of the Commission concern county-wide issues, as addressed in the Framework General Plan, such meetings shall be held in the regional centers most representative of the issues to be addressed. (Note: Similar to Chapter 3, GP-GP10(D))~~

**PG-P11. Public Hearings.** ~~9.~~—Public hearings shall be organized to provide public opportunities to evaluate alternative proposals and participate in the choice of the preferred alternative. (Note: Similar to Chapter 3, GP-P10(H))

~~§1543—Timing~~

~~1. Timing:~~—The costs of review shall be minimized consistent with the requirements of this section by the following:

- Review on an exception or "consent calendar" approach
- Focusing testimony and comments on specific issues being addressed.

~~2. The Commission should prepare and adopt rules of procedure to govern the conduct of hearings, solicitation and limitations on oral comments, and other business of the commission. (NOTE: This has been completed.)~~

**PG-P12. Planning Commission Committees.** ~~3.~~—The Planning Commission should be authorized to create subcommittees or recommend the creation of ad hoc committees from their membership, and to create joint committees for the conduct of planning matters. (Chapter 3, GP-GP10 (B))

~~§1550~~ **2.10 STANDARDS**

~~§1551~~ —

**PG-S1. Planning Advisory Committees.** Planning Advisory Committees (PAC) may be created to help educate and facilitate public participation, review and prepare recommendations concerning special or technical planning matters that may have county-wide significance. Such PAC's should:

- 1 A. Be established and appointed, subject to Board concurrence, by the Planning Commission;
- 2 B. Report directly to the Commission;
- 3 C. Be charged with a specific list of tasks and a schedule for completion;
- 4 D. Not be created as a standing committee;
- 5 E. Be composed of lay citizens and technical advisors.

(Chapter 3, GP-S5)

~~§1552~~ —

**PG-S2. Community Advisory Committees.** Community Advisory Committees (CAC) should be created to review and prepare recommendations on planning matters that affect their individual communities. Such CAC's should:

- 1 A. Be formed in the Community;

- ~~2~~ B. Be representative of the community make-up, report on the selection process used to form the CAC and be confirmed by the Board based on a recommendation by the Commission;
- ~~3~~ C. Contain not less than five (5) nor more than eleven (11) members;
- ~~4~~ D. Adhere to common CAC organizational guidelines adopted by the Board;
- ~~5~~ E. **Through County staff, direct all comments and questions on planning matters to the Planning Commission be provided County staff for answering questions, and making recommendations to the Planning Commission and Board of Supervisors;**
- ~~6~~ F. Establish a work program, regular meeting schedule and completion date;
- ~~7~~ G. Prepare a map showing the limits of the community's area of interest and all such limits should be approved by the Planning Commission;
- ~~8~~ H. Designate a contact person who will communicate with the Commission and inform the public;
- ~~9~~ I. Hold local workshops and public meetings to **receive public comments** solicit input. ~~(planning staff assistance, maps and comments may be provided to CAC's subject to departmental budget limitations).~~

~~§1553~~ Community Advisory Committees should be charged with the following tasks

- ~~1~~ J. Educate the public about its community plan and other planning programs that affect the community;
- ~~2~~ K. Provide a forum for citizen comments, and provide a mechanism for relaying those comments to the Planning Commission;
- ~~3~~ L. Advise the Planning Commission on planning matters that affect the community;
- ~~4.~~ ~~Advise the Planning Commission about potential problems or changing the needs that may require plan or regulation amendments;~~
- ~~5~~ M. Provide input to the Commission on specific matters in a format consistent with the adopted policies and procedures;
- ~~6~~ N. Develop hearing drafts of Community Plans consistent with overall county policies in the Framework Plan;
- ~~7~~ O. Community Advisory Committees should be included in all planning notification procedures that affect their area.
- ~~P.~~ **Be advised of the CAC's role and responsibility, and, in addition to the education of the public, to listen to community members, bring forward their preferences and concerns in order to facilitate consensus building. (Chapter 3, GP-S6)**

**§1560 IMPLEMENTATION**

~~Humboldt County shall establish guidelines to promote public interest in, and understanding of, the County planning programs based on the following standards:~~

- ~~1. The County should use combinations of the following techniques to involve the public in the planning process~~

**PG-S3. Public Education.** The education of the public shall be provided through, but not limited to: (Chapter 3. GP-S4)

~~Questionnaire~~  
~~Advisory referenda~~  
~~Press releases~~ Print and electronic media  
~~Public hearing and meeting notices~~  
~~Topical newspaper articles~~  
~~Public service announcements~~  
~~Interviews and talk shows~~  
~~Citizen handbooks~~  
~~Displays in public buildings~~  
~~Planning Advisory Committees~~  
~~Community Advisory Committees~~  
~~Public hearings~~ meetings  
~~Presentations to community groups~~  
~~Panel discussions~~  
~~Slide shows~~  
~~Workshops~~  
~~Direct mailings~~ and email notices  
Public workshops, charrettes, facilitated discussions  
Internet Web pages  
Technical reports  
Interactive live remote (Chapter 3. GP-S4)

## 2.11 Implementation Measures

**PG-IM1. Documents in County Library.** ~~2.~~—The County Planning Department shall provide a complete set of county plans and regulations for public use in the County Library System.

