

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

710 E STREET • SUITE 200

EUREKA, CA 95501-1865

VOICE (707) 445-7833

FAX (707) 445-7877



F11a

DATE: July 20, 2012

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager

SUBJECT: Humboldt County LCP Amendment No. HUM-MAJ-1-08
(Samoa): Concurrence with the Executive Director's determination that the action of Humboldt County accepting the Commission's certification of LCP Amendment No. HUM-MAJ-1-08 is legally adequate. (For Commission review at the meeting of August 10, 2012 in Santa Cruz)

A. BACKGROUND:

The Commission acted on Humboldt County LCP Amendment No. HUM-MAJ-1-08 on March 10, 2011. The proposed amendment as submitted involved changing the industrial land use designations and zoning districts within the Town of Samoa located on the Samoa Peninsula on the west side of Humboldt Bay to a mix of residential, commercial, natural resources, and business park uses and extending the urban limit line.

The Commission rejected the amendment as submitted, but certified the proposed amendment of the LCP if modified to incorporate numerous changes. The suggested modifications were substantial because the amendment raised a large number of issues. The redevelopment of the Samoa site raises such concerns as cleanup of industrial Brownfield contamination and lead paint residues, sea level rise, tsunami hazards, ensuring reservation of suitable sites for Coastal Act priority uses, provision of adequate infrastructure for the aging town and for new development, traffic impacts, coastal access, retaining the visual character of the historic community, protecting cultural resources, protecting environmentally sensitive habitat areas, and the lot legality of the existing properties.

On September 8, 2011 the Commission extended the expiration date of its approval with suggested modifications and the six-month time limit for Humboldt County to accept and agree to the Commission's certification of Humboldt County LCP Amendment No. HUM-MAJ-1-08 with suggested modifications for a period not to exceed one year, to September 10, 2012.

B. EFFECTIVE CERTIFICATION:

On December 6, 2011, and on July 17, 2012, the Humboldt County Board of Supervisors held public hearings and adopted Resolution Nos. 11-94, 11-95, 12-62, 12-63 and Ordinance Nos. 2466 and 2482 acknowledging receipt of the Commission's resolution of certification, accepting and agreeing to the Coastal Commission's modifications, agreeing to issue permits in conformance with the modified LCP, and formally approving the necessary changes to the County's Local Coastal Program (see Attachment Nos. 1-4).

As provided in Section 13544 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the County of Humboldt's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of Humboldt County LCP Amendment No. HUM-MAJ-1-08 shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Natural Resources, as provided in Public Resources Code Section 21080.5.

C. STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the County of Humboldt to accept the Commission's certification of Humboldt County LCP Amendment No. HUM-MAJ-1-08 to adopt the necessary changes to the County's Local Coastal Program are legally adequate, as noted in the attached letter, Attachment 1 (to be sent after Commission concurrence).

Attachments:

1. Draft Notification of Effective Certification Letter
2. County Transmittal Letter and Board Orders
3. County Resolution Nos. 11-94, 11-95, 12-62, 12-63
4. County Ordinance Nos. 2466 and 2482

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-6813
VOICE (707) 445-7833
FACSIMILE (707) 445-7877



August __, 2012

Martha Spencer, Interim Director
Planning and Building
Community Development Services
County of Humboldt
3015 H Street
Eureka, CA 95501

SUBJECT: Effective Certification of the County of Humboldt's Local Coastal Program Amendment No. HUM-MAJ-01-08 (Samoa)

Dear Ms. Spencer:

The Executive Director of the Coastal Commission has reviewed County Board of Supervisors Resolution Nos. 11-94, 11-95, 12-62, 12-63 and Ordinance Nos. 2466 and 2482 for effective certification of Humboldt County LCP Amendment No. HUM-MAJ-01-08 (Samoa). The County's resolutions indicate that the County acknowledges receipt of and accepts the Commission's resolution for certification with suggested modifications and that the County agrees to issue permits in conformance with the modified Local Coastal Program.

