



AGENDA ITEM NO.

COUNTY OF HUMBOLDT

For the meeting of October 6, 2014

Date: September 30, 2014

To: Board of Supervisors

From: Kevin Hamblin, Director of Planning and Building Department *KH*

Subject: Continued Board review of the Planning Commission Approved Draft General Plan. In particular, deliberations on Chapter 10 Conservation and Open Space Element, Section 10.2.3 Open Space Action Program, Paragraph 6, Section 10.5 Waste Management, and Section 10.7 Scenic Resources,

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing.
2. Continue deliberations on Chapter 10 Conservation and Open Space Element, Section 10.2.3 Open Space Action Program and Section 10.5 Waste Management.
3. Deliberate on Chapter 10 Conservation and Open Space Element, Section 10.7 Scenic Resources.
4. Deliberate as necessary regarding the Board's review schedule for the Draft General Plan.
5. Continue deliberation to Monday, October 20, 2014 beginning at 1:30 p.m. or as soon thereafter as possible.

Prepared by Michael R. Richardson
 Michael Richardson, Senior Planner

CAO Approval _____

REVIEW:
 Auditor _____ County Counsel _____ Human Resources _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

PREVIOUS ACTION/REFERRAL:

Board Orders No. C-1

Meetings of: beginning June 12, 2012, and continuing through September 22, 2014

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:

General Fund and General Plan User Fees.

DISCUSSION:

Section 10.4, Mineral Resources

At the September 22, 2014 meeting, the Board straw-voted all the following items in the fourth section of the Conservation and Open Space Element, Section 10.4 Mineral Resources:

Changes to Chapter 10, Conservation and Open Space

Section 10.4, Mineral Resources

- Narrative Page 10-27 - In-Stream Gravel Mining Regulatory Coordination.
- MR-G1. Long-Term Supply of Mineral Resources.
- MR-G2. In-stream Sand and Gravel Extraction.
- MR-P1. Production and Conservation.
- MR-P2. Right to Mine.
- MR-P3. Identify Mineral Deposits.
- MR-P4. Sand and Gravel Extraction and Mean Annual Recruitment.
- MR-P5. New Permit Applications on Over-subscribed River Segments
- MR-P6. New Water Diversion Projects
- MR-P7. Reclamation.
- MR-P9. Location of Mineral Haul Routes.
- MR-P10. Maintenance of Mineral Haul Routes.
- MR-P11. Permit Conditions to Reduce Impacts.
- MR-P12. Off-Channel Terrace Mining.
- MR-S2. Timberland Conversion.
- MR-S3. Permitted Land Use Designations.
- MR-S4. Reclamation Plan Requirements.
- MR-S5. Forest and Agricultural Borrow Pits.
- MR-S6. Subdivision for Mineral Production.
- MR-S7. Hearing Notification.
- MR-IM1 Scientific Review of In-stream Mining.
- MR-IM2. Mapping of Mineral Deposits and Mine Sites.
- MR-IM3. Development Consultant.
- MR-IM4. Combining Zone.
- MR-IM5. Coordination with the Air Quality Management District.
- MR-IMx. Pursue Mapping of Mineral Deposits
- ~~MR-IM6. Fees to Offset Road Use by Vehicles Transporting Mineral Products. (delete)~~

Glossary Addition

- Haul Route.

The approved wording appears in the revised Attachment 1 of this staff report. The revisions are also shown in the revised Chapter 10 - Conservation and Open Space chapter on the GPU website:

<http://www.humboldt.gov/572/Board-of-Supervisors-Draft>

During review of the Mineral Resources section, the Board received public comment of a suggested change to the text in paragraph 6 in section 10.2.3:

“To maintain working landscapes, the County will refrain from measures that reduce the economic viability of continued timber, **mining** and agricultural operations and lobby for more efficient application of state and federal regulatory standards. The County will also work to improve the infrastructure and workforce necessary for the forest products and agriculture industries and help promote innovative forest and agriculture products.”

Staff supports this revision because it accurately reflects County policy.

Section 10.5 Waste Management

At the September 8, 2014 meeting, the Board completed review of all but one item in Section 10.5 Waste Management: The Board also requested input from Humboldt Waste Management Authority (HWMA) staff on goal WM-G4:

“WM-G4. Management Strategy Hierarchy. An integrated waste management hierarchy that first emphasizes source reduction, followed by reuse and repair, recycling, composting, materials recovery, environmentally safe energy recovery, environmentally safe **transformation materials recovery**, and, as a last resort, landfill disposal.”

There was support by at least one Board member to re-insert the word “transformation” which was recommended for deletion by the Planning Commission. Other Board members seemed to be concerned that this change could promote incineration of waste materials with adverse air quality effects. Another question was whether “gasification” should be listed in the goal.

Jill Duffy, Executive Director of HWMA, recommended in a September 10, 2014, email that the word “transformation” be inserted as originally recommended by staff in 2011. She also clarified that biomass, composting, anaerobic and aerobic digestion are all currently addressed within the context of “composting”. Based on input from HWMA, staff is recommending that “transformation” be added back in to the goal as shown above. Staff is also recommending “gasification” not be added because it is arguably included in the term “composting”.

Section 10.7, Scenic Resources

The purpose of the Scenic Resources chapter is to protect outstanding scenic resources that may be adversely affected by land use and development. The Board of Supervisors identified Policies **SR-P8. Removal or Relocation of Billboards on Public Lands and Right-of-Ways in the Northwestern Pacific Railroad Right-of-Way** and **SR-P9. Removal of Illegal Billboards, and Standard SR-SXX. Permits for Billboards**, as “short list” items for the Scenic Resources section. The General Plan Update Draft Environmental Impact Report (DEIR) includes several mitigation measures including one modification to a Scenic Resources policy.

During the recent Planning Commission review of the Conservation and Open Space Element numerous comment letters were received regarding the Scenic Resources section, relating to billboards. A total of 18 were received, four of which were comments regarding specific policies and standards relating to prohibiting billboards, the removal of billboards, and limiting the term of existing billboards, and permit requirements for the construction of new billboards as well as expansion, repair, or re-construction of existing billboards. The remaining comment letters were not policy specific but almost exclusively supported the removal of billboards.

The standard large-format worksheet for the Scenic Resources section (Attachment 2) includes the short list items, proposed DEIR modifications, and public comments relating to specific policies and standards for your Board's consideration. Background information for the Scenic Resources section is in Attachment 3 of this staff report.

GPU Review Schedule

Attachment 4 is the updated draft schedule for completion of the remaining GPU tasks for review and comment.

FINANCIAL IMPACT:

The cost of preparing this staff report is borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2014-2015 budget, and the General Plan User Fees Trust Fund 3698.

