



August 22, 2019

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Rex Bohn, Chairman
Board of Supervisors
825 5th Street
Eureka, CA 95501

Re: General Plan Implementation and Consistency Measures

Dear Board of Supervisors,

The Humboldt Association of Realtors® is here today to help protect private property rights and look out for the best interests of land and property owners in this County.

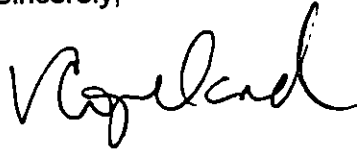
The following are of most concern to our Association:

- A. Creating a brand new Timber Exclusive Zone, that was never addressed in the EIR and thus its impacts never considered. Impacts such as: reduced future housing opportunities, failure to consider climate change and economically forcing owners into TPZ which will result in reduced county tax receipts, changes to traffic flows, noise and other public concerns.
- B. Changing the Agriculture Exclusive density minimum from 20 Acres to 60 Acres. The impact from this reduced housing opportunity (Both Primary and Secondary Dwellings) is in conflict with the existing General Plan as well as the supported EIR.
- C. Creating new Mixed Use 1 and Mixed Use 2 Zones that were never addressed in the EIR or their impacts considered. Impacts such as: parking, traffic flow, safety, noise, neighborhood transformation and other public concerns.
- D. Definitions that were utilized in the supporting EIR have been changed to an extent and manner that impacts visualized by the EIR are no longer valid or in keeping with the analysis inherent in the EIR.

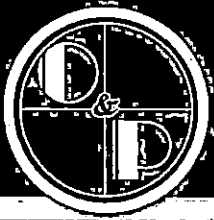


We ask that you please consider our comments and concerns while considering many of the changes with the General Plan Implementation and Consistency Measures.
We thank you for your time and for listening to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Copeland". The signature is fluid and cursive, with the first name being more prominent.

Victoria Copeland
2019 President



OMSBERG & PRESTON

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J2

August 23, 2019

Mr. Rex Bohn, Chairman &
Humboldt County Board of Supervisors
825 Fifth Street
Eureka, CA 95501

Re: Proposed Zone Reclassification, Zoning Text Amendments

Dear Chairman Bohn & Members of the Board:

In reviewing the staff report for the August 27, 2019 agenda item, we see some positives, but also some things we believe should be reconsidered, in order that our County walks away with a Zoning Ordinance that is in conformance with the General Plan. Positives include the mixed-use regulations, which we believe will open up more housing opportunities; the planned rural development (PRD) combining zone that allows for clustering of home sites in resource areas, the reduction of the B special building site overlay minimum parcel size and the RR railroad, mineral resource and airport safety review combining zones.

Our main concern are the proposed changes to the WR zone. It looks as though the County is proposing to redefine *wetlands*. It also appears the WR combining zone is to be applied to the *outer boundaries* of the streamside management areas currently existing, as well as to other wet areas (natural ponds, springs, vernal pools, marshes, etc.). We are unclear as to the effects of the change on man-made drainage improvements vs. natural drainage courses.

Reasons why we believe the Board should reconsider the changes as proposed include:

- The proposal appears inconsistent with the Williamson Act, the Right to Farm Ordinance and several other sections of the Plan and zoning as well as the State Forest Practice Rules.
- Steep topography and other common constraints of our county, when the proposed setbacks are applied, would deem many of our County's parcels "off-limits" for development. With so little potentially developable, residentially-zoned, property available in the county, further limitations are concerning.
- If it is the California Department of Fish & Wildlife (CDFW) or staff's interpretation of CDFW's mapping that is calling for expanded setbacks, maybe the State should provide site-specific evidence to the County supporting its request prior to a decision being made.

While there are some items we can support, others are concerning with regard to implementation being consistent with the General Plan. We respectfully request the proposed changes be reconsidered, or processed via a General Plan Amendment with separate CEQA document.

Thank you for your consideration.

OMSBERG & PRESTON

Kimberly D. Preston, PE, PLS
Owner / Manager

Cc: Mr. John Ford, Planning & Building Dept. Director



J2

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Folsom CA 95630
Telephone: 877.326.3778
info@forestlandowners.org
www.forestlandowners.org

August 19, 2019

Humboldt County Board of Supervisors
825 Fifth Street
Eureka, CA 95502

Re: GPU Zoning Implementation Group 2- AE and TPZ and TE

Dear Chair Mr. Bohn, and Supervisors Mr. Madrone, Mr. Wilson, Ms. Bass, and Ms. Fennell, As president of Forest Landowners of CA, a statewide organization which represents non-industrial (family) forest landowners, I write to you with FLC's suggestions regarding this part of the Humboldt GPU Zoning Implementation project.

The mission of FLC is to promote the benefits of sustainably managed, privately owned forests in California. We support keeping existing forests intact and working as forests, which are public trust resources providing many free public benefits, including mitigating climate change through carbon sequestration. What Humboldt County does with its forests has global impact.

FLC strongly supports the existing TPZ zoning, because of its long track record of 42 years (since the 1977-1978 fiscal year) enabling forest landowners to do sustainable forestry, via reduced property taxation. Restrictions on housing construction are an appropriate means of limiting human presence in working forests, and should continue. However, residence rules should allow for future generations of family to live on the land. Clustered housing should include exemptions to allow home siting for solar access; to avoid winter shade (think cold and moldy homes); to locate on soils which 'percolate' for septic systems; and to avoid unstable soils and flooding, to name just a few of the variables one faces when siting a residence in TPZ land in Humboldt County.

Forestland is needed for the long term, and nothing should be allowed to carve away at the land base for growing timber. The current '3 acre exemption' in the CA Forest Practice Rules has been used extensively in Humboldt County to convert forests to cannabis production, rather than to provide a building site, as it was intended. While legal, this lessens our forests and thus poses harm to the public and the planet itself.

The proposed TE (Timber Exclusive) zoning is supposed to be appropriate for agricultural lands which have a predominant timber component. As we understand TE Zoning, it would lack some of the restrictions of TPZ, including the TPZ property tax exemption, and would allow slightly more residential structures on the land, within a 2 acre envelope. The Planning Commission held lengthy debate on the consequences of TE zoning for property taxation and future land values. The Planning Commission voted to support the resolution as drafted by staff, which would have removed the TE zoning designation. However, the TE zoning designation is expected to be considered by the Board of Supervisors, at the direction of two supervisors.

FLC does suggest that TPZ land with public ownership should not inhibit the use of privately owned TPZ land that is adjacent to publicly owned TPZ land. Private owners should remain able to harvest timber

up to the property line that the private land shares with the public land. Public owners of TPZ land should be required to maintain, at public expense, posted signs forbidding trespass on adjacent private land, located at the public/private land boundary, for all public trails and all shared access points. This would protect the public from harm on private land, as well as protect the adjacent private land from harm from public trespass, vandalism, and increased fire risk that humans bring.