**PG-IM2. Orientation for Planning Commissioners.** ~~3.~~—The County should ~~establish an orientation program~~ continue to familiarize new Planning Commissioners with their job, and to explain new programs and regulations to existing Commissioners by providing them all the following:

- Providing a Handbook which includes Planning Commissions Operational Procedures, League of Cities Procedures,
- Providing copies to the General Plan and Development Codes.
- Periodic training by County Counsel.

(NOTE: Additions reflect current practice.)

**PG-IM3. Citizens Handbook.** ~~4.~~—The County should develop and maintain a Citizens participation handbook to explain the planning process to Community Advisory Committee members and the general public. (Note: Similar to Chapter 3, GP-IM16)

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## Chapter 3. Governance Policy

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### Amendments

As a long-term policy document with a 20-year planning horizon, the General Plan will likely undergo course corrections and refinements. While planning is a continuous process and periodic review to consider changes in circumstances is necessary, the Plan must also represent a sufficiently solid vision for long-term implementation such as infrastructure investments.

The Plan should strike a balance between the flexibility needed to respond to unique situations and the rigidity necessary to guide development decisions in a predictable and consistent manner. ~~As a "constitution" for future development, some aspects should be considered foundational and not subject to interim change.~~

Major reviews of the entire Plan are scheduled to coincide with state mandated five-year periodic review of the Housing Element. Major plan amendments should be responsive to changed circumstances, such as deviations from anticipated population growth, or address strategic needs, such as updates to community plans.

Apart from County-initiated amendments, there will be requests from private property owners for amendments to the land use designation for individual parcels. While this amendment process is critical to the flexibility of the Plan, the General Plan is a policy document for the entire county and may only be amended "in the public interest" as determined by the Board of Supervisors. In other words, the Plan can only be amended when the change has broad community consensus benefits the entire county, not merely because the change would benefit a particular property owner. Every General Plan amendment must also be consistent with the rest of the Plan or ...

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### 3.5 Standards

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**GP-SX. Citizens Handbook.** The Citizens Handbook is intended to serve as a self help tutorial and syllabus to facilitate individuals, communities and special interest groups in the understanding of the Humboldt County planning process. The handbook ~~must~~ shall provide a user friendly format with ~~figures and flowcharts and a complete~~ reference index to locate specific topics and ~~an all inclusive~~ a glossary of definitions for commonly used general planning and zoning nomenclature. The Handbook, at minimum, ~~must~~ shall contain the following specific chapters:

#### CHAPTER ONE: PLANNING LAW

1. California Legislative History - Milestones in Planning Laws (~~Fig. 1~~)
2. Present State Statutes
3. Office of Planning and Research Guidelines (OPR) Summary of What is Required of the County

## **CHAPTER TWO: COUNTY HISTORY OF PLANNING**

1. 1965 Adoption of Original Plans
2. Subsequent Planning Activity
3. Humboldt County General Plan Documents ~~(Fig. 3 – Summary)~~
  - a. Regional Plans
  - b. City/Community Plans
  - c. Plan Elements

## **CHAPTER THREE: GENERAL PLAN REVISION PROGRAM**

1. 1980 - 1984: County General Plan Revision Program
2. 1980: Twelve Policy Background Studies
3. 1980 -1982: Citizen Participation Program Development
4. 1981-1982: Public Participation Policy Adopted (§ 1500)
5. 1982: Citizens Handbook Adopted
6. 1984: Framework Plan Adopted
7. 1982 - 2002: County Community Plans Adopted
8. 1999 - Forward: General Plan Update Process

## **CHAPTER FOUR: PUBLIC PARTICIPATION**

1. Citizens Handbook, Maintenance and Updating
2. Opportunities for participation
3. Citizen Participation: Individuals; Planning Advisory Committees; Community Advisory Committees; Ad-hoc Workgroups; Special Interest & Stake Holder Workgroups; ~~(Fig. 5 Flow Chart)~~
4. Hearing Drafts and Environmental Assessments ~~(Fig. 4 Flow Chart)~~
5. Draft Plan Review and Adoption
6. Mapping & Zoning ~~(Fig. 6 Flow Chart)~~
7. General Plan Amendments

## **APPENDIX:**

1. Glossary
2. Bibliography

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## **3.6 Implementation Measures**

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**GP-IMX. Evaluation of Public Participation Programs.** ~~Establish a process to Evaluate the effectiveness of any ongoing citizen participation programs, including public workshops and planning meetings including public hearings before the Planning Commission and the Board of Supervisors. Evaluations are essential to the success of meaningful plans and policies, as well as building the public trust and gaining the authentic support of the community.~~

## **Attachment C**

### **Report #1 for the Conservation and Open Space Element (Chapter 10, Section 10.2 Open Space)**

## Supplemental Report #1

### Section 10.2 – Open Space

#### 1) Legal basis or requirements

California Government Code Section 65302(e) requires that a general plan include an open space element, as described in Article 10.5, beginning with Section 65560. Open space is described in six (6) ways: lands used for

- preservation of natural resources,
- the managed production of resources,
- outdoor recreation,
- protection of public health and safety,
- support of the mission of military installations, and
- protection of cultural and historic resources

Planning for the conservation and preservation of open space lands via a comprehensive open space program includes inventory of resources, conservation measures, an action plan, and procedures to ensure consistency of the open space element with building permits, subdivision maps, and zoning ordinances (California Government Code Sections 65563-65567).