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 1 Record of Straw Votes for Chapter 10, Section 10.4 – Mineral Resources
- Attachment 2 Board worksheet for Chapter 10, Section 10.7 – Scenic Resources
- Attachment 3 Report #1 for Chapter 10, Section 10.7 – Scenic Resources
- Attachment 4 Updated Draft Schedule for Completion of the Remaining GPU Tasks

Attachment 1

Record of Straw Votes for Chapter 10, Section 10.4 – Mineral Resources

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Narrative Page 10-27</p> <p>In-Stream Gravel Mining Regulatory Coordination</p> <p>Planning Commission Version</p> <p>“CHERT serves as a vehicle for interagency cooperation and annually reviews in-stream mining operations for compliance with CEQA mitigations and the California Surface Mining and Reclamation Act of 1975 (SMARA). The CHERT review process involves extensive interagency coordination and on-site annual inspections. Through this process, the following agencies have input and can annually establish extraction quantities and permit restrictions for in-stream gravel mining operations:...”</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>“CHERT serves as a vehicle for interagency cooperation and annually reviews in-stream mining operations for compliance with CEQA mitigations and the California Surface Mining and Reclamation Act of 1975 (SMARA). The CHERT review process involves extensive interagency coordination and on-site annual inspections. Through this process, the following agencies have input and can annually establish extraction quantities and permit restrictions, up to limits contained in pre-existing vested or permitted rights, for in-stream gravel mining operations:...”</p> <p>...”</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-G1. Long-Term Supply of Mineral Resources. A geographically distributed inventory of mining sites protected from incompatible land uses, permitted and operated to prevent significant environmental impacts and to satisfy long-term demand for mineral resources and construction materials.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-G1. Long-Term Supply of Mineral Resources. A geographically distributed inventory of mining sites protected from incompatible land uses, permitted and operated to prevent or minimize to the extent feasible significant environmental impacts and to satisfy long-term demand for mineral resources and construction materials. Mining permits may be issued for any term consistent with the resource and subject to ongoing regulatory review.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-G2. In-stream Sand and Gravel Extraction. Continued supplies of in-stream sand and gravel using extraction methods and rates that support threatened or endangered species recovery, protect riparian corridors, and preserve existing river bed elevations.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-G2. In-stream Sand and Gravel Extraction. Continued supplies of in-stream sand and gravel using extraction methods and rates that are consistent with state and federal endangered species regulations. Where possible, extraction should take place in a manner beneficial to endangered or threatened species. support threatened or endangered species recovery, protect riparian corridors, and preserve existing river bed elevations</p> <p>Straw Vote: 4-1 (Lovelace) 9-22-2014</p>
<p>Planning Commission Version</p> <p>MR-P1. Production and Conservation. Encourage the production and conservation of minerals, while preserving to the maximum extent feasible the values relating to recreation, watershed, wildlife, <u>timber management and agriculture</u>, range and forage, science, and aesthetic enjoyment.</p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Planning Commission Version</p> <p>MR-P2 Right to Mine Discretionary projects <u>within 1000 feet in the vicinity</u> of vested and permitted surface mining extraction sites or <u>a minimum of 300 feet</u> along existing haul routes shall be required to record a notice of the right to mine against the property for which a discretionary permit is sought. The notice shall advise owners and subsequent interests in ownership that the existing mining operation has a permitted right to continued mining operations.</p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P3. Identify Mineral Deposits. The County shall maintain an inventory of the county's mineral deposits and mining sites.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P3. Identify Mineral Deposits. The County shall maintain an inventory of the county's mineral deposits and permitted and/or vested mining sites.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P4. Sand and Gravel Extraction and Mean Annual Recruitment. Annual in-stream gravel extraction prescriptions shall be based on maintaining long-term extraction rates below the best available scientific estimate of Mean Annual Recruitment for the affected river segment.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P4. Sand and Gravel Extraction and Mean Annual Recruitment. Annual in-stream gravel extraction prescriptions shall be based on maintaining long-term extraction <u>at</u> rates below that do not exceed the best available scientific estimate of Mean Annual Recruitment for the affected river segment, while considering subject to pre-existing vested or permitted rights.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P5. Over-subscribed River Segments and New Permit Applications. New permit applications for in-stream mining shall not be approved on over-subscribed river segments where the total existing entitled permit extraction volumes, as stated in Conditional Use Permits or Reclamation Plans, exceeds the best available scientific estimate of Mean Annual Recruitment, unless it can be conclusively shown that the current estimate of Mean Annual Recruitment is inaccurate and the river segment is not over-subscribed.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P5. New Permit Applications on oOver-subscribed River Segments and New Permit Applications. New permit applications for in-stream mining shall not be approved on over-subscribed river segments where the total existing entitled permit extraction volumes, as stated in Conditional Use Permits or Reclamation Plans, exceeds the best available scientific estimate of Mean Annual Recruitment, unless it can be conclusively shown that the current estimate of Mean Annual Recruitment is inaccurate and the river segment is not over-subscribed. This policy does not apply to permit renewals.</p> <p>Straw Vote: 5-0 (9-22-14)</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>2012 Planning Commission Version</p> <p>MR-P6. New Water Diversion Projects. Evaluate Oppose significant <u>new</u> water diversion projects that reduce the replenishment rate of in-stream gravel, taking into account the impact the projects would have on local mineral supplies in Humboldt County.</p>	<p>Move the policy to Chapter 11 Water Resources.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P7. Reclamation. for Alternative Uses. Ensure adverse environmental effects are prevented or mitigated to the fullest extent feasible and that Mined lands subject to SMARA are shall be environmentally restored and reclaimed to a usable condition for the uses allowed by the site's General Plan and zoning designation, which is readily adaptable for alternative land uses under the General Plan.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P7. Reclamation. Mined lands subject to SMARA shall be environmentally restored and reclaimed consistent with the proposed and/or potential uses identified in an approved Reclamation Plan pursuant to SMARA use identified in an approved Reclamation Plan, and fully mitigated in accordance with the associated CEQA evaluation. End uses of reclaimed mining sites shall be and consistent with to a usable condition for the uses allowed by the site's General Plan designation and zoning designation.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P9. Location of Mineral Haul Routes. Require Design new mineral haul routes to avoid incompatible areas such as landslides, highly erodible soils, residential areas, and schools, when feasible.</p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P10. Maintenance of Mineral Haul Routes. Haul routes involving the county public road system shall be suitable for truck traffic and maintained in satisfactory condition. Permits for mining operations shall be conditioned to ensure that County road standards are met and/or pay for their proportional share of maintenance costs as determined by the Department of Public Works, if and when a funding mechanism is established, and the roads are maintained in a satisfactory condition.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P10. Maintenance of Mineral Haul Routes. Haul routes involving the county public road system shall be suitable for truck traffic and maintained in satisfactory condition. Permits for mining operations shall be conditioned to ensure that County roads are maintained in a safe condition standards are met and/or pay for their proportional share of maintenance costs as determined by the Department of Public Works, if and when a funding mechanism is established, and the roads are maintained in a satisfactory condition.