The Executive Director has found that the County's resolution fulfills the requirements of Section 13544.5(a) of the California Code of Regulations. In accordance with Sections 13544(b) and 13544.5(b) of the regulations, the Director has determined that the County's actions are legally adequate.

The Coastal Commission concurred with this determination at its meeting of August 10, 2012 in Santa Cruz. Commission approval and the amendment process area now complete. If you have any questions, please contact us.

Sincerely,

ROBERT S. MERRILL
North Coast District Manager

ATTACHMENT 1
DRAFT NOTIFICATION OF EFFECTIVE
CERTIFICATION LETTER



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

January 13, 2012

Robert S. Merrill, North Coast District Manager
California Coastal Commission
North Coast District Office
710 E Street, Suite 200
Eureka, CA 95501

RECEIVED
JAN 20 2012
CALIFORNIA
COASTAL COMMISSION

Subject: Local Coastal Program Amendment No. HUM-MAJ-01-08 (Samoa)

Dear Mr. Merrill:

The purpose of this letter is to formally notify you of the Humboldt County Board of Supervisors (Board) action on the above-referenced Local Coastal Program (LCP) amendment. The amendment involves changing the industrial land use designations and zoning districts within the Town of Samoa located on the Samoa Peninsula on the west side of Humboldt Bay to a mix of residential, commercial, natural resources, and business park uses and extending the urban limit line.

The Board's action follows action by the Coastal Commission in March and June of 2011 to deny the amendment as submitted and certify the Implementation Plan amendment with suggested modifications. Pursuant to Section 13544 of Title 14 of the California Code of Regulations, effective certification of the LCP amendment will occur after: (a) the Board of Supervisors acknowledge receipt of the Commission's resolution, (b) accepts and agrees to the modifications, (c) takes whatever formal action is required to satisfy the modifications, and (d) agrees to issue coastal development permits for the total area included in the certified local coastal program.

On December 6, 2011, the Board of Supervisors convened a public hearing on the Town of Samoa LCP amendment to address the modifications requested by the Coastal Commission. The action before the Board was to: approve (as modified by the California Coastal Commission) the amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)) land use map, by reconfiguring the boundary lines as shown on the proposed revised Samoa Town Master Plan land use map. And to approve text amendments to the HBAP to: 1) add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the HBAP; 2) add text amendments to incorporate the policies, definitions and revisions requested by the California Coastal Commission, including the addition of a Samoa Town Plan Land Use Overlay Designation and Development Policies to the Land Use Designations in Chapter 4 and modifying Section 3.17.B.3 of the HBAP to require tsunami risk

ATTACHMENT 2

3015 H Street, Eureka, CA

COUNTY TRANSMITTAL LETTER AND
BOARD ORDERS (1 of 10)

Fax: (707) 268-3792

assessments; and 3) approve interpretation of environmentally sensitive habitat areas (ESHAs) identified by the California Coastal Commission for the parcels making up the Samoa town site.

Additional actions by the Board include:

1. Approve adoption of an Ordinance amending Section 311-7 of the Humboldt County Code. The proposed rezoning would amend the zoning for the approximate 171 acres making up 6 parcels of the Samoa town site by designating the boundary lines of the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones.
2. Approve adoption of an Ordinance amending Sections 313-15 and 313-34 to add a Samoa Town Special Area Combining Zone and Samoa Town Plan Standards and amend Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.
3. Adoption of a revised Urban Limit Line boundary for the Town of Samoa.
4. Directing the Clerk of the Board to publish the post adoption summaries of the ordinances within 15 days after adoption of the ordinances.
5. Adoption of a Resolution of Transmittal to the California Coastal Commission for the proposed Local Coastal Plan Amendment and transmit the Local Coastal Program Amendments to the Humboldt Bay Area Plan land use plan and implementing zoning maps and text changes to the California Coastal Commission for certification in accordance with the Coastal Act.
6. Directing the Clerk of the Board to give notice of the decision to the applicant, to the Assessor's Office and any other interested party.

Enclosed please find the staff report for the December 6, 2011 Board hearing on the Samoa Town Master Plan LCP amendment.