#### 2) Key planning issues

There are three (3) Key Planning Issues addressed by the Open Space Section discussed below; (1) the County's Conservation and Open Space Program, (2) the Definition, Mapping and Application of Development Standards to Open Space Areas, and (3) Support for Profitable Resource Production as a Means to Protect Open Space.

##### Key Planning Issue #1 - Conservation and Open Space Program

General Plans are required to contain an action program to implement open-space policies (Gov. Code Section 65564). Open space lands are critical to the County's economy, protection of natural resources, and public enjoyment, recreation and safety. The County has taken steps to conserve and maintain open space; what is the appropriate role for the County moving forward? Should the County increase those efforts?

##### A) How/where addressed in the 1984 Framework Plan

Figure 1-1 of the Framework Plan cross-references the section numbers of the Plan that give treatment to conservation and open space requirements. These sections propose continuation of the active protection efforts of the Williamson Act program, Timber Production Zone (TPZ) and agricultural zoning standards, easements owned by public agencies, and park development to meet recreational needs. Because existing open space policies and implementation measures are distributed throughout the elements of the Framework Plan, they are difficult to identify as a coherent Open Space Program. Also, the Framework Plan does not describe the on-going conservation easement program, which is an effective tool used to conserve open space locally.

##### B) How/where addressed in the Planning Commission Draft Plan

The Planning Commission Draft Plan consolidates updates and cross-references applicable conservation and open space policies. It identifies in **CO-P1** a **Conservation and Open Space Action Program**. In **CO-P1x - Transfer of Development Rights Program**, it contemplates a transfer of development rights program that would enable increased development opportunities in urbanized areas in exchange for reduced development potential in resource lands.

It encourages high-value open space acquisitions in **CO-P1xx – Open Space Acquisition**, which could support future efforts to establish a community forest. It proposes continuation of the Williamson Act and TPZ zoning through **CO-P3 – Support for Working Lands**, and Standard **CO-S2 – Identification of the Open Space Action Program**.

It supports conservation easements in **CO – P3 – Conservation Easements**, and it supports open space recreation opportunities through the following policies:

- CO-P5. Planning for Recreational Needs within Communities,**
- CO-P6. Develop and Maintain County Parks,**
- CO-P7. Encourage Private Outdoor Recreation,**
- CO-Px4. Public Recreation,** and
- CO-Px5. Access on Private Open Space Lands.**

C) Reason for the changes

The protection of resource lands and open space was a key concern raised during the public scoping meetings for the General Plan update. This issue has continued to resonate throughout the development of the Sketch Plans, Plan Alternatives and the draft Maps. The agricultural and forest resources sections of the Land Use Element respond to this public input, reflecting expressed desires for protection of resource lands, allowing some residential development, and emphasizing incentive-based programs that provide landowner assistance through focused development.

D) Notable items from the Planning Commission discussions

The Planning Commission made modifications to several policies to reduce the likelihood the open space protection mechanisms would result in unfunded mandates. They also made modifications to ensure public recreational use of private lands is encouraged only with the consent of a willing property owner.

The Planning Commission had split votes on several policies contained in this section. With Policy **CO-P4 – Greenbelts**, three (3) Commissioners voted for the staff recommended alternative (Alternative B), and the other three (3) Commissioners voted for Alternative A. This same split occurred on **CO-P7 – Encourage Private Outdoor Recreation**. The Alternative A policies offer stronger measures for protection of resource lands than the Alternative B versions.

The Planning Commission added two policies related to public recreation; **CO-Px4 - Public Recreation**, and **CO-Px5. Access on Private Open Space Lands**.

E) Consequences - intended / unintended

This section of the Open Space and Conservation Element reflects a balance between protection of resource lands to provide a stable land base supporting resource production, and limitations on land uses that reduce the value of resource lands and impact profitability. The availability of resource lands is directly affected by land use policy but land use policies can also indirectly affect the overall profitability of resource production operations.

For example, large minimum parcel sizes and low residential densities affect the assessed valuation of resource lands which is often the primary asset of those operations. Reductions in the valuation of resource land can affect the viability of current operations by limiting financing ability, estate transfers or income from property sales. However, aligning the value of resource lands with their productivity through large minimum parcel sizes may help prevent the unintended conversion of resource lands to other uses, such as residential estates.

**Key Planning Issue #2 - Definition, Mapping and Application of Development Standards to Open Space Areas.**

State law requires building permits, subdivision maps, and the zoning ordinance to be consistent with the open space element of the General Plan (Gov. Code Section 65567). In some instances, the organization of the Framework Plan is confusing in the application of open space policies to specific zoning designations and parcels, resulting in an uneven and inconsistent application of existing open space policies. Should open space policies and development standards be more clearly applied by zone designation and type of open space area? How should open space policies be applied to legal patent parcels?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan does not fully define Open Space according to the requirements of state law, Gov. Code Section 65567. The consistency between proposed development projects and the Open Space Element is more often determined by meeting requirements of state and federal resource protection laws and Commission and Board of Supervisor's precedent rather than Framework Plan policies.