</p> <p>Straw Vote: 4-1 (Lovelace) 9-22-2014</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Planning Commission Version</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to minimize <u>reduce</u> significant environmental impacts <u>to less than significant</u> and reduce conflicts with adjacent development <u>land use</u>.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-P11. Permit Conditions to Reduce Impacts. Permit conditions for mineral extraction operations, <u>subject to SMARA</u>, shall address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks, and other performance standards necessary to <u>minimize reduce</u> significant environmental impacts <u>to less than significant</u> and <u>reduce</u> conflicts with adjacent development <u>land uses to the extent feasible</u>.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-P12. Off-Channel Terrace Mining. Off-channel commercial terrace mining of sand and gravel deposits on lands planned for agriculture (AG and AE) is prohibited.</p>	<p>Approve the Board of Supervisors Revisions:</p> <p>MR-P12. Off-Channel Terrace Mining. <u>Off-channel commercial terrace mining of sand and gravel deposits on lands planned for agriculture (AG and AE) shall be conditioned to restore pre-mining agricultural productivity through prompt reclamation of disturbed areas is prohibited where such mining would result in the loss or degradation of prime agricultural land.</u></p> <p>Straw Vote: 4-1 (Lovelace) 9-22-2014</p>
<p>Planning Commission Version</p> <p>MR-S2. Timberland Conversion. Timberland conversion as a consequence of surface mining activities shall meet the requirements of the California Forest Practices Act <u>and the Timberlands Productivity Act</u>.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-S2. Timberland Conversion. Timberland conversion as a consequence of surface mining activities shall meet the requirements of the <u>California Forest Practices Act, California Forest Practice Rules, and the Timberlands Productivity Act</u>.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-S3. Permitted Land Use Designations. SMARA mining operations shall be conditionally permitted in all land use and zoning designations.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-S3. Permitted Land Use Designations. <u>Mining Operations subject to</u> SMARA <u>mining operations</u> shall be conditionally permitted in all land use and zoning designations.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-S4. Reclamation-Permit <u>Plan</u> Requirements. Reclamation of conditionally permitted mining operations may be ministerially approved if consistent with the Conditional Use Permit, CEQA evaluation, and approved Reclamation Plan.</p>	<p>Approve the Board of Supervisors Revisions:</p> <p>MR-S4. Reclamation <u>Plan</u> Requirements. Reclamation of <u>conditionally permitted</u> mining operations may be ministerially approved if consistent with the Conditional Use Permit, <u>or Vested Rights Determination</u>, CEQA evaluation, and approved Reclamation Plan."</p> <p>Straw Vote: 4-0 (Lovelace absent) 9-22-2014</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Planning Commission Version</p> <p>MR-S5. Forest and Agricultural Borrow Pits. Borrow pits to support farming activities and timber road construction and maintenance operations shall be considered a principally permitted use when operated within SMARA exemption parameters, a grading permit is secured and the activity is otherwise consistent with this Chapter.</p>	<p>Delete</p> <p>Straw Vote: 4-0 (Lovelace absent) 9-22-2014</p>
<p>Planning Commission Version</p> <p>MR-S6. Subdivision for Mineral Production. Subdivisions shall be allowed to create parcels dedicated exclusively to the production of mineral resources</p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 4-0 (Lovelace absent) 9-22-2014</p>
<p>Planning Commission Version</p> <p>MR-S7. Hearing Notification. For discretionary decisions associated with SMARA mining operations, public notice shall be provided to landowners within 400 <u>1000</u> feet of the mining operation or 1,500 feet from any associated processing plant, and <u>a minimum of 300 feet</u> along proposed local and collector street haul routes. Similarly, for discretionary projects within 400 <u>1000</u> feet of mining operations, notice shall be provided to the mine owners.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-S7. Hearing Notification. For discretionary decisions associated with SMARA mining operations, public notice shall be provided to landowners within 400 <u>1000</u> feet of the mining operation or 1,500 feet from any associated processing plant, and <u>a minimum of 300 feet</u> along proposed <u>local and collector street</u> haul routes. Similarly, for discretionary projects within 400 <u>1000</u> feet of mining operations, notice shall be provided to the mine owners.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-IM1 Scientific Review of In-stream Mining. The County shall maintain and support contract with the County of Humboldt Extraction Review Team (CHERT) to advise the County on in-stream mining methods, extraction volumes and environmental impacts. <u>CHERT and other related in-stream mining regulatory program cost shall be subject to full cost recovery billing procedures according to the County of Humboldt's adopted fee schedules.</u></p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-IM2. Mapping of Mineral Deposits and Mine Sites. The County shall maintain GIS maps of the county's known mineral deposits and mining sites.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-IM2. Mapping of Mineral Deposits and Mine Sites. The County shall maintain GIS maps of the county's known mineral deposits and <u>SMARA</u> mining sites.</p> <p>Straw Vote: 5-0 (9-22-14)</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Planning Commission Version</p> <p>MR-IM3. Development Consultant. The County shall have has the right to hire a consulting firm of its choosing qualified in surface surface mining and reclamation practices to advise the County when surface mineral deposits of five acres or more are proposed for development and or when an environmental impact report (EIR) is required. This should include, but is not limited to, EIR preparation, mitigation measures, and reclamation plans. The consultant's fees should be paid via reimbursements from the mine developers. Hiring of the consultant shall be conditioned upon entry into an agreement with the applicant. The applicant shall be provided with a list of potential consultants.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-IM3. Development Consultant. The County shall have has the right, after consulting with the applicant, to hire a consulting firm of it's the County's choosing qualified in surface surface mining and reclamation practices to advise the County when surface mineral deposits of five acres or more are proposed for development and or when an environmental impact report (EIR) is required. This should include, but is not limited to, EIR preparation, mitigation measures, and reclamation plans. The consultant's fees should be paid via reimbursements from the mine developers. Hiring of the consultant shall be conditioned upon entry into an agreement with the applicant. The applicant shall be provided with a list of potential consultants.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-IM4. Combining Zone. Establish a mineral resources (MR) combining zone to facilitate implementation of the County's regulations for surface mining, conservation, and reclamation. The purpose of the MR combining zone is to ensure compatibility of adjacent uses. The MR combining zone shall be applied to parcels with permitted surface mining operations and to parcels within 400 1000 feet of permitted surface mining extraction sites and <u>along</u> existing haul routes on local and collector streets.</p>	<p>Approve the following Board of Supervisors revisions:</p> <p>MR-IM4. Combining Zone. Establish a mineral resources (MR) combining zone to facilitate implementation of the County's regulations for surface mining, conservation, and reclamation. The purpose of the MR combining zone is to ensure compatibility of adjacent uses. The MR combining zone shall be applied to parcels with permitted surface mining operations, and to Notification shall be provided to parcels within 400 1000 feet of permitted surface mining extraction sites and <u>along</u> existing haul routes on local and collector streets.</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-IM5. Coordination with the Air Quality Management District. The County shall coordinate with the North Coast Unified Air Quality Management District during discretionary review of proposed mining operations in ultramafic rock areas with naturally occurring asbestos to develop asbestos control plans for the duration of quarrying activities.</p>	<p>Approve the Planning Commission Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>
<p>Planning Commission Version</p> <p>MR-IM6. Fees to Offset Road Use by Vehicles Transporting Mineral Products. The County shall research and establish haul road charges by ordinance to address impacts by gravel operations, consistent with state fee or assessment law.</p>	<p>Delete</p> <p>Straw Vote: 4-1 (Lovelace) 9-22-2014</p>

