



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**L-1**

Hearing Date: April 5, 2016  
To: Board of Supervisors  
From: Robert Wall, Interim Director, Planning and Building Department **RSW**  
Subject: **Cal Fire General Plan Amendment Petition**  
Application Number 9910  
Case Numbers GPP-16-001  
Assessor Parcel Number 515-241-011  
923 Patrick's Point Road

**RECOMMENDATIONS:**

That the Board of Supervisors:

- 1. Open the public hearing and receive the staff report and public comment.
- 2. Accept the petition by approving the attached resolution (Attachment 1) based on the findings in the staff report and testimony received about the project.
- 3. Direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's Office and any other interested party.

Prepared by \_\_\_\_\_  
Michael Wheeler, Senior Planner

CAO Approval TLFR Chad Min

REVIEW:  
Auditor \_\_\_\_\_ County Counsel NAD Human Resources \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
\_\_\_\_ Consent  
\_\_\_\_ Departmental  
X Public Hearing  
\_\_\_\_ Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Fennell  
Seconded by Supervisor Bass

Ayes Sundberg, Fennell, Lovelace, Bohn, Bass  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

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

Dated: April 5, 2016

By: Kathy Hayes  
Kathy Hayes, Clerk of the Board

**SOURCE OF FUNDING:**

Applicant is responsible for all costs associated with processing of the project and fees are deposited into Current Planning Revenue Account (1100-277-608000).

**DISCUSSION:**

***Petition***

The Humboldt County Planning and Building Department, Planning Division, received a petition requesting that the Board accept for processing an applicant-initiated General Plan Amendment (Attachment 2). The petition seeks to amend the Trinidad Area Plan to allow for a water line extension from the City of Trinidad domestic water system to serve CalFire's Trinidad Fire Station.

***Summary***

*Project Location:* in the Trinidad area, on east side of Patricks Point Road, approximately 1.05 miles north from the intersection of Main Street and Patricks Point Road, on the property known as 923 Patricks Point Road.

*Basis of Petition:* The amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan.

Cal Fire staffs the fire station year-round and responds to the City of Trinidad for all medical, traffic accident, structural and wildland fire dispatches at the same time the Trinidad Volunteer Fire Department is dispatched. Because the fire station is very close to the City of Trinidad, Cal Fire's engine is usually on-scene faster than the Volunteer response. The fire station currently uses nearby surface water from Martin Creek to supply water for drinking, equipment cleaning, irrigation, and fire suppression. Cal Fire has documented evidence that this water supply is unreliable and potentially unsafe. Therefore, the fire station is looking for an alternative potable water supply.

The proposed extension of City of Trinidad water service to the fire station was initiated as early as 2009, with a preliminary feasibility evaluation by then-Trinidad City Engineer Winzler & Kelly, and submitted to the Humboldt County Local Agency Formation Commission (LAFCo). Results found that the fire station's estimated peak demand of 800 gallons per day is less than 1% of the City of Trinidad's available capacity and that the City has available water supply and could provide the fire station with potable water. In May 2010, Humboldt LAFCo determined that a Cortese-Knox-Hertzberg Act, Section 56133 exemption was applicable for the water service extension, given that the service in question involves a public service provider. Therefore the proposed service extension does not require further LAFCo approval.

California Coastal Commission staff indicated in a summary email on July 11, 2014, that any such extension of water service would be inconsistent with the current Local Coastal Programs (LCP) of both the City of Trinidad and Humboldt County. The project parcel is outside of (but directly adjacent to) the City of Trinidad's City service area. Therefore, amendments to the Trinidad General Plan and the County's Trinidad Area Plan would first need to be locally adopted and then certified by the Coastal Commission before Coastal Development Permits for the proposed project could be found to be consistent with the LCPs. The applicant is concurrently applying to the City of Trinidad for their necessary coastal plan amendment.

The proposed water line extension would be designed and/or conditioned to serve only the fire station. Cal Fire requests amending the LCPs to allow the extension of water service to just this project, potentially through a targeted exception (LCP text amendment) for this project without



extending the service area boundary. The application suggests that the right conditions incorporated into the LCP amendment to prevent growth inducement concerns could limit the scope of the necessary special studies and lessen potential controversy because the fire station is an essential public service facility and the proposed water line will serve only the fire station.