B) How/where addressed in the Planning Commission Draft Plan

The Planning Commission Draft Plan defines and maps open spaces in **CO-P1-Conservation and Open Space Program**.

It applies development standards within mapped open space zoning designations and areas in standards **CO-S1 - Identification of Local Open Space Plan**, and **CO-S2 - Identification of the Open Space Action Program**.

It specifically describes Open Space Element consistency determinations in policy **CO-P8 - Development Review** and standards **CO-S3 - Conservation and Open Space Element Consistency Determination** and **CO-S4 - Open Space Consistency Determination on Substandard Parcels**. Development review would be applied to all legally created parcels, including patent parcels.

**CO-IM5 Zoning Ordinance Revision for Open Space Consistency Determinations** revises the zoning ordinance to guide open space consistency determinations.

C) Reason for the changes

Clear and transparent application of open space policies will result in a more even and consistent application of existing requirements. Property owners and developers will have a greater sense of security with more certainty in the outcomes of their permit applications.

D) Notable items from the Planning Commission discussions

There was near unanimous support by the Commission for the policies, standards and implementation measures related to open space consistency determinations. The one exception was **CO-S4 - Open Space Consistency Determination on Substandard Parcels** where two (2) of the six (6) Commissioners voted for the increased protection offered in the Alternative A version compared to Alternative B (the staff-recommended version).

#### E) Consequences - intended / unintended

It is unknown how many and how often property owners and developers have been given an unfair advantage over others due to the inconsistent application of the Framework Plan open space protection measures. The more deliberate and transparent approach of the Planning Commission Draft Plan will lead all applicants to meet the open space requirements, which will be a more equitable approach. In theory, this may adversely impact projects that would have been given an unfair advantage through inconsistent application of the Framework Plan requirements.

### **Key Planning Issue #3 - Support for Profitable Resource Production as a Means to Protect Open Space**

Protecting open space for the managed production of resources is required by Government Code Section 65560 (b) (2). The economics of resource production will determine the long-term productivity and sustainability of the majority of working open space lands in Humboldt County. What steps can the County take to preserve the profitability of "managed production" of resources on open space lands?

#### A) How/where addressed in the 1984 Framework Plan

The Framework Plan supports management of resource lands for production primarily through the identification of allowed uses, minimum parcel sizes and residential density limits in the land use designations applied to resource lands.

The Framework General Plan also supports various agricultural programs, such as the Williamson Act Program (5-2520.3), a Predator Control program (2523.5) and vegetation management (2523.6) that provides direct County support for the landowner to help maintain the agricultural viability of their operations. The Framework Plan also advocates for providing public services for the agricultural industry (2523.11) and included the adoption of the "Right to Farm" Ordinance, which has been developed and is currently in use countywide.

In addition, the Framework Plan protects forest resources by utilizing TPZ zoning according to statutory requirements (2514.1) and advocating for the use of forest improvement programs as a mechanism to protect forestlands (2514.4). The Framework Plan allows second units for caretakers (2721.6) and subdivisions to minimum the parcel size to improve site productivity with an approved Joint Timber Management Plan (Sec 5-2510.4). The Framework Plan regulates residential uses through rural development standards (Section 2550) and does not contain a policy addressing sub-standard TPZ parcels or policies that advocates for clustering houses.

#### B) How/where addressed in the Planning Commission Draft Plan

As with the Framework Plan, the Draft Plan continues to support profitable resource production as a means to protect Open Space. Protections for agricultural and forest lands will continue to be achieved primarily through large minimum parcel sizes. The Draft Plan includes a planned rural development program that provides a density bonus when residential development is clustered and located on the least productive areas in exchange for permanent protection on the remainder (**AG-P1. Planned Rural Development**). This voluntary program can allow fractional sale of rangeland, providing an economic stimulus for the landowner, while maintaining overall productivity of the majority of the ranch. The Draft Plan also supports the voluntary sale of residential development rights (**AG-P2. Support Voluntary Purchase of Development Rights**) through mechanisms such as conservation easements.

The Draft Plan continues the support of the Williamson Act (**AG-P3. Support the Williamson Act Property Tax Incentive Program**), Predator Control (**AG-P9. Predator Control**) and vegetation management (**AG-P11. Support Vegetative Management Programs**) programs, and the Right to Farm ordinance (**AG-P8. Right to Farm or Harvest**).

The Draft Plan introduced policies that support supplemental farm income from activities compatible with agriculture (**AG-P4. Supplemental Farm Income**), continued agricultural production of lands under easement or purchased by a public agency (**AG-P7. Agricultural Production in Conservation Areas**) and a program to brand and market local agricultural products (**AG-IM7. Economic Development Assistance**). The Draft Plan also included a policy to seek advice from the farm community on planning projects near agricultural lands (**AG-P12. Advice from Agricultural Community**).