**Conservation & Open Space, 10.4 Mineral Resources
Planning Commission Recommendations, Board Actions**

Planning Commission Draft	Board Actions & Notes
<p>Environmental Impact Report (EIR) Mitigation 3.9.3.1.a. In order to protect mineral deposit sites that have not yet been mapped, the following Implementation Measure MR-IMx shall be added to the Mineral Resources Chapter for the Conservation and Open Space Element:</p> <p><u>MR-IMx. Pursue Mapping of Mineral Deposits.</u> <u>The County shall pursue mapping of mineral deposits by the State Mining and Geology Board and request they initiate the Mineral Land Classification process to identify lands in Humboldt County that contain economically significant mineral deposits.</u></p>	<p>EIR Version</p> <p>Straw Vote: 5-0 (9-22-14)</p>
	<p>Approve the Board of Supervisors addition to the Glossary:</p> <p><u>"Haul Route:</u> The route from a mining site to the first County-maintained road or State Highway."</p> <p>Straw Vote: 5-0 (9-22-14)</p>

Attachment 2

Worksheet for Section 10.7 Scenic Resources

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-G1. Scenic Resource Protection. Protected high-value forest, agriculture, river, and coastal scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.</p> <p><i>Retain 5-1 (5-26-11)</i></p>	<p>HCRLWG COMMENTS: Aren't these things already addressed in other elements? Existing protections (for example, Coastal Zone and along Scenic Corridors) should be retained. We would like to see how this is intended to be applied. How is high-value defined? How does this affect existing forest and agriculture programs? For example, what effect will this have on Williamson contracts?</p> <p>Members of the Ad Hoc Working Group SR-G1. Conservation of Scenic Resources Protection. Protected high-value scenic forest, agriculture, river, and coastal scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.</p>	<p>Support the ad hoc working group version.</p> <p>Discussion: The proposed revisions limit the goal to scenic forest and scenic agricultural areas is consistent with the intent of this section.</p>
<p>Planning Commission Version</p> <p>SR-G2. Community Separators. Visible and aesthetic open space areas between urban development areas that separate and preserve unique identities of the county's cities and communities.</p> <p><i>Retain 5-1 (5-26-11)</i></p>	<p>HCRLWG Recommendation: Delete What is the difference between Community Separators here and Greenbelt Overlay Zones in 10.2 Open Space? This can be accomplished through land use and zoning. Given the current Community Planning Areas we see no need to create either of these.</p> <p>Members of the Ad Hoc Working Group SR-G2. Community Separators. Visible and aesthetic Open space areas between urban development areas that separate and preserve unique identities of the county's cities and communities.</p>	<p>Support the ad hoc working group version.</p> <p>Discussion: The terms "Visible" and "aesthetic" should be deleted because they add no value to the goal.</p>
<p>Planning Commission Version</p> <p>SR-Gx. Scenic Roadways. A system of scenic roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County.</p> <p><i>Modify 5-0 (5-26-11)</i></p>	<p>HCRLWG Recommendation: Delete We disagree with this goal based on the potential impacts to working resource lands and the subjective nature of their designation</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-PX Working Landscapes. Recognize the scenic value of resource production lands.</p> <p><i>Modify 4-2 (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P1. Development in Mapped Scenic Areas. In mapped scenic areas, new discretionary and ministerial development shall be consistent with and subordinate to natural contours, hilltops, tree lines, bluffs and rock outcroppings. Visible disturbance and interruption of natural features shall be minimized to the extent feasible.</p> <p><i>Retain 4-1 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: It is difficult to assess the effects of this policy without the maps. How does this mesh with the renewable energy policies (for examples wind mills)?</p> <p>Members of the Ad Hoc Working Group SR-P1. Development in Mapped Scenic Areas. In mapped scenic areas, new discretionary and ministerial development shall minimize be consistent with and subordinate to natural contours, hilltops, tree lines, bluffs and rock outcroppings. Visible disturbance and interruption of natural features shall be minimized to the extent feasible.</p> <p>Comments: Required in Coastal Zone. Sites have not been mapped...will they be, realistically? Policy is too specific, as it will require clear mapping and standards. Difficult to discuss policy w/o clarity about process for mapping and determining what areas are considered scenic and what types of development is allowable.</p>	<p>Support the Planning Commission version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-P2. Development in Mapped Heritage Landscapes. Protect the scenic quality of mapped heritage landscape areas with appropriate land use designations and design review standards to ensure that new development preserves or enhances the heritage landscape values of the site. <i>Retain 5-0 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: It is difficult to assess the effects of this policy without the maps. How does this mesh with the renewable energy policies (for examples wind mills)?</p> <p>Members of the Ad Hoc Working Group SR-P1. Development in Mapped Scenic Areas. In mapped scenic areas, new discretionary and ministerial development shall <u>minimize</u> be consistent with and subordinate to natural contours, hilltops, tree lines, bluffs and rock outcroppings. Visible disturbance and interruption of natural features shall be minimized to the extent feasible.</p> <p>Comments: Required in Coastal Zone. Sites have not been mapped...will they be, realistically? Policy is too specific, as it will require clear mapping and standards. Difficult to discuss policy w/o clarity about process for mapping and determining what areas are considered scenic and what types of development is allowable.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P3. Scenic Roadway Protection. Protect the scenic quality of designated scenic roadways for the enjoyment of natural and scenic resources, <u>coastal views</u>, landmarks, or points of historic and cultural interest. <i>Modify 5-0 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: Who will designate these? What are the criteria? It is difficult to assess the effects of this policy without the maps.</p> <p>Members of the Ad Hoc Working Group SR-P3. Scenic Roadway Highway Protection. Protect the scenic quality of designated scenic roadways <u>Byways</u> for the enjoyment of natural and scenic resources, <u>coastal views</u>, landmarks, or points of historic and cultural interest. Why highway vs. local roadway: maintenance commitment; little motivation to designate local roadways and attract higher use/impacts; designation of highways is a defined state program that requires Caltrans action in coordination with local governments.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P4. Community Separators. Protect the scenic quality of "community separators" from degradation by maintaining adequate open space between communities and cities. <i>Retain 5-1 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p> <p>Members of the Ad Hoc Working Group Option 1: Retain as written. agree that there is some redundancy, but need either this or the greenbelt policy in OS. Option 2: Delete. Difference between Greenbelts (OS) & Community Separators? Greenbelts aren't focused on maintaining scenic values. Seems redundant. Terms like "degradation" are subjective. In essence means an urban limit line.</p>	<p>Support the HCRLWG version (delete).</p> <p>Discussion: This policy is redundant with CO-P4:</p> <p>CO-P4. Greenbelts. Community Separation. Maintain separation of urbanized communities through appropriate land use designations and zoning density. Avoid merging urban development boundaries of adjacent communities.</p>
<p>Planning Commission Version</p> <p>SP-P5 Development within Community Separators. Retain a rural character and promote low intensities of development in community separators. Prohibit <u>Avoid</u> annexation or inclusion in spheres of influence for sewer and water services. Provide opportunities for additional development in urban development areas in exchange for permanent open space preservation within community separators. <i>Modify 6-1 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p>	<p>Support the Planning Commission version. Consider moving to the Section 10.2 to be with CO-P4.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>R-P6. Limit the Term of Off-Premise Billboards and Prohibition. Limit the term of new <u>and existing</u> off-premise billboards <u>by ordinance with use agreements</u> to provide for removal. <u>Prohibit the construction of new off-premise billboards along mapped Scenic Roadways and coastal views.</u> <i>Modify 6-0 (6-23-11)</i></p>	<p>Miller Starr Regalia (1-22-2014) Limiting the term of an existing display's operating life would violate the Outdoor Advertising Act. Policy SR-P6 contemplates the removal of existing signs after the expiration of a fixed term of years. As worded, this proposal would violate the Outdoor Advertising act. In relevant part, the Act provides that "no advertising display which was lawfully erected anywhere within this state shall be compelled to be removed...whether or not removal or limitation is pursuant to or because of this changer or any other law, ordinance, or regulation of any government entity, without payment or compensation, as defined in the Eminent Domain Law (Title 7 commencing with Section 1230.010 of Par3 of the Code of Civil Procedure)</p> <p>Thus Insofar as proposed policy SR-P6 would "limit the term of new and existing off-premises billboards by ordinance," and does not contemplate the payment of just compensation, the proposal would violate state law and the constitutional takings jurisprudence upon which the aforementioned statute is based. To the extent the law conflicts with state law, it is void.</p>	<p>Support a modified Planning Commission version:</p> <p>R-P6. Limit the Term of Off-Premise Billboards and Prohibition. Limit the term of new <u>and existing</u> off-premise billboards <u>by ordinance with use agreements</u> to provide for removal consistent with the Outdoor Advertising Act. Prohibit the <u>construction of new off-premise billboards along mapped Scenic Roadways and coastal views.</u></p> <p>Discussion: As stated in the comments from Miller Starr Regalia, the Outdoor Advertising Act prohibits local jurisdictions from requiring removal of billboards without compensation. By limiting the policy to only provide for removal consistent with the Outdoor Advertising Act, the County will avoid adopting an ordinance that could be voided by the court.</p>