Staff believes that it can be demonstrated that the proposed change will maintain the established uses on the property otherwise consistent with a comprehensive view of the plan. Therefore, staff believes that the findings can be made on the basis of the submitted evidence.

### **Issues**

Should the General Plan and Zone Reclassification Petition be accepted, several issues will be more thoroughly analyzed during the General Plan Amendment and Zone Reclassification application review process. Some of these issues include impacts to on-site wetlands located on APNs 510-081-001 and 510-081-002, drainage, the availability and suitability of existing lands planned and zoned for commercial development, and the compatibility of the proposed use to the surrounding neighborhood. Further analysis of these issues, as well as others as they arise, will be reviewed as part of the General Plan Amendment process. Environmental review pursuant to the California Environmental Quality Act (CEQA) will also be conducted.

### **Required Findings**

#### *Review Criteria*

Pursuant to Section 1452 of the Framework Plan, Volume I, Plan Amendments may only be initiated by the Board of Supervisors based on a recommendation, by Resolution, of the Planning Commission or requested by members of the public. Section 1452.2 of the Framework Plan establishes findings that must be made, any **one** of which shall be grounds for considering a plan amendment. Specifically, the findings are:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. The amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan.

The Board also has the discretion of accepting for consideration any proposed plan amendment even though none of the findings of Section 1452.2 may be made for the specific request. Amendments accepted for consideration are processed as staff resources permit consistent with the Planning Division's budget allocation and work program.

The decision to be made at this time is whether or not the Board will accept the proposed Amendment for processing, review and consideration. If accepted for review and consideration, final approval of the proposed Amendment will be dependent upon additional data that shows the request is both "in the public interest" and "consistent with a comprehensive view of the General Plan."

### **Staff Recommendation**

Planning Division staff believes that the applicants have provided sufficient information in their petition that a finding may be made that the amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan. Board acceptance of the petition would allow for the necessary in-depth staff analysis of project impacts. As noted above, accepting the petition is only the first step in processing, reviewing and considering this request. Should the Board find the amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan," staff recommends the Board

accept the petition by adopting the attached resolution and directing Planning Division staff to process the application with Trinidad Area Plan text amendments as proposed therein.

**FINANCIAL IMPACT:**

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application. This payment is typical for all individually-initiated plan amendment and zone reclassification applications.

**OTHER AGENCY INVOLVEMENT:**

The project was referred to Public Works, City of Trinidad, Environmental Health Division, the California Coastal Commission staff and the Building Inspection Division. All local agencies recommended approval of the petition. Should the petition be accepted, the California Environmental Quality Act dictates that responsible and trustee state and local agencies also will be involved in the referral process of the Amendment, including Native American Consultation pursuant to SB 18, and as part of the environmental review for the project.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board could find that not one of the grounds for considering a plan amendment can be made and reject the petition. Alternatively, the Board, under its own discretion, may accept the proposed plan Amendment even though none of the findings of Section 1452.2 may be made for the specific request.

**ATTACHMENTS:**

- Attachment 1: Resolution No. 15-112-40
- Attachment 2: Copy of Project Description for the Proposed Extension of City of Trinidad Water Service to Cal Fire Trinidad Station
- Attachment 3: Maps: Location Map/Assessor Parcel Map/Zoning Map/Existing and Proposed Land Use Designations/Zoning Classifications



**Attachment 1**

**Resolution No. 16-40**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of April 5, 2016

RESOLUTION NO. 16-40

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT APPROVING THE PLAN AMENDMENT PETITION APPLICATION FOR FILE APN 515-241 -011; CASE NUMBER GPP-15-001**

**WHEREAS**, Section 65358 of the State Government Code allows the Board of Supervisors to amend the General Plan up to four times In any calendar year; and

**WHEREAS**, Section 1452.2 of the Humboldt County Framework Plan establishes that, if any one of the following findings are made, a requested plan amendment "shall be considered" by the Board of Supervisors:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. The amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan.

