



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**ADVANCE PLANNING DIVISION**

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Date: January 29, 2014  
To: Humboldt County Planning Commission  
From: Kevin Hamblin, Director of Planning and Building Department  
Subject: Board of Supervisors referral of the Conservation and Open Space Element to the Planning Commission for review

The attached staff report has been prepared for your consideration of the Conservation and Open Space Element at the public hearing on January 30, 2014.

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Please contact Michael Richardson, Senior Planner, at 268-3723, or by email at [mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.


## Plan Alternatives Comparison Charts

### Section 10.2 Open Space – PC Final Markup 3-24-11





Plan Alternative			Section 10.2 Open Space	Staff Remarks/ Implementation	Position R, M, D
			<b>10.2.3 Goals</b>		
A	B	C	<b>CO-G1. <u>Conservation of Open Spaces.</u></b> Open spaces that distinguish and showcase the county's natural environment <u>for the enjoyment of residents and visitors, including working resource lands that provide livelihoods and profitable economic returns while maintaining open space and ecological values.</u> <del>and rural lands and provide attraction and enjoyment to residents and visitors</del>		<b>M</b> <b>Straw</b> <b>Vote</b> <b>6-0</b>
			<b>Comments: 3-17-11</b> <b>Chair Gearheart</b> stated that she "pulled" this because throughout the hearing process, the Commission heard testimony that "economy" was a valid reason for protecting open space, and we should say why it is important, including economic prosperity. <b>Commissioner Emad</b> pointed out that he had pulled CO-G2 with the reasoning that the word "profitable" or "economic returns" could have been moved to G1 and the two goals could have been combined. <b>Chair Gearheart</b> requested that staff combine G1 and G2 and bring it back before the Commission.		
			<b>Comments: March 24, 2011 (Commissioner Krebs excused):</b> <b>The Commission reviewed and unanimously approved the following combined language for G1 and G2:</b>  <u>CO-G1. Conservation of Open Space. Open space lands that distinguish and showcase the county's natural environment for the enjoyment of residents and visitors, including working resource lands that provide livelihoods and profitable economic returns while maintaining open space and ecological values.</u>		
A	B	C	<del><b>CO-G2. Conservation of Working Lands. Working resource lands that provide livelihoods and profitable economic returns while maintaining open space and ecological values.</b></del>	<u>Combined w/ G1</u>	<b>D</b>

Plan Alternative			Section 10.2 Open Space	Staff Remarks/ Implmen- tation	Position R, M, D
			Comments: See above; combined with G1.		
A	B		<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.		R
			Comments:		
A	B	C	<b>CO-G4. Parks and Recreation.</b> Well maintained and accessible parks offering a range of popular recreation opportunities and a countywide trail system that meets future recreational and non-motorized transportation demands.		M Straw Vote 5-1
			<p>Comments: March 24, 2011 (Commissioner Krebs excused): The Commission received testimony from the public regarding Public Resources Code 5076 that mandates consideration of trail-oriented recreational use in the open space element. In light of this, the Commission approved the following revised language (Commissioner Nelson dissenting):</p> <p><b>CO-G4. Parks and Recreation.</b> Well maintained and accessible parks offering a range of popular recreation opportunities and a countywide trail system that meets future recreational and non-motorized transportation demands.</p>	See also added policies Pxxxx and Pxxxxx	
		D	<b>4420.</b> To provide and adequately maintain park and recreation opportunities which are highly accessible and reflective of public needs; to protect park resources from incompatible uses; and to plan park development in such a manner as to minimize environmental impacts.		D