<p>Planning Commission Version</p> <p>SR-P7. Billboards in Sensitive Habitat Areas. Prohibit construction of billboards mapped sensitive, habitat areas. <i>Retain 6-0 (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P8. Removal or Relocation of Billboards on Public Lands and Right-of-Ways in the Northwestern Pacific Railroad Right-of-Way. Support efforts of <u>public agencies; such as</u> the North Coast Railroad Authority and the U.S. Fish and Wildlife Service to remove or relocate billboards from their right-of-way between Fields Landing and Arcata <u>on lands under their control.</u> <i>Modify 3-2 (6-23-11)</i></p>	<p>Daniel O'Shea (2-27-2014) I am writing to express my opinion that all the billboards on public lands in the rail right-of-way between Arcata and Fields Landing (SR-P8)... should be removed.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P9. Removal of Illegal Billboards. <u>Illegal billboards on property within County jurisdiction shall be removed through code enforcement. The County shall advocate for removal of illegal billboards in areas outside of County jurisdiction, including petitioning</u> Petition Caltrans' Outdoor Advertising Office to remove illegal billboards along highways. <i>Modify 3-2 (6-23-11)</i></p>	<p>Daniel O'Shea (2-27-2014) I am writing to express my opinion that... the illegal billboards on land under County jurisdiction (SR-P9) should be removed.</p>	<p>Support the Planning Commission version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-S1. Development in Mapped Scenic Areas. Discretionary and ministerial development shall avoid visual disturbance of natural contours, hilltops, tree lines, forest landscapes, bluffs and rock outcroppings, to the maximum extent feasible. Roads and public utility corridors shall be narrow as possible and follow natural contours. Natural features disturbed for construction purposes shall be restored to as close to natural condition as feasible. The construction of new off-premise billboards is prohibited. <i>Modify 6-0 (6-23-11)</i></p>	<p>HCRLWG COMMENTS: The impact of the standard cannot be assessed without the map. In general we do not agree with additional regulation of ministerial development.</p>	<p>Support a modified Planning Commission version:</p> <p>“SR-S1. Development in Mapped Scenic Areas. Discretionary and ministerial development shall avoid visual disturbance of natural contours, hilltops, tree lines, forest landscapes, bluffs and rock outcroppings, to the maximum extent feasible. Roads and public utility corridors shall be narrow as possible feasible and follow natural contours. Natural features disturbed for construction purposes shall be restored to as close to natural condition as feasible. The construction of new off-premise billboards is prohibited.”</p> <p>Discussion: Inserting the term “where feasible” provides more flexibility compared to the term “where possible”, which can help avoid claims of unfair taking of property. Project review based on the term “feasible” can include factors such as the cost of mitigation, which would not necessarily be considered when applying the term “where possible”.</p> <p>The other straw-voted chapters of the GPU most often rely on the term “feasible” rather than “possible”. For example the Board made a similar modification when reviewing Chapter 14 - Safety in 2013:</p> <p>“S-P26. Hazardous Waste. Eliminate the use of toxic materials within Humboldt County, where possible feasible, and require the reduction, recycling, and reuse of such materials, to the greatest extent possible, where complete elimination of their use is not feasible. Require new development which may generate significant quantities of hazardous wastes to provide a plan for disposal which emphasizes on-site treatment, neutralization, and recycling.” Straw Vote 5/0 5-20-2013</p>
<p>Planning Commission Version</p> <p>SR-S2. Development in Mapped Heritage Landscapes. Protect the scenic and historical qualities of mapped heritage landscapes as a resource of public importance. Discretionary and ministerial development shall be sited and designed to protect views, minimize the alteration of natural land forms, be visually compatible with the character of surrounding areas, and preserve significant historical features. Discretionary development should restore and enhance visual quality in visually degraded areas. <i>Retain (6-23-11)</i></p>	<p>HCRLWG COMMENTS: The impact of the Standard cannot be assessed without the map.</p>	<p>Support the Planning Commission version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-S3. Scenic Roadway Plan-Standards. The following standards apply to mapped scenic roadways: Plan for scenic roadway protection includes the following standards:</p> <p>A. Visual Buffer Width. The width of the visual buffer along the road shall not exceed 200 feet from the edge of the traveled roadway.</p> <p>B. Permitted Uses. Permitted uses shall be allowed except <u>the construction of new off-premise billboards is prohibited.</u> Permitted uses that within the visual buffer area measures may be required to protect scenic qualities of the site.</p> <p>C. Site Development. Buildings and landscaping within the visual buffer shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation.</p> <ol style="list-style-type: none"> 1) Existing topography, vegetation, and scenic features of the site shall be retained to the maximum extent possible and incorporated into the proposed development. 2) Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to, the character of surrounding areas. <p>D. Consideration of Views. Structures, signs, and plant materials within the visual buffer shall be constructed, installed, and planted to complement, enhance, and retain scenic views. Vegetative screening shall be used where needed to prevent significant intrusion or degradation of public views.</p> <p>E. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway. Where it is not possible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.</p> <p>F. Site Grading. Grading or earth-moving operations within the visual buffer area shall be planned and executed in such a manner that final contours appear to be consistent with the existing terrain both on, and adjacent to, the site.</p> <ol style="list-style-type: none"> 1) Vegetative cover shall be provided within a reasonable time after grading is completed to prevent visible scars remaining on the land from such operations. 2) Contours altered by grading shall be restored by means of land sculpturing and a cover of topsoil in such a manner as to minimize runoff and erosion and prevent ponding of water. 3) Finished contours shall be planted with native vegetation, so as to require minimum care and to be visually compatible with the existing ground cover landscaping. <p>G. Access Roads. The location and design of access roads within the visual buffer area shall not detract from the scenic quality of the road.</p>	<p>HCRLWG COMMENTS: The impact of the Standard cannot be assessed without the map. What are the criteria for "harmonious visual relationships"? Section F here would be covered by the grading ordinance.</p> <p>SR-S3. Scenic Roadway Plan-Standards. ... A through G no recommended changes</p> <p>H. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway where feasible. Where it is not possible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.</p> <p>I through J no recommended changes</p>	<p>Support a modified HCRLWG version. No recommended changes except to the following paragraphs:</p> <p>SR-S3. Scenic Roadway Plan-Standards. ...</p> <p>C. Site Development. Buildings and landscaping within the visual buffer shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation.</p> <ol style="list-style-type: none"> 1) Existing topography, vegetation, and scenic features of the site shall be retained to the maximum extent possible feasible and incorporated into the proposed development. 2) Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to, the character of surrounding areas." <p>...</p> <p>E. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway where feasible. Where it is not possible feasible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.</p> <p>Discussion: Inserting the term "where feasible" provides more flexibility compared to the term "where possible". See above discussion for SR-S1 for more detail.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>I. Utilities. New, relocated, or existing utility distribution lines within the visual buffer area shall be placed underground whenever feasible. When it is not feasible to place lines underground, they shall be located so as to be inconspicuous from the scenic route wherever feasible. Combined or adjacent rights-of-way and common poles shall be used wherever feasible.</p> <p>J. Railroads and Public Facilities. Visual buffers shall exclude railroad rights-of-way and public facilities.</p> <p><i>Modify 6-0 (6-23-11)</i></p>		