**WHEREAS**, the property owners have submitted an application requesting a plan amendment for property as identified in Project File Number APN 515-241-011; Case No. GPP-16-001; and

**WHEREAS**, Planning and Building Department, Planning Division, staff has evidence within planning files in support of finding that the amendment is necessary to maintain established uses otherwise consistent with o comprehensive view of the plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Humboldt County Board of Supervisors that the following findings are hereby made:

1. There is factual evidence in support of the proposed application: the amendment is necessary to maintain established uses otherwise consistent with a comprehensive view of the plan; and

**BE IT FURTHER RESOLVED** that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors accepts the Cal Fire General Plan Petition, File Number APN 515-241-01II: Case No. GPP-16-001; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

Dated: April 5, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of April 5, 2016

RESOLUTION NO. 16-40


Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES: Supervisors Sundberg, Fennell, Lovelace, Bohn, Bass  
NAYS: Supervisors --  
ABSENT: Supervisors --  
ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

**Attachment 2**

**Project Description for the Proposed Extension of City of Trinidad Water Service to Cal Fire  
Trinidad Station**



# Proposed Extension of City of Trinidad Water Service to CAL FIRE Trinidad Station

## Project Description

### Introduction

On behalf of CAL FIRE, SHN Engineers & Geologists has prepared this project description for the CAL FIRE Humboldt-Del Norte Unit Trinidad Fire Station, located at 923 Patrick's Point Drive (Assessor's parcel number 515-241-011), in the community of Trinidad, in Humboldt County, California (Figure 1). The fire station is located approximately 1 mile beyond (north of) the City of Trinidad sphere of influence (SOI). It is within County Service Area Number Four (CSA4), which provides year-round fire protection service from McKinleyville to Orick. The proposed project is located within the California Coastal Zone and requires coastal development permits (CDPs) from both the City of Trinidad and the County of Humboldt.

SHN has prepared this project description to provide the California Coastal Commission (CCC), Humboldt County Planning and Building Department, and the City of Trinidad's Department of Planning and Building Services with information regarding the proposed extension of the City of Trinidad's water service to the CAL FIRE Trinidad Fire Station.

### Background

CAL FIRE staffs the fire station year-round and responds to the City of Trinidad for all medical, traffic accident, structural and wildland fire dispatches at the same time the Trinidad Volunteer Fire Department is dispatched. Because the fire station is very close to the City of Trinidad and is staffed, CAL FIRE's engine is usually on-scene faster than the Volunteer response. CAL FIRE is and has been providing this service at no cost to the City, clearly demonstrating a public service and public good to the City, as well as surrounding areas.

Existing site features at the CAL FIRE Trinidad Station (fire station) are shown on Figures 2a and 2b. Currently, the fire station uses nearby surface water from Martin Creek to supply water for drinking, equipment cleaning, irrigation, and fire suppression. CAL FIRE has documented evidence that this water supply is unreliable and potentially unsafe and therefore the fire station is looking for an alternative potable water supply.

The proposed extension of City of Trinidad water service to the fire station was initiated as early as 2009, with a preliminary feasibility evaluation, conducted by Trinidad City Engineer Winzler & Kelly, and submitted to Humboldt Local Agency Formation Commission (LAFCo). The evaluation was to determine the potential water demand from the fire station, the available water supply from the City of Trinidad, and the infrastructure necessary to make the connection. Results found that the fire station's estimated peak demand of 800 gallons per day is less than 1% of the City of Trinidad's available capacity and that the City has available water supply and could provide the fire station with potable water.



In May 2010, Humboldt LAFCo determined that a Cortese-Knox-Hertzberg Act, Section 56133 exemption was applicable for the water service extension, given that the service in question involves a public service provider. Consequently, on May 19, 2010, Humboldt LAFCo approved CAL FIRE's application, and passed and adopted Resolution 10-07 determining that a LAFCo exemption applies for the water service extension from the City of Trinidad to serve the fire station; therefore the proposed service extension does not require LAFCo approval.

