



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
L-1

HEARING DATE: April 26, 2016

TO: Board of Supervisors

FROM: Rob Wall, interim Director of Planning and Building **RSW**

SUBJECT: **Samoa Town Master Plan General Plan Amendment** (Local Coastal Plan Amendment) and Zoning Text Changes
 Assessor Parcel Number 401-031-036
 Case Numbers GPA-14-001/ZR-14-001
 920 and 931 Vance Road, Samoa

RECOMMENDATIONS:

That the Board of Supervisors:

1. Introduce Ordinance No. 2549 (Attachment II) by title and waive further reading.
2. Open the public hearing and receive the staff report and public comment.
3. Close the public hearing and deliberate.

(Recommendations continued next page)

Prepared by: _____ CAO Approval: Chey D. Dillingham
 Michael E. Wheeler, Senior Planner

REVIEW:
 Auditor _____ County Counsel NAD Personnel _____ Risk Manager _____ 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 Bass
 Seconded by Supervisor Sundberg
 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 26, 2016
 By: Kathy Hayes
Kathy Hayes, Clerk of the Board

4. Make the necessary findings to approve the Local Coastal Program Amendment and adopt Resolution No. 110-49 (Attachment A), approving text amendments to the Humboldt Bay Area Plan (HBAP) and Humboldt County Zoning Regulations (Implementation Program) as modified by the California Coastal Commission to: 1) Modify the development timing provisions of the Samoa Town Master Plan (STMP) to allow the Wastewater Treatment Facility (WWTF), Vance Avenue Improvements and Multi-Family housing development (as configured under the approved PF and RM designations and Vance Avenue right of way) to be created by merger and re-subdivision by parcel map as an additional Master Parcel (Master Parcel 2) prior to the development of other STMP lands (Master Parcel 3); 2) Establish submittal requirements for three STMP development phases (Phase 1 - WWTP and Vance Avenue Improvements, Phase 2 - multi-family housing development, and Phase 3 - comprehensive division of Master Parcel 3); and 3) Establish modified development requirements for each development phase.
5. Adopt Ordinance No. 2549 (Attachment C) amending the STMP Zoning Map notation and Sections 313-15.2, 313-15.3 and 313-34.5 of Title III, Division I, Chapter 3 of the Humboldt County Code.
6. Adopt a Resolution of Transmittal to the California Coastal Commission (Attachment D) and direct the Planning and Building Department - Planning Division to transmit the Local Coastal Program Amendments to the California Coastal Commission for certification in accordance with the Coastal Act.
7. Direct the Clerk of the Board to publish a Post-Adoption Summary of the Ordinance (Attachment H) within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance.
8. Direct the Planning and Building Department - Planning Division to file a Notice of Determination pursuant to California Environmental Quality Act (CEQA).
9. Direct the Clerk of the Board to give notice of the decision to the applicant, to the Assessor's Office and any other interested party.

SOURCE OF FUNDING: The applicant has paid a deposit for costs associated with processing the application. The applicant is responsible for paying all fees for services rendered.

DISCUSSION:

SUMMARY

On April 1, 2014 the board accepted a petition to modify the text of the Humboldt Bay Area Plan and zoning text related to the timing of certain aspects of the Samoa Town Master Plan.

The Town of Samoa property owner, Samoa Pacific Group, has proposed that the County of Humboldt submit a Humboldt Bay Area Plan (HBAP) Local Coastal Plan (LCP) Amendment to the California Coastal Commission to allow for timely development of low-income multi-family housing. This amendment would involve changing the phasing provisions of the Samoa Town Master Plan (STMP) adopted into the HBAP in order to meet grant funding time requirements for the proposed upgrades to the wastewater treatment facility (WWTF) to serve low-income multi-family housing. Under the terms of grant funding, a separate parcel must be created for the low-income multi-family housing by March 2015 and construction of the WWTF must commence by 2016 unless extensions to these milestones are secured by the applicant. Under current requirements, all parcels must be merged prior to any new development or action on a tentative map approval and before a final map phase may be recorded the applicant must complete development of a number of other improvements, such as trails, visitor serving facilities, etc. The establishment of a separate parcel apart from the balance of the STMP lands for this housing, WWTF and associated road improvement project can only be accomplished

within the grant time frame by amending the LCP parcel merger and the development phasing conditions.