<p>Planning Commission Version</p> <p>SR-S4. Development in Mapped Community Separators. Unless there are existing design standards adopted for community separators, New structures development within mapped community separators shall:</p> <p>A. Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen structures from view along scenic corridors.</p> <p>B. Minimize cuts and fills on hills and ridges.</p> <p>C. Minimize the removal of trees and other mature vegetation.</p> <p>D. Install landscaping consisting of native vegetation in natural groupings that fits with the character of the area in order to screen structures from view where existing topography and vegetation would not screen structures from view from scenic corridors.</p> <p>E. Design structures to use building materials and color schemes that blend with the natural landscape.</p> <p>F. Cluster structures on each parcel within existing built areas and near existing natural features, to the maximum extent feasible.</p> <p>G. <u>Locate building sites and roadways to preserve natural features, native vegetation and existing trees.</u></p> <p><i>Modify 6-0 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete</p> <p>The impact of the Standard cannot be assessed without the map. Given the effectiveness of current Community Planning Areas we see no need to create these.</p>	<p>Support the Planning Commission version. Consider moving to Section 10.2 to be with the Community Separator policy.</p> <p>Discussion: This standard would be useful to implement the Community Separator policy in Section 10.2.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-S5. Subdivisions in Community Separators. Subdivisions in community separators shall:</p> <ul style="list-style-type: none"> A. Ensure developments are subordinate to the viewscape, from the point of view of public roadways <u>and trails.</u> B. Reduce visual impact where consistent with the Land Use Element by clustering. C. Preserve natural features and native vegetation by locating building sites and roadways. D. Require dedication of permanent open space easement at the time of subdivision to the extent possible <u>allowable by law.</u> E. <u>Be accompanied by a visual analysis that demonstrates that the development is not detrimental to or enhances the visual quality of the Community Separators as a whole.</u> F. <u>Adequate additional public services and infrastructure are available to serve the development.</u> G. <u>The development is compatible with surrounding properties especially those used for agricultural pursuits.</u> <u>In addition to the mandatory criteria set forth above, special consideration will be given to projects that incorporate one or more of the following:</u> <ul style="list-style-type: none"> 1) <u>Aggregation of parcels within the Community Separator to achieve a project design that enhances the separators as a whole.</u> 2) <u>Creative financing mechanisms to maintain and preserve open space or parkland that may be dedicated in fee as part of the proposed development.</u> 3) <u>Project design features that provide for pedestrian or bicycle links between the communities on either side of the Community Separator and to any parkland that may be dedicated in fee as part of the proposed development.</u> <p><i>Modify 6-0 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p>	<p>Support the Planning Commission version. Consider moving to Section 10.2 to be with the Community Separator policy.</p> <p>Discussion: This standard would also be useful to implement the Community Separator policy in Section 10.2.</p>
<p>Planning Commission Version</p> <p>SR-S6. New Off-Premise Billboards. New off-premise billboards shall be restricted to a maximum term of 15 <u>10</u> 5 years and limited to areas designated as Commercial Services or Industrial General. <u>Off-premise billboards shall not include animation or electronic messaging unless for public service purposes and be restricted to a size of 300 square feet.</u></p> <p><i>Modify 6-0 (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-SX. Light and Glare. New outdoor lighting shall be compatible with the existing setting. Exterior lighting fixtures and street standards (both for residential and commercial areas) shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. <i>Retain (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-SXX. Permits for Billboards. <u>Require Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards as well as expansion, repair, or re-construction of existing billboards.</u> <i>All Support (6-23-11)</i></p>	<p>James Hoff (2-27-2014) Proposed modified wording SR-SXX. Permits for Billboards. Require Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards as well as expansion, repair, or re-construction of existing billboards.</p> <p>Nicole Holland (2-27-2014) Please honor the former boards unanimous decision :The policy unanimously supported by the Commission in June 2011 (SR-SXX) would require permits for new billboards, as well as expansion, repair, or re-construction of existing billboards.</p> <p>Miller Starr Regalia (1-22-2014) Policy SR-SXX would appear to require that the County approve a conditional use permit for the "repair" or "re-construction" of outdoor advertising displays that have been damaged or destroyed, even if performed as part of a sign's customary maintenance, and even if the display is to be rehabilitated in the exact same dimensions and specifications as it existing prior to damage or destruction.</p> <p>First, by infusing the approval process with discretionary considerations, the City would make the repair of existing displays...significantly more expensive, and more time-consuming. Presumably the County would be imposing conditions on a sign repair that did not exist or apply when the display owner first constructed the affect sign, and would make such decisions after public hearings.</p> <p>Effectively, adoption of Policy SR-SXX would entail the revocation of existing building permits for an affected display, without hears or notice, and require that a display owner spend a great deal of time and money obtaining a new use permit for rehabilitation of that same improvement.</p>	<p>Board discretion.</p> <p>Discussion: The Planning Commission advocates the County help in the effort to remove billboards from the public right-of-way. Their recommended policies and standards reflect that position. The Board could take a more neutral approach by limiting the requirement for use permits to new or expanded billboards with the following modifications:</p> <p>SR-SXX. Permits for Billboards. <u>Require Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards as well as expansion, repair, or re-construction of existing billboards.</u></p> <p>The Board could also take the approach in the 1984 Framework Plan and not include the standard in the GPU. Staff does not recommend this because this standard is an important component of the County's overall strategy to protecting and enhancing Scenic Areas, Heritage Landscapes and Scenic Roadways in SR-IM1 (below).</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-IM1. Mapping of Scenic Areas, Heritage Landscapes and Scenic Roadways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review <i>Retain (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete The designation of these areas could negatively impact the owners' ability to manage and make necessary improvements on the resource lands.</p> <p>Members of the Ad Hoc Working Group (break them apart): SR-IM1. Mapping of Create Scenic Areas Mapping Program, & Heritage Landscapes and Scenic Roadways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review</p> <p>SR-IMXX. Create Heritage Landscapes. Initiate a public process to identify, map, and designate Heritage Landscapes, including specific ordinance standards for scenic protections and design review.</p> <p>New IM: SR-IMXXX. Scenic Highway Designation. Work with Caltrans to get eligible highways designated as scenic highway.</p> <p>Heritage landscapes process will be more straightforward than Scenic Resources. Also, Scenic Byway process involves Caltrans and separate state process. Warrants separate IMs related to separate policies.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-IM2. Community Separators. Identify, map, and designate an overlay zone for community separators with specific standard for open space protections and design review. <i>Retain 5-1 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p>	<p>Support the Planning Commission version. Consider moving to Section 10.2 to be with Community Separator policy.</p> <p>Discussion: This implementation measure would be useful to implement the Community Separator policy in Section 10.2.</p>
<p>Planning Commission Version</p> <p>SR-IM3. Scenic Road Protection Program. Community Development Services and Department of Public Works staff shall develop a program for coordinated protection of mapped scenic roads in concert with the involved public and private agencies. <i>Retain (6-23-11)</i></p>	<p>HCRLG Recommendation: Delete The impact of the Standard cannot be assessed without the map.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-IM4. Sign Ordinance Revision. Amend the sign ordinance to implement adopted policies for off-premise billboards and to consider other revisions to ensure community compatibility. <i>Retain (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Planning Commission Version</p> <p>SR-IM5. Removal of Illegal Billboards. Identify billboards that may have been placed without permits <u>or have expired permits</u>—and with the help of Caltrans' Outdoor Advertising Office—pursue removal of billboards found to be illegally placed <u>as defined by the California Outdoor Advertising Act</u>.</p> <p><i>Modify 6-0 (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-IM6. Wayfarers Signage. Establish a local scenic byways network designed to direct travelers to areas of scenic, cultural, and historic interest.</p> <p><i>Retain (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Draft Environmental Impact Report (DEIR): (SCH# 2007012089) Mitigation 3.15.3.1.a</p> <p>“Until a public process is initiated to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review, as provided for in SR-IM1 (and CU-IM1), the County shall address potential for significant impacts to scenic resources during ministerial and discretionary permit review.”</p>		<p>Modify the DEIR version.</p> <p>Discussion: This mitigation measure is necessary to avoid permitting development that causes significant adverse impacts to scenic resources during the time period between the adoption of scenic resource protection policies and adoption of the maps implementing the policies. The mitigation requires at a minimum that interim scenic resource protection measures be applied to projects in areas that would arguably be protected in the future.</p> <p>However, as written, this mitigation is too vague to achieve the desired results, and should be modified at the time the EIR is recirculated to clarify the interim performance measures, and to better identify the areas where those measures will be applied.”</p>
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.1.a</p> <p>SR-PX. Scenic Roadway Map. Until such time as a the General Plan Scenic Roadway Map is prepared and adopted, Humboldt County roadways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered to be Scenic Roadways pursuant to Policy SR-P3. Scenic Roadway Protection.</p>		<p>Support the DEIR version.</p>
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.2.a</p> <p>SR-IMX. Community Separator Protection Program. The County shall implement a program that allows the protection and maintenance of distinct separators between developed areas by protecting continued viability of working resource lands within these community separators.</p>		<p>Support the DEIR version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Staff Recommendations

