

ATTACHMENT A

**Resolution Making the Required Findings and Recommending Adoption of California
Coastal Commission Modifications to the Local Coastal Plan Amendments to the Trinidad
Area Plan**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of November 6, 2018

RESOLUTION NO. 18-112

RESOLUTION TO MAKE THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE AMENDMENT OF THE TRINIDAD AREA PLAN; CASE NUMBER GPA-16-004; ASSESSOR PARCEL NUMBER: 515-241-011

WHEREAS, CalFire Trinidad, submitted an application and evidence in support of approving the General Plan Amendment application; and

WHEREAS, the proposed General Plan Amendment/Local Coastal Program Amendment; that is, to allow for City of Trinidad domestic water extension to the CalFire Trinidad Station, may be approved if it can be found that: (1) The proposed change is in the public interest; (2) The proposed change is consistent with a comprehensive view of the General Plan; and (3) The amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law; and (4) The amendment is in conformity with all the policies in Chapter 3 of the Coastal Act; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Planning Division, the lead agency, found the project exempt from environmental review pursuant to Section 15265 the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written and spoken evidence and testimony presented to the Commission during a public hearing on August 24, 2017, and

WHEREAS, at their August 24, 2017 meeting, the Planning Commission recommended the Board make the necessary findings and approve the amendment.

WHEREAS, 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.

WHEREAS, 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.

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NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors, based on Planning and Building Department – Planning Division staff reports, supplemental reports, testimony presented at the public hearing, and having considered the recommended modifications of the California Coastal Commission, that:

1. The Board of Supervisors finds the Suggested Modification in Attachment B is exempt pursuant to Section 15265 of the CEQA Guidelines, and finds that there is no substantial evidence that the Suggested Modifications as set forth in Attachment B will have a significant effect on the environment;
2. The Board of Supervisors makes all the required findings described below in the attached Findings for Approval, Exhibit A, and finds the Suggested Modification conforms to the policies contained in Chapter 3 of the Coastal Act;
3. The Board of Supervisors accepts and agrees to the modifications that are suggested by the California Coastal Commission, and approves the Local Coastal Program Amendment application as modified by the California Coastal Commission at their September 12, 2018 meeting for LCP No.: LCP-1-HUM-17-0066-1 (Humboldt County Case No. GPA-16-004).
4. The Board of Supervisors takes this formal action to implement the modifications.
5. The Board of Supervisors agrees to issue coastal development permits subject to the approved Local Coastal Program.
6. The Board of Supervisors adopts the modified text amendments to become effective upon determination of the California Coastal Commission's Executive Director that the resolution by the Board of Supervisors is legally adequate and the determination is filed with the Secretary of Resources by the Coastal Commission staff.
7. The Board of Supervisors directs staff to transmit the Local Coastal Program text amendments to the Trinidad Area Plan to the California Coastal Commission for certification in accordance with the Coastal Act.

BE IT FURTHER RESOLVED by the Humboldt County Board of Supervisors that:

1. The Clerk of the Board is hereby directed to give notice of the decision to the applicant, the County Assessor's Office and any other interested party; and
2. The Planning staff is directed to submit the proposed CalFire amendment to the Local Coastal Program to the California Coastal Commission for review and certification.

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Dated: November 6, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Wilson, seconded by Supervisor Bass, and the following vote:

AYES:	Supervisors	Bohn, Fennell, Bass, Sundberg, Wilson
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT A

FINDINGS OF APPROVAL

The General Plan of Humboldt County is a dynamic document that can be modified to reflect changing social, economic or environmental conditions, or changes in state law. Per Section 1452.2, *Findings Required*, of the Trinidad Area Plan and the Framework Plan, an amendment may be approved if:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

B. State Planning and Zoning Law(Government Code §65300 et seq.) and Sections 312-50.3 and 312-50.8 of the Humboldt County Code Zoning Regulations, Required Findings for All Amendments, may be approved only if the following applicable findings are made:

1. The amendment is in the public interest;
2. The amendment is consistent with the General Plan;
3. The amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
4. Required Findings for Consistency with the Coastal Act – Plan Amendments & Zone Reclassifications

Title 14, §13551 of the Coastal Commission's Administrative Regulations, and Public Resources Code, §30200 requires proposed amendments to conform to the policies contained in Chapter 3 of the Coastal Act, which sets forth policies regarding the following issues:

Finding: Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).

Finding: Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aqua- cultural uses, and priority of development purposes).

Finding: Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).

Finding: Land Resources (including protection of environmentally sensitive habitats, agricultural lands, timberlands, and archaeological or paleontological resources)

Finding: Development (including placing new development within or close to existing developed areas, protection of scenic resources, maintenance of public access by encouraging public transit, providing for recreational opportunities within new development, protection of public safety, expansion of public works facilities and priority of coastal dependent developments)