B		<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 <b>recovers</b> <b>minimizes</b> the costs of providing public services.</p>		<p><b>M Straw Vote (4-2) with multiple request for revision of B</b></p>
		<p><b>Comments: 3-17-11 (C. Masten excused)</b>  <b>Director Girard</b> explained that to be consistent with the votes from the Land Use Element that Alternative B would have been most appropriate.  <b>Commissioner Disiere</b> was concerned with the last sentence and the unknown amount to recover the cost of services. She could support if the county knew these costs (i.e. staffing costs, road fees, sheriff, etc. - we don't do that here).  <b>Director Girard</b> stated that the county is actually doing this study now to determine the costs.  <b>Commissioner Krebs</b> recommending using the wording suggested by Healthy Humboldt – (uses word “minimize”) Reduce the responsibility of those providing services.  <b>Commissioner Emad</b> suggested a multi level tax rate. The rate of taxation would increase the further a property owner would develop outside service areas.  <b>Commissioner Faust</b> – I support Alternative A. I don't understand why some citizens are intended to provide a tax break to develop in rural lands, If you really want to protect open space, you should restrict development in rural areas.  <u><b>Straw Vote:</b></u>  <b>Commissioner Krebs – Alternative B with the addition of “minimize the cost”.</b>  <b>Commissioner Disiere – Alternative B modified by striking the last line (as recommended by HAR)</b>  <b>Commissioner Faust – I support Alternative A.</b>  <b>Commissioner Nelson – supports Alternative B with the addition of impact fees at the end of the sentence.</b>  <b>Commissioner Emad – supports Alternative B with the addition of “minimize the cost” (Healthy Humboldt recommendation).</b></p>		


				<b>Commissioner Gearheart – I support Alternative A with the addition of “minimize the cost” (Healthy Humboldt recommendation).</b>		
<b>A</b>				<b>CO-G5. Open Space and Residential Development.</b> Restricted residential development of open space lands that protects natural resources, sustains resource production and minimizes exposure to public safety hazards.	Consistent with Alt. A Land Use Element Policies	<b>D</b>
				<b>Comments:</b>		
				<b>10.2.3 Policies</b>		
<b>A</b>	<b>B</b>			<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.	Iss, Leg, QJ, Min, Prog, IM1 	<b>R Straw Vote (4-2)</b>
				<b>Comments: 3-17-11</b> Staff explained why they had recommended adding this to the short list. <b>Commissioners Krebs, Gearheart, Emad and Faust support the A/B version.</b> <b>Commissioner Disiere supports Alternative C because of the lack of County funding.</b> <b>Commissioner Nelson supports Alternative C wording (because TPZ and WA are incentive programs not a stop gap measure)</b>		
		<b>C</b>		<b>CO-P1. Conservation and Open Space Program.</b> The County shall maintain Williamson Act and TPZ incentive programs and support continued resource production on open space lands.		<b>D</b>
				<b>Comments:</b>		
<b>A</b>				<b>CO-P1x. Transfer of Development Rights.</b> The County shall manage a transfer of development rights program to transfer subdivision rights from high value open space and resource lands to urban development areas.	Supplemental Policy Option	<b>R Straw Vote (6-1)</b>
				<b>Comments: 3-17-11</b>		

		<p><b>Commissioner Nelson</b> recommended inserting “voluntary” (all the Commissioners supported this); however, Director Girard explained that a TDR program doesn’t work if it is voluntary. He explained the difference of a TDR program versus a Conservation Easement from a willing landowner.</p> <p><b>Commissioner Krebs</b> – I’ll support A as written without the word voluntary.</p> <p><b>Commissioner Disiere</b> – I can’t support this until I see the details of the program; there is not sufficient information to make a decision.</p> <p><b>Commissioner Faust</b> – I can support the way it is written. I think the details will be worked out in the ordinance stage. It makes it mandatory on the developer, in order to get the extra development, but it would be entirely voluntary on the sellers side.</p> <p><b>Straw Vote</b>  <b>Commissioners Krebs, Faust, Gearheart, Emad, and Nelson support Alternative A as written</b>  <b>Commissioner Disiere was not in support of CO-P1X</b></p> <p><b>Comments: 3-24-11</b>  <b>Commissioner Masten weighed in on CO-P1x as she had been excused from the previous meeting. Commissioner Masten was not in support of CO-P1x.</b></p>		
<b>A</b>		<p><b>CO-P1xx. Open Space Acquisition.</b> The County shall seek opportunities to <b>purchase</b> <b>acquire</b> high value open space lands, <b>including community forests,</b> and open space conservation easements. <b>Full-fee acquisitions shall only be from willing sellers.</b></p>	Supplemental Policy Option	<b>R Straw Vote 6-0</b>
		<p><b>Comments: 3-17-11</b></p> <p><b>Commissioner Krebs</b> – was this required by state law?( no – some jurisdictions do require this, more aggressive approach that would be part of an open space program - like a community forest program).</p> <p><b>Commissioner Emad</b> – you would be paying market value, not force people at a lower price (condemnation). Yes. With clarity of market price acquisition, and proper voter support for a new taxation program, I could support.</p> <p><b>Commissioner Nelson</b> was not in support of CO-P1XX.</p> <p><b>Commissioner Gearheart</b> – I could support with clarification and an Implementation Measure on how it would work. This is our chance to plan for the next 20 years.</p> <p><b>Commissioner Faust</b> – I support it conceptually; however, I would like to see additional language as suggested by C. Emad. I also would like to see the inclusion of a community forest.</p> <p><b>Commissioner Disiere</b> – I can support with the comments of Commissioners Emad and Faust,</p>		

