

March 28, 2017

8657.00

The Honorable Board of Supervisors
Humboldt County
825 Fifth Street
Eureka, CA 95501

Re: Southern Humboldt Community Park Transfer of Development Rights

On January 5, 2017, the Humboldt County Planning Commission recommended approval of the proposed Southern Humboldt Community Park project, without the Transfer of Development Rights component, described below:

Preserve 54 residential development credits that could be sold in the future if and when the County establishes a Transfer of Development Rights (TDR) Program.

The Planning Department's Staff Report related to the Board of Supervisors March 28th hearing on the proposed project also includes the recommendation that "the Board of Supervisors follow the Planning Commission recommendation and not include the TDR program in the project approval."

Per the March 22, 2017 Staff Report on the proposed project:

The Conveyance of Development Rights simply approves the project site as a donor site with a specified housing unit credit. Applying those housing credits to a receiver site in the future would require separate future environmental review. Without the TDR, upon amending the general plan, all existing development credits would be extinguished.

The purpose of this letter is to encourage the Board of Supervisors to preserve the development credits associated with the Project in the case that the County develops a Transfer of Development Rights program in the future. The General Plan Update (Planning Commission Approved Draft) does include the following implementation measures related to establishing a Transfer of Development Rights program in Humboldt County:

Subsection CO-P1X of Chapter 10: Conservation and Open Space of the Draft Revised Humboldt County General Plan (Planning Commission Approved): The County shall manage a transfer of development rights program to transfer subdivision rights from high value open space and resource lands to urban development areas.

Subsection AQ-1Mx1 of Chapter 15: Air Quality of the Draft Revised Humboldt County General Plan (Planning Commission Approved): The County shall manage a transfer of development rights program to transfer subdivision rights from high value open space and resource lands to urban development areas.

Because there is no Transfer of Development Right program currently in place, the applicant understands the following:



- 1) There is no guarantee that a Transfer of Development Right program will be developed in the future.
- 2) There is no guarantee that the type of development credits associated with the proposed project will qualify or be applicable to the type of Transfer of Development Right program that is ultimately developed.

However, the County approval of the proposed project, including the General Plan Amendment and Zone Reclassification, is the applicant's last opportunity to capture the development credits associated with the property which could assist with Park operating costs in the future. Allowing the project applicant to memorialize the eligibility of the site to be evaluated as a donor parcel may help assure that there is no net loss of residential development potential in the County as a result of approval of the proposed project.

A Development Plan or similar instrument could be used to memorialize the development credits associated with the proposed project. This is a simple approach that would allow the applicant to memorialize the potential credits without the need to immediately determine the specifics regarding: 1) the exact number of credits; or 2) type of Transfer of Development Rights program (including qualifying criteria) to be established.

The following language is proposed as alternative language to the Transfer of Development Rights discussion found in the Planning Commission Staff Report (Pgs. 31–32):

Based on the current General Plan designation of AR5-20 and AL-20 as many as 54 units of housing could be developed on the Site without the implementation of this project.

The current Framework General Plan does not include any TDR program, therefore there is no required finding related to the TDR concept. However, the General Plan Update includes an implementation measure that could result in such a program in a future. Although there is no guarantee that a program would be developed and adopted there is value to memorializing credits, preserving housing development potential which could be applied to a receiver site, and allowing the Park to sell the credits should a program be adopted in the future.

To memorialize this opportunity a Development Plan will be recorded with the following note:

"If and when a Transfer of Development Rights (TDR) program is adopted by the County, the project site is eligible to be evaluated as a donor site given the general plan land use designations, specific policies in the Garberville/Redway/Benbow/Alderpoint Community Plan, and zoning classifications that applied to the project site on the application date (July 25, 2010) for GPA-10-02, ZR-10-02, CUP-10-04, SP-10-10.

This in no way guarantees that a TDR program will be adopted by the County and it also does not guarantee that if adopted the site will qualify as a donor site. If the project site is found to be eligible to participate as a donor site under a future TDR program, the County shall determine the appropriate level of environmental review under the California Environmental Quality Act. Additional environmental review required in association with the project site being declared a donor site would be at the expense of the applicant.

The allowance to treat the project site as a potential donor site in no way preserves the right to develop the project site with any use that is inconsistent with the adopted General Plan

Amendment, Zone Reclassification, Conditional Use Permit and Special Permit (Case No.:GPA-10-02, ZR-10-02, CUP-10-04, SP-10-10)."

Sincerely,
LACO Associates

A handwritten signature in black ink, appearing to read 'Elizabeth A. Burks', followed by a long horizontal line extending to the right.

Elizabeth A. Burks, AICP
Planning Manager

To: The Humboldt County Board of Supervisors Re SHCP GPA/CUP/EIR

From: Kristin Vogel, Garberville 923-9284 3/28/17

My name is Kristin Vogel from Garberville. I'm here today to present the petitions that were signed by over 600 adults who don't want amplified events in little Tooby Park or the larger Sohum Park. We're asking for peace and quiet in our neighborhoods. We cherish it and know it is a rare and precious thing in our modern world. It's good for our health, for our property and for the wildlife. It's good for our roads because of less traffic, less drunk driving, less roadside camping, and fewer fires.

In the mid 80's there was a community survey done when the Garberville, Redway, Benbow, Alderpoint Community Plan was established within the County. This survey asked residents what values they held most important for the future of our area. They responded with two answers, first and foremost, they wanted no increase in noise and second, no increase in traffic. When we look at Garberville today we see a huge increase in noise and traffic in the daytime but we still have quiet at night. For now we can still sleep without thumping bass lines booming out from the Sohum Park.