On the forest land side, the draft Plan is very similar to the Framework Plan for the Forest Resources policies regarding stable land use. It includes policies that support tax incentive programs, such as TPZ and the voluntary purchase of Conservation Easements (**FR-P6. Tax Incentive Programs** and **FR-P15. Conservation Easements and Management**), funding for Forest Improvement Programs (**FR-P5. Forest and Rangeland Improvement Programs**) and allows subdivisions to minimum parcel size to improve site productivity (FR-S4). The Draft Plan also supports the development of programs to promote the use of bio-mass for energy or carbon storage (**FR-P7. Innovative Forestland Programs, FR-IM2. Develop Incentive Program to Encourage Timber Production and Ecosystem Values**), recommends revision of the Merger Ordinance to remove the merging of substandard TPZ lands (**FR-IM4. Merger Ordinance Revisions**) and does not advocate for the clustering of houses.

The Draft Plan also supports working lands as a means to preserve open space in policy **CO-P2 - Support for Working Lands**.

#### C) Reason for the changes

Resource producers 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, foresters and other resource producers. Although there are many factors contributing to the profitability of resource lands and the sustainability of Humboldt's resource-based economy, only a few can be controlled or manipulated through County policies. These include regulating the amount of resource land lost to rural and urban development, ensuring that subdividing resource land will not adversely effect resource production, preventing land use conflicts, and other measures to maintain and protect resource lands. Resource production can benefit from having a stable land base and long term policy certainty, free of speculative land practices.

Throughout the General Plan update process, there has been broad support for the development of county policies that protect resource lands. The reasons range from the industry's bearing on the local economy to the open space that resource lands add to the county's rural character. There is particular support for incentive-based programs for working lands.

#### D) Notable items from the Planning Commission discussions

The allowed uses and residential densities in the various land use designations applying to resource production lands received considerable deliberation by the Planning Commission and the Board of Supervisors.

#### E) Consequences - intended / unintended

Incentive based policies are intended to provide the owner of resource lands with voluntary options to diversify their income stream and add value and/or income to their operations. That is the intended consequence. Sometimes with these programs, there are restrictions for the management of land that could inadvertently affect the resource production and/or value of the land. For example, the Williamson Act Program provides a tax reduction for the property owner in exchange for the contractual agreement not to subdivide the property for a 10 year period. Many of the landowners in this program cite this annual tax reduction as a major factor in the profitability of the operations. However, this restriction affects the valuation of the land, which may be seen as an unintended consequence.

### **3) What are the Board's options?**

The Open Space and Conservation Element is a required Element of the General Plan, so the Board does not have the option of eliminating it or moving its policies and programs to other Elements. The Open Space section is a defining part of the Open Space and Conservation Element, so it should remain in that Element.

There was considerable discussion at the Planning Commission on what is the appropriate balance for the protection of resource lands between incentives and regulations. State planning law requires that a general plan include policies to protect open space. The Board may decide they are being too restrictive or not restrictive enough, and make refinements as necessary.

**Attachment D**

**Board Worksheet for  
Chapter 10, Section 10.2 – Open Space**

Attachment D

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
<p><b>Planning Commission Version (Alternative A/B Version)</b></p> <p><b>CO-G3. Conservation and Open Space Program.</b> An Open Space and Conservation Program that implements this Element's policies and is complimentary to the conservation and open space lands and programs of cities, tribes, and state and federal agencies.</p>	<p><b>HAR RECOMMENATION:</b></p> <p><b>CO-G3. Conservation and Open Space Program.</b> An Open Space and Conservation Program that <u>respects private property rights</u> and implements this Element's policies and is complimentary to the conservation and open space lands and programs of cities, tribes, and state and federal agencies.</p>	
<p><b>Planning Commission Version (Modified Alternative A/B/C Version)</b></p> <p><b>CO-G5. Open Space and Residential Development.</b> Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to public safety hazards, and <del>recovers</del> <u>minimizes</u> the costs of providing public services. Split vote 3-1-1-1</p>	<p><b>RCRLWG RECOMMENDATION:</b> The group can support Version B sent forward to the Board of Supervisors from the Planning Commission</p> <p><b>HAR RECOMMENDATION:</b> Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to public safety hazards, and <del>recovers</del> <u>minimizes the costs of providing public services, sustains resource production.</u></p>	
<p><b>Planning Commission Version (Alternative A/B Version)</b></p> <p><b>CO-P1. Conservation and Open Space Program.</b> 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.</p>	<p><b>Remaining members of the former Ad Hoc Working Group RECOMMENDATION:</b></p> <p><b>CO-P1. Conservation and Open Space Program.</b> The County shall inventory and appropriately zone conservation, <u>resource</u> and open space lands and work to <del>protect</del> <u>maintain</u> these lands through development review; Williamson Act programs; TPZ zoning designations; conservation easement and recreation programs; and support for continued resource production.</p> <p>Discussion: What is the "program"? Open space designations for working lands gets confusing. If intent is to prioritize the value of resource lands, adding more reasons to protect them, clarify.</p> <p><b>RCRLWG RECOMMENDATION:</b> The group can support Version A/B sent forward to the Board of Supervisors from the Planning Commission</p> <p><b>HAR RECOMMENDATION:</b> <b>CO-P1. Conservation and Open Space Program.</b> The County shall <u>maintain Williamson Act and TPZ incentive programs</u> <del>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</del> <u>on open space lands.</u></p> <p>Comment: HAR supports fiscal responsibility. The PC's recommended version requires the County to spend money inventorying and developing a review process. Inadequate funding (budget issues) available to inventory and review could create a roadblock for good land use practices.</p>	