In its actions on the Samoa Town Master Plan LCP Amendment on December 6, 2011, the Board of Supervisors unanimously approved the staff recommendations as presented and directed staff to submit a letter to the California Coastal Commission stating the Board's concerns regarding two issues. The measures imposed on the STMP project were fully studied and appropriate for that project. However, in the Board's opinion, changes to standards affecting the overall Planning Area would be best reserved for a comprehensive LCP amendment developed in concert with the County's General Plan Update and not tied to the certification of this specific development proposal. These concerns are not a rejection of the Coastal Commission modifications of the Town of Samoa LCP amendment but should be considered during future LCP amendments.

The Board is concerned about the appropriateness of modifying tsunami development standards that affect the Humboldt Bay Area Plan broadly as conditions of approval for a specific project. The tsunami development standards as originally proposed in Section 3.17.B.3 would have

2 of 10

applied to development of three or more units in addition to the primary unit. This was appropriate for an area-wide standard because in the Humboldt Bay Area Plan a relatively small number parcels have development potential exceeding four or more units. As modified Section 3.17.B.3 applies to the addition of one or more units to a primary unit. There are numerous parcels with a total development potential of two units making this policy much more significant to the development of Humboldt Bay Area. As a matter of public process, the modified standard's widespread applicability and effects made it inappropriate to include in the Samoa Town Master Plan LCP amendment.

The Board would like to clarify that it is the Board's understanding that the language of the Suggested Modification restricting expansion of infrastructure to serve projects outside of the STMP area is to remove ambiguity over such service extensions but does not in any way pre-judge a future LCP amendment affecting nearby property which may be submitted in the future. In this sense, service extension will not be permanently foreclosed, but would require a future local coastal plan amendment subject to Coastal Commission approval. This concern arose in direct connection to modified STMP (New Development) Policy 9:

"Waste water treatment provided for the lands subject to the STMP-LUP shall be limited to provision of service for development authorized pursuant to the STMP-LUP only. No lands or development outside the STMP-LUP shall be served by wastewater treatment facilities provided for the lands subject to the STMP-LUP. No pipeline connections to collect or transfer waste water from off-site to or through the STMP-LUP lands shall be installed on or adjacent to the lands subject to the STMP-LUP."

Policy 9 appropriately restricts wastewater services to the project analyzed in the proposed LCP amendment. However, over the course of the next twenty or more years as development is proposed in the vicinity of the Samoa Town project it may make sense to extend or share infrastructure with surrounding development. At the time surrounding development is contemplated and proposed, the County may want to propose an amendment to Policy 9 if it makes social, economic and ecological sense to do so.

As previously mentioned, these two concerns do not constitute a rejection of any of the proposed modifications.

Also enclosed please find the Board Order, Resolution of Adoption, and Resolution of Transmittal to the Coastal Commission for the Board's action of December 6, 2011. With these actions, the Board of Supervisors has accepted and agreed to the modifications requested by the Coastal Commission and taken formal action required to satisfy the modifications and agrees to issue coastal development permits for the total area included in the certified local coastal program in accordance with the Coastal Commission modifications.

It is our understanding that the next steps are for the Executive Director of the Coastal Commission to determine in writing that the local government's actions taken to satisfy the Commission's requirements are legally adequate. The Executive Director then reports the determination to the Commission and the Commission does not object to the determination, and

3910

notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency.

We look forward to expeditious completion of the LCP amendment. Please let me know if our staff can provide any assistance in completing these final steps.

Sincerely,



Kirk Girard, Director
Community Development Services

Enclosures: Signed Resolutions and Ordinances
Board Report with attachments

cc: Michael Wheeler
Dan Johnson, Samoa Pacific Group

40910

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings, Meeting of Tuesday, December 6, 2011

- SUBJECT:** Samoa Town Master Plan General Plan Amendment (Local Coastal Plan Amendment)/Zone Reclassification/Urban Limit Line Extension File No. APN 401-021-29; Case No: GPA-02-01/ZR-02-02 Samoa Area.
- ACTION:** Approve staff recommendations as presented and to include the following additions:
1. Direct staff to submit a letter to the California Coastal Commission stating the Board's concern that it is inappropriate to modify tsunami development standards that affect the Humboldt Bay Area Plan broadly as conditions of approval for a specific project, and clarifying the Board's understanding that expansion of infrastructure to serve projects outside of the STMP area will not be pre-judged but will be looked at on a case-by-case basis as projects come forward;
 2. Direct staff to consider concerns regarding compatibility of multi-family residential development adjacent to pre-existing industrial operations at the time of development of the subdivision and approval of any specific multi-family project on the property.

