



COUNTY OF HUMBOLDT

For the meeting of: 11/6/2018

File #: 18-1352

To: Board of Supervisors

From: Planning and Building Department

SUBJECT:

CalFire General Plan Amendment (Local Coastal Plan Amendment)
File No. APN 515-241-011; Case No: GPA-16-004, Trinidad Area

RECOMMENDATION(S):

That the Board of Supervisors open the public hearing, receive and consider the staff report, and accept public comment; close the public hearing and deliberate; find the Suggested Modifications in Attachment B are exempt pursuant to Section 15265 of the California Environmental Quality Act (CEQA) Guidelines, and find that there is no substantial evidence that the Suggested Modifications as set forth in Attachment B will have a significant effect on the environment; make the necessary findings to accept, agree to, and approve the Suggested Modification as adopted by the California Coastal Commission September 12, 2018, and adopt Resolution No. ____ (Attachment A). That by the adoption of Resolution __, the Board of Supervisors approves the Suggested Modification: the text amendment to the Trinidad Area Plan (Land Use Plan) amending development policies of Section 3.23-B-1; authorize the Planning staff to transmit the adopted changes to the California Coastal Commission for final certification; finds that the amendments will be effective immediately upon certification by the California Coastal Commission; agrees to issue Coastal Development Permits subject to the approved Local Coastal Program, and intends to carry out these amendments in a manner in conformity with the Coastal Act; and directs the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office, and any other interested party.

SOURCE OF FUNDING:

Source of Funding is Current Planning Trust. The applicant has paid a deposit for costs associated with processing the application. The applicant is responsible for paying all fees for services rendered.

DISCUSSION:

On April 5, 2016 your Board accepted a petition to modify the text of the Trinidad Area Plan related to providing a domestic water supply from the City of Trinidad to the CalFire Trinidad station.

CalFire staffs the fire station year-round and responds to the City of Trinidad for all medical, traffic accident, structural and wildland fire dispatches at the same time the Trinidad Volunteer Fire Department is dispatched. Because the fire station is very close to the City of Trinidad, CalFire's engine is usually on-scene faster than the volunteer response. The fire station currently uses nearby surface water from Martin Creek to supply water for drinking, equipment cleaning, irrigation, and fire suppression. CalFire has documented evidence that this water supply is unreliable and potentially unsafe, and therefore the fire station is looking for an alternative potable water supply.

The proposed extension of City of Trinidad water service approximately 1 mile north to the fire station was initiated as early as 2009, with a preliminary feasibility evaluation by the then Trinidad City Engineer Winzler & Kelly, and submitted to the Humboldt County Local Agency Formation Commission (LAFCo). Results found that the fire station's estimated peak demand of 800 gallons per day is less than 1 percent of the City of Trinidad's available capacity and that the city has available water supply and could provide the fire station with potable water. In May 2010, Humboldt LAFCo determined that a Cortese-Knox-Hertzberg Act, Section 56133 exemption was applicable for the water service extension exclusive to servicing of the existing fire station, given that the service in question involves a public service provider. Therefore the proposed service extension does not require further LAFCo approval.

On October 17, 2017, your Board tentatively approved the staff recommended modifications to the Trinidad Area Plan subject to

California Coastal Commission adoption. These modifications were then submitted to the California Coastal Commission for their review and adoption.

On September 12, 2018, the California Coastal Commission conditionally approved the local coastal plan amendment changes subject to the county adopting the Commission's recommended modifications (Attachment B).

The purpose of the current action is to accept the text modifications to the Trinidad Area Plan requested by the California Coastal Commission so that the project proponent can proceed with application for a Coastal Development Permit to provide the water service.

Project Location: in the Trinidad area, on east side of Patrick's Point Road, approximately 1.05 miles north from the intersection of Main Street and Patrick's Point Road, on the property known as 923 Patrick's Point Road.

Local Coastal Program (LCP) Amendment

The Coastal Commission denied the original Land Use Plan Amendment No. LCP-1-HUM-17-0066-1, as submitted. The Coastal Commission's analysis found that to be fully consistent with the policies of Chapter 3 of the Coastal Act the proposed Trinidad Area Plan amendment must require a showing that extension of the water line to the California Department of Forestry (CDF) fire station will be consistent with Section 30254 of the Coastal Act. This section requires that the extension not remove water system capacity needed to serve Coastal Act priority uses within the service area (e.g., visitor serving facilities). This analysis was conducted by the City of Trinidad as part of their companion LCP amendment and found that the extension can be supported. Further, the Coastal Commission determined that the text of the amended Extension of Service policy should fully describe the conditions under which the extension of the City of Trinidad water line to the CDF fire station may be permitted. These requirements are: a) that any extension is sized so as not to exceed provision of the minimum amount of water needed to serve the fire station for domestic water use; b) will not remove capacity necessary to serve future development within the city; c) will not impair fire protection services in the city; d) is designed and conditioned in such a way that it will not service additional parcels/be growth inducing; and f) is found to be in conformance with the resource protection policies of this plan.

The Coastal Commission adopted a resolution to certify the land use plan amendment with these suggested modifications incorporated. The suggested modifications are reflected in Attachment B and the suggested changes meet the objectives of the County's prior LCP amendment submittal.

Staff Recommendation

Planning staff recommends that the Board of Supervisors find the Suggested Modification is statutorily exempt pursuant to Section 15265 of the CEQA Guidelines; accept and agree to the Suggested Modification as adopted by the California Coastal Commission on September 12, 2018, and agree to issue Coastal Development Permits subject to the approved Local Coastal Program; and direct Planning staff to transmit the Board of Supervisor's approval to the Coastal Commission for certification.

FINANCIAL IMPACT:

There will be no impact on the county General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application. This payment is typical for all individually-initiated plan amendment applications.

The Local Coastal Program Amendment supports the Board's Strategic Framework through its core role of providing for and maintaining critical infrastructure.

OTHER AGENCY INVOLVEMENT:

Current Planning Staff referred the proposed General Plan Amendment to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the project. The Coastal Commission must certify the proposed amendments to the LCP and Coastal Zoning Regulations.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose to resubmit a different LCP amendment without the Suggested Modifications that would then be subject to future Commission review. Staff does not recommend this alternative as this will result in additional delays with an uncertain outcome.

ATTACHMENTS:

File #: 18-1352

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

Attachment A: Resolution No. ____ Making the Required Findings and Recommending Adoption of California Coastal Commission Modifications to the Local Coastal Plan Amendments to the Trinidad Area Plan

Attachment B: Text Amendments to the Trinidad Area Plan incorporating the Coastal Commission's Suggested Modifications

Attachment C: California Coastal Commission Staff Report LCP-1-HUM-17-0066-1

PREVIOUS ACTION/REFERRAL:

Board Order No.: L-1; J-1

Meeting of: April 5, 2016; October 17, 2017