			<p>but we don't have that language in the goals.</p> <p><b>Commissioner Krebs</b> – with the clarification of market price, I strongly support community forests. I want to see this added. This is important for future planning.</p> <p><b>The Commission agreed to have staff bring back a revised P1XX with language that clarified market price acquisition, voter support and the concept of a community forest.</b></p>		
			<p><b>Comments: March 24, 2011</b></p> <p><b>The Commission reviewed and unanimously approved the following revised language:</b></p> <p><b>CO-P1xx. Open Space Acquisition.</b> The County shall seek opportunities to <b>purchase</b> <b>acquire</b> high value open space lands, <b>including community forests,</b> and open space conservation easements. <b>Full-fee acquisitions shall only be from willing sellers.</b></p>		
A	B	C	<p><b>CO-P2. Support for Working Lands.</b> The County shall support policies that maintain profitable resource production on timber and agricultural lands as a means to secure long-term protection and sustainability of open space lands <b>through programs such as the WA and TPZ incentive programs.</b></p>	<p><b>Iss, Leg, IM2</b></p>  	<p><b>M</b></p> <p><b>Straw Vote (6-0)</b></p>
			<p><b>Comments: 3-17-11</b></p> <p><b>Director Girard explained that staff pulled P2 due to the amount of interest in Working Lands. Commissioner Nelson wanted Williamson Act and TPZ added per the Resource Lands Working Group.</b></p> <p><b>Straw Vote</b></p> <p><b>Unanimous support of the recommendation of the Resource Lands Working Group (RLWG)6/0</b></p>		
	B		<p><del><b>CO-P3. Conservation Easements. Support conservation easement programs that protect natural resource and open space assets. Promote and develop voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for permanent protection of natural resource and open space values.</b></del></p>	<p><b>Iss, Prog, IM1, IM-4</b></p>  	<p><b>D</b></p>
			<p><b>Comments: 3-17-11</b></p> <p><b>Commissioner Disiere</b> supported Alternative C because it is not permanent.</p> <p><b>Commissioner Faust</b> stated that if a land owner wants to have a CE for a limited time, that's okay, if someone wants permanent CE, they should also be allowed this. The County should</p>		



			<p>not write a policy to prevent this.</p> <p><b>Director Girard</b> explained that by state law a conservation easement could not be required as a condition of an approval for a development permit (such as a subdivision). He read revised language “<b>develop mechanisms to accept voluntary offers of conservation easements ...</b>”.</p> <p><b>Commissioner Faust</b> clarified with the Director whether or not Alternative A was illegal and requested that Deputy County Counsel Davina Smith cite the code for the Commission.</p> <p><b>The Commission initially asked staff to come back to CO-P3 Alternatives A, B and C and that staff develop 2 separate policies between A and B. At the end of the discussion, they concurred with the modified language suggested by the Director.</b></p> <p><b>March 24, 2011</b></p> <p><b>The Commission unanimously confirmed the following modified language:</b></p> <p><b>CO-P3. Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. Develop <b>mechanisms to accept voluntary offers of conservation easements associated with permissible development on open space lands.</b> <del>easement requirements for development in open space lands that permits development in exchange for permanent protection of natural resource and open space values on the property.</del></p>		
<b>A</b>			<p><b>CO-P3. Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. Develop <b>mechanisms to accept voluntary offers of conservation easements associated with permissible development on open space lands.</b> <del>easement requirements for development in open space lands that permits development in exchange for permanent protection of natural resource and open space values on the property.</del></p>		<b>M Straw Vote (6-0)</b>
			<b>Comments: see comments under Alt B</b>		
	<b>C</b>		<p><b>CO-P3. Conservation Easements.</b> Support conservation easement programs that protect natural resource and open space assets. Promote and develop voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for <i>long-term</i> protection of natural resource and open space values.</p>		<b>D</b>
			<b>Comments:</b>		