However, in response to a CAL FIRE request, the CCC indicated in a summary email on July 11, 2014, that any such extension of water service would be inconsistent with the current Local Coastal Programs (LCP) of both the City of Trinidad and Humboldt County. The project parcel is outside of (directly adjacent to, on the north side of) the City of Trinidad's City service area/City service limit line (Figures 3 and 4). Therefore, amendments to the Trinidad General Plan and the Trinidad Area Plan would first need to be locally adopted and then certified by the CCC before CDPs for the proposed project could be found to be LCP-consistent and approved.

## Proposed Project

The proposed water line will serve only the fire station. Once potable water has been extended to the site from City of Trinidad, the station will continue to use the existing surface water supply for equipment cleaning, irrigation, and fire suppression, thus limiting the potable water demand to indoor water use. Engineering design is required for the installation of a 1.5-inch water line along Patrick's Point Drive (PPD; approximately 5,400 linear feet), and the connection to the existing 10,000-gallon tank at the facility (approximately 600 linear feet). It is anticipated that the water line along PPD will be installed using horizontal directional drilling (HDD) to a meter at the station, and the connection from the meter at PPD to the existing facility water tank will be installed using open trenching. The project also includes the installation of a new 20,000-gallon concrete water tank for utility water/fire suppression storage; a geotechnical investigation will be needed for design purposes. The existing water supply system will be retrofitted to supply partially-treated utility water. The existing storage building will be demolished and a new building will be constructed to house the water treatment systems and pump components. New piping from the existing 10,000-gallon potable water tank to the buildings will be installed.

Design requirements for upgrading the water system at the site are expected to include design plan and profile drawings for the installation of the potable and utility water lines, including connections to the new and existing water storage tanks, the new water treatment system, and existing buildings and hose bibs. Plans will include a chlorination dosing system for the new potable water system and an evaluation of system hydraulics for the selection of adequate booster pumps.

Plans will include subsurface characterization and geotechnical investigations to provide geotechnical analysis and conclusions to aid in the design of the waterline alignment and present recommendations and design criteria. SHN will prepare initial permitting documents for review by the City of Trinidad and the County of Humboldt, including grading and encroachment permits.

CAL FIRE would like to explore the possibility of amending the LCPs to allow the extension of water service to just this project, potentially a targeted exception for this project without extending the service area boundary. With the right conditions incorporated into the LCP amendment to



prevent growth inducement concerns, this could limit the scope of necessary special studies. Potential controversy might also be lessened because the fire station is an essential public service facility and the proposed water line will serve only the fire station.