On February 10, 2015, the Board tentatively approved the staff recommended modifications to the Humboldt Bay Area Plan and Zoning text subject to California Coastal Commission adoption. These modifications were then submitted to the California Coastal Commission for their review and adoption.

On March 9, 2016, the California Coastal Commission conditionally approved the local coastal plan amendment and zoning changes subject to the County adopting the Commission's recommended modifications.

The purpose of the current action is to accept the text modifications to the Humboldt Bay Area Plan requested by the California Coastal Commission so that the project proponent can proceed with application for a Coastal Development Permit to execute the merger and parcel map required for the future phased development under the Samoa Town Master Plan.

Project Location

The project site is located in the Samoa area, on properties known as 920 and 931 Vance Road, Humboldt County, California, and the property known to be in Sections 16 and 17, Township 05 North, Range 01 West.

LCP Amendment

The proposed LCP Amendment would consist of the following:

1. Modify the development timing provisions of the Samoa Town Master Plan (STMP) to allow the Wastewater Treatment Facility (WWTF), Vance Avenue Improvements and Multi-Family housing development (as configured under the approved PF and RM designations and Vance Avenue right of way) to be created by merger and resubdivision by parcel map as an additional Master Parcel (Master Parcel 2) prior to the development of other STMP lands (Master Parcel 3); and
2. Establish submittal requirements for three STMP development phases (Phase 1 - WWTP and Vance Avenue Improvements, Phase 2 - multi-family housing development, and Phase 3 – comprehensive division of Master Parcel 3); and
3. Establish modified development requirements for each development phase.

The applicant and his consultant have worked with the Coastal Commission and Regional Water Quality Control Board staff to address technical and policy considerations of the proposed development timing change. The text amendments as now presented will allow the change in development phases to facilitate the early development of new affordable housing. This reordering of the project phasing will allow the developer to use grant funding to upgrade the WWTF and construct necessary utility infrastructure and road improvements to support the affordable housing project. The WWTF upgrade will remove a major impediment to the overall STMP development. The amendment also establishes submittal requirements for each development phase and provides specific improvement requirements for each phase.

BACKGROUND – Original Samoa Town Master Plan Project

The proposed amendments are intended to facilitate the implementation of the Samoa Town Master Plan (STMP). This project was first presented as a petition for General Plan Amendment in 2002, and in 2011 the STMP amendments, after an extensive Coastal Commission review and hearing process, were finally adopted by the Board of Supervisors. As noted, the present amendments do not change any substantive provision of the currently adopted STMP policies;

the only change is to the order of development to accommodate the grant-funded upgrade of the wastewater treatment facility and infrastructure in support of affordable housing.

To provide background as to this major undertaking, the elements of the Samoa Town Master Plan project are summarized below.

131 acres currently planned and zoned as Industrial General (IG) and 6.5 acres planned and zoned Industrial Coastal Dependent (MC) will be changed to the following designations: **Residential Low Density (RL), 47.97 acres; Residential Medium Density (RM), 3.78 acres; Commercial Recreation (CR), 7.39 acres; Public Facilities (PF), 10.56 acres; Commercial General (CG), 4.51 acres; Business Park (MB), 12.31 acres; Natural Resources (NR), 39.73 acres; and Public Recreation (PR), 6.9 acres.** In addition, 35.03 acres will remain planned and designated for Industrial Coastal Dependent (MC) use. The project includes identification of an Urban Limit Line around the community and text amendments to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the Humboldt Bay Area Plan, and amendments to Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.

The project area is located entirely in the Coastal Zone, and the Local Coastal Plan Amendment will require subsequent approval by the California Coastal Commission. The Department required an Environmental Impact Report be prepared pursuant to the California Environmental Quality Act. Among the impacts addressed include historical resources and tsunami hazards.