	<b>B</b>		<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.	<b>Leg</b> 	<b>Split Vote</b> <b>3-3</b>
			<b>Comments: see comments below</b>		
	<b>A</b>		<b>CO-P4. Greenbelts.</b> Maintain separation of urbanized communities through appropriate land use designations, zoning density and greenbelt overlay zones. Avoid merging urban development boundaries of adjacent communities.		<b>Split Vote</b> <b>3-3</b>
			<p><b>Comments: 3-17-11</b></p> <p><b>Commissioner Kreb</b> - what is a greenbelt overlay zone – what is the difference from “regular zoning”? (staff - It is a heightened level of protection and we would come back to you with ordinance revisions).</p> <p><b>Commissioner Disiere</b> – I don't understand why there needs to be a greenbelt overlay zone because you have land use planning and zoning.</p> <p><b>Commissioner Faust</b> – would it be any different for BOS to change the greenbelt overlay zone and zoning designation? (staff -yes, it is the same process. You could qualify what you can do on it with an overlay zone. We aren't proposing an overlay zone - we think zoning/plan designation works; that's why it is an “A” policy, not in Alternative B).</p> <p><b>Commissioner Gearheart</b> - I've lived where there was a greenbelt overlay zone and it worked. There is no implementation measure for this policy, but I support Alternative A.</p> <p><u><b>Straw vote</b></u></p> <p><b>Commissioners Kreb, Faust, and Gearheart support Alternative A.</b></p> <p><b>Commissioners Disiere, Nelson and Emad support Alternative B (C. Nelson requested the addition of TPZ and Williamson Act lands)</b></p>		
	<b>A</b>	<b>B</b>	<b>CO-P5. Planning for Recreational Needs within Communities.</b> Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities.	<b>Leg, Prog, IM3, IM4</b>	<b>R Straw Vote</b> <b>(5-1)</b>
			<p><b>Comments: 3-17-11</b></p> <p><u><b>Straw vote</b></u></p> <p><b>Commissioner Disiere supported Alternative C</b></p> <p><b>Commissioners Kreb, Faust, Gearheart, Emad and Nelson supported Alternative A/B</b></p>		



		<b>C</b>	<b>CO-P5. Planning for Recreational Needs within Communities.</b> Policies addressing community recreational needs shall be prepared as part of planning efforts within each community.		<b>D</b>	
			<b>Comments:</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>CO-P6. Develop and Maintain County Parks.</b> Secure, develop, and maintain county parks and recreation areas that are highly accessible to the public in order to serve the present and future needs of county residents. <del>Plans for the development of additional county recreational facilities and opportunities shall consider the county's long-term capabilities for the maintenance of all facilities and opportunities.</del>	<b>Prog (PW), IM4</b>	<b>M Straw Vote (6-0)</b>
			<b>Comments: 3-17-11</b> <b>Commissioner Gearheart</b> felt the policy was too wordy and recommended deleting the last sentence. <u>Straw vote</u> <b>Unanimous support with the deletion of the last sentence 6/0</b>			
	<b>B</b>	<b>C</b>	<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>	<b>Iss</b>	<b>Split Vote 3-3</b>	
			<b>Comments: 3-17-11</b> <b>Commissioner Faust</b> – I endorse the language of Growers Association. <b>Commissioner Emad</b> – I recommend the Working Lands Group wording for ag and timber as a primary use. <b>Commissioner Kreb</b> – I prefer Growers Assoc language. <b>Commissioner Nelson</b> – I recommend that we could combine the Growers Association and Working Lands Group recommended policy revisions. <b>D. Girard</b> – we will revise to include “primary and subordinate use” in the policy language. <b>Commissioner Faust</b> – What I like about the growers recommendation, is that recreation would not be permitted on prime agricultural lands. Please include that in the wording.			