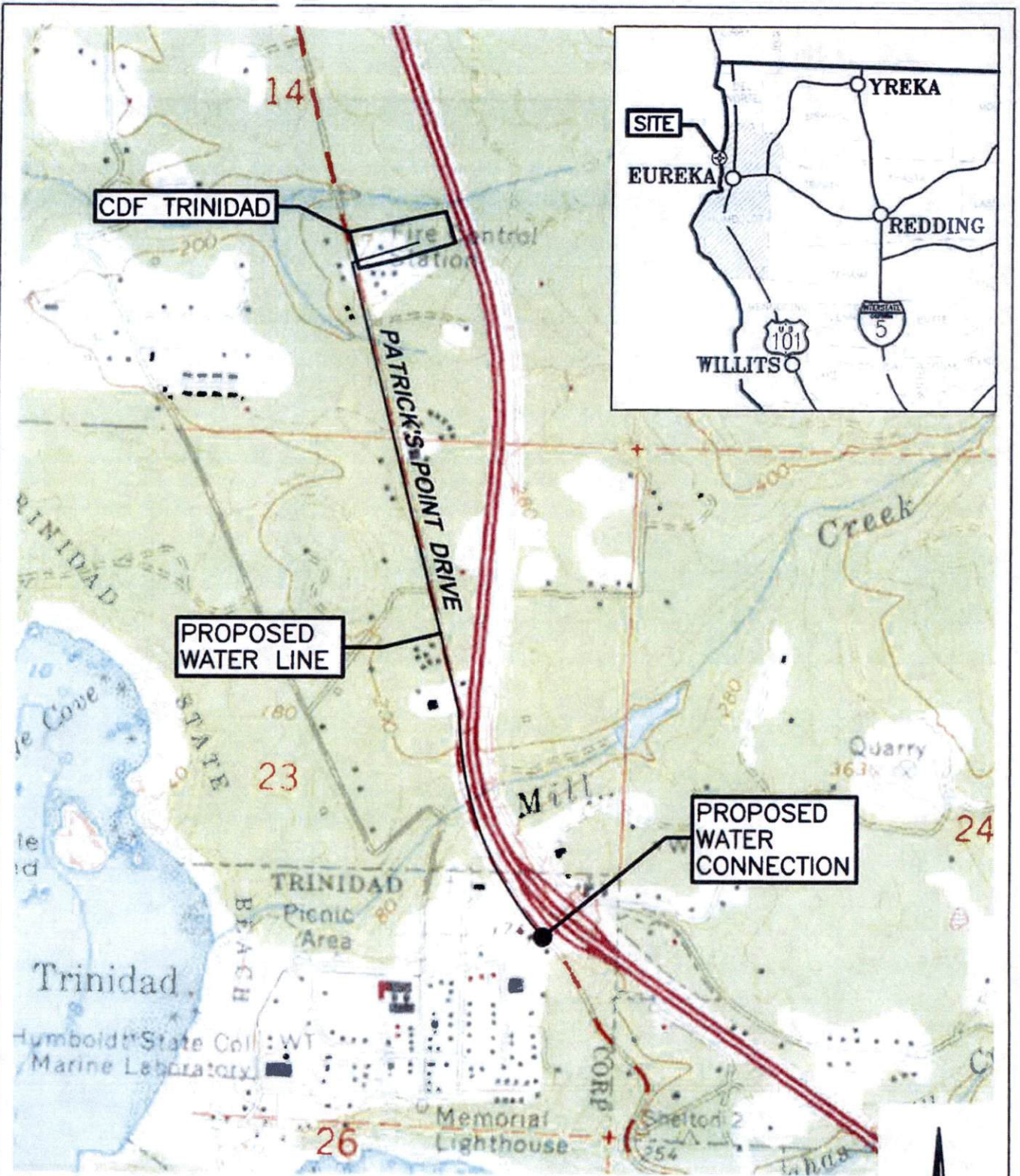
Attachments: Figure 1: Site Location Map  
Figures 2a and 2b: Trinidad FFS: Topographic Survey  
Figure 3: Trinidad General Plan Land Use  
Figure 4: Trinidad Area Plan Land Use Designations

## **Attachment 3**

### **Maps**

- Location Map
- Assessor Parcel Map
- Zoning Map
- Land Use Designations – Existing and Proposed
- Zoning Classifications – Existing and Proposed





SOURCE: TRINIDAD  
USGS 7.5 MINUTE QUADRANGLE



\\Eureka\Projects\2015\015070-CDF-Trinidad\Drawings - SAVED: 8/18/2015 8:20 AM RRIEBER, PLOTTED: 8/25/2015 3:38 PM, NATHAN DOWNEY

	CDF Trinidad Fire Station Trinidad, California		Site Location Map	
	August 2015	015070-LCTN	SHN 015070	
			Figure 1	











project parcel



### Trinidad General Plan LAND USE PLATE 1B

**LAND USE CATEGORIES**

- Open Space
- Resource Production
- Rural Residential
- Suburban Residential
- Urban Residential
- Visitor Services
- Commercial
- Public & Religious
- Planned Unit Development
- Special Environment

- Intensive Growth Area  
(AVERAGE DENSITY-LESS THAN 2 UNITS PER DWELLING)
- City Service Limit
- Trinidad City Limit
- Harbor Study Area  
(Area of deferred certification)
- Tsural Study Area
- Proposed Street
- Trails

Figure 3



MAP 4  
**TRINIDAD AREA PLAN  
Land Use Designations**

**Urban**

- Urban Limit Line
- RE Residential Estates (0-2units/acre)
- CG Commercial General

**Rural**

- City Service Area
- Westhaven Service Area
- TC Commercial Timberland
- RX Residential Ex Urban (0-2units/acre)
- RR(a) Rural Residential (0-1unit/2 acres)
- RR(b) " " (0-1unit/5 acres)
- RR(c) " " (0-1unit/2 1/2 acres)
- RR(d) " " (0-1unit/5 acres)
- RR(e) " " (0-1unit/acre)
- RR(f) " " (0-1unit/5 acres)
- RV Rural Village
- CR Commercial Recreation
- PR Public Recreation
- PF Public Facility
- NR Natural Resources