FLC urges the Humboldt County Board of Supervisors to be very leery of TE zoning, as it appears to give an opening for cannabis-related agriculture amid timber, which, when/if market forces favor cannabis over timber, could be a temptation for owners to convert their forest bit by bit, over time. Given the impossibility of active enforcement of land use activity across Humboldt County, it seems imprudent to allow a TE zoning category which gives forest landowners a mechanism for quiet conversion away from timber growing and harvesting.

If it is the pleasure of the Board of Supervisors to approve a TE zone, FLC suggests that before it is implemented, every owner whose property(ies) will be zoned TE, first be given the chance to choose TPZ over TE, after being provided by the County with complete information regarding differences in property tax exemptions and all restrictions associated with the 2 zoning designations. Finally, owners of TE-zoned properties should be required to disclose the land's zoning designation, and the differences between TE and TPZ, at earliest contact with future potential buyers of the land.

We appreciate this chance to give our thoughts on the GPU Zoning Implementation- Group 2; invite you to call us with questions; and wish you wisdom on this and all issues.

Very respectfully,



Claire McAdams, President, Forest Landowners of CA

J2

August 26, 2019

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

Dear Supervisors:

This letter represents the collection thoughts of members of the Humboldt County Resource Lands Working Group who own or manage over 80% of the rural private lands in Humboldt County and include both small prime ag landowners and large timberland owners. We share a common perspective of natural resource conservation and protection of property rights. Our coalition came together 10 years ago during the General Plan Update process and we remain active today.

We appreciate the General Plan's intent in protecting our farms and forest land into the future. However, when reviewing the implementation plan our top concern is viability of the next generation of landowners who provide a local source of food and fiber in the county. It is important to our constituents that the next generation have the opportunity to live on the land. Given this perspective we recognize that natural resource businesses are ever evolving. As the land is passed down from one generation to the next, the needs change. When a family member gets married, have children, or siblings diversify farm or ranch operations the business often needs to evolve. Our ultimate goal is to keep lands productive and under their intended use as agriculture and forest properties. Given this perspective, we strive to have the tools to keep their family members involved in these options, and in most cases need the ability for workers and families to live on the property.

Below are our specific comments:

1. Regarding the housing envelope guiding development, is there an exclusion for barns, agriculture buildings, and family or rental housing in the residential building envelope? There may be specific requirements and definitions of "farm worker housing" that may not apply to our county.
2. We ultimately want to keep our lands productive and plan our buildings in ways that keep productive lands intact and make the best use of space. Land is valuable asset, yet we also rely on it for our livelihood. We wouldn't put a barn on prime ag lands because we need that land to remain in production to keep our businesses viable. Building sites are complicated by many factors and restrictions in the housing envelope including distance to existing buildings, distance to front of property producers and maximum acreage for the development site reduce creativity and may have negative consequences. We are not certain these rules will protect land as intended. We feel in some cases (10 acre or large maximum envelope) may force people to spread out the development across properties rather than consolidate it. The diversification of farm operations, and changes made in advancing technology and in best practices need flexibility in our development of these lands.
3. We have a concern regarding the set back from TPZ lands. In instances where 2 TPZ parcels abut, the 150-foot setback should be omitted, so that an unintended 300-foot



“double setback” of unusable land, which would devalue both properties, is avoided. We recommend requiring 150-foot setback on properties 3 acres or larger and make that 150-foot setback the responsibility of landowner according to Cal FIRE standards based on the CA Forest Practice Act.

4. Regarding AE: Prime and non-prime agriculture lands should be treated consistently, and minimum parcel size should stay at 20 acres.
5. Regarding the new TE Zone. If the Board of Supervisors approves a TE zone, we suggest that every owner whose property or properties will be zoned TE, be given, at time of implementation of the revised zoning amendments, the chance to choose TPZ over TE and given time to complete this process. The County should share all information regarding differences in property tax exemptions and all restrictions associated with the two zoning designations. Finally, owners of TE-zoned properties should be required to disclose the land's zoning designation at earliest contact with future potential buyers of the land, so that the differences between TPZ and TE with regard to property tax exemption and other requirements are transparent to potential buyers.

We look forward to continuing to be a contributor to the public dialog over policies that affect Humboldt County's vital rural resource lands and associated natural resources. Please feel free to contact us if we can be of assistance. Thank you for your consideration of our comments.

Sincerely,

Humboldt County Resource Lands Working Group

The Buckeye | Humboldt County Farm Bureau | Western United Dairymen
Humboldt Del Norte Cattlemen Association | Large Timberland Owners Group | Forest
Landowners of California (Humboldt Co. Representatives)

J2

Hayes, Kathy

From: Linda Miller <krazykat745@gmail.com>
Sent: Monday, August 26, 2019 9:21 PM
To: Hayes, Kathy
Subject: Fwd: AUG 27 Meeting, GPU Zoning Implementation; TPZ and TE zones

Dear Ms. Hayes,

I wish to retract my comment from this morning (below email that I sent to all Supervisors and cc'd to you). I misunderstood what the Timberland Exclusive Zone was proposing. I will submit a second comment.

Thank you,
Linda Miller
McKinleyville

----- Forwarded message -----

From: Linda Miller <krazykat745@gmail.com>
Date: Mon, Aug 26, 2019 at 10:06 AM
Subject: RE: AUG 27 Meeting, GPU Zoning Implementation; TPZ and TE zones
To: <khayes@co.humboldt.ca.us>, <rbohn@co.humboldt.ca.us>
Cc: <efennell@co.humboldt.ca.us>, <smadrone@co.humboldt.ca.us>, <mike.wilson@co.humboldt.ca.us>, <vbass@co.humboldt.ca.us>, <jpmiller@co.humboldt.ca.us>

Dear Chairman Bohn, and Supervisors Madrone, Wilson, Bass, and Fennell,

I am writing to support keeping the existing TPZ zoning, and to NOT implement the Timber Exclusive zoning.

Our timberlands are a precious resource that provides the County with a timber commodity, important wildlife habitat (which provides its own value including tourism), as well as carbon sequestration (which is important to our own and the world's survival on this planet), and we should protect it. TPZ does this with a property tax exemption and restrictions to keep working forests working.

Timber Exclusive (TE) zoning would not provide these protections and could open up more possibilities for conversion of timber land for cannabis production or more residences within timber land (not appropriate).

Please vote AGAINST a TE zone on any existing TPZ zoned lands in Humboldt County.