		<p><b>March 24, 2011</b>  <b>The Commission reviewed the following revised language:</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.</u></p> <p><b>Straw vote</b>  <b>Commissioners Gearheart, Faust and Nelson supported Growers Association recommendation (which states:</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><b>Commissioners Masten, Emad and Disiere supported staff's recommendation with the addition of a third finding "design to maximum extent feasible to protect agricultural capability and timber productivity." Split Vote 3/3</b></p>		
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			<b>CO-Px4. Public Recreation.</b> Support acquisition, development and management of parklands and trails primarily in locations that are highly accessible to the public in order to serve the outdoor recreation and ADA needs of current and future residents, and where such uses do not reduce the agricultural capability, timber productivity and ecological services on open space lands.	New Policy added by the Commission	M Straw Vote (5-1)
			<b>March 24, 2011</b> The Commission reviewed and approved (Commissioner Nelson dissenting) as revised the addition of Px4 to accompany the revised goal CO-G4	New Policy added by the Commission	
			<b>CO-Px5. Access on Private Open Space Lands.</b> Work with willing landowners to develop public access to appropriate open space lands. Support development and management of multi-use trails and other outdoor recreational facilities where such uses do not reduce the agricultural capability, timber productivity and ecological services on open space lands.		M Straw Vote (5-1)
			<b>March 24, 2011</b> The Commission reviewed and approved (Commissioner Nelson dissenting) as revised the addition of Px5 to accompany the revised goal CO-G4.		
A	B	C	<b>CO-P8. Development Review.</b> Development proposed on conservation and open space lands shall be reviewed for consistency with Conservation and Open Space Element policies.	Leg, QJ, Min, P8, S1, IM5  	R
			<b>Comments:</b>		
		D	<b>4430(7) Planning for Recreational Needs Within Communities.</b> Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities.		D
		D	<b>4430(6) Review of New Development for Impacts on Recreational Resources.</b> During review of new development, the County Parks and Recreation Division staff shall continue to provide information regarding recreational opportunities within Humboldt County and input into land use planning decisions insofar as those decisions may affect recreational opportunities in the County.		D

			<b>D 4430(5) Pursuit of Funding.</b> The County shall pursue sources of funding for the maintenance, development or acquisition of recreational facilities and programs consistent with this plan.		<b>D</b>
			<b>D 4430(2) Local Needs.</b> The County should focus on local outdoor recreational needs in the acquisition, development and maintenance of County parks.		<b>D</b>
			<b>D 4430(4) Encourage Private Outdoor Recreation.</b> The County shall encourage the private acquisition, development, and preservation of outdoor recreational resources and opportunities and facilities.		<b>D</b>
			<b>10.2.4 Standards</b>		
			<b>Standard “CO-S1. Conservation and Open Space Element Consistency Determination” originally published in the November, 2007 hearing draft has been re-named CO-S3.</b>		
<b>A</b>	<b>B</b>		<p><b>CO-S1. Identification of Local Open Space Plan.</b> The County's local open space plan consists of the goals, policies, standards, and implementation measures of the following sections of this general plan:</p> <p><b>A. Preservation of Natural Resources:</b></p> <ul style="list-style-type: none"> <li>1) Sections 10.1 and 10.2 - Conservation and Open Space</li> <li>2) Section 10.3 – Biological Resources</li> <li>3) Chapter 11 – Water Resources Element</li> </ul> <p><b>B. Managed Production of Resources:</b></p> <ul style="list-style-type: none"> <li>1) Section 4.5 – Agricultural Resources</li> <li>2) Section 4.6 – Forest Resources</li> <li>3) Section 10.4 – Mineral Resources</li> <li>4) Chapter 12 – Energy Element</li> </ul> <p><b>C. Outdoor Recreation, and Cultural and Scenic Values:</b></p> <ul style="list-style-type: none"> <li>1) Section 4.7 – Public Lands</li> <li>2) Section 10.6 - Cultural Resources</li> <li>3) Section 10.7 – Scenic Resources</li> </ul>	  <p>New Policy - Added for consistency with state law requirements</p>	<b>M Straw Vote (6-0)</b>