Planning staff recommended approval of the GPA/ZR because the project is "in the public interest", is "consistent with a comprehensive view of the General Plan," and because "physical conditions have changed". In accepting the Plan Amendment Petition, the Board of Supervisors found that there has been a change in base information under which the current land use designations were applied and that the amendment would be protective of established uses. Specifically, the Board determined that:

- Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
- The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
- The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

The Master Plan ("Project") as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. Key elements of the Master Plan for Samoa include:

- A commercial area at Vance Avenue and Cutten Street;
- A business park along the south portion of Vance Avenue;
- The Samoa Cookhouse area which includes the existing Samoa Cookhouse, a indoor soccer arena, a new Maritime Museum and the existing gymnasium, baseball field and the elementary school, and a new small RV park (8 spaces with no hookups);
- A total of 293 new residential units are proposed, including a residential district west of Vance Avenue;
- Live/work studios along Cadman Court;
- Multi-family "workforce" housing (46 units) east of Vance Avenue and north of Soule Street;
- Coastal dependent industrial land east of the NCRA railroad tracks;
- Open space and natural areas, east of New Navy Base Road and at other locations;
- Roads, trails and pathways;

- A central park and town square; and
- Public facilities, including a wastewater treatment plant, corporation yard and utility substation.

The stabilization of this former mill town site and preservation of existing housing opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in the business park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.

Required Findings: To approve this project, the Board of Supervisors must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

A. Required Findings for General Plan Amendment

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, any **one** of which may 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. To maintain established uses otherwise consistent with a comprehensive view of the plan.

Section 1452.2 of the Framework Plan establishes that the General Plan may only be amended if the change is in the "public interest". [Also Cal Govt. Code Sec. 65356.1]. Further, the amendment must be consistent with all other goals, policies and standards of the General Plan or must incorporate appropriate modifications to bring it into consistency.

B. Required Findings for Zone Text Amendment

Section 312-50 of the Zoning Regulations states the following findings must be made to approve an amendment to the zoning regulations:

1. The proposed change is in the public interest.
2. That the proposed change is consistent with the General Plan.
3. The proposed amendment does not reduce residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

C. Required Findings for Local Coastal Plan Amendment

State law requires amendments to the Local Coastal Plan be consistent with Public Resources Code §30000 et seq.

D. Finally, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:

1. The project either is categorically or statutorily exempt; or
2. There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or

3. An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

Department's Analysis

A.1/B.1 Public Interest:

The applicant's petition to alter the development timing provisions of the STMP provides an argument for consideration of a proposed plan based on a change in base information and community values and assumptions have changed (Sections 1452.1 and 1452.2 of the Framework Plan). These points are repeated below:

1. Base information or physical conditions have changed.
A 3.5 million dollar grant for infrastructure improvement that will facilitate an affordable housing project has become available since the adoption of the LCP amendment. The timing of the grant is tied to construction of an affordable housing project. Currently the LCP states that new construction cannot begin until the existing town of Samoa has been subdivided. Based on projected sales of lots, this schedule cannot be met.

In order to meet the timing requirement for the grant, the owners propose to move construction of the affordable housing project in the Residential Medium Density land use designation ahead of the first phase of the subdivision of the existing residential area.

2. Community values and assumptions have changed.
Although an affordable housing project has always been part of the Samoa Town Master Plan, the State of California promotion of a grant for infrastructure improvements has changed the timing of the development. The requested revision to the adopted LCP will provide affordable housing opportunities within the Coastal Zone at an earlier time when the County is being pressed by the State to provide for more affordable housing.

As documented in the adopted Housing Element, the County of Humboldt currently experiences a shortage of affordable rental housing. This amendment will facilitate the creation of new housing opportunities by facilitating necessary wastewater treatment upgrades.

A.2/B.2 Consistency with the General Plan

The following table identifies the evidence which supports finding that the amendments to the Samoa Town Master Plan local coastal plan and zoning are in conformance with all applicable policies and standards in Chapters 2-4 of the Framework Plan (FP) and Humboldt Bay Area Plan (HBAP). Several policies in the HBAP are specific to the Samoa area.