Conservation & Open Space, 10.2 Open Space – Planning Commission Draft, Proposed Changes Recommended by Various Groups, and Staff Recommendations

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
<p><b>Planning Commission Version (Modified Alternative B Version)</b></p> <p><b>CO-P3. Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. <del>Promote and Develop mechanisms to accept voluntary offers of conservation easements associated with permissible development on open space lands. easement programs that generate economic returns to the landowners and continued resource production, in exchange for permanent protection of natural resource and open space values.</del>                      Split vote – Alternative B Policy</p>	<p><b>CO-P3. Conservation Easements.</b> Support <b>voluntary</b> conservation easement programs that protect natural resource and open space assets. <del>Develop mechanisms to</del> County will consider acceptance of voluntary offers of conservation easements associated with permissible development on open space lands.</p> <p>AHWG Discussion: Past scenario: County didn't have a mechanism to accept Forster-Gill open space gulches. Second sentence should be a separate IM. Also goes w/IM1 &amp; IM4.</p> <p>New IM: Develop mechanisms to accept voluntary offers of conservation easements associated with permissible.</p> <p><b>HCRLWG RECOMMENDATION:</b>                      The group prefers Alternative C from the Planning Commission options with a slight modification</p> <p><b>CO-P3. Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. Promote <del>and develop</del> voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for <i>long-term</i> protection of natural resource and open space values.</p> <p><b>HCRLWG COMMENTS:</b>                      No need to develop a new program. The flexibility of long-term versus permanent is preferred. The Williamson Act fulfills this policy.</p> <p><b>HAR RECOMMENDATION:</b>  <b>Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. <del>Develop mechanisms to accept voluntary offers of conservation easements associated with permissible development on open space lands.</del></p> <p><b>HAR COMMENTS:</b></p> <ul style="list-style-type: none"> <li>• Making Conservation easements permanent should not be required.</li> <li>• Conservation easements must be voluntary and not extorted as a condition of development approval.</li> <li>• Conservation easements should not be used as a broad brush approach to zoning or for purposes of restricting property rights.</li> <li>• Conservation easements should always be created between a willing buyer and willing seller.</li> </ul>	

Conservation & Open Space, 10.2 Open Space – Planning Commission Draft, Proposed Changes Recommended by Various Groups, and Staff Recommendations

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
<p><b>Planning Commission Version (Modified Alternative A Version)</b></p> <p><b>CO-P4. Greenbelts.</b> Maintain separation of urbanized communities through appropriate land use designations, zoning density <u>and greenbelt overlay zones</u>. Avoid merging urban development boundaries of adjacent communities.</p> <p>Split vote – Alternative A Policy: 3/3</p> <p><b>Planning Commission Version (Alternative B Version)</b></p> <p><b>CO-P4. Greenbelts.</b> Maintain separation of urbanized communities through appropriate land use designations and zoning density. Avoid merging urban development boundaries of adjacent communities.</p> <p>Split vote – Alternative B Policy: 3/3</p>	<p><b>Option 1: Retain PC version, Alternative A.</b> <b>Option 2: Retain PC version, Alternative B.</b></p> <p><b>Regardless:</b> Add IM to develop a program to implement, including mapping and public review process.</p> <p>Discussion: Purpose is to maintain separation between urbanized communities. Other tools exist to provide this protection. Terminology is confusing w/similarity to Eureka's use for different purpose. Without it, concern for parcel-by-parcel decision-making.</p> <p><b>HCRLWG RECOMMENDATION:</b> The group continues to support Version B sent forward to the Board of Supervisors from the Planning Commission.</p> <p><b>HCRLWG COMMENTS:</b> <b>In response to the discussion at the Planning Commission regarding overlay zones: There is no need for a greenbelt overlay zone since the community planning area does this.</b></p> <p><b>HAR COMMENTS: Recommend deletion. Establishment of greenbelts is unnecessary. There are Ag or TPZ zones currently between all the communities These will prevent communities from merging.</b></p>	
<p><b>Planning Commission Version (Modified Alternative A Version)</b></p> <p><b>CO-P7. Encourage Private Outdoor Recreation.</b> Encourage private acquisition, development, and management of outdoor recreational services and facilities as a means to generate economic returns from conservation and open space lands <u>where such recreational uses do not reduce the agricultural capability or timber productivity of lands planned and zoned for agriculture or timber.</u></p> <p>Split vote – Modified Alternative A Policy: 3/3</p> <p><b>Planning Commission Version (Modified Alternative B Version)</b></p> <p><b>CO-P7. Encourage Private Outdoor Recreation.</b> Encourage private acquisition, development, and management of outdoor recreational services and facilities as a means to generate economic returns from conservation and open space lands <u>where such recreational uses remain subordinate and do not significantly detract from the agricultural capability 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.</u></p> <p>Split vote – Modified Alternative B Policy: 3/3</p>	<p><b>CO-P7. Encourage <u>Support</u> Private Outdoor Recreation.</b> Encourage <u>Support</u> private <u>investment acquisition</u>, development, and management of outdoor recreational services and facilities as a means to generate economic returns from conservation and open space lands where such recreational uses remain subordinate and do not significantly detract from the agricultural capability 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.</p> <p>Discussion: Concern that "acquisition" infers conversion of use of public lands.</p> <p><b>HCRLWG RECOMMENDATION:</b> <b>Version B from the Planning Commission to the Board of Supervisors.</b></p> <p><b>HAR COMMENT:</b> HAR does not support either the PC version of CO-P&amp;. We support the following for CO-P7</p> <p><b>HAR RECOMMENDATION: CO-P7 Encourage Private Outdoor Recreation.</b> Encourage private acquisition, development, and management of outdoor recreational services and facilities as a means to generate economic returns <b>for the landowner</b> from conservation and open space lands. <del>where such recreational uses remain subordinate and do not significantly detract from the agricultural capability 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.</del></p>	