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

AYES:	Supervisors:	Bass, Smith, Sundberg, Lovelace, Clendenen
NAYS:	None	
ABSENT:	None	
ABSTAIN:	None	

STATE OF CALIFORNIA)
County of Humboldt) s.s.

I, NIKKI TURNER, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

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

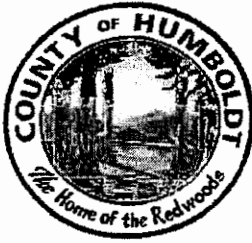
NIKKI TURNER

Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

(L-5)


December 6, 2011

5910



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

L-1

For the meeting of: July 17, 2012

DATE: June 12, 2012
TO: Board of Supervisors
FROM: Martha Spencer, Interim Director of Planning and Building
SUBJECT: **Samoa Town Master Plan General Plan Amendment (Local Coastal Plan Amendment)/Zone Reclassification/Urban Limit Line Extension**
File No. APN 401-021-29; Case No: GPA-02-01/ZR-02-02 Samoa Area

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing in the manner prescribed by law, and receive staff report, and public testimony.
2. Deliberate on the project as necessary.
3. Approve modified land use and zoning maps (as requested by the California Coastal Commission staff) for Samoa Town Master Plan amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)).

(Recommendations continued next page)

Prepared by Michael E. Wheeler
Michael E. Wheeler, Senior Planner

CAO Approval Philip Smith-Hansen

REVIEW: Auditor _____ County Counsel DS Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☐ Consent
☒ Departmental
☒ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Smith Seconded by Supervisor Lowell
Ayes Sandberg, Lowell, Bess, Smith, Cronin
Nays _____
Abstain _____
Absent _____

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

Dated: July 17, 2012
By: Kathy Hayes
Kathy Hayes, Clerk of the Board

RECEIVED

JUL 19 2012

CALIFORNIA
COASTAL COMMISSION

6 of 10

Recommendations continued from previous page...

4. Introduce Ordinance by Title and Waive Further Reading, and approve adoption of Ordinance No. _____ amending Section 311-7 of the Humboldt County Code. The proposed rezoning would amend the zoning for the approximate 171 acres making up 6 parcels of the Samoa town site by designating the boundary lines of the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones (Attachment C1).
5. Direct the Clerk of the Board to publish the post adoption summary of the ordinance within 15 days after adoption of the ordinances (Attachment C2).
6. Adopt a Revised Resolution making the Required Findings and Recommending adoption of the Local Coastal Plan Amendments as modified by the Coastal Commission (Attachment A).
7. Adopt a Resolution of Transmittal to the California Coastal Commission for the revised land use and zoning maps to the California Coastal Commission for certification in accordance with the Coastal Act (Attachment D).
8. Direct the Clerk of the Board to give notice of the decision to the applicant, to the Assessor's Office and any other interested party.
9. Close the public hearing.

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:

SUMMARY

On December 6, 2011, your Board adopted a Revised General Plan Amendment (Local Coastal Plan Amendment) and associated Zone Reclassification for assessor parcels making up the Samoa town site and encompassing approximately 171 acres (See Attachment E, Findings made by the Board). The purpose of the proposed Amendment was to facilitate development and revitalization of the parcels consistent with the Samoa Town Master Plan prepared for the Samoa Pacific Group LLC. The Master Plan seeks to build on the historic and beneficial aspects of the townsite while preserving opportunities for coastal dependent industrial uses on the adjacent lands with harbor access. Additional permits are required for the phased implementation of the Master Plan and will be applied for at a later date should the requested amendment be approved.