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use 4.20 (HBAP)	MC – Industrial/Coastal Dependent – To protect and reserve parcels on or near the sea for industrial uses dependent on, or related to, the harbor.	<p>The adopted and certified STMP amended the HBAP land use in the following manner: The project area consisted of 40.1 acres of lands designated MC. The STMP designated approximately 1.6 acres of MC lands for Public Facility use; approximately 0.04 acres for Commercial General (existing post office), and 4.96 acres as Commercial Recreation (CR). These areas correspond with existing, or logical extensions of existing development: primary treatment plant, post office, water storage tower (planned), Samoa cookhouse, fireman's hall and storage units. The designation of these lands in recognition of the established uses is consistent with Plan policies. Furthermore, many of these facilities have a dual use capability in support of the remaining MC lands (e.g., waste treatment, fire protection, etc.).</p> <p>All changed designations are contingent upon conformance with the development timing provisions of the STMP, including merger of underlying parcels into a "Master Parcel".</p> <p>The proposed development timing amendments to the STMP will permit two "master parcels" (Master Parcels 2 and 3 per Exhibit 25A) to be created but will not alter the configuration or application of present MC or any other land use designations.</p>

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use 4.20 (HBAP)	MG – Industrial/General – To protect sites suitable for general industrial uses.	<p>The adopted and certified STMP amended the HBAP land use in the following manner: The project area consisted of approximately 131.6 acres of lands designated MG. The STMP changed these lands to the following new land use designations: Residential Low Density (RL), 53.3 acres; Residential Medium Density (RM), 3.5 acres; Commercial General (CG), 4.56 acres; Commercial Recreation (CR), 4.74 acres; Natural Resources (NR), 34.9 acres; Public Recreation (PR), 2.9 acres; Public Facility (PF), 8.5 acres; and Business Park (MB) 19.2 acres, with a text and map amendment. All changed designations are contingent upon conformance with the development timing provisions of the STMP, including merger of underlying parcels into a "Master Parcel".</p> <p>These areas correspond with existing, or logical extensions, of existing development: existing secondary treatment/discharge area, fire station, existing residential (16.2 acres), parks and open space. The change from MG to MB would retain options for research/light industrial, warehouse/storage/distribution but would forgo heavy industrial uses.</p> <p>The proposed development timing amendments to the STMP will permit two "master parcels" (Master Parcels 2 and 3 per Exhibit 25A) to be created but will not alter the configuration or application of present MG or any other land use designations.</p>

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
3.13.B.5. Coastal Dependent Development (HBAP)	In reviewing projects requiring channel access, it is recognized that the channel adjacent to the Samoa Spit is naturally scoured and generally provides the best opportunity for deeper draft use.	<p>Existing and potential Coastal Dependent Industrial Uses were maintained by the adopted STMP. Only a small portion of the MC lands already developed with existing uses such as the Samoa Cookhouse, the Post Office and Sewage Treatment Facility were re-designated under the STMP. The bulk of the Coastal dependent industrial lands will remain so designated and available for future reuse to support coastal dependent industrial development.</p> <p>The proposed development timing amendments to the STMP will not alter the lands presently designated for coastal dependent industrial use.</p>
3.14.A. Planned Industrial Uses (HBAP)	The North Spit south of the Samoa Bridge is the site of the County's heaviest industrial uses. These areas are planned Coastal Dependent Industrial because of the water-borne traffic which constitutes an integral part of these operations.	<p>Existing and potential Coastal Dependent Industrial Uses were maintained by the adopted STMP. The STMP designated lands for use as a Business Park (MB). The business park could be an asset which attracts new coastal dependent industrial development to existing, but undeveloped, coastal dependent industrial portions.</p> <p>The proposed development timing amendments to the STMP will not alter the lands presently designated for industrial use.</p>