			<p>4) Chapter 7 - Circulation</p> <p>D. Public Health and Safety:</p> <p>1) Chapter 14 – Safety Element</p> <p>2) Chapter 15 – Air Quality Element</p>		
			<p><b>Comments: 3-17-11</b>  <b>Director Girard</b> explained that S1 and S2 clarify what our open space program is.  <b>Commissioner Nelson</b> recommended adding the Circulation element to the list as suggested by Healthy Humboldt (staff concurs).  <b>S1 – all support with the addition of circulation.</b></p>		
A	B		<p><b>CO-S2. Identification of the Open Space Action Program.</b> The specific programs which are intended to implement the open space plan:</p> <p>A. The following land use <b>classifications</b> designations:  CF, CFR, NR, OS, PR, P, MR/, T, TC, AE, AG, AGR, and AEG.</p> <p>B. The following zoning designations:</p> <p>1) Agriculture Exclusive (AE)  2) Timber Production Zone (TPZ)  3) Commercial Timber (TC)  4) Natural Resources (NR)  5) Public Recreation (PR)</p> <p>C. The following combining zone <b>designations</b> <b>classifications</b>:</p> <p>6) Archaeological Resource Combining Zone (A)  7) Alquist-Priolo Combining Zone (G)  8) Streams and Riparian Corridors Protection Combining Zone (R)  9) Flood Hazard Combining Zone (F)  10) Alquist-Priolo Fault Hazard (G)  11) Mineral Resources Combining Zone</p>	 New Policy - Added for consistency with state law requirements	<b>M  Straw  Vote  (6-0)</b>

			<p>12) "T" Combining Zone (Coastal)</p> <p>D. The following plan overlay areas:</p> <ol style="list-style-type: none"> <li>1) FEMA mapped flood hazard zones</li> <li>2) Sensitive cultural resource area</li> <li>3) Special biological areas</li> <li>4) Streamside Management Areas and Other Wet Areas</li> <li>5) Areas mapped of geologic instability</li> <li>6) Areas mapped as Very High Fire Severity hazard</li> <li>7) Critical Water Supply</li> <li>8) Critical Watersheds</li> </ol> <p>E. The implementation measures of the chapters and sections listed in CO-S1.</p>		
			<p><b>Comments: 3-17-11</b></p> <p><b>Director Girard</b> explained that S1 and S2 clarify what our open space program is.</p> <p><b>Commissioner Disiere</b> recommended changing "classification" to "designation" in subsections A and B - it just seems like the two terms are switched. (staff to change for consistency)</p> <p><b>All support with this modification.</b></p>		
A	B		<p><b>CO-S33. Conservation and Open Space Element Consistency Determination.</b> <b>New development requiring a building permit or discretionary review</b> No building permit may be issued, no subdivision map approved, and no open space ordinance adopted <b>for the areas noted in subsections A and B below shall not be approved unless consistent with Conservation and Open Space policies and standards; unless the proposed action is consistent with the local open space plan as identified in CO-S1 and CO-S2 above.</b></p>	  <p>Modified from original S1 for consistency with Government Code Section 65567.</p>	R