Planning Commission Draft	Public Comments	Staff Recommendation & Notes
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.3.a</p> <p>SR-IMX Lighting Design Guidelines. Amend the Zoning Regulations to include lighting design guidelines. Require new development and projects that would make significant parking lot improvements or add new exterior lighting to submit a lighting plan consistent with these guidelines. Lighting design guidelines should address:</p> <ul style="list-style-type: none"> • Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens per acre; • Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc; • Signage – Standards with respect to illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition signs should be white or light colored lettering on dark backgrounds; • Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged; • Incentives – The County shall develop incentives for residents and businesses encouraging the conversion of existing lighting sources to compliant ones; and • Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development. 		<p>Support the DEIR version.</p>

Attachment 3

Report #1 for Section 10.7 Scenic Resources

Supplemental Report #1

Section 10.7 – Scenic Resources

1) Legal basis or requirements

A Scenic Resources chapter or element is not a State mandated General Plan Element. However, California general plan law requires that the land use element designate areas for various uses, including for the enjoyment of scenic beauty (Government Code Section 65302(a)). In addition, State law requires that the County adopt an Open Space Element, or local open-space plan, that addresses open space for outdoor recreation, including areas of outstanding scenic value (Government Code Section 65560).

2) Key planning issues

There are four (4) Key Planning Issues addressed by the Scenic Resources Section discussed below; (1) Scenic Resource Protection; (2) Community Separators; (3) Scenic Roads; and (4) Billboards.

Key Planning Issue #1 - Scenic Resource Protection

Humboldt County's coastal areas, rivers, mountains, hills, forests, and grasslands contribute to the County's unique sense of place and future prosperity. Should the Plan include policies, standards, and programs to identify and protect scenic resources important to the community?

A) How/where addressed in the 1984 Framework Plan

Framework Plan contains policies and standards relating to scenic highways that are from the 1970's era County Scenic Highway Element which are contained in Section 3500, Cultural Resources. Framework policies would require that new development adjacent to such routes complement, enhance, and retain scenic views (Standard 3542).

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

The Draft Plan would map scenic areas, heritage landscapes, and scenic roadways (**SR-IM1, Mapping of Scenic Areas, Heritage Landscapes and Scenic roadways**) and protect them through a public process of selection, mapping and standards development. Critical policies include **SR-P1 Development in Mapped Scenic Areas, SR-P2, and Development in Mapped Heritage Landscapes**, and the following standards specify the requirements for development **SR-S1, Development in Mapped Scenic Areas, and SR-S2, Development in Mapped Heritage Landscapes**, as well as **SR-S3, Scenic Roadway Standards**.

C) Reason for the changes

The physical appearance of the County was rated as a very important issue in the community surveys conducted during the Critical Choices process. The Framework Plan policies address only scenic highway. The Draft Plan includes policies intended to identify and protect a range a scenic areas.

D) Notable items from the Planning Commission discussions

The Planning Commission expressed concern regarding what could resources or features are considered scenic and the potential effect of scenic resource policies on property rights and cutting timber and managing agricultural lands.

E) Consequences - intended / unintended

The policies in the Draft Plan are intended to protect the scenic areas for which Humboldt County is known. Scenic area and scenic resource protection regulations would be adopted by the Board of Supervisors at a later date and could result in unintended costs and regulatory hurdles for applicants if implementation is too broad.

Key Planning Issue #2 - Community Separators.

Defining and maintaining separation between communities helps maintain community identity. Should the Plan establish policies and programs to identify and protect community separators?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan Land Use Element contained policies intended to separate urban and rural land uses in order to protect natural resource and agricultural production and locate urban development where it can be most easily provided with needed services.

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

The Proposed Plan has as a goal the maintenance of open space areas between urban development areas, **SR-G2, Community Separators**, and would map community separators through Plan implementation (**SR-IM2, Community Separators**). In addition, the Draft Plan contains policies to protect the scenic quality of "community separators" (**SR-P4, Community Separators**) and to limit development density and establish design standards to reduce the visual impact of development (**SP-P5, Development within Community Separators** and **SR-S5, Subdivisions in Community Separators**). These measures build on policy in Section 10.2 targeting protection of "Greenbelts", which was revised by the Board to "Community Separators" earlier this year.

C) Reason for the changes

The Critical Choices Report identified the desire to address issues such as how to accommodate new residential and commercial growth without losing community character and still maintain open space around town site. Community separator policies were proposed as a means to implement this community interest.

D) Notable items from the Planning Commission discussions

Members of the Planning Commission questioned the need for a community separator overly zone, wondering if the land use designations or zoning classifications weren't enough and concerns about property rights. Others expressed support, indicating those communities like Hoopa, Ferndale and Arcata have remained distinct and that if the County doesn't implement policies distinct communities could merge into more homogenous urban areas as in other parts of the state.

E) Consequences - intended / unintended

The Draft Plan contains measures that are intended to maintain the open space, agriculture or forests between communities. Humboldt County has distinct communities separated by resource lands and open space. Without land use protections, development could erode community character. However, the added regulations applied to areas identified as "Community Separators" could have the unintended effect of making development more costly and lengthy in these areas.

Key Planning Issue #3 - Scenic Roads.

State highways and local roads provide exceptional views of the County's scenic resources that could be jeopardized without programs to preserve such vistas. Should the Plan include programs to designate roads as scenic and protect lands adjacent to roads that provide views of scenic

resources? Should these policies and programs solely rely on gaining “officially designated” State Scenic Highway status or - Should the county have its own program or rely on state programs?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan maintains the goals, policies, and standards of the 1970's Scenic Highway Element (Section 3540 through 3542). The Framework Plan called for the adoption of the Scenic Route Plan process as the means for implementing the Scenic Highways element.

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

The Draft Plan highlights the importance of scenic roadways as a means to access scenic resources (**SR-P3, Scenic Roadway Protection**) and would develop a program for the identification and protection of scenic roads (**SR-IM3, Scenic Road Protection Program**) consistent with established standards (**SR-S3, Scenic Roadway Standards**)

C) Reason for the changes

The Draft Plan expands the policy areas relating to scenic resources to also protect scenic roads and highways.

D) Notable items from the Planning Commission discussions

The Planning Commission enhanced protection of scenic roads through policies, standards and implementation measures and recommend the addition of a scenic roadway goal.

E) Consequences - intended / unintended

Like scenic resources and community separators, the Draft Plan recognizes the importance of scenic roads and specifies measures that are intended to maintain the natural setting. Without land use protections, development could erode the scenic quality of scenic roadways.

Key Planning Issue #4 – Billboards

Billboards can block scenic vistas from roadways, introduce unwanted light and glare, and can be considered unsightly. Should the Plan incorporate policies and programs to regulate the use billboards?

A) How/where addressed in the 1984 Framework Plan

Standards 3542.5 and 3542.6 regulate signs and billboards within designated scenic routes. In particular, Section 3542.6 specifies that billboards should be limited in number and size and should only be placed in selective locations.