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>315.A (Urban) and 3.27.A.2. (Rural) Recreation Planned Uses (HBAP)</p>	<p>Commercial Recreation facilities are planned at the intersection of New Navy Base Road and the Samoa Bridge.</p> <p>Encourage private sector as provider of visitor serving facilities. Within the urban limit, development of non-coastal dependent recreational facilities are deemed to serve the overall goal of improving coastal recreational opportunities.</p> <p>Encourages provision of on-site recreational opportunities in major development.</p>	<p>The STMP includes a Commercial Recreation component and additional coastal access facilities. This includes upgrades to the existing Samoa Cookhouse, Maritime Museum, a visitor serving use area of approximately 1.5 acres west of New Navy Base Road, and makes possible a location for other related assets such as an indoor soccer arena.</p> <p>The project area does not include and does not involve any development at the intersection of New Navy Base Road and the Samoa Bridge and so would not interfere with future development of that site.</p> <p>The proposed development timing amendments to the STMP will not alter the lands presently designated for commercial recreation use.</p>
<p>Housing: 3.16 (Urban) and 3.28 (Rural) (HBAP) 2400 (FP)</p>	<p>Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.</p> <p>Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible.</p> <p>Encourage Planned Unit Developments (PUD) where extra ordinary public benefits to the community are provided such as dedication of open space and public access, protection of visual resources and habitats, and provide housing for persons of low and moderate income.</p>	<p>The STMP will serve to further the goals of the Housing Element by preserving existing housing units currently classified as "legal, nonconforming" uses and providing for a mix of housing suitable for a full range of income levels. In addition to the 98 existing residences, the project would support development of a Planned Unit Development to create 293 additional residential units. Of these, 46 affordable "workforce" housing units are proposed on southeast corner of Soule Street and Vance Avenue.</p> <p>Project development will be reviewed for conformance with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.</p> <p>The proposed development timing amendments to the STMP will not alter the lands presently designated for residential use. The amendments will facilitate the development of affordable multi-family housing on lands already designated for this type and density of use.</p>

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Hazards: 3.17 (Urban) and 3.29 (Rural) (HBAP) 3100 (FP)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	Geologic, flood and fire hazards are addressed and mitigated as necessary to minimize impacts in the project Master Environmental Impact Report. (See Chapter 2, Section 2.7 and Chapter 4, Section 4.7 for specific analysis and mitigation). Specific mitigation for Tsunami hazards is included in the Master Plan EIR. (See Chapter 4.7.2 MEIR Recirculation Draft 2). The proposed development timing amendments to the STMP will not alter these environmental protections.
Cultural Resource Protection 3.18 (Urban) and 3.29.1 (Rural) (HBAP) 3500 (FP)	New development shall protect cultural, archeological and paleontological resources.	A cultural resource inventory and resource preservation recommendations have been developed for the project and incorporated into the project mitigation. Cultural resources are addressed and mitigated as necessary to minimize impacts in the project Master Environmental Impact Report. (See Chapter 2, Section 2.1 and Chapter 4, Section 4.1 for specific analysis and mitigation). The proposed development timing amendments to the STMP will not alter these environmental protections.

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Biological Resource Protection</p> <p>3.30 (HBAP) 3400-3604 (FP)</p>	<p>To protect designated sensitive and critical resource habitats.</p> <p>The Dune area extending west of Manila and Samoa Bridge is composed of environmentally sensitive dune habitats, and therefore is designated "natural resources." This designation restricts the type of development allowed in this area.</p>	<p>Under the adopted STMP planned development is sited and designed to avoid sensitive habitats by selection of previously developed areas for future development and maintaining sensitive biological habitats in open space. Biological resources are addressed and mitigated as necessary to minimize impacts in the project Master Environmental Impact Report. (See Chapter 2, Section 2.4 and Chapter 4, Section 4.4 for specific analysis and mitigation). Additionally, the Natural Resource, NR designation has been applied to areas containing sensitive biological resources.</p> <p>None of the beach and dune areas along the west side of New Navy Base Road will be disturbed, other than improving parking and a 1.5 acre visitor serving area with restrooms and coastal access as part of mitigation for recreation planned uses.</p> <p>The proposed development timing amendments to the STMP will not alter these environmental protections.</p>
<p>Visual Resource Protection</p> <p>3.40 (HBAP) 3540 (FP)</p>	<p>New development shall conserve and protect scenic and visual qualities of coastal areas.</p> <p>Samoa Blvd., directly west of Arcata, also offers views of the Bay and surrounding agriculture lands that are unparalleled near most urban coastal areas.</p>	<p>The STMP proposes to preserve the plan area's high visual qualities, and develop areas of low visual quality (e.g. vacant industrial areas). Visual screening and landscaping requirements (as specified in the project Master EIR mitigation) will also be used to protect scenic and visual qualities. Aesthetics and visual resources are addressed and mitigated as necessary to minimize impacts in the project Master Environmental Impact Report. (See Chapter 2, Section 2.9 and Chapter 4, Section 4.9 for specific analysis and mitigation).</p> <p>Significant areas of land located between New Navy Base Road and the residential areas will be maintained in open space and restored to a natural dune environment. Visual resource protection will be maintained.</p> <p>The proposed development timing amendments to the STMP will not alter these protections.</p>