		<p>Comments: 3-17-11</p> <p>All support as written.</p>		
B		<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:</p> <ul style="list-style-type: none"> <li>• 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).</li> </ul> <p>2) Resource production, open space, and public land designated lots may be developed with a residence 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>New Policy - Added to provide policy direction to implement S3.</p>	<p>R Straw Vote (4-2)</p>
		<p>Comments: 3-17-11</p> <p>Faust – requested an explanation of the difference in the “A” and “B” versions.</p> <p>Emad – are substandard lots legally created? What differences does this standard make if people are not getting permits, why do we care about this if we aren’t enforcing?</p> <p>Kreb – I will support B.</p> <p>Faust – I think that we cannot assume that no one will pay attention to it. Discretionary permits are a better option. Development in a flood hazard zone area should be discretionary. I support Version A in subparagraph 1 and 3, and version B subparagraph 2. I support most of Alternative A and some of B.</p>		



		<p><b>C. Gearheart</b> agrees with Faust. <b>Commissioners Disiere, Nelson and Emad</b> – support B as written.</p> <p><u>Straw vote</u> <b>Commissioners Disiere, Krebs, Nelson, Emad supported Alternative B as written.</b> <b>Commissioner Faust supported Alternative A in subparagraph 1 and subparagraph 3; and Alternative B in subparagraph 2.</b> <b>Commissioner Gearheart agreed with Commissioner Faust to pull the second part and include it in A. Split Vote 4/2</b></p>		
<b>A</b>		<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> <ol style="list-style-type: none"> <li>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 Use Permit is required for the development of a residential structure on a substandard lot located wholly within a flood hazard zone or a Streamside Management Area (SMA) or Other Wet Area (OWA).</li> <li>2) Resource production, open space, and public land designated lots may be developed if: <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.</li> </ul> </li> <li>3) If the building site is located in any of the following areas a Use Permit shall be required: <ul style="list-style-type: none"> <li>• flood hazard zones;</li> <li>• prime agricultural soils;</li> <li>• proximate to a known cultural resource site;</li> <li>• Streamside Management Areas (SMAs) and Other Wet Areas (OWAs);</li> <li>• mapped areas of geologic instability;</li> <li>• mapped areas of high fire hazard; and</li> <li>• designated areas of critical water supply.</li> </ul> </li> </ol>		<b>D</b>

			<b>Comments:</b>		
		<b>C</b>	<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 residentially designated lots and lots planned for resource production:</p> <ul style="list-style-type: none"> <li>• Lots may be developed 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.</li> </ul>		<b>D</b>
			<b>Comments:</b>		
<b>A</b>	<b>B</b>		<p><del><b>CO-S5. Lot Line Adjustments on Resource Lands. 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.</b></del></p>	  <p>New Policy - Added for consistency with other sections of the GPU</p>	<b>D</b>
			<p><b>Comments: 3-17-11</b>  <b>C. Disiere</b> – don't like the word logical. When would this happen?  <b>C. Faust:</b> - two things going on here – densities versus building sites.  <b>D. Girard</b> – we will clean this up.  <b>Comments: 3-24-11</b>  <b>The Commission reviewed lot line adjustment language from the Agricultural and Forest Resource section and per staff recommendation, voted to delete it.</b></p>		

10.2.5 Implementation Measures					
A	B	C	<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.		R
			<b>Comments:</b>		
A	B	C	<b>CO-IM2. Working Landscapes.</b> Advocate for state and federal regulatory policy that sustains profitable resource production as a means to sustain the conservation and open space values of forest and agricultural land. Support market development efforts that maximize financial returns to the landowner for agriculture and timber products, recreation, and ecological services.		R
			<b>Comments:</b>		
A	B	C	<b>CO-IM3. Review of New Development for Impacts on Recreational Resources.</b> Seek input from Parks and Recreation Division staff regarding land use planning decisions related to recreational opportunities in the county.		R
			<b>Comments:</b>		
A	B	C	<b>CO-IM4. Pursuit of Funding.</b> The County shall maintain its Parks and Recreation Program within Public Works and shall pursue state and federal grant funding for the acquisition and maintenance of recreational facilities, trails, and other programs consistent with this Plan.		R
			<b>Comments:</b>		

<b>A</b>	<b>B</b>	<b>C</b>		<b>CO-IM5. Zoning Ordinance Revision for Open Space Consistency Determinations.</b> Revise the Zoning Regulations governing development in open space lands to guide development consistency determinations pursuant to Government Code Section 65567.	<b>R</b>
				<b>Comments:</b>	