



AGENDA ITEM NO.

COUNTY OF HUMBOLDT

Meeting Date: November 16, 2015

To: Board of Supervisors

From: Kevin R. Hamblin, Director of Planning and Building Department

Subject: Continued Board review of the Planning Commission Approved Draft General Plan. In particular, deliberation and straw votes on the Land Use Maps for Assessor's Parcel Numbers (APNs) 307-041-007, 522-491-020, and 522-491-021. Also Consistency Review of the changes to the Planning Commission-recommended General Plan straw-voted by the Board.

RSW
FOR
KH

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing.
2. Deliberate and straw vote on the Land Use Maps for the Humboldt Hill Land & Cattle LLC property at the southern end of Humboldt Hill Road (APN 307-041-007).
3. Deliberate and straw vote on the Land Use Maps for the Mercer Fraser properties adjacent to the Big Rock Day Use area in Willow Creek (APNs 522-491-020, and 522-491-021).
4. Deliberate on the consistency review of the changes to the Planning Commission-recommended General Plan straw-voted by the Board.
5. Deliberate on the Board's review schedule for the Draft General Plan.
6. Continue the meeting to Monday, December 14, 2015, beginning at 1:30 pm or as soon thereafter as possible.

Prepared by

Michael Richardson

Michael Richardson, Senior Planner

CAO Approval

TLFR Cheryl Dilligian

REVIEW:

Auditor

MSM

County Counsel

JWZ

Human Resources

Other

TYPE OF ITEM:

☐ Consent
☐ Departmental
☒ Public Hearing
☐ Other

PREVIOUS ACTION/REFERRAL:

Board Orders No. C-1

Meetings of: beginning June 12, 2012, and continuing through October 19, 2015

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor
Seconded by Supervisor

Ayes
Nays
Abstain
Absent

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

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING:

General Fund and General Plan User Fees.

DISCUSSION:

Summary of the October 19 GPU Meeting Results

At the October 19th meeting, the Board straw-voted General Plan Maps #5 - 11 in the Northern Area and all the maps in the Central and Southern Areas. The Board also straw-voted Appendix B ("Glossary and Definitions") and nine items previously straw-voted by the Board. The revisions to Appendix B and the new land use maps have been posted to the County's website (www.humboldt.gov/gpu). The revised language for the nine reconsidered items is in Attachment 1 of this staff report.

Although the Board's self-imposed deadline for submittal of land use requests (September 23) had passed, the Board received requests from another two property owners that the land use designation for their properties should also be changed. The Board directed staff to make corrections to the maps as appropriate, and bring back for discussion any land use changes that require further discussion. The following paragraphs provide more detail about the two new land use requests for the Board's consideration.

APN 307-041-007

The agent for the Humboldt Hill Land & Cattle LLC property at the southern end of Humboldt Hill Road stated their property should be changed because it was called for in the Eureka Community Plan (ECP). They provided a 2007 map showing a proposed secondary access connecting Humboldt Hill Road to Tomkins Hill Road and 50 acres proposed to be rezoned from Agriculture Exclusive (AE) to Residential Low Density (RL) at the top of Humboldt Hill.

Section 2620(12) of the ECP states:

"12. Barry Property: This property is located atop Humboldt Hill. The developer of this property is encouraged to amend the Coastal Zone's Agricultural Exclusive (AE) zone boundary to allow for the Humboldt Hill Road extension to follow the natural topography of the area. This Plan supports an amendment which allows a sufficient amount of land to be developed for the road extension, and for development of lots on the western side of the road which are of a lot size consistent with those proposed on the eastern side..."

In 2009 the County proposed a land use change for the secondary access that did not include the land use change to provide for development of lots on the western side of the road. The ECP places that responsibility on the developer. Attachment 2 of this staff report contains the land use map change approved by the Board in 2009.

The Coastal Commission did not support the proposed amendment for the access road, apparently due to perceived inconsistencies with Coastal Act policies protecting agricultural land and wetlands. There was considerable public opposition to the proposed amendment presented to the Coastal Commission that had been expressed during the local hearings as well. While the Board could decide to include this land use change on the straw-voted GPU maps, based on past experience staff anticipates some opposition from neighbors and the need for further studies of the road alignment and its consistency with the Coastal Act policies to complete an application for certification to the Coastal Commission.

APNs 522-491-020, and 522-491-021

At the October 19th meeting, the Board received a letter from Mark Harrison written on behalf of the owners (the Mercer Fraser Company) requesting the land use designation for these properties be

changed from Commercial Recreation (CR) to Resource Related Industrial (IR). The letter implied that the change would correct an error made on the maps presented to the Board, claiming that the Planning Commission recommended an IR designation on the property.

Based on review of the record, staff could find no evidence the maps presented to the Board are in error on these properties. The record shows the Planning Commission recommended the properties be designated CR, the same as the existing Willow Creek Community Plan.

Consistency Review

With the straw-votes taken on all the text and maps of the GPU (yay!), the next step in the GPU approval process involves review of the proposed Plan and maps for consistency with:

- federal and state law,
- the Planning Commission's deliberations, and
- the Draft Environmental Impact Report (DEIR).

Attachment 3a of this staff report presents the consistency review issues that have been identified, and provides options for resolving them. The GPU review schedule in Attachment 4 of this staff report anticipates the consistency review to occur over the next three GPU meetings ending with the meeting on January 25, 2016.

GPU Review Schedule

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

FINANCIAL IMPACT:

The cost of preparing this staff report is borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2015-2016 budget and the General Plan User Fees Trust Fund 3698.

OTHER AGENCY INVOLVEMENT:

The General Plan Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft General Plan. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.

ATTACHMENTS:

- Attachment 1. Revised language for the nine items reconsidered on October 19, 2015.
- Attachment 2. Map of 2009 County-initiated proposed land use change for APN 307-041-007.
- Attachment 3.
 - 3a. GPU Consistency Review
 - 3b. Government Code §66474.02
 - 3c. Comments from the Humboldt Coalition for Property Rights regarding GPU Consistency
- Attachment 4. Updated Schedule for Completion of the Remaining GPU Tasks