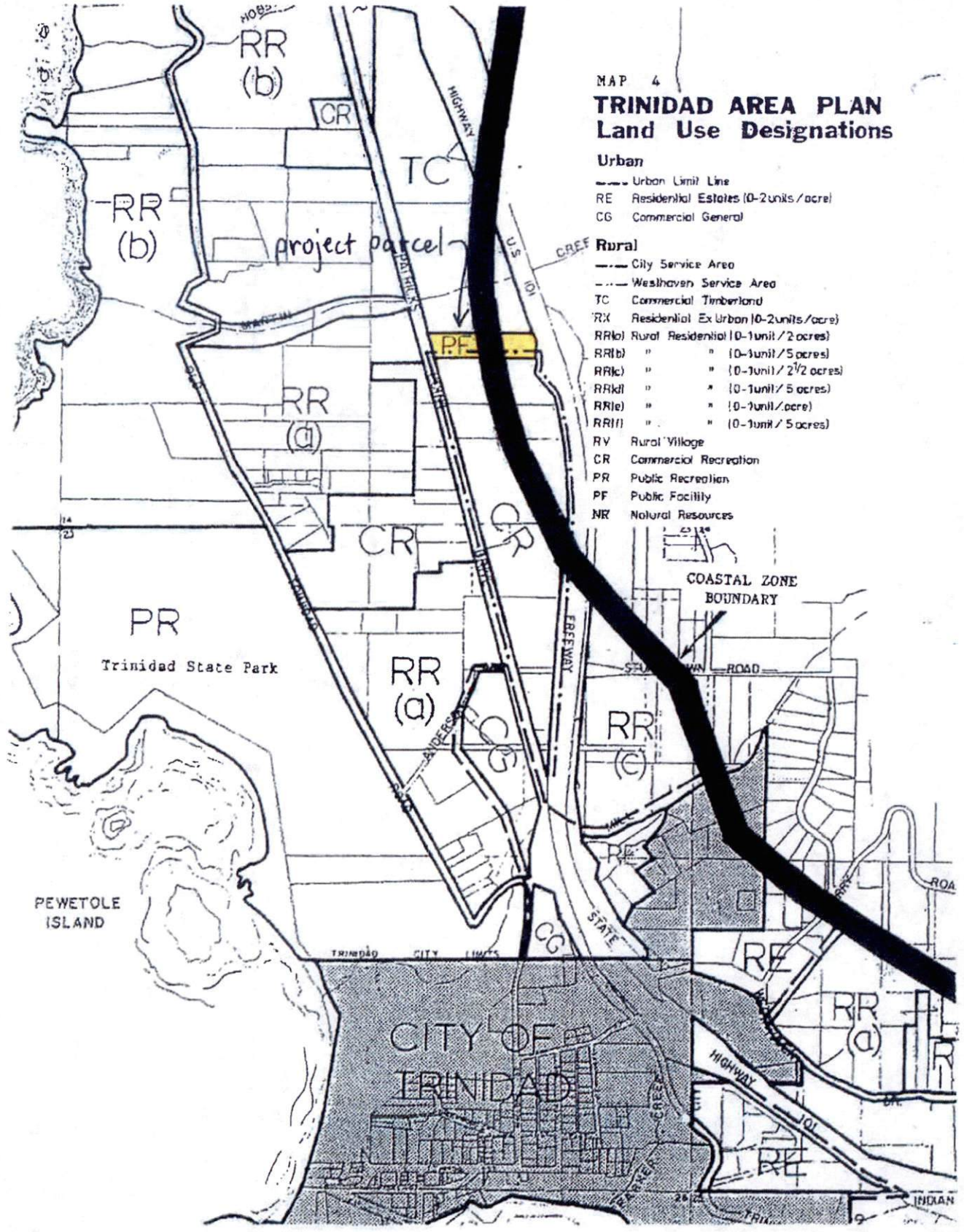


Figure 4