Conservation & Open Space, 10.2 Open Space – Planning Commission Draft, Proposed Changes Recommended by Various Groups, and Staff Recommendations

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
<p><b>Planning Commission Version (Modified Alternative B Version)</b></p> <p><b>CO-S4. Open Space Consistency Determination on Substandard Parcels.</b> <u>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:</u></p> <p>A. <u>For substandard residentially designated lots:</u></p> <ul style="list-style-type: none"> <li>• <u>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).</u></li> </ul> <p>B. <u>Resource production, open space, and public land designated lots may be developed with a residential structure if:</u></p> <ul style="list-style-type: none"> <li>• <u>the lot was lawfully created for uses other than utility or right of way purposes; and,</u></li> <li>• <u>has not been previously merged; and,</u></li> <li>• <u>plan density can be met; or,</u> <ul style="list-style-type: none"> <li>○ <u>the lot is planned for agricultural production and found necessary for an agricultural operation, or</u></li> <li>○ <u>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.</u></li> </ul> </li> </ul> <p>Split vote – Modified Alternative B Policy: 4/2</p>	<p>Remove phrase “has not previously been merged.”</p> <p><b>O-S4. Open Space Consistency Determination on Substandard Parcels.</b> 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:</p> <p>A. For substandard residentially designated lots:</p> <ul style="list-style-type: none"> <li>• Substandard lots may be developed with a residential structure if the lot was lawfully created and <b>has not been previously merged</b>, 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).</li> </ul> <p>B. Resource production, open space, and public land designated lots may be developed with a residential structure if:</p> <ul style="list-style-type: none"> <li>• the lot was lawfully created for uses other than utility or right of way purposes; and,</li> <li>• has not been previously merged; and,</li> <li>• plan density can be met; or, <ul style="list-style-type: none"> <li>○ the lot is planned for agricultural production and found necessary for an agricultural operation. <b>Or</b></li> <li>○ 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.</li> </ul> </li> </ul> <p>Discussion: Unsure why “not been previously merged” is necessary.</p> <p>Needs to be consistent w/substandard parcel policy (P10), with “necessary for the management of timber” &amp; Forest Resources Chapter &amp; related Designations: “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.”</p> <p><b>HCRLWG RECOMMENDATION:</b>  <b>Modifications to the Planning Commission version as indicated below:</b></p> <p><b>CO-S4. Open Space Consistency Determination on Substandard Parcels.</b> 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:</p> <p>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</p>	

Conservation & Open Space, 10.2 Open Space – Planning Commission Draft, Proposed Changes Recommended by Various Groups, and Staff Recommendations

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
	<p>zoned or a Streamside Management Area (SMA) or Other Wet Area (OWA).</p> <p>2) <b>Substandard</b> Resource production, open space, and public land designated lots may be developed with a residential structure if:</p> <ul style="list-style-type: none"> <li>o the lot was lawfully created for uses other than utility or right of way purposes; and,</li> <li>o has not been previously <b>voluntarily</b> merged.; and,</li> <li><del>o plan density can be met; or,</del> <ul style="list-style-type: none"> <li><del>o the lot is planned for agricultural production and found necessary for an agricultural operation.</del></li> </ul> </li> </ul> <p><del>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.</del></p> <p><b>HCRLWG COMMENTS:</b> 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.</p> <p><b>HAR RECOMMENDATION:</b> Delete CO-S4.</p> <p><b>HAR COMMENT:</b> this is not consistent with the Board of Supervisors straw votes on the Forest Resources and Agricultural Elements.</p>	
<p><b>Planning Commission Version (Alternative A/B Version) deleted</b></p> <p><b>CO-S5. Lot Line Adjustments on Resource Lands.</b> Lot line adjustments for lands planned for resource production may be allowed to create logical management units where densities are met and there is no resulting increase in the number of building sites.</p>	<p><b>CO-S5. Lot Line Adjustments on Resource Lands.</b> Lot line adjustments for lands planned for resource production may be allowed to create logical management units where densities are met and there is no resulting increase in the number of building sites.</p> <p><b>Option 1:</b> terminology "Resource Lands" needs to be consistent with Forest Resources Chapter.</p>	
<p><b>Planning Commission Version (Alternative A/B/C Version)</b></p> <p><b>CO-IM1. Conservation and Recreation Easement Program.</b> Provide staffing and 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, priority open space lands, and outdoor recreational opportunities.</p>	<p>Option 1: <b>CO-IM1. Conservation and Recreation Easement Program.</b> Provide staffing and secure continued funding to support the Williamson Act Program and expand the County's Conservation and Recreation Easement Program as a means to <b>maintain and</b> protect working landscapes, priority open space lands, and outdoor recreational opportunities.</p> <p>Discussion: <b>Is there a current CRE program?</b> Past scenario: failed effort to create separate parcel for wetlands in McKinleyville (Grange Road).</p> <p><b>HCRLWG RECOMMENDATION: Modifications to the Planning Commission version</b></p> <p><b>CO-IM1. Conservation and Recreation Easement Program.</b> Provide staffing and <del>secure</del> Secure continued funding to support the Williamson Act Program <del>and</del> expand the County's Conservation and Recreation Easement Program as a means to protect working landscapes, <b>and</b> priority open space lands, <del>and</del></p>	