B.3 Conformance with Housing Element Density

The proposed development timing amendments to the Samoa Town Master Plan will permit two "master parcels" (Master Parcels 2 and 3 per Exhibit 25A) to be created but will not alter the configuration or application of the RM or RS zoning designations as approved for the STMP. Accordingly, no change to the housing inventory used by the Department of Community Development in determining compliance with housing element law will occur.

C. Staff Analysis: Local Coastal Program Amendment

The Samoa town site is located in the coastal zone, and State law requires amendments to the Local Coastal Plan be consistent with Chapter 3 of the Coastal Act (Public Resources Code §30000 et seq.). Applicable coastal act policies are identified in the Master EIR is Chapter 4 under each impact category and discussion of consistency is included in each applicable impact category section. The following table identifies the findings that address the proposed text changes affecting development timing.

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p>The proposed amendments must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding the following issues: Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</p>	<p>The STMP did not impact any mapped coastal access trails. An existing pedestrian underpass from Samoa to the ocean side of the Peninsula will be maintained. New Navy Base Road provides access to the property as well as public access to the coast. The STMP requires development of parking and access at L-P Drive on the west Side of New Navy Base Road (to be required as time of subdivision).</p> <p>The proposed development timing amendments to the STMP will permit the merger and resubdivision by parcel map to create Master Parcel 2 for development of affordable housing, Vance Avenue improvements and a wastewater treatment facility, and Master Parcel 3 for the balance of the STMP lands, including the developed townsite. The timing of these access improvements will remain linked to the subdivision of the property (i.e., Master Parcel 3).</p>
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p>Recreation (including protection of water-oriented activities, ocean front land protection for recreational uses, aquaculture uses, and priority of development purposes)</p>	<p>Adopted STMP will not impact existing opportunities for water-oriented activities. Ocean front land would be protected for recreational uses, and there is no aquaculture at the project site. The master plan proposes the inclusion of a recreational vehicle park to further serve recreational opportunities.</p> <p>The proposed development timing amendments to the STMP will not alter these provisions.</p>
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p>Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)</p>	<p>The subject property is located at the Samoa town site, and is separated from the coastline by New Navy Base Road, and from Humboldt Bay by lands under separate ownership managed by the Harbor District. Development of the project area as proposed would not impact biological productivity, does not involve dredging or filling of coastal waters, would not impact fishing, water supplies or flood control, and does not involve revetments or breakwaters.</p> <p>The proposed development timing amendments to the STMP will not alter these provisions.</p>

<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p>Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)</p>	<p>The site does not contain agricultural lands or timberlands. An archaeological study has been prepared with recommendations for the protection of archaeological resources.</p> <p>Under the STMP development must be consistent with Plan policies and standards that protect environmentally sensitive areas, including dune hollow wetlands, other wetlands, and sensitive beach and dune habitats. A Biological Report prepared for the STMP and MEIR identified such areas and recommended buffers from them.</p> <p>The proposed development timing amendments to the STMP will not alter these protections.</p>
	<p>Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)</p>	<p>The adopted STMP plan/zone boundaries follow existing vegetation on the site, separating the cleared area in the middle of the property for residential use from the surrounding forested area.</p> <p>The proposed development timing amendments to the STMP will not alter these provisions.</p>
	<p>Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants.</p>	<p>Except the area already developed with the Samoa Cookhouse, Maritime Museum and fire hall which was designated Commercial Recreation (CR), the adopted STMP retained all lands previously designated coastal dependent industrial.</p> <p>The proposed development timing amendments to the STMP will not alter any prior adopted land use designations.</p>
	<p>The LCP Amendment shall be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act.</p>	<p>The LCP Amendment will be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act.</p>

