

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 25-034

Record Number PLN-2023-18849

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT
RECOMMENDING THE BOARD OF SUPERVISORS ADOPT THE COASTAL VERSION OF THE
OUTDOOR LIGHTING ORDINANCE.**

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, Humboldt County initiated the zoning ordinance changes herein to set design guidelines for outdoor lighting to protect unincorporated Humboldt County from light pollution and light trespass; and

WHEREAS, the Humboldt County Planning Commission held a Public Workshop on the Inland Outdoor Lighting Ordinance on March 20, 2025, recommending that Staff incorporate revisions to the draft ordinance on a basis of deliberations of the Commission and public comment received, and also draft a coastal version of the ordinance that incorporates those revisions; and

WHEREAS, on Wednesday, April 30, 2025, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed zoning amendments regarding Outdoor Lighting; and

WHEREAS, on May 15, 2025, the Humboldt County Planning Commission held a public hearing on the Coastal Outdoor Lighting Ordinance.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Planning Commission makes all the following findings:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- 1. FINDING:** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed project is exempt from environmental review pursuant to Section §15251(f) Exemption for Certified State Regulatory Programs of the State CEQA Guidelines.

EVIDENCE: a) No significant and unavoidable impacts on the environment would occur as a result of the proposed project. The project was determined to be exempt from further environmental review pursuant to §15251(f) *Exemption for Certified State Regulatory Programs* of CEQA Guidelines. This ordinance sets design standards for exterior lighting to reduce light pollution. The certification and implementation of the Local Coastal Program to protect the night sky and sensitive coastal resources is consistent with the requirements of the specific CEQA exemption.

PUBLIC INTEREST

2. FINDING: Humboldt County Code Section 312-50.3.1 stipulates that amendments to the zoning code must be in the public interest. The proposed amendment is in the public interest.

EVIDENCE: a) The intent of the ordinance is to set design guidelines for outdoor lighting and maintain dark skies. Humboldt County is known for its dark skies and the Coastal Outdoor Lighting Ordinance seeks to protect and preserve the dark skies by limiting light trespass and light pollution, and is therefore in the public interest.

CONSISTENCY WITH THE COASTAL ACT

3. FINDING: The proposed changes to the Zoning Ordinance are in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:

- a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).
- b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes).
- c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).
- d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological

resources).

- e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments).
- f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).

- EVIDENCE:**
- a) **Access:** The proposed ordinance with set design guidelines to limit light trespass and light pollution for outdoor lighting within the Coastal Zone. No impact to coastal access is anticipated because a lighting plan would be required to be submitted as part of a building permit for any new development.
 - b) **Recreation:** The proposed ordinance would set design guidelines to limit light trespass and light pollution for outdoor lighting within the Coastal Zone. The proposed amendment will not negatively impact coastal recreation.
 - c) **Marine Resources:** Proposed outdoor lighting will be located within areas designated for development. A lighting plan would be required to be submitted as part of a building permit for any new development and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. This review would ensure that the proposed work has been assessed and is not expected to cause any significant impacts to marine resources.
 - d) **Land Resources:** The amendment protects agricultural land and timberland because it sets guidelines for outdoor lighting to limit light trespass and light pollution.

Impacts to cultural and tribal cultural resources and impacts to environmentally sensitive habitat areas are not anticipated and remain protected.
 - e) **Development:** Proposed outdoor lighting will be located within areas designated for development. A lighting plan would be required to be submitted as part of a building permit for any new development and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. Therefore, the proposed

amendment will not negatively impact development in the coastal zone.

- f) **Industrial Development:** Proposed outdoor lighting will be located within areas designated for development. A lighting plan would be required to be submitted as part of a building permit for any new development and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. Therefore, the proposed amendment will not negatively impact coastal industrial development.

CONSISTENCY WITH STATE PLANNING LAW

- 4. **FINDING:** Humboldt County Code Section 312-50.3.4 requires any proposed amendment must not reduce the residential density for any parcel below that utilized by the California Department of Housing and Community Development in determining compliance with housing element law unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

- EVIDENCE:** a) The Coastal Outdoor Lighting Ordinance does not reduce residential density for any parcel utilized by the California Department of Housing and Community Development in determining compliance with housing element law. The Coastal Outdoor Lighting Ordinance sets design guidelines for outdoor lighting and will not impact the residential density of Humboldt County.

PURPOSE OF ORDINANCE

- 5. **FINDING:** The primary purpose of an ordinance is to establish local laws and regulations, often addressing issues not covered by state or federal laws. Ordinances are used to regulate activities, fix legal rights and duties, or prohibit certain actions within a municipality or county.

- EVIDENCE:** a) The Coastal Outdoor Lighting Ordinance sets design guidelines for outdoor lighting which is currently not regulated. Humboldt County is known for its dark skies and the Coastal Outdoor Lighting Ordinance seeks to protect and preserve the dark skies by limiting light trespass and light pollution.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law;
2. Adopt the required findings prepared by Planning Staff; and
3. Adopt the Coastal Outdoor Lighting Ordinance amending the Zoning Regulations of the Coastal Zoning Ordinance (Section 313 of Title III, Division 1, Chapter 3 of Humboldt County Code).

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **May 15, 2025**.

The motion was made by COMMISSIONER SARAH WEST and seconded by COMMISSIONER LORNA MCFARLANE and the following vote:

AYES: COMMISSIONERS: Sarah West, Lorna McFarlane, Iver Skavdal, Thomas Mulder, Noah Levy, Peggy O'Neill

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS: Jerome Qiriaz

DECISION: Motion carried 6/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department