On December 6, 2011, your Board also adopted a Resolution of Transmittal to the California Coastal Commission for the proposed Local Coastal Plan Amendment and staff has transmitted the Local Coastal Program Amendments to the Humboldt Bay Area Plan land use plan and implementing zoning maps and text changes to the California Coastal Commission for certification in accordance with the Coastal Act. Following that submittal, Coastal Commission staff has asked for some map revisions to make the map submittals consistent with the mapping changes requested in the Coastal Commission action of June 17, 2011.

The purpose of the current action is solely to adopt the revised maps to make them consistent with changes requested by the Coastal Commission. All other actions of the Board with respect to adoption of Local Coastal Plan text changes and zoning text changes remain unchanged.

California Coastal Commission staff requested the following changes to the maps previously approved by your Board:

- 1) Modify the Samoa Town Master Plan STMP Overlay to include the former Arcata Community Recycling Center parcel;
- 2) Modify the Samoa Town Master Plan STMP Overlay to include the Commercial Recreation area on the West side of New Navy Base Road;

7 of 10

- 3) Modify the boundaries of the Public Facilities and Natural Resource land use designation to conform with Exhibit 24 of the June 17, 2011 Coastal Commission staff report; and
- 4) Add or attach the Notation of Modification 11 to all maps.

All of these map changes have been made and are incorporated into this staff report for Board action.

BACKGROUND

Approximately 131 acres currently planned and zoned as Industrial General (IG) and 4.82 acres planned and zoned Industrial Coastal Dependent (MC) will be changed to the following designations: **Residential Low Density (RL), 47.97 acres; Residential Medium Density (RM), 3.78 acres; Commercial Recreation (CR), 7.39 acres; Public Facilities (PF), 10.56 acres; Commercial General (CG), 4.51 acres; Business Park (MB), 12.31 acres; Natural Resources (NR), 39.73 acres; and Public Recreation (PR), 6.9 acres.** In addition, 35.03 acres will remain planned and designated for Industrial Coastal Dependent (MC) use (see Map sheets for location and description of the proposed land use and zoning designations). The project includes identification of an Urban Limit Line around the community and text amendments to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the Humboldt Bay Area Plan, and amendments to Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.

The project area is located entirely in the Coastal Zone, and the Local Coastal Plan Amendment will require subsequent approval by the California Coastal Commission. The Department also required that an Environmental Impact Report be prepared pursuant to the California Environmental Quality Act. Among the impacts addressed include historical resources and tsunami hazards.

Planning staff recommended approval of the GPA/ZR because the project is "in the public interest", is "consistent with a comprehensive view of the General Plan," and because "physical conditions have changed". In accepting the Plan Amendment Petition, the Board of Supervisors found that there has been a change in base information under which the current land use designations were applied and that the amendment would be protective of established uses. Specifically, the Board determined that:

- Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
- The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
- The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

The Master Plan ("Project") as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. Key elements of the Master Plan for Samoa include:

- A commercial area at Vance Avenue and Cutten Street;
- A business park along the south portion of Vance Avenue;
- The Samoa Cookhouse area which includes the existing Samoa Cookhouse, a indoor soccer arena, a new Maritime Museum and the existing gymnasium, baseball field and the elementary school, and a new small RV park (8 spaces with no hookups);
- A total of 293 new residential units are proposed, including a residential district west of Vance Avenue;
- Live/work studios along Cadman Court;
- Multi-family "workforce" housing (46 units) east of Vance Avenue and north of Soule Street;
- Coastal dependent industrial land east of the NCRA railroad tracks;
- Open space and natural areas, east of New Navy Base Road and at other locations;
- Roads, trails and pathways;
- A central park and town square; and
- Public facilities, including a wastewater treatment plant, corporation yard and utility substation.

8 of 10

The stabilization of this former mill town site and preservation of existing housing opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in business park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.

Furthermore, for those projects in the Coastal Zone, an additional set of findings must be made to ensure consistency with the Coastal Act, and the GPA/ZR changes certified by the Coastal Commission prior to adoption. The project is consistent with Chapter 3, commencing with Section 30200, of the Public Resources Code, and the implementing ordinances are in conformity with and carry out the provisions of the certified land use plan.