These 600 petitions I bring you are about trying to save some quality of life in the midst of a changing boom economy. So I ask, please take the amplified event zoning out of this proposal. Not only is this proposal a huge headache for the neighbors, but also for the Park itself, which is in a landlocked location and has important functions as a wetland. What makes a lot of sense is for the Sohum Park Board to hold their amplified events in Benbow.

Back in 20⁰⁹~~10~~ when the Park Board received permission to apply for a General Plan Amendment, Supervisor Bonnie Neely advised them to go home and heal the rift in the Sohum community before they came back for approval. She said that the most important condition for granting a General Plan Amendment is that the community is in agreement with it. But this has not happened. The controversy has continued unabated from 2008 to the present. The petitions I'm presenting to you demonstrate that the Southern Humboldt community is still deeply divided, not unified, behind the Park Board's General Plan Amendment. For this reason I along with hundreds of others in Sohum ask, that you not give your approval to this GPA as it is.

Humboldt County Board of Supervisors

Ryan Sundberg, Virginia Bass, Rex Bohn,

Estelle Fennell, Mark Lovelace

Re: Keep the So. Humboldt Community Park Zoned for Peace and Quiet

Dear Supervisors:

We wish to register our opposition to amplified concerts/festivals/fundraisers at the Southern Humboldt Community Park. Affected neighborhoods must be allowed to keep their peace and quiet. Acoustic music is the way for the Park to be a good neighbor.

I oppose the proposed GPA zone change and land use changes. I support the preservation of valuable farmland. I reject the use of the SHCP Park for housing development, commercial recreation, motorized recreation, RV and camping facilities.

Thank you for attending to this important matter.

Sign: _____

Print your name: _____

Zip Code: _____

Address (optional): _____

Date: _____

Comments:

TO: Humboldt County Board of Supervisors, March 28, 2017

Good Morning.

I'm Linda Sutton. I'm here as a resident and property owner in Redway. As you may know, many people in Southern Humboldt support the IDEA of a Community Park, a park that is public, serves local residents and has a low impact on the neighborhood. But this is not what is in this plan. This plan is huge with enormous impacts on the local habitat.

I'm concerned about all the projects the Southern Humboldt Community Park is proposing for this rural area and all the demands the Park is making from Humboldt County on the basis of an incomplete Draft Environmental Impact Report and Final EIR. These reports have not been vetted nor understood by local communities, particularly Redway and Garberville who rely on the South Fork of the Eel River for water. This river is already impaired by human activity and acutely in need of restoration and protection.

In the past 15 years, the wish list for the Park has grown but has failed to articulate management plans for all the mitigations that are needed to meet the problems and needs created by the Park plan such as:

1. THE LACK OF WATER SECURITY- There are significant water shortages in summer months that require all residents to conserve. Several years ago when Redway CSD had mandatory water conservation the soccer field @ Redway School, because it was a high water user, died, and a great deal of time and money was lost. Extremes in weather patterns and years of drought conditions make it imperative to evaluate water usage in terms of whether it is ESSENTIAL & SUSTAINABLE. Sports fields are high water users as are large public events that need water and sewage- neither are essential or sustainable. Water issues cannot be mitigated.

2. THE LACK of a SAFE and ADEQUATE ENTRY ROAD and the fact that there is NO ALTERNATE ROAD to and from the Park is particularly relevant and cannot be mitigated. High traffic for park events impacts residents on Sprowel Creek and Kimtu Roads.

3. THE LOSS OF TRADITIONAL OPEN SPACE RECREATIONAL OPPORTUNITIES and HABITAT for local residents. These already exist and define this area from birding, hiking, picnicking and family activities.

4. THE LOSS OF SERENITY in the neighborhood from the amplified music which can travel for several miles. Over 600 people signed petitions opposing AMPLIFIED MUSIC at the Park over the past several years.

5. THE LOSS & DEGRADATION of PRIME AGRICULTURAL LAND which the state supports saving and preserving.

6. A LIMITED PUBLIC SAFETY staff such as Sheriff, CHP, public works, planning and building who are stretched far too thin now.

For many years my family and I have supported public non-profit corporations that serve the public interest in a transparent and accountable manner. An example was Southern Humboldt Working Together which held public meetings at various times and locations to form the SH hospital district.

As a non-membership, private, non-profit corporation, the SH community Park does not have this transparency. This has led to a Park plan and EIR that is very controversial. It has divided past and present residents in the area. People who have brought up legitimate questions and concerns have been bullied, vilified and threatened.

I oppose this Rezone and the "discretionary entitlements" requested by the Park because the Park is a private non-profit corporation that has no accountability to the local community and no oversight in the future by this community. How can we justify these giveaways to a non accountable private non profit corporation? I believe this will set a precedent that will create problems and liabilities in the future for Humboldt County. We cannot afford this.

Thank you for your attention.

Jinda Sutton
PO Box 631
Redway, CA 95560

March 27, 2017

Attn: Supervisors

Re: Southern Humboldt Community Park

The SHCP Board's desire to rezone the Park is a bad idea. Especially of concern is their request for Medium (up to 5 events per year with between 800 and 2,500 attendees in addition to staff and vendors) and Large Events (1 event per year, 1 to 2 days, 2,500 to 5,000 persons including vendors and staff). This would be shocking not only to human residents in the surrounding community, but also to birds and other wildlife, likely causing many to get away from the noise, congestion and disturbance of a normally serene environment.

In addition, the CHP does not support the size of the proposed events.

Please do not approve of the rezoning.

Sincerely, Jaroni Ribez