Conservation & Open Space, 10.2 Open Space – Planning Commission Draft, Proposed Changes Recommended by Various Groups, and Staff Recommendations

Planning Commission Draft	Proposed Changes Based on Ad Hoc & RLWG Comments	Staff Recommendation & Notes
	<p><del>outdoor recreational opportunities.</del></p> <p><b>HCRLWG COMMENTS:</b> We support the Williamson Act program and its implementation. We do not agree with the expansion of the County staffing and programs.</p> <p><b>HAR RECOMMENDATION:</b>  <b>Conservation and Recreation Easement Program.</b> Provide staffing and secure continued funding to support the Williamson Act Program <b>and TPZ Program.</b>  <del>expand the County's Conservation and Recreation Easement Program as a means to protect working landscapes, priority open space lands, and outdoor recreational opportunities.</del></p>	

## **Attachment E**

### **Detail of Cost Estimates for Land Use Mapping Meeting Noticing Options**

**GENERAL PLAN UPDATE LAND USE MAPPING  
Advance Planning Cost Estimate**

option	description	additional	quantity	staff hours	average rate	total
<b>A</b>	<b>State Law Requirements agenda noticing in compliance with Brown Act</b>					
	Planning staff costs		-	-	-	-
	Publication costs - newspaper		-	-	-	-
	Publication costs - mailing		-	-	-	-
	Follow up with public inquiries (Senior Planner)		-	-	-	-
<b>B</b>	<b>State Law Requirements agenda noticing in compliance with Brown Act</b>	<b>plus newspaper notice of hearing dates by district</b>				
	Planning staff costs (Senior Planner, GIS, Admin)			2.00	65.00	130.00
	Publication costs - 1/8 page ad		5.00		300.00	1,500.00
	Publication costs - mailing		-	-	-	-
	Follow up with public inquiries (Senior Planner)		50 @ .25 hrs	12.50	70.85	885.63
						<b>2,515.63</b>
<b>C</b>	<b>State Law Requirements agenda noticing in compliance with Brown Act, plus newspaper notice of hearing dates by district</b>	<b>plus mailing to public who testified at Planning Commission and those requesting changes</b>				
	Planning staff costs (Senior Planner, GIS, Admin)			40.00	65.00	2,600.00
	Publication costs - 1/8 page ad		5.00		300.00	1,500.00
	Publication costs - mailing		196.00		0.58	113.68
	Follow up with public inquiries (Senior Planner)		75 @ .25 hrs	18.75	70.85	1,328.44
						<b>5,542.12</b>
<b>D</b>	<b>State Law Requirements agenda noticing in compliance with Brown Act, plus newspaper notice of hearing dates by district, plus mailing to public who testified at Planning Commission and those requesting changes</b>	<b>plus properties with significant changes</b>				
	Planning staff costs (Senior Planner, GIS, Admin)			140.00	65.00	9,100.00
	Publication costs - 1/8 page ad		5.00		300.00	1,500.00
	Publication costs - mailing		5,000.00		0.58	2,900.00
	Follow up with public inquiries (Senior Planner)		500 @ .25 hrs	125.00	70.85	8,856.25
						<b>22,356.25</b>
<b>E</b>	<b>State Law Requirements agenda noticing in compliance with Brown Act, plus newspaper notice of hearing dates by district, plus mailing to public who testified at Planning Commission and those requesting changes, plus properties with significant changes</b>	<b>plus all properties with changes</b>				
	Planning staff costs (Senior Planner, GIS, Admin)			200.00	65.00	13,000.00
	Publication costs - 1/8 page ad		5.00		300.00	1,500.00
	Publication costs - mailing		10,000.00		0.58	5,800.00
	Follow up with public inquiries (Senior Planner)		1000 @ .25 hrs	250.00	70.85	17,712.50
						<b>38,012.50</b>