

AGENDA ITEM NO.



COUNTY OF HUMBOLDT

For the meeting of: July 23, 2012

Date: July 17, 2012

To: Board of Supervisors

From: Martha Spencer, Interim Director, Planning and Building Department

Subject: Continued Board Review of the Planning Commission Approved Draft General Plan, in particular, Chapter 4, Land Use Element: Sections 4.5, Agricultural Resources; 4.6 Forest Resources; 4.6, Public Lands; and 4.8, Land Use Classifications

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing and receive a staff report.
2. Receive public comments.
3. Close public comments.
4. Continue deliberation and straw votes on any outstanding issues for Chapters 1, 2, 3 and 4 (Sections 4.2, Growth Planning, 4.3, Urban Lands and 4.4, Rural Lands).
5. Begin deliberation and straw votes on the remainder of Chapter 4, Sections 4.5, Agricultural Resources, 4.6 Forest Resources, 4.6, Public Lands and 4.8, Land Use Classifications of the Draft General Plan.
6. Continue the public hearing to August 13th.

Prepared by _____
Martha Spencer, Interim Director, Planning and Building

CAO Approval _____

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

_____ Consent
 _____ Departmental
 XX _____ Public Hearing
 _____ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. H-2, D-1, C-1, L-1, C-1

Meeting of: June 12, June 18, June 25, July 10 and July 16, 2012

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor _____ Seconded by Supervisor _____

Ayes _____
 Nays _____
 Abstain _____
 Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

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 2012-2013 budget and the General Plan user fees.

DISCUSSION:

At the July 16, 2012 meeting, the Board began the deliberation and straw voting on of the Planning Commission Approved Draft General Plan (Draft Plan). The sections considered at this meeting included Chapters 1, (Introduction), 2, (Public Guide), 3, (Governance) and Sections 4.2, 4.3 and 4.4 of the Land Use Element. The remainder of Chapter 4 is scheduled to be discussed at the July 23rd Board meeting.

Attachment A reflects the updated Board approved Key Issues List for the July 23rd meeting. It should be noted that while this list will be used as a guideline to assist the Board in focusing its discussions, it will not preclude consideration of other items during the Board's deliberations. Attachment B outlines the "straw voting" review process currently being used by the Board as they work through the Key Issues List. Staff intends to provide a brief presentation during the Board meeting on the items contained on the Key Issues List for the balance of the Land Use Element (Chapter 4).

Outstanding Issues for Section 2.5 – Key Terms (Additions to Glossary)

At the close of the July 16th meeting, the Board directed staff to review the requested additions by the Public Participation Working Group (PPWG) and Karen Brooks to the key terms and/or glossary. After review, staff recommends that the following items be included in the glossary (Appendix B) of the Draft Plan:

- Citizens Handbook
- Resource lands
- Low Density
- New Development
- Patent Parcels

Staff recommends that the following items be included and defined in the Citizens Handbook:

- Citizen Advisory Committee
- Working Group
- Stakeholder Group

If the board concurs with this list, staff will develop definitions for the listed terms. For the remaining terms requested to be defined, staff recommends that they not be provided with any special meaning by this general plan other than that as may be found in a dictionary.

Outstanding Issues for Section 4.3 – Urban Lands

UL-P9 Historic Structures was put on the Shortlist because an alternate version of the policy is provided in the DEIR. The various versions are as follows:

Alternative PC version:

UL-P9. Historic Structures. Encourage historic ~~structures~~ resources to be retained and restored to serve as focal points of neighborhoods and communities.

Alternative B version:

UL-P9. Historic Structures. Encourage historic structures to be retained and restored to serve as focal points of neighborhoods and communities.

Alternative A version:

UL-P9. Historic Structures. Historic structures assets listed in, or determined to be eligible, for listing in the California Register of Historical Resources shall be retained to serve as focal points of neighborhoods and communities. Rehabilitations, alterations and re-location shall be conducted to avoid substantial adverse change in the historical significance of the structure.

Draft Environmental Impact Report (DEIR) Version

UL-P9. Historic Structures. ~~Encourage~~ Retain and restore historic resources ~~to be retained and restored~~ to serve as focal points of neighborhoods and communities.

The DEIR provides Mitigation Measure 3.15.3.2.b. in the Scenic Resources section (DEIR p. 3.15-14) which modifies UL-P9 to lessen potential impacts to historic resources which have important visual character.

Staff is concerned that the language proposed in the DEIR is somewhat in conflict with policies and standards of the Plan's Cultural Resources section (10.6). Staff recommends it be reworded as follows:

UL-P9. Historic Structures. ~~Encourage~~ Retain and **where feasible** restore **significant** historic resources ~~to be retained and restored~~ to serve as focal points of neighborhoods and communities.

NOTE: The placement of this policy in the Urban Lands section is intended more as a technique for retaining and building community character than a regulatory mandate for historic structures, which are primarily addressed in the Cultural Resources section of the Plan.

The term "feasible" is defined in the Glossary. It is recommended that the term "significant historic resource" be defined in the Glossary as follows:

"Significant historic resource" is a cultural resource (see CU-S1) of historical importance that has been formally determined eligible for listing, or that meet the criteria for listing in the California Register of Historical Resources, as applied within Humboldt County. The process and standards for making a determination of significance is outlined in the Cultural Resources Section 10.6 of this Plan.

FINANCIAL IMPACT:

Awarded grants, General Plan user fees, and the General Fund contribution to the Advanced Planning Division has paid for the costs of the General Plan Update Program to date.

This project fits into the County's Strategic Framework in several ways.

- The project is consistent with the Mission Statement; the General Plan Update will serve the needs and concerns of the community, and enhance their quality of life. It provides a framework for strategically pursuing a broad range of services provided by the County

and other agencies, and guiding new development toward the goals presented in the Plan.

- The General Plan Update supports the self reliance of the community by clarifying County policy and regulations in a broad number of subject areas, and presenting them in a format that is easy to understand and available on the internet.
- The General Plan Update will safeguard the public trust by establishing clear County policy and regulations guiding new development.
- The proposed implementation measures of the General Plan Update ensure its sustainability over time.
- The General Plan Update increases the transparency, accessibility, and accountability of the services provided by the County by establishing clear roles and procedures, using language that is easy to understand and available on the internet. The General Plan Update promotes interjurisdictional and regional cooperation.
- The General Plan Update is intended to be “an effective voice for our community in areas outside traditional mandates”. The General Plan Update includes provisions for public involvement that extend far beyond the requirements of state law. Public involvement encouraged by the General Plan Update will include discussions of natural resource and the County’s economic future. The General Plan Update also intends to engage new partners through its implementation measures.

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 Approved Key Issues List for July 23, 2012

Attachment B Board Review Process for the Draft Plan

Attachment A
Board Approved Key Issues List for policy review by the Board
July 23, 2012

July 23rd Board meeting
(continued deliberation from July 16th):

Chapter 4: Land Use Element

Section 4.5 Agricultural Resources

- AG-S1. Subdivision of Planned Agricultural Exclusive (AE) Lands
- AG-S2. Agricultural Grazing (AG) Land
- AG-S4. Planned Rural Development Program Clustering Incentive Options,

Section 4.6 Forest Resources

- FR-P2. Timber Harvest Plan Review
- FR-P3. Timber Management Regulations
- FR-P8. Protection of High Quality Timberlands
- FR-P9. Residential Construction on TPZ Zoned Parcels
- FR-P10. Substandard Lots and TPZ Rezoning
- FR-P15. Conservation Easements and Management
- FR-P17. Forestland-Residential Interface (FRI)
- FR-P19. Maintain Public Roads
- FR-S2 Forestland-Residential Interface (FRI)
- FR-IM3. Support Voluntary Conservation Programs
- FR-IM4 Merger Ordinance Revisions
- FR-IMxx. Substandard Lots

Section 4.7 Public Lands

- PL-P2. In-holdings
- PL-P7. Public Access

Section 4.8 Land Use Classifications

- UR/ - Urban Reserve Land Use Designation
- AG - Agricultural Grazing Land Use Designation
- AGR - Ranchlands Land Use Designation
- IT - Industrial Timberland Land Use Designation
- T – Timber Land Use Classification (houses as primary versus compatible use)

Key

- Items added at the July 10, 2012 by Priority ranking

- Items from the June 25, 2012 Key Issues List

Note: Additional Items added by the Board at the July 10, 2012 meeting are underlined

Policy abbreviations

AG - Agricultural Resources
FR - Forest Resources
PL - Public Lands
RL - Rural Lands

Attachment B Proposed Board of Supervisors Review Process

Proposed Board Review (Straw Vote) Process:

Step 1. Receive staff report.

- Ask questions of staff for clarification (as necessary).

Step 2. Open the meeting to public comments.

Step 3. Close the public comment portion of the meeting.

Step 4. Beginning with the first short list policy, the Chair asks each member to express their initial straw vote or comment on the policy. Typical discussions may include:

- Are there any modifications to the Planning Commission recommendations Board members would like to make?
- Identify areas of agreement and disagreement.
- Explore alternative wording to gain consensus.

After each member's comment and straw vote are captured, the Chair may move on to the next policy or subject the policy to discussion and deliberation between members. If necessary, the Chair may make a request to staff to revise the policy or provide additional information and continue voting on the policy to the next meeting.

Step 5. Staff will compile all the revisions and straw votes and present them to the Board as the Tentative General Plan for a final vote after completing deliberations on the Key Issues List.

Note: A straw poll or vote is nonbinding. The purpose of the straw vote is to ensure that the environmental analysis in the Draft EIR is consistent with the Board's direction. Since a straw vote is informal, the Chair does not need to call for a vote, but may simply poll the members.