Respectfully,
Linda Miller
McKinleyville

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August 26, 2019

Humboldt County Board of Supervisors
Rex Bohn - Chair and Supervisor
Estelle Fennell - Vice Chair and Supervisor
Virginia Bass - Supervisor
Mike Wilson - Supervisor
Steven (Sungnome) Mardone - Supervisor

Re: Item J, 2. for the August 27, 2019, Agenda - Zoning Text Amendments to Implement the General Plan - Group 2 Land Use Element Agricultural & Forest Resources Related Zoning Changes

Dear Members of the Board:

This item was initially launched in its current form on July 9, 2019. It was agendized late afternoon on the Friday before the Tuesday hearing over a four-day holiday weekend. This resulted in tremendous confusion to the public and an inability of the public to produce formal objections to the scope and procedure of the proposed Amendments. This also resulted in many questions posed by the board members due to unanswered questions of General Plan Consistency and whether or not impacts which are required to be studied under CEQA had been answered by the General Plan environmental review documents in support of the proposed amendment.

OVERVIEW

The current item for amendments to Implement the General Plan in Group 2 is *procedurally flawed and legally insupportable for the following reasons:*

- The staff report (along with Attachment 1 and the sole attached environmental document) fails to legally identify how the item is legally consistent with the General Plan to be implemented in the manner set forth in the staff report, in Attachment 1 and in the environmental document attached to the staff report; and

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Humboldt County Board of Supervisors

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- The implementation amendments are a new project for the purposes of CEQA and there is no information in the staff report of any environmental review of the potential impacts of the proposed amendments. Zoning Amendments are subject to CEQA.
- In the event, that staff wishes to rely on the previous environmental document for the General Plan since that document is the launching point for the proposed amendments that document has only marginal relevance to the new proposed zoning amendments and the environmental document attached to the staff report provides no information that any of the impacts from this project have been studied at all. Moreover, using the earlier General Plan EIR without updating it to include any impacts from the designations of properties in these new categories fails to comply with section 15162 (3) (A) and (B) (see below) regarding new information of impacts not known at the time the earlier environmental document underwent review. *See Friends of the College of San Mateo Gardens v. San Mateo County Community College District*, 1 Cal.5th 937 (2016) [On remand after decision reached on appeal by *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.*, 11 Cal. App. 5th 596, 218 Cal. Rptr. 3d 91, 2017 Cal. App. LEXIS 424 (May 5, 2017); *see also Union of Medical Marijuana v. City of San Diego*, 2019 DJDAR 7892 (filed August 19, 2019).

DISCUSSION AND ANALYSIS

Courts are likely to uphold implementation measures that flow from *well-articulated policy statements* in general plans as expressions of the public interest. However, a court needs to be able to find the existence of a basis for upholding implementation measures. By collecting and analyzing data which is the identification of impacts regarding the earlier project, county planners create the basis for a county board of supervisors to adopt general plan goals and policies. These adopted goals and policies then become the legal basis for implementation of the general plan, including regulating parcel sizes and other restrictions. *This collecting and analyzing data for valid implementation measures, which is commonly referred to as studying the "significant effects" of this project, is missing from the implementation plan before the Board for TE; MU1; MU2; and the elimination of AE 20.*

All implementation tools the County uses (zoning/specific plans) must be consistent with the general plan overall; in fact all plans, ordinances, and policies must be consistent with the general plan (Gov't Code sections 65359, 65454 and 65860), and within the general plan, maps and diagrams must also be consistent with the text of the general plan.

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Humboldt County Board of Supervisors

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- If some topics are not even mentioned in the General Plan (TE; MU1; MU2; the elimination of AE 20), it is not possible that data concerning the effects of these designations has ever been collected for *consistency* review.

CEQA has a simple purpose: to assure that decision makers understand and account for the environmental consequences of a project. Cal. Pub. Res. Code sections 21000, and following. The CEQA analysis is intended to give decision makers information on what the environmental impacts will be and how to minimize those impacts. 14 Cal. Code Reg. section 15063.

- If some topics are not even mentioned in the General Plan (TE; MU1; MU2; the elimination of AE 20), it is impossible that data concerning the effects of these designations has even been collected for CEQA review.

A study of impacts and questions concerning those impacts are legally required to be answered for all new and/or non-studied designations that are proposed, and these answers need to be reasonable and based upon *facts* and realities and not just state legal requirements or non-fact-based conclusions. These answered questions should include:

- What is the current environmental condition? (Not the condition that existed years ago when the General Plan CEQA RDEIR was contemplated). CEQA Guidelines 15125(a) and (c).
- What impacts are likely if approval is given? CEQA Guidelines 15125(e); *Environmental Planning and Information Council v. County of El Dorado*, 131 Cal. App. 3d 350, 352, *et seq.* (1982).
- Did the EIR identify mitigation measures and alternatives to avoid or minimize potential impacts to the extent feasible, and were these mitigation measures incorporated into the General Plan's policies and programs? Public Resources Code section 21081.6.
- Did the General Plan EIR identify a reasonable range of alternatives and analyze each of their effects? CEQA Guidelines section 15126.6.
- Are there cumulative effects?
- Have growth inducing impacts been studied? Public Resources Code section 21100(b)(5); CEQA Guidelines section 15126(d).

In addition, implementation measures identified in a general plan (and mitigation measures identified in its EIR) must be fiscally and technically feasible to be valid. Governor's Office of Planning and Research, State of California General Plan 2017 Guidelines, page 234.

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Humboldt County Board of Supervisors

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- The possibility of landowners with timber lands that will be designated as TE migrating to TPZ and its loss of taxes to the County has not been studied.

The right to due process - notice of action affecting property, an opportunity to be heard, and a fair hearing (“procedural due process”) and the right to be free from irrational government action (“substantive due process”) are constitutional rights a general plan implementation cannot deny.

- There is a complete absence of adequate due process provided to landowners who will be effected by the change in designations since these designations were not even mentioned in the General Plan.

The Equal Protection Clause of the Federal Constitution requires that similarly situated persons be treated in an equal manner. U.S. Const. amend. XIV. See also Cal. Const. art I, section 7.

- No Equal Protection ramifications have been studied or even considered in regards to timberland owners being forced into TE, while other timberland owners were given an option whether to elect to place their timberland into TPZ.

In adopting or amending a general plan, the County must engage in a fair process. *Kawaoka v. City of Arroyo Grande*, 17 F. 3d 1227 (9th Cir. 1994); *County Sanitation Dist. No. 2 of Los Angeles County v. County of Kern*, 127 Cal. App. 4th 1544 (2005).

- The current process seeks to insert in the General Plan via implementation, *new, unstudied designations which were not articulated in the General Plan is not a fair process for those whose interests may be adversely effected?*

The term “project” refers to the whole of an action and to the underlying physical activity being approved, not to each government approval (State CEQA Guidelines Section 15378(c)). Thus, even if the Lead Agency needs to grant more than one approval for a project, only one CEQA document should be prepared unless there is new information of impacts pursuant to Section 15162.