This proposal follows your Board's September 10, 2002 acceptance of a petition to reconfigure the General Plan land use designation boundaries and your Board's tentative approval of the General Plan Amendment and Zone Reclassification on October 27, 2009 (subject to California Coastal Commission approval). The Humboldt County Planning Commission considered an earlier proposal and held public hearings on the project on March 16, 2006, April 6, 2006, and April 13, 2006. The current Samoa Town Master Plan was heard by the Planning Commission on January 9, 2008, and the Planning Commission recommended making the required findings and approving the project. Your Board initially approved of the General Plan Amendment and Zone Reclassification on October 27, 2009 subject to Coastal Commission acceptance (See Attachment B). The proposal was reviewed by the Coastal Commission in 2011, and the Commission requested major project modifications and conditions prior to final acceptance. The proposed modifications were brought back to you Board on December 6, 2011, and your Board approved the modified project. These modifications were forwarded to the Coastal Commission for consideration. The Department subsequently received a request from Coastal Commission for further refinement of the map exhibits to more fully reflect the Coastal Commission's action of June 17, 2011. This is the matter currently before your Board. Other parts of the Board's December 6, 2011 action on the LCP amendment are not affected by this request.

Required Findings

The Required Findings and Evidence for Making the Findings can be found in the October 27, 2009 and December 6, 2011 Board Actions located in Attachment E. There are no proposed changes for these findings.

FINANCIAL IMPACT:

As required for all individually initiated plan amendments and zone reclassification, the applicant would be responsible to pay for all actual costs involved in processing the application.

OTHER AGENCY INVOLVEMENT:

The Department has referred the proposed general plan amendment, zone reclassification and urban limit line extension to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the project.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors could find that the requested refinement to the GPA/ZR mapping is not consistent with the General Plan or that it is not in the public interest. The Department does not recommend this alternative based on the evidence in the public record. The revised maps now fully reflect the Suggested Modification as approved by the Coastal Commission in their action of June 17, 2011. If the Board were to adopt changes not consistent with the Coastal Commission's Suggested Modifications, or delay approval of the mapping changes beyond September 10, 2012 (1-year from the Coastal Commission's receipt of the project), the current LCP amendment would not be eligible for certification and a new LCP amendment would be required beginning the process anew.

ATTACHMENTS:

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: Revised Resolution Making the Required Findings and Recommending Adoption of the Local Coastal Plan Amendments as Modified by the Coastal Commission

9 of 10

Attachment B: Resolution No. 09-86 (Adopted October 27, 2009 by the Board)

Attachment C1: Revised Zoning Map Ordinance, Revised Exhibit A1 (map), Revised Exhibit B

Attachment C2: Summary Ordinance for Zoning Map Ordinance

Attachment D: Resolution of Transmittal to the Coastal Commission: Amendment to the Local Coastal Program (LCP)

Attachment E: Findings from the October 27, 2009 and the December 6, 2011 Board Report

10 of 10

**Resolution of Transmittal to the Coastal Commission:
Amendment to the Local Coastal Program (LCP)**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on December 6, 2011

Resolution No. 11-94

Resolution of the Board of Supervisors of the County of Humboldt making the required findings for certifying compliance with the California Environmental Quality Act and directing Planning staff to submit to the California Coastal Commission the proposed Samoa Pacific Group amendment to the Local Coastal Program for review and certification

WHEREAS, on September 10, 2002, the Board of Supervisors approved a General Plan Petition to amend the Humboldt Bay Area Plan for the purpose of implementing the Samoa Town Master Plan; and

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

WHEREAS, the County Planning Division caused the preparation of Draft and Final Master Environmental Impact Reports for the plan amendment package pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension (Case Nos.: GPA-02-01/ZR-02-02); and

WHEREAS, the Planning Commission reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, on January 9, 2008, the Planning Commission adopted Resolution No. 08-01 recommending the Board of Supervisors approve the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application for the Samoa Pacific Group to facilitate implementation of the Samoa Master Plan; and

WