



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

DATE: May 10, 2012
TO: Humboldt County Planning Commission
FROM: Kirk Girard, Director of Community Development Services
SUBJECT: **Transmittal and Referral Package for the General Plan Update**

The attached staff report has been prepared for your consideration of the General Plan Update at the public hearing on May 17, 2012. The staff report includes the following:

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Attachments (provided under a separate cover)

- Attachment 1: Staff Analysis
- Attachment 2: Planning Commission-Approved General Plan
(including maps and appendices)
- Attachment 3: Alternative Comparison Charts
- Attachment 4: Draft Environmental Impact Report (DEIR)

Please contact Martha Spencer, Supervising Planner, at 268-3704 if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

TO: HUMBOLDT COUNTY PLANNING COMMISSION
FROM: Kirk A. Girard, Director of Community Development Services

HEARING DATE: May 17, 2012	SUBJECT: <input checked="" type="checkbox"/> Public Hearing Item General Plan Update	CONTACT: Martha Spencer 268-3704
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Before you is the following:

PROJECT: This item involves consideration of the General Plan Update, a comprehensive update and revision of the 1984 Framework Plan. The proposed General Plan Update reviews and revises the basic assumptions regarding population projections and future land use demand, and proposes land use designations and diagrams (maps), together with policies to meet that demand in a manner consistent with State law. The General Plan Update has a 20 year planning horizon, designating sufficient land to meet projected demands for the next 20 years, without unreasonably constraining market choices. At the same time, the plan does propose focusing growth toward urban and urbanizing areas by increasing development opportunities in these areas and reducing development expectations on resource lands.

The General Plan Update is arranged by topical chapters which address the seven mandated elements and several optional elements. The General Plan Update consolidates its numerous land use maps (diagrams) into a single unified digital land use map (diagram) with supporting layers, and reduces the number of land use designation from over 100 to fewer than 25. The General Plan Update also consolidates most community plans into the main volume of the general plan. Aside from the proposed changes to the land use maps, the Eureka and McKinleyville Community Plans and the coastal land use plans will remain as stand alone documents. The Housing Element is also a stand alone document; it has a state-mandated update cycle that does not apply to the other elements of the General Plan.

The proposed General Plan Update will provide a more relevant and up to date planning document which meets future land demand, and is more accessible and useful to decision makers and the public. A DEIR has been prepared for the General Plan Update, which is also being reviewed and considered by the Planning Commission prior to taking action on the General Plan Update.

PROJECT LOCATION: The General Plan Update applies to all the unincorporated areas of the County.

PRESENT PLAN & ZONING DESIGNATIONS: n/a

ASSESSOR PARCEL NUMBERS: n/a

<u>APPLICANT</u>	<u>OWNER(S)</u>	<u>AGENT</u>
n/a	n/a	n/a

ENVIRONMENTAL REVIEW:

- A DEIR has been prepared for the General Plan Update (Attachment 4). Changes to the Land Use Designations in the coastal zone are statutorily exempt from environmental review per Section 15265 of the California Environmental Quality Act (CEQA) Guidelines; Coastal Commission approval of those amendments is an equivalent form of environmental review.

STATE APPEAL STATUS:

- Changes to the Land Use Designations in the coastal zone must be certified by the California Coastal Commission before they take effect.

MAJOR ISSUES:

- Potentially significant environmental impacts, alternative policy options and implementation measures.

Recommended Planning Commission Action and Executive Summary

Recommended Commission action:

1. Open the public hearing.
2. Receive a staff report.
3. Accept public comment.
4. Deliberate on the new materials presented to the Commission and new issues raised in public comments.
5. Close the public comment period.
6. Recommend the Board of Supervisors Adopt the General Plan Update as revised by the Planning Commission by approving the following motion;

"I move to make all of the required findings, based on evidence in the staff report, and recommend the Board of Supervisors complete the environmental review and certification of the EIR, and approve the General Plan Update by adopting the attached Resolution."

Executive Summary

Staff is recommending the Commission move forward with completing a recommendation to the Board of Supervisors on the General Plan Update, a comprehensive update of the County's current General Plan. The General Plan expresses the community's goals for the distribution of future land uses for the next 20 years, both public and private, and establishes policies, standards and implementation measures for future development. It reviews and revises the basic assumptions regarding population projections and future land use demand, and proposes land use designations and diagrams (maps), together with policies to meet that demand in a manner consistent with State law.

The General Plan Update consolidates its numerous land use maps (diagrams) into a single unified digital land use map (diagram) with supporting layers, and reduces the number of land use designation from over 100 to fewer than 25. The General Plan Update also consolidates most community plans into the main volume of the general plan. Aside from the proposed changes to the land use maps, the Eureka and McKinleyville Community Plans and the coastal land use plans will remain as stand alone documents. The Housing Element is also a stand alone document since it has a state-mandated update cycle that does not apply to the other elements of the General Plan.

The Planning Commission-approved version of the General Plan Update is attached. It combines together all the straw votes taken by the Planning Commission during public hearings held on the individual chapters over the past three (3) years. The Board of Supervisors is scheduled to begin their deliberations on the General Plan Update June 12, 2012.

As described in the Environmental Impact section of the staff report (Section 4 of Attachment 1), the Commission is required to review and consider the Draft Environmental Impact Report (DEIR) in its deliberations. The public comment period for the DEIR will be completed on June 15, 2012. Individual Planning Commissioners are encouraged to submit their comments on the DEIR for consideration by the Board of Supervisors.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 12-_____**

**RECOMMENDING ADOPTION BY THE BOARD OF SUPERVISORS OF THE
PLANNING COMMISSION APPROVED GENERAL PLAN UPDATE.**

WHEREAS, Chapter 1 of the General Plan Update describes the multi-year effort on the part of the County Community Development Services Department in collaboration with the Humboldt County community at large, the Board of Supervisors, the Planning Commission and various County departments to develop the proposed General Plan Update, which is briefly described as follows:

Phase I – Critical Choices

In this phase, the citizens of Humboldt expressed their views of the future of the county and the issues that should be addressed in the General Plan. Outreach was conducted through 40 public meetings and numerous discussions with organization and agency representatives. This phase resulted in the *Critical Choices Report*.

Phase II – Technical Background Reports

This was a data collection and analysis phase to develop a deeper understanding of the issues and trends that were identified in the Critical Choices Phase. Fourteen studies were published to inform citizens and decision makers.

Phase III – Selection of Preferred Sketch Plan

After comprehensive public input and review of a report entitled *Sketch Plan Alternatives*, the Board of Supervisors chose Sketch Plan “B” from among four growth and development pattern alternatives.

Phase IV – Draft Preliminary Plan and EIR

In this phase, the chosen alternative was used as a guide for writing preliminary drafts of each chapter of the General Plan Update. The preliminary chapters were prepared and presented to the Planning Commission for review and public comment. This round of input guided the preparation of the consolidated final Hearing Draft Plan and draft Environmental Impact Report.

Phase V and VI – Public Review and Adoption of Final Plan and EIR

During this phase, the Planning Commission held public hearings and developed Planning Commission recommendations for the preferred General Plan and EIR alternative. The Planning Commission preferred alternative was submitted to the Board of Supervisors for a final round of public input, modification, and

WHEREAS, Chapter 1 demonstrates that the County provided considerable opportunities for public input on the policies and implementation measures in the proposed General Plan Update, including workshops, scoping meetings, and more than 75 Planning Commission public hearings since January 2009; and

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared for the proposed General Plan Update, and circulated for public review as required by state law; and

WHEREAS, the DEIR describes the environmental impacts of the proposed General Plan Update, and concludes the project will have significant and unavoidable impacts in several impact categories, including visual impacts, agricultural resources, air quality, cultural resources, hydrology and water quality, transportation and traffic, and cumulative impacts on the environment; and

WHEREAS, the proposed General Plan Update complies with the requirements of state law regarding General Plans as described in the staff analysis section of this staff report (Attachment 1), which is incorporated into this Resolution as if set forth fully herein, and

WHEREAS, Attachment 1 of this staff report describes how the proposed General Plan maintains consistency with the other Elements of the General Plan; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Humboldt County Planning Commission that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during the hearings:

1. All of the above recitations are true and correct and incorporated herein by reference.
2. The proposed General Plan Update is consistent with §1452.2 of the Framework Plan (Required Findings) because it responds to the changes in base information, physical conditions and community values and assumptions since the last comprehensive revision 27 years ago.
3. The proposed General Plan Update responds to new requirements of state law regarding General Plans, which are considered changes to the base information of the General Plan.
4. The proposed General Plan Update is in the public interest because it responds to the changes in base information, physical conditions and community values and assumptions since the last comprehensive revision 27 years ago. The proposed General Plan changes are necessary to comply with new requirements of state law, which is also in the public interest.
5. The proposed General Plan Update comprehensively updates all the elements of the General Plan to ensure they are internally consistent.
6. The project includes an implementation program for future zoning changes to ensure consistency with the General Plan Update.
7. The proposed General Plan changes and Local Coastal Plan Amendments are in a format that may be adopted, which is as straightforward, clear and concise as feasible.
8. The proposed General Plan includes all the required elements; land use, housing, circulation, conservation, open space, safety, and noise.
9. The proposed General Plan includes other elements allowed by state law, including community infrastructure and services, telecommunications, economic development, water resources, energy, and air quality.
10. The proposed Safety Element and mitigation measures in the DEIR ensure consistency with the County's Airport Land Use Plan.
11. The proposed General Plan changes and Local Coastal Plan Amendments support construction of new homes consistent with the County's fair share of the regional housing needs.
12. The proposed changes to the Local Coastal Plans are limited to proposed land use mapping changes, which carry forward the same allowed uses and standards from the existing land use designations, and will not substantially affect coastal resources.
13. The proposed changes to the Local Coastal Plans will include measures to ensure consistency with the certified Local Coastal Plan, and will not become effective until they are certified by the Coastal Commission.
14. The DEIR for the proposed General Plan Update has been reviewed and considered by the Planning Commission, consistent with the requirements of the California Environmental Quality Act (CEQA) prior to making its recommendations.

BE IT FURTHER RESOLVED that for the purposes of this proposed General Plan Update, minor changes that 1) do not substantially affect the goals, policies, standards or implementation measures as contained in the proposed General Plan Update, 2) are reasonably based on credible information that is readily accessible to the public, and 3) respond to comments from Responsible or Trustee public agencies, shall not be considered substantial changes requiring further review by the Planning Commission.

BE IT FURTHER RESOLVED that for the purposes of this proposed General Plan Update, minor changes that 1) do not substantially affect the goals, policies, standards or implementation measures as contained in the proposed General Plan Update, and 2) are necessary to correct typographical or grammatical errors shall not be considered substantial changes requiring further review by the Planning Commission.

BE IT FURTHER RESOLVED that this Commission recommends that the Board of Supervisors of the County of Humboldt:

Hold public hearings in the manner prescribed by law;

Adopt the Planning Commission's findings;

Complete the environmental review of the project as required by state law; and

Adopt the Planning Commission recommended General Plan Update.

Adopted after review and consideration of all the evidence on _____.

Chair, Humboldt County Planning Commission

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____ by the following vote.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

I, Catherine Munsee, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

By: _____
Catherine Munsee, Clerk

ATTACHMENT 1

Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To recommend approval of the General Plan Update to the Board of Supervisors, the Planning Commission must determine that there is evidence in support of making **all** of the following required findings listed below.

1. General Plan Consistency: The following table identifies the evidence which supports finding that the proposed General Plan changes and Local Coastal Plan Amendments are consistent with a comprehensive view of the General Plan Volume 1 (Framework Plan).

Section(s)	Applicable Requirements	Evidence Supporting Finding
Consistency §1330	<p>The elements of the General Plan must be consistent.</p> <p>All the goals, policies and standards must be consistent.</p> <p>The General Plan text and diagrams must support each other and show the same conclusions.</p> <p>The data base must be consistent for all the elements.</p> <p>When a portion of the plan is amended, then the rest of the plan and its implementing programs must be brought into conformity.</p> <p>Zoning or the implementation of the plan is required to be consistent with the plan.</p>	<p>The individual chapters of the proposed General Plan are all being updated at the same time to ensure internal consistency. Each of the individual chapters uses the same base information. For example population projections used throughout the document are based on reports from the same state agency - the Department of Finance. And the residential land inventory in the Housing Element uses information from the Land Use Element and the Safety Element of the Framework Plan in setting development potential for lots.</p> <p>The project includes an implementation program for future zoning changes to ensure consistency with the General Plan Update.</p>
§1452.2 Required Findings	<p>Base information or physical conditions have changed; or</p> <p>Community values and assumptions have changed; or</p> <p>There is an error in the plan; or</p> <p>To maintain established uses otherwise consistent with a comprehensive view of the plan.</p>	<p>The proposed General Plan Update responds to the changes in base information, physical conditions and community values and assumptions since the last comprehensive revision 27 years ago. For example, it incorporates new population projections for the County provided by the state. The proposed General Plan Update also responds to new state requirements. For example, General Plans are now required by state law to address climate change and mitigate where feasible production of Greenhouse Gas Emissions. This was not a requirement in 1984 when the County's General Plan was last comprehensively updated.</p>

2. Public Interest: The following table identifies the evidence which supports finding that the proposed General Plan changes and Local Coastal Plan Amendments are in the public interest.

Plan Section(s)	Applicable Requirements	Evidence Supporting the Finding
Government Code Section 65356.1 and §1452.2 of the Framework Plan.	The General Plan Amendment must be in the public interest.	Updating the General Plan to respond to the changes in base information, physical conditions and community values and assumptions since the last comprehensive revision 27 years ago is in the public interest. The proposed General Plan changes are necessary to comply with new requirements of state law, which is also in the public interest.

3. Consistency with State Laws: The following table identifies the evidence which supports finding that the proposed General Plan changes and Local Coastal Plan Amendments are consistent with State Laws.

Section(s)	Applicable Requirements	Evidence Supporting the Finding
Government Code Section 65301	The General Plan shall be prepared in a format that may be adopted, and may be formatted in any manner convenient to the local jurisdiction.	The proposed General Plan changes and Local Coastal Plan Amendments are in a format that may be adopted, which is as straightforward, clear and concise as feasible.
Government Code Section 65302	There are seven (7) mandatory elements of a general plan.	The proposed General Plan includes all the required elements; land use, housing, circulation, conservation, open space, safety, and noise,
Government Code Section 65302.3	The general plan must be consistent with the Airport Land Use Plan	The proposed Safety Element (Chapter 14) and mitigation measures in the DEIR ensure consistency with the County's Airport Land Use Plan. For example, Table 14-A of the Safety Element is the same Airport/Land Use Compatibility Criteria as presented in the Airport Land Use Plan, and Standard S-S14 requires new development near airports conform to the Airport Land Use Plan.
Government Code Section 65302.8	Specific findings are required where a general plan element is adopted that limits the number of housing units which may be constructed on an annual basis.	The proposed General Plan changes and Local Coastal Plan Amendments support construction of new homes consistent with the County's fair share of the regional housing needs.
Government Code Section 65580.	Housing Elements shall include discussion of all the items required by Government Code.	The Housing Element is a stand alone document that includes discussion of all the items required by Government Code.

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200 (Coastal Act)</p>	<p>The proposed amendments must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding the following:</p> <p>Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</p> <p>Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, and priority of development purposes)</p> <p>Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)</p> <p>Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)</p> <p>Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)</p> <p>Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants.</p>	<p>The proposed changes to the Local Coastal Plans are limited to proposed land use mapping changes. These mapping changes consolidate the more than 100 different plan designations down to 25 designations. They carry forward the same allowed uses and standards from the existing land use designations. Accordingly, the proposed changes to the Local Coastal Plans will not substantially affect coastal resources.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding
Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200 (Coastal Act)	The LCP Amendment shall be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act.	The proposed changes to the Local Coastal Plans will not become effective until they are certified by the Coastal Commission. Implementation of the proposed new land use maps will include measures to ensure consistency with the certified Local Coastal Plan.

4. Environmental Impact:

The California Environmental Quality Act, “CEQA”, requires the Planning Commission review and consider the EIR in either its draft or its final form. (15025(c)). The Planning Commission makes no recommendations to the Board on the DEIR, although individual Planning Commissioners are encouraged to submit their comments on the DEIR for consideration by the Board of Supervisors. The public comment period for the DEIR will be completed on June 15, 2012.

After the Planning Commission has reviewed and considered the DEIR and after the public comment period, staff will evaluate and prepare responses to the comments received. Staff will then prepare the final EIR, which consists of the draft EIR plus the comments, responses, and any revisions to the draft EIR made in response to the submitted comments. This final EIR is then presented to the Board of Supervisors to certify, as the decision-making body for the County.