Not only does staff fail to provide the factual basis required by the Court to uphold implementation measures, in the Draft Board of Supervisors Resolution Certifying Compliance with CEQA and Adopting Findings for Approval of Zone Text Amendment

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Humboldt County Board of Supervisors

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Ordinance (“Resolution”), staff at page 2, 1.a. omitted from their citation, crucial parts of CEQA Guideline 15162(a)(1) through (3)(A) through (D).

CEQA Guideline 15162(a) reads in its entirety:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, *shows any of the following:*

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

First, the statute referred to in Attachment 1 or the Agenda Item, pg 2, 1.a, CEQA is a summary with the vast portion of subsection (3) totally omitted. The proposed Resolution, asserting that the previous EIR may be used, states: “...when no new information has been presented which was not and could not have been known at the time

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Humboldt County Board of Supervisors

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of the EIR.” By staff’s own language, the inclusion of new designations makes it impossible to rely on the EIR for the General Plan to implement TE; MU1; MU2; and the elimination of AE 20. These designations were never studied at all. This is all new information not available at the time and no impacts have been studied at all.

Similarly, the proposed Resolution in section 1.e. states without factual basis that “[n]o substantial evidence has been submitted to the public record that substantial changes are proposed by Group 2 of the Text Amendments to implement the General Plan which require major revisions to the PEIR, that there are substantial changes to the circumstances under which Group 2 amendments are being undertaken that required major revisions in the PEIR or that there is new information has [sic] become available which was not known at the time the PEIR was certified that require major revisions in the PEIR. In addition to the designations not being made at all in the EIR, this statement cannot be made unless all the public comment at the Planning Commission hearing and at the last few Board meetings regarding implementation of the General Plan is disregarded or if what in this letter is disregarded.

Even the staff report for this August 27, 2019, meeting states, at page 4, “...there was broad agreement that any proposed changes to the zoning ordinance, such as alternatives the Board of Supervisors requested on June 18, 2019, brought forward on July 9, 2019, not previously considered by the Planning Commission (specifications for development within the building envelope AE and TPZ zones, greater setbacks in the TE and TPZ zones, and design guidelines for ridgeline and hillside development) should first be reviewed by the Planning Commission for a recommendation.” It is also of note that the TE designation was expressly rejected by the Planning Commission, but for some reason the facts articulated for that rejection by the Commission and by the Public at the hearing are absent from the report to this Board.

As to the reference on page 4 that the change in minimum lot size for AE zones from 20 to 60 acres is specified in footnote #4 of Table 4-G, Footnote 4 merely states: “Principally permitted Second Residential Units shall be within the same contiguous two (2) acre building envelope containing the primary residence.” How this footnote fairly informed landowners zoned AE 20 that their zone would be eliminated under the General Plan implementation is not articulated in the staff report.

On page 8, the Resolution states that the adoption of amendments to AE will “not affect the county’s ability to meet its regional housing need obligation. There is nothing in the Environmental Document for the General Plan nor in the staff report that the number of housing element units identified in any of the yet-to-be-amended community plans has been studied at all. Some of these community plans identify units within AE for housing

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element unit count. As discussed above, there is nothing before you regarding the impact of the elimination of AE 20s, how many parcels are involved, the location of the parcels and how these housing numbers will be effected.

- The amount of unclassified lands in the suggested TE designation has finally now been alluded to in the August 27th report as 312 parcels and potentially over 4000 acres. There is no identification where these parcels are located. Nor the impacts of moving them to a designation that is as restrictive if not more so than TPZ. For instance, in which districts are all of these properties located (Second or Fifth Districts?), and do the 4000 acres even have the ability to harvest timber given the type of trees/bushes/vegetation on each property? What will be the impact on each of these rural communities in finding housing for the current and projected residents in each of these areas with any of these changes? Does the Board expect those in the effected communities to relocate to urban areas instead of remaining in their communities? All of this was never studied in the General Plan at all.
- In the AE section of the proposed amendments, how many parcels will fall under these proposed amendments and where are they located? This is still not identified nor was it ever studied previously. How will this effect the small farmer? This will have impacts on small farms and the impact of forcing small farmers to acquire much larger and expensive properties and/or precluding them from living and working on their smaller (less than 60 acre) parcels may have devastating impacts on the type of boutique farmer producing product for our farmers markets or natural food markets. What will happen to the existing 20-acre and 40-acre parcels both now and in the future if housing on that property is curtailed and the small owner cannot live and work on her small farm? These are direct impacts none of which has been studied because none of this was part of the earlier environmental document regarding the General Plan.
- In the MU1 and MU2 areas, where will they be located? What is the extent of current public transportation for persons within these unnamed and unmapped areas? Where will the people park their cars? For instance, what effect will it have on existing commercial businesses/parking in these areas? In whose adjoining neighborhoods will these new cars be parked? How many cars will be taking up neighborhood parking in other neighborhoods or in commercial areas especially since parking is so restricted or eliminated in the MU1 and MU2 proposed areas.

None of the impacts from the proposed Zoning Amendments were discussed or studied at all in the General Plan and the Environmental Document cited by staff as the document you are to rely upon. This is all substantial evidence of "impacts not studied in

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the prior environmental review” and/or “impacts studied but which are more significant than those studied earlier.” These impacts have not been studied at all.

CONCLUSION

As discussed above, there is no legally sufficient basis for a finding of General Plan Consistency for the reasons in the staff report; merely finding a policy in the General Plan, or a note in a footnote does not establish General Plan Consistency at all. That is a finding you have to make and cannot make based upon what is articulated in the Staff Report.

As also discussed above, the proposed amendments to Group 2 were not in the General Plan or the General Plan Environmental Document. These amendments are new information. These designations and the effects of these designations on the un-identified parcels is information not in existence when the 2017 General Plan and Environmental Document were adopted. None of the potential impacts, including but not limited to those specified above from these new proposals, have been studied *at all* in the earlier Environmental Document. Based upon the fact that there has been no study at all of the impacts of these amendments, nor even identification of parcels effected or impacts on the surrounding community and environment, there is no substantial evidence in the Staff Report upon which you can make the finding that there is no new information regarding the proposed amendments. If the Board wishes to make these amendments, the Board must do so in a legally defensible manner under CEQA since there has been no prior environmental study of the potential impacts from the Amendments as set forth above.