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

The Draft Plan contains policies and standards in the Land Use Element to minimize potential impacts by limiting placement of new billboards to commercial and industrial areas. The Scenic Resources chapter includes SR-P6, Term of Off-Premise Billboards and Prohibition, which limits to the lifespan of new billboards. The Plan also contains programs to limit the term for new billboards (**SR-S6, New Off-Premise Billboards**, **SR-SXX, Permits for Billboards**, and **SR-IM4, Sign Ordinance Revision**) and remove illegal billboards (**SR-IM5, Removal of Illegal Billboards**).

C) Reason for the changes

The Critical Choices Report identified community concerns about the existence of billboards within scenic areas. The Draft Plan provides a more comprehensive approach towards regulating billboards.

D) Notable items from the Planning Commission discussions

The Planning Commission had substantial discussion concerning the regulation of billboards. Several Commissioners advocated for the removal of all billboards while others indicated that billboards can provide useful information.

E) Consequences - intended / unintended

The intended consequence of policies relating to billboard regulations is to protect views from the County's scenic roadways. Local visitor-serving businesses that rely on economic activity generated by billboards may have reduced exposure to potential customers. Billboard owners may also be required to settle for fair compensation rather than continue operation of their billboards.

Attachment 4

Updated Draft Schedule for Completion of the Remaining GPU Tasks

2014 DRAFT CALENDAR

January	February	March	April	May	June	July	August	September	October	November	December
Board of Supervisors Hearing Process											
<p>BOS Hearing (1-13-14) Items to Refer Back to Planning Commission Map Noticing Work Plan Chapters 2 & 3 Public Guide and Governance</p>	<p>BOS Hearing (2-10-14) CANCELLED</p>	<p>BOS Hearing (3-10-14) 1:30-6:00 Report from Planning Commission Chapter 4: Land Use Designation: Tribal Open Amended Schedule</p>	<p>BOS Hearing (4-7-14) 1:30 - 6:00 CANCELLED</p>	<p>BOS Hearing (5-5-14) 1:30-6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (6-2-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (7-14-14) 1:30-6:00 Open Space & Conservation Chapter 10.3 Biological</p>	<p>BOS Hearing (8-18-14) 1:30-6:00 TENTATIVE Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (9-8-14) 1:30-6:00 Open Space & Conservation: Chapter 10.3 Biological Resources & Chapter 10.4 Mineral Resources & Chapter 10.5 Waste Management</p>	<p>BOS Hearing (10-6-14) 1:30-6:00 TENTATIVE Open Space & Conservation: Introduction & Chapter 10.5 Waste Management & Chapter 10.7 Scenic Resources</p>	<p>BOS Hearing (11-3-14) 1:30 - 6:00 TENTATIVE Chapter 11 Water Resources & Land Use Map Scheduling & Noticing</p>	<p>BOS Hearing (12-15-14) 1:30 - 6:00 TENTATIVE Chapter 11 Water Resources</p>
<p>BOS Hearing (1-27-14) CANCELLED</p>	<p>BOS Hearing (2-24-14) CANCELLED</p>	<p>BOS Hearing (3-24-14) 1:30-6:00 Chapters 2 & 3 Public Guide & Governance</p>	<p>BOS Hearing (4-21-14) 1:30 - 6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (5-19-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.2 Open Space</p>				<p>BOS Hearing (9-22-14) 1:30-6:00 Open Space & Conservation: Chapter 10.4 Mineral Resources & Chapter 10.5 Waste Management & Chapter 10.7 Scenic Resources</p>	<p>BOS Hearing (10-20-14) 1:30-6:00 TENTATIVE Open Space & Conservation 10.6 Cultural Resources</p>		

Review of the 2012 Planning Commission Approved Draft Plan by the Humboldt County Board of Supervisors

Cancelled

BOS deliberation

Future Proposed Meeting

GPU PART 1 – SETTING

Chapter 1. Introduction **finished review**

Chapter 2. Public Guide **finished review**

Chapter 3. Governance Policy **finished review**

GPU PART 2 – BUILDING COMMUNITIES

Chapter 4. Land Use Element **finished review**

Chapter 5. Community Infrastructure and Services **finished review**

Chapter 6. Telecommunications **finished review**

Chapter 7. Circulation Element **finished review**

Chapter 8. Housing Element Summary - **finished review**

Chapter 9. Economic Development Element - **finished review**

GPU PART 3 – RESOURCE MANAGEMENT

Chapter 10. Conservation and Open Space Elements **partial review**

Chapter 11. Water Resources Element

Chapter 12. Energy Element **finished review**

GPU PART 4 – PUBLIC HEALTH AND SAFETY

Chapter 13. Noise Element **finished review**

Chapter 14. Safety Element **finished review**

Chapter 15. Air Quality Element **finished review**

GPU PART 5 - MAPS

2015 DRAFT CALENDAR

January	February	March	April	May	June	July	August	September	October	November	December
Board of Supervisors Hearing Process											
<p>BOS Hearing 1-12-15 1:30-6:00 TENTATIVE</p> <p>Chapter 11 Water Resources</p>	<p>BOS Hearing 2-9-15 1:30-6:00 TENTATIVE</p> <p>Appendix F: Other Maps: Biological, Safety, and Circulations</p>	<p>BOS Hearing 3-9-15 11:00-7:00 TENTATIVE</p> <p>Maps: Central Humboldt</p>	<p>BOS Hearing 4-13-15 11:00 - 7:00 TENTATIVE</p> <p>Maps: Southern Humboldt</p>			<p>BOS Hearing TBD 11:00 -7:00 TENTATIVE</p> <p>Maps: North & Eastern Humboldt</p> <p>Any time: May, June, July</p>			<p>BOS Hearing 10-5-15 1:30-6:00 TENTATIVE</p> <p>Environmental Impact Report</p>	<p>BOS Hearing 11--15 1:30-6:00 TENTATIVE</p> <p>Environmental Impact Report</p>	<p>BOS Hearing 12-14-15 1:30-6:00 TENTATIVE</p> <p>FINAL VOTE</p>
<p>BOS Hearing 1-26-14 1:30-6:00 TENTATIVE</p> <p>Appendix B Glossary & Appendix C Community Plans & Appendix E Coastal Plans</p>		<p>BOS Hearing 3-23-15 1:30-6:00</p> <p>Punch List Items</p>	<p>BOS Hearing 4-27-15 1:30-6:00 TENTATIVE</p> <p>Punch List Items</p>			<p>BOS Hearing 7-27-15 1:30-6:00 TENTATIVE</p> <p>Consistency Review & Determination of Substantial Changes</p>		<p>BOS Hearing 10-19-15 1:30-6:00 TENTATIVE</p> <p>Environmental Impact Report</p>			

Review of the 2012 Planning Commission Approved Draft Plan by the Humboldt County Board of Supervisors

Cancelled

BOS deliberation

Future Proposed Meeting

GPU PART 1 – SETTING

- Chapter 1. Introduction **finished review**
- Chapter 2. Public Guide **finished review**
- Chapter 3. Governance Policy **finished review**
- GPU PART 2 – BUILDING COMMUNITIES**
- Chapter 4. Land Use Element **almost complete review**
- Chapter 5. Community Infrastructure and Services **finished review**
- Chapter 6. Telecommunications **finished review**
- Chapter 7. Circulation Element **finished review**
- Chapter 8. Housing Element Summary **finished review**
- Chapter 9. Economic Development Element - **finished review**

GPU PART 3 – RESOURCE MANAGEMENT

- Chapter 10. Conservation and Open Space Elements - **UNDER REVIEW**
- Chapter 11. Water Resources Element
- Chapter 12. Energy Element **finished review**

GPU PART 4 – PUBLIC HEALTH AND SAFETY

- Chapter 13. Noise Element **finished review**
- Chapter 14. Safety Element **finished review**
- Chapter 15. Air Quality Element **finished review**

GPU PART 5 - MAPS