D. Environmental Impact:

As required by the California Environmental Quality Act, the Planning and Building Department determined that an Environmental Impact Report was required to address potential impacts of the original STMP proposal. A Master Environmental Impact Report (MEIR), which was previously certified by the Board of Supervisors, evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that potential adverse effects of the current proposal, either individually or cumulatively, on the environment are fully addressed in the Master Environmental Impact Report. An Addendum has been prepared which includes a detailed discussion of all relevant environmental issues.

FINANCIAL IMPACT: As required for all individually initiated plan and zone text amendments, the applicant is responsible to pay for all actual costs involved in processing the application.

OTHER AGENCY INVOLVEMENT: The Department has referred the proposed general plan amendment to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the project. The California Coastal Commission and the Regional Water Quality Control Board have provided the Department with specific guidance as to the changes in development phasing and the establishment of revised application submittal requirements for the new development phases. The comprehensive nature of the agency review should help facilitate expedited review of the amendment package upon transmittal for possible certification.

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board of Supervisors could find that the requested text amendments to the HBAP and Zoning Regulations are not consistent with the General Plan or that it is not in the public interest. The Department does not recommend this alternative based on the evidence in the public record. However, to implement this alternative, it is recommended your Board direct the Department to draft the necessary resolution, and bring it back to your Board for consideration at a future (continued) public hearing.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

- Attachment A: Resolution Making the Required Findings and Recommending Adoption of the Local Coastal Program Amendments
- Attachment B: Modified Text Amendments to the Humboldt Bay Area Plan which includes the Coastal Commission requested modifications.
- Attachment C: Modified Zoning Text Change Ordinance which includes the Coastal Commission requested modifications.
- Attachment D: Resolution of Transmittal to the Coastal Commission; Amendment to the Local Coastal Program (LCP)
- Attachment E: Addendum to the MEIR
- Attachment F: Exhibit 25A Map of the proposed Merger and Resubdivision by Parcel Map
- Attachment G: Post-Adoption Summary of Ordinance

ATTACHMENT A

**Resolution Making the Required Findings and Recommending Adoption of the Local Coastal Plan
Amendments to the Humboldt Bay Area Plan**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 26, 2016

RESOLUTION NO. 16-49

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING PLANNING STAFF TO SUBMIT TO THE CALIFORNIA COASTAL COMMISSION THE PROPOSED SAMOA PACIFIC GROUP AMENDMENT TO THE LOCAL COASTAL PROGRAM FOR REVIEW AND CERTIFICATION

WHEREAS, on April 1, 2014, the Board of Supervisors approved a General Plan Petition for a Local Coastal Program (LCP) Amendment, to wit, to amend the Samoa Town Master Plan (STMP) provisions of the Humboldt Bay Area Plan and the Coastal Zoning Regulations to modify the development timing and improvement requirements of the STMP to support development of affordable housing, by facilitating infrastructure improvements, including the upgrade of the Wastewater Treatment Facility (WWTF); and

WHEREAS, the County Planning Division reviewed the submitted applications and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the County Planning Division caused the preparation of an Addendum to the Final Master Environmental Impact Report for the LCP amendment package pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division undertook consultation with representatives of the Wiyot Tribe, Blue Lake Rancheria and Bear River Band of the Rohnerville Rancheria in accordance with State law which resulted in the preparation of a Memorandum of Agreement setting forth responsibilities of the developer in carrying out the project in a manner protective of cultural resources; and

WHEREAS, the County Planning Division prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the text amendment to the HBAP and Zoning Regulations (Case Nos.: GPA-14-001/ZR-14-001); and

WHEREAS, the Planning Commission reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, on July 3, 2014, the Planning Commission adopted Resolution No. 14-23 recommending the Board of Supervisors approve the Local Coastal Program Amendment to the HBAP and Coastal Zoning Regulations application for the Samoa Pacific Group to facilitate implementation of the Samoa Master Plan; and

WHEREAS, a public hearing was held on January 27, 2015 and continued to February 10, 2015 by the Humboldt County Board of Supervisors to receive other evidence and testimony; and

WHEREAS, at their February 10, 2015 meeting the Humboldt County Board of Supervisors make the necessary findings and approved the amendment and zone reclassification subject to Coastal Commission adoption; and

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 26, 2016

RESOLUTION NO. 16-49

WHEREAS, at their March 9, 2015 meeting the California Coastal Commission determined that effective certification of the LCP amendment will occur after County of Humboldt acknowledges receipt of their resolution and through an adopted resolution: A) accepts and agrees to the modifications that are suggested by the California Coastal Commission; B) takes whatever formal action is necessary to implement the modifications; and C) agrees to issue coastal development permits subject to the approved Local Coastal Program.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Board of Supervisors that the following findings regarding the Samoa Pacific Group amendment be hereby made:

1. The Plan amendment is in the public interest because the change to the phasing provisions of the Samoa Town Master Plan (STMP) adopted into the HBAP will facilitate obtaining an infrastructure grant to upgrade the wastewater treatment facility (WWTF) to serve low-income multi-family housing, funding which would otherwise be unavailable and would delay this necessary improvement.
2. The Plan amendment is necessary because base information and physical conditions and community values and assumptions have changed; i.e.
 - A 3.5 million dollar grant for infrastructure improvement that will facilitate an affordable housing project has become available since the adoption of the LCP amendment.
 - The timing of the grant is tied to construction of an affordable housing project. Currently the LCP states that new construction cannot begin until the existing town of Samoa has been subdivided. Based on projected sales of lots, this schedule cannot be met.
 - Although an affordable housing project has always been part of the Samoa Town Master Plan, the State of California promotion of a grant for infrastructure improvements has changed the timing of the development. The requested revision to the adopted LCP will provide affordable housing opportunities within the Coastal Zone at an earlier time when the County is being pressed by the State to provide for more affordable housing.

NOW, THEREFORE, be it further resolved that the following findings regarding the Samoa Pacific Group Zone Reclassification be hereby made:

1. The Zoning Text Amendments are consistent with the comprehensive view of the Plan in that it is consistent with policies land use designations that implement the General Plan as amended.
2. The Zoning Text Amendments are in the public interest because it will facilitate the development of affordable housing and the necessary upgrade of the wastewater treatment facility necessary to serve the development.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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RESOLUTION NO. 16-49

3. Based on the evidence presented in the Final Environmental Impact Report certified on October 27, 2009, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR. An addendum to the Final EIR has been adopted for the project in accordance with CEQA.

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors hereby finds that the proposed Local Coastal Program amendments and the proposed zoning text amendments have been prepared in accordance with the California Public Resources Code, Division 20, California Coastal Act of 1976, as amended, and is consistent with the provisions of said Act.

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors accepts and agrees to the modifications that are suggested by the California Coastal Commission, and approves the Local Coastal Program Amendment application as modified by the California Coastal Commission at their March 9, 2016 meeting for LCP No.: LCP-1-HUM-15-0004-1 (Humboldt County Case No. GPA-14-001/ZR-14-001).

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors has taken formal action to implement the modifications.

BE IT FURTHER RESOLVED that this Board of Supervisors agrees to issue coastal development permits subject to the approved Local Coastal Program, and hereby intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby provides notice to the California Coastal Commission and its staff that the proposed Local Coastal Plan Amendment and zoning ordinance amendments are adopted as amendments that will take effect immediately upon certification by the California Coastal Commission.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby directs Planning staff to submit the approved Local Coastal Program and Zoning (Implementation Program) text amendment to the California Coastal Commission for their review and certification.

Dated: April 26, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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RESOLUTION NO. 16-49

Adopted on motion by Supervisor Bass, seconded by Supervisor Sundberg, 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