Sincerely,



Allison G. Jackson

J2

August 26, 2019

RECEIVED

AUG 27 2019

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

Clerk
Board of Supervisors

Dear Supervisors:

This letter represents the collection thoughts of members of the Humboldt County Resource Lands Working Group who own or manage over 80% of the rural private lands in Humboldt County and include both small prime ag landowners and large timberland owners. We share a common perspective of natural resource conservation and protection of property rights. Our coalition came together 10 years ago during the General Plan Update process and we remain active today.

We appreciate the General Plan's intent in protecting our farms and forest land into the future.

However, when reviewing the implementation plan our top concern is viability of the next generation of landowners who provide a local source of food and fiber in the county. It is important to our constituents that the next generation have the opportunity to live on the land. Given this perspective we recognize that natural resource businesses are ever evolving. As the land is passed down from one generation to the next, the needs change. When a family member gets married, have children, or siblings diversify farm or ranch operations the business often needs to evolve. Our ultimate goal is to keep lands productive and under their intended use as agriculture and forest properties. Given this perspective, we strive to have the tools to keep their family members involved in these options, and in most cases need the ability for workers and families to live on the property.

Below are our specific comments:

1. Regarding the housing envelope guiding development, is there an exclusion for barns, agriculture buildings, and family or rental housing in the residential building envelope? There may be specific requirements and definitions of "farm worker housing" that may not apply to our county.
2. We ultimately want to keep our lands productive and plan our buildings in ways that keep productive lands intact and make the best use of space. Land is valuable asset, yet we also rely on it for our livelihood. We wouldn't put a barn on prime ag lands because we need that land to remain in production to keep our businesses viable. Building sites are complicated by many factors and restrictions in the housing envelope including distance to existing buildings, distance to front of property producers and maximum acreage for the development site reduce creativity and may have negative consequences. We are not certain these rules will protect land as intended. We feel in some cases (10 acre or large maximum envelope) may force people to spread out the development across properties rather than consolidate it. The diversification of farm operations, and changes made in advancing technology and in best practices need flexibility in our development of these lands.
3. We have a concern regarding the set back from TPZ lands. In instances where 2 TPZ parcels abut, the 150-foot setback should be omitted, so that an unintended 300-foot

“double setback” of unusable land, which would devalue both properties, is avoided. We recommend requiring 150-foot setback on properties 3 acres or larger and make that 150-foot setback the responsibility of landowner according to Cal FIRE standards based on the CA Forest Practice Act.

4. Regarding AE: Prime and non-prime agriculture lands should be treated consistently, and minimum parcel size should stay at 20 acres.
5. Regarding the new TE Zone. If the Board of Supervisors approves a TE zone, we suggest that every owner whose property or properties will be zoned TE, be given, at time of implementation of the revised zoning amendments, the chance to choose TPZ over TE and given time to complete this process. The County should share all information regarding differences in property tax exemptions and all restrictions associated with the two zoning designations. Finally, owners of TE-zoned properties should be required to disclose the land’s zoning designation at earliest contact with future potential buyers of the land, so that the differences between TPZ and TE with regard to property tax exemption and other requirements are transparent to potential buyers.

We look forward to continuing to be a contributor to the public dialog over policies that affect Humboldt County’s vital rural resource lands and associated natural resources. Please feel free to contact us if we can be of assistance. Thank you for your consideration of our comments.

Sincerely,

Humboldt County Resource Lands Working Group

The Buckeye | Humboldt County Farm Bureau | Western United Dairymen
Humboldt Del Norte Cattlemen Association | Large Timberland Owners Group | Forest
Landowners of California (Humboldt Co. Representatives)

General Plan Reference	Zoning Text Amendment
314-7.1 "AE - Agriculture Exclusive Zone" Amendments	
<p>General Plan Land Use Element Table 4-G Resource Production Land Use Designations</p>	<p><u>Add</u>: Timber Production; Single Family Residence; Second Residential Unit on lots 40 acres or larger in size, two single detached dwellings are permitted within the same contiguous two (2) acre building envelope containing the primary residence; Aquaculture; Agriculture-Related Recreation, Resource-Related Recreation; Agriculture-Related Visitor-Serving: cheese factories and sales rooms, wineries and wine tasting and sales rooms, produce sales, etc., which do not change the character of the principal use; Stables and Kennels; Farm Employee Housing; Fish and Wildlife Habitat Management, Watershed Management, Wetland Restoration; Utilities & Energy Facilities: The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities; Metallic Mining, Surface Mining.</p> <p><u>Delete</u>: "used as farm dwellings" in relation to manufactured homes</p>
<p>AG-S1. Subdivision of Planned Agricultural Exclusive (AE) Lands. Within areas designated AE, no agricultural land division will be approved whereby any parcel thusly created will be less than 60 acres.</p>	<p>Edit and clarify "No Subdivisions" to indicate that subdivision is allowed and specify that subdivisions are allowed but only for the managed production of resources. The existing language prohibits subdivisions, but the practice of the Planning Division has been to allow subdivision for purposes consistent with the General Plan and AE Zone other than residential developments.</p>
<p>AG-P6. Agricultural Land Conversion - No Net Loss. Lands planned for agriculture (AE, AG) shall not be converted to non-agricultural uses unless the Planning Commission makes the following findings:</p> <p>A. There are no feasible alternatives that would prevent or minimize conversion;</p> <p>B. The facts support an overriding public interest in the conversion; and</p> <p>C. For lands outside of designated Urban Development Boundaries, sufficient off-setting mitigation has been provided to prevent a net reduction in the agricultural land base and agricultural production. This requirement shall be known as the "No Net Loss" agricultural lands policy. "No Net Loss" mitigation is limited to one or more of the following:</p> <p>1. Re-planning of vacant agricultural lands from a</p>	<p>A new section is added, Agricultural Land Conversion, consistent with AG-P6. Agricultural Land Conversion - No Net Loss Conditionally Permitted Uses that would convert zoned Agriculture Exclusive or AE Zone land to non-agricultural uses shall not be approved unless the Planning Commission makes the following findings:</p> <p>A. There are no feasible alternatives that would prevent or minimize conversion;</p> <p>B. The facts support an overriding public interest in the conversion; and</p> <p>C. For lands outside of designated Urban Development Boundaries, sufficient off-setting mitigation has been provided to prevent a net reduction in the agricultural land base and agricultural production. This requirement shall be known as the "No Net Loss" agricultural lands policy. "No Net Loss" mitigation is limited to one or more of the following:</p> <p>1. Re-planning of vacant agricultural lands from a non-agricultural land use designation to an agricultural plan designation along with the recordation of a permanent conservation easement on this land for continued agricultural use; or</p> <p>2. The retirement of non-agricultural uses on lands planned for agriculture and recordation of a permanent conservation easement on this land for continued agricultural use; or</p> <p>3. Financial contribution to an agricultural land fund in an amount sufficient to fully offset the agricultural land conversion for those uses enumerated in subsections a and b. The operational</p>

General Plan Reference	Zoning Text Amendment
<p>non-agricultural land use designation to an agricultural plan designation along with the recordation of a permanent conservation easement on this land for continued agricultural use; or</p> <p>2. The retirement of non-agricultural uses on lands planned for agriculture and recordation of a permanent conservation easement on this land for continued agricultural use; or</p> <p>3. Financial contribution to an agricultural land fund in an amount sufficient to fully offset the agricultural land conversion for those uses enumerated in subsections a and b. The operational details of the land fund, including the process for setting the amount of the financial contribution, shall be established by ordinance.</p> <p>AG-IM4. No Net Loss of Prime Agricultural Lands. Provisions for mitigation offsets of prime agricultural land conversion shall be adopted by ordinance.</p>	<p>details of the land fund, including the process for setting the amount of the financial contribution, shall be established by ordinance.</p>
<p>AG-P16. Protect Productive Agricultural Soils. Development on lands planned for agriculture (AE, AG) shall be designed to the maximum extent feasible to minimize the placement of buildings, impermeable surfaces or non-agricultural uses on land as defined in Government Code Section 51201(c) 1- 5 as prime agricultural lands.</p> <p>Table 4-G Resource Production Land Use Designations</p>	<p>A new section is added, Conversion of Prime Agricultural Land, consistent with AG-P16. Protect Productive Agricultural Soils, specifying that development on Agriculture Exclusive or AE Zone land shall be designed to the maximum extent feasible to minimize the placement of buildings, impermeable surfaces or non-agricultural uses on land as defined in Government Code Section 51201(c) 1- 5 as prime agricultural lands.</p> <p>An exception, consistent with Note 4 in General Plan Land Use Element Table 4-G Resource Production Land Use Designations, is provided to allow construction of a primary and second residence:</p> <p>Except for the construction of the primary single family residence or a second residence within the same contiguous two (2) acres building envelope containing the existing primary residence, Prime Agricultural Land lands shall not be converted without provisions for mitigation offsets, as specified in the "No Net Loss" agricultural lands policy above.</p>

General Plan Reference	Zoning Text Amendment
<p>AG-S1. Subdivision of Planned Agricultural Exclusive (AE) Lands. Within areas designated AE, no agricultural land division will be approved whereby any parcel thusly created will be less than 60 acres.</p> <p>AG-S5. Historical Preservation. An exception to the minimum parcel size for planned agricultural land may be made for the purposes of historic preservation where the following findings are made: A. The site or structure qualifies and is included on a local, state or federal historic registry; and, B. The viability of continued agricultural operations is not inhibited, and; C. No additional density beyond what would be permitted as part of the existing agricultural operations is created.</p>	<p>Lot Size = Sixty (60) acres.</p> <p>Exceptions to the minimum parcel size for the purpose of historic preservation, may be approved, where the following findings are made: A. The site or structure qualifies and is included on a local, state or federal historic registry; and, B. The viability of continued agricultural operations is not inhibited, and; C. No additional density beyond what would be permitted as part of the existing agricultural operations is created.</p>
<p>General Plan Land Use Element Table 4-G Resource Production Land Use Designations, Note 4: Principally permitted Second Residential Units shall be within the same contiguous two (2) acre building envelope containing the primary residence</p>	<p>Maximum Ground Coverage = Two acres maximum</p>
<p>314-7.4 "TPZ - Timberland Production Zone" Amendments</p>	
<p>General Plan Land Use Element Table 4-G Resource Production Land Use Designations</p>	<p><u>Add:</u> wetland restoration; Utilities & Energy Facilities: The erection, construction, alteration, or maintenance of wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities; Oil & Gas Drilling & Processing, Metallic Mining, Surface Mining; Public Recreation and Public Access Facilities; Timber-Related Visitor-Serving: burl shops, timber museums, interpretive centers, etc. which do not change the character of the principal use;</p>

General Plan Reference	Zoning Text Amendment
<p>Description of "Timberland" Land Use Designation Page 4-53</p> <p>FR-P10. Secondary Residential Construction on TPZ Zoned Parcels. Second residential units may be allowed on TPZ parcels greater than 160 acres, and on parcels less than 160 acres only in the area already converted, intended to be converted, or that does not meet the definition of timberlands. Second units may be allowed on TPZ parcels of less than 40 acres within Community Planning Areas.</p>	<p>The total residential density shall not exceed one (1) dwelling unit per forty (40) acres</p> <p>Parcels smaller than forty (40) acres shall not have second or secondary dwelling units, unless located within a Community Planning Areas</p>
"B-1– Special Building Site" Combining Zone Amendments	
<p>Guiding Principle #9 "Provide a clear statement of land use values and policies to provide clarity in the County's permit processing system and simplify review of projects."</p>	<p>The "B-1" designation applies an 8,000 square foot minimum parcel size; however, the B-1 designation is not currently applied to private property the within the county. There are over 4,000 Assessor's Parcels where the publicly available zoning information is presented with a "*"and there is no clear pathway for the public to determine that the "*" indicates that the minimum parcels size is 6,000 square feet.</p>
Proposed "TE – Timberland Exclusive" Principal Zone	
<p>FR-G3. Supply of Productive Forestlands. An adequate and stable supply of forestlands whose economic and ecosystem services are sustained by policies and standards governing minimum parcel sizes, public acquisition, incompatible uses, public infrastructure investments, environmental protection and incentives for sustainable uses.</p>	<p>The proposed "TE - Timberland Exclusive Zone," implements the "T - Timberland" General Plan Land Use Designation as specified in General Plan Section 4.8, Land Use Designations, of the Land Use Element and implements the goals and policies of Section 4.6 Forest Resources, of the Land Use Element of Humboldt County General Plan</p> <p>The zoning of land planned "Timberlands" on the Land Use Map as TE Zone that are not zoned TPZ would help provide for an adequate and stable supply of forestlands whose economic and ecosystem services are sustained by policies and standards governing minimum parcel sizes, public acquisition, incompatible uses, public infrastructure investments, environmental protection and incentives for sustainable uses.</p>
<p>FR-G4. Incompatible and Conflicting Uses. Timberlands protected from the encroachment of incompatible uses and managed for the inclusion of compatible uses.</p>	<p>The zoning land of as TE Zone for planned "Timberlands" on the Land Use Map that are not zoned TPZ would encourage timberlands to be protected from the encroachment of incompatible uses and managed for the inclusion of compatible uses.</p>

General Plan Reference	Zoning Text Amendment
<p>CO-S2. Identification of the Open Space Action Program. The specific programs which are intended to implement the open space plan:</p> <p>A. The following land use designations: "T" Timberland</p> <p>B. The following zoning classifications:</p> <ol style="list-style-type: none"> 1. Agriculture Exclusive (AE) 2. Timber Production Zone (TPZ) 	<p>The "AE Zone" is the only Open Space zone other than "TPZ" identified in the CO-S2. Identification of the Open Space Action Program that can be applied to land planned "Timberlands," which is an Open Space General Plan land use designation. The "AE" Zone" is intended to be applied to fertile areas where agriculture is the predominant use and where timber production is also a permitted, but not the predominant, use. The "TE" Zone would serve to implement the open space standards of the Conservation and Open Space Element in a manner equivalent to the "TPZ" Zone as a more appropriate zone applied to land planned Timberland than the "AE" Zone, which may include uses incompatible with timberland such as cannabis cultivation.</p>
<p>General Plan Land Use Element Table 4-G Resource Production Land Use Designations</p>	<p><u>Timberland Uses:</u> Management for watershed and wetland restoration; Timber-Related Visitor-Serving: burl shops, timber museums, interpretive centers, etc. which do not change the character of the principal use; Public Recreation and Public Access Facilities; Utilities & Energy Facilities: The erection, construction, alteration, or maintenance of wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities. Oil & Gas Drilling & Processing, Metallic Mining, Surface Mining.</p>
<p>314-7.4 "TPZ - Timberland Production Zone"</p>	<p><u>Uses from the TPZ Zone:</u> Growing and harvesting of timber and accessory uses compatible thereto; Accessory agricultural uses and structures listed at Sections 314-43.1.3 (Permitted Agricultural Accessory Uses) and 314-69.1.1 (Permitted Agricultural Accessory Structures); One family dwelling or manufactured home and normal accessory uses and structures for owner or caretaker subject to the special restrictions of the following subsection, Special Restrictions Regarding Residences in Section 314-7.4.1.6; Management for fish and wildlife habitat; A use integrally related to the growing, harvesting and processing of forest products; including but not limited to roads, log landings, and log storage areas (portable chippers and portable sawmills are considered a part of "processing"); The erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities; Grazing and other agricultural uses; Temporary labor camps, less than one (1) year in duration, accessory to timber harvesting or planting operations; Recreational use of the land by the public, with or without charge, for any of the following: walking, hiking, picnicking, swimming, boating, fishing, hunting and skiing; Cottage Industry, subject to Cottage Industry Regulations; Timber production processing plants (buildings) for commercial processing of wood and wood products, including but not limited to sawmills, lumber and plywood mills, but not including a pulp mill; Incidental Camping Area, Tent Camp, Temporary Recreational Vehicle Park, Special Occupancy Parks, and similar recreational uses;</p>

General Plan Reference	Zoning Text Amendment
314-7.1 "AE - Agriculture Exclusive Zone"	<u>Development Standards from the AE Zone:</u> Minimum Lot Area = Sixty (60) acres; Minimum Lot Width = One hundred feet (100'); Maximum Lot Depth (None specified.); Minimum Yard Setbacks: Front = Thirty feet (30'); Rear = Twenty feet (20'); Side = Ten percent (10%) of the lot width on each side but not more than twenty feet (20') shall be required ; Outbuildings shall not be less than twenty feet (20') from any dwelling on the premise; Maximum Ground Coverage = Thirty five percent (35 %); Maximum Building Height = (None specified.)
Proposed "MU1 – Mixed Use (Urban)" Principal Zone	
UL-P6. Mixed-Use Zoning. Utilize mixed-use zoning to help create town centers that are community focal points. The mixed-use zone shall promote higher density urban housing in concert with retail commercial uses, day care centers, and shopfronts, and shall include an abundance and variety of open spaces.	General Plan Policy UL-P6. Mixed-Use Zoning calls for the creation of mixed-use zoning to promote higher density urban housing in concert with retail and commercial uses.
General Plan Land Use Element Table 4-D Mixed Use Land Use Designations	Mixed Use Land Uses: Two family dwellings and multiple dwellings and dwelling groups; Single Family Residential; Community Commercial; Retail Sales and Retail Services; Transient Habitation; Office and Professional Service; Bed and Breakfast; Commercial and Private Recreation; Cottage Industry; Community Assembly;
314-2.2 C-2 Community Commercial Zone	<u>Development Standards:</u> Minimum Lot Area = 2,000 square feet; Minimum Lot Width = Twenty-five feet (25'); Minimum Yard Setbacks = Front = None, except that where frontage is in a block which is partially in a Residential Zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such Residential Zone.; Rear = Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5') ; Side = None, except that a side yard of an interior lot abutting on a Residential Zone (RS, R-1, R-2, R-3, R-4) or Agricultural Zone (AE, AG) shall be not less than the front yard required in such Residential Zone or Agricultural Zone.; Maximum Structure Height = Seventy-five (75) feet
General Plan Land Use Element Table 4-D Mixed Use Land Use Designation	Maximum Ground Coverage = 100%
UL-S5. Landscaping Standards. Landscaping shall be required for new development which creates five (5) or more new parking spaces. The landscaping policies shall be accomplished by the submittal of a landscaping plan.	Policy UL-S5, Landscaping Standards, specifies that landscaping must be provided for new development which creates five (5) or more new parking spaces and requires the submittal of a landscaping plan.

General Plan Reference	Zoning Text Amendment
<p>SR-S4. 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.</p>	<p>Conservation and Open Space Element Standard SR-S4, Light and Glare, and Implementation Measure SR-IM5, Lighting Design Guidelines, which specify that lighting shall be designed and installed to minimize off-site lighting and direct light within the property boundaries.</p>
<p>UL-P7. Neighborhood and Town Centers. Within designated neighborhood and town centers, the County shall:</p> <p>A. Allow buildings with commercial uses on the ground or lower floors and residential uses on upper floors and in other designated areas, as long as residential use is subordinate to commercial uses.</p> <p>B. Reduce the County's off-street parking requirements to encourage new business development and to reflect multi-modal access options.</p> <p>C. Allow ministerial approval of development that conforms to performance standards adopted by ordinance.</p> <p>D. Encourage and provide incentives for the following design characteristics:</p> <ol style="list-style-type: none"> 1. Pedestrian-oriented scale and character. 2. Orientation of buildings toward the street or central open space areas rather than parking lots. 3. Parking areas to the side or rear rather than between buildings and the street edge. 4. Placement of buildings that creates a central open space, or plaza, where passive activity can occur. 5. Transparent ground-level façades designed for pedestrian-oriented sidewalks. 6. Landscaped pedestrian walkways. 	<p>Policy UL-P7. encourages reductions in parking requirements to encourage multi-modal access options, design criteria, and to allow ministerial approval of development that conforms to performance standards adopted by ordinance.</p>

Proposed "MU2 – Mixed Use (Rural)" Principal Zone	
<p>UL-P6. Mixed-Use Zoning. Utilize mixed-use zoning to help create town centers that are community focal points. The mixed-use zone shall promote higher density urban housing in concert with retail commercial uses, day care centers, and shopfronts, and shall include an abundance and variety of open spaces.</p> <p>"Village Center (VC)" and "Rural Community Center (RCC)" Land Use Designations specified in Section 4.8, Land Use Designations</p>	<p>General Plan Policy UL-P6. Mixed-Use Zoning calls for the creation of mixed-use zoning to promote higher density housing in concert with retail and commercial uses for the zoning of land planned "Village Center (VC)" and "Rural Community Center (RCC)".</p>
<p>General Plan Land Use Element Table 4-D Mixed Use Land Use Designation reflecting the Village Center and Rural Community Center Land Use Designations</p>	<p>Mixed Use Land Uses: Two family dwellings; Single Family Residential; Neighborhood Commercial; Heavy Commercial; Retail Sales and Retail Services; Transient Habitation; Office and Professional Service; Bed and Breakfast; Commercial and Private Recreation; Cottage Industry; Community Assembly; General Agriculture</p>
<p>314-2.3 C-3: Industrial Commercial</p>	<p><u>Development Standards:</u> Modified C-3 standards to reflect non-urban setting</p>
<p>General Plan Land Use Element Table 4-D Village Center and Rural Community Center Land Use Designations</p>	<p>Maximum Ground Coverage = 50%</p>
<p>UL-S5. Landscaping Standards. Landscaping shall be required for new development which creates five (5) or more new parking spaces. The landscaping policies shall be accomplished by the submittal of a landscaping plan.</p>	<p>Policy UL-S5, Landscaping Standards, specifies that landscaping must be provided for new development which creates five (5) or more new parking spaces and requires the submittal of a landscaping plan.</p>
<p>SR-S4. 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.</p>	<p>Conservation and Open Space Element Standard SR-S4, Light and Glare, and Implementation Measure SR-IM5, Lighting Design Guidelines, specify that lighting shall be designed and installed to minimize off-site lighting and direct light within the property boundaries.</p>

<p>UL-P7. Neighborhood and Town Centers. Within designated neighborhood and town centers, the County shall:</p> <p>A. Allow buildings with commercial uses on the ground or lower floors and residential uses on upper floors and in other designated areas, as long as residential use is subordinate to commercial uses.</p> <p>B. Reduce the County's off-street parking requirements to encourage new business development and to reflect multi-modal access options.</p> <p>C. Allow ministerial approval of development that conforms to performance standards adopted by ordinance.</p> <p>D. Encourage and provide incentives for the following design characteristics:</p> <ol style="list-style-type: none"> 1. Pedestrian-oriented scale and character. 2. Orientation of buildings toward the street or central open space areas rather than parking lots. 3. Parking areas to the side or rear rather than between buildings and the street edge. 4. Placement of buildings that creates a central open space, or plaza, where passive activity can occur. 5. Transparent ground-level façades designed for pedestrian-oriented sidewalks. 6. Landscaped pedestrian walkways. 	<p>Performance standards to minimize conflicts between mixed uses and adjacent rural development and to allow ministerial permitting.</p>
<p>314-2.3 C-3: Industrial Commercial</p>	<p><u>Development Standards:</u> Modified C-3 standards to reflect non-urban setting</p>

Proposed "PRD – Planned Rural Development" Combing Zone

AG-P1. Planned Rural Development. The County shall provide a Planned Rural Development (PRD) Program for lands designated Agricultural Grazing (AG) that allows voluntary clustering of homesites at a density above what would otherwise be allowed when lands most suitable for agricultural production are retained for permanent continued production. To qualify, identified homesite parcels must be clustered to avoid increasing use conflicts and not be in conflict with any applicable conservation plan. Right-to-Farm agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued agricultural production shall be retained solely for permanent production.

FR-P15. Planned Rural Development. The County shall consider, and if appropriate, develop a Planned Rural Development (PRD) program that allows voluntary clustering of home sites when lands most suitable for timber production are retained for permanent continued production. Consider incentives such as density bonuses.

The "PRD" Zone carries out General Plan Land Use Element Section 4.3, Agricultural Resources Policy AG-P1. Planned Rural Development and Implementation Measure AG-IM1, Develop Planned Rural Development Program, and Forest Resources Policy FR-P15, Planned Rural Development by updating the Zoning Regulations to include provisions for the Planned Rural Development of land Planned Agriculture Grazing or Timberland and by specifying that lands most suitable for agricultural production are retained for permanent continued production and that identified homesite parcels must be clustered to avoid increasing use conflicts. The proposed "PRD" Zone incorporates these provisions in Section 314-31.2.3 of the zoning ordinance.

<p>AG-S4. Planned Rural Development Program Clustering Incentive Options: Tier 1 clustering program: Density credit: 1.5 times existing entitlements when 95% of subject lands are protected Protection instrument: Conservation easement or equivalent protection on remainder Rezone homesite parcels: County to conduct rezone.</p> <p>FR-S1. Planned Rural Development Program Clustering Incentive Options: The Planned Rural Development Program shall be a voluntary incentive based program. To qualify, identified homesite parcels must be clustered to minimize conflicts with timber harvesting, and impacts to water resources, biological resources, and wildland fire potential. Right-to-harvest agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued timber production shall be retained for permanent commercial timber production. Tier 1 clustering program: Density credit: 1.5 the existing entitlements when 95% of timberlands are protected Protection instrument: conservation easement or equivalent protection on remainder Rezone homesite parcels: County to conduct rezone JTMP: Required for all parcels</p>	<p>The "PRD" Zone contains a density credit incentive of five times existing entitlements when 95% of subject lands are protected through a conservation easement or equivalent protection as well as other criteria specified in General Plan policies AG-S4. Planned Rural Development Program Clustering Incentive Options and FR-S1. Planned Rural Development Program Clustering Incentive Options</p>
<p>314-31.1 P - Planned Development Combining Zone</p>	<p>The organization of Development Standards and Other Requirements modeled based on the Planned Development Combining Zone</p>

<p>WR-P8. Requirements for Water Storage in Flow Impaired Watersheds. New development not served by a public water system that seeks to rely upon surface water shall install water storage capable of providing 100 percent of the necessary water storage volume for the summer low-flow season (e.g. July-August-September). A forbearance agreement prohibiting water withdrawals during low-flow season shall be included as a performance standard for the project.</p>	<p>Rural subdivision standards specified in RL-S4. Subdivision Standards apply water use is limitations in accordance with the policies of the Water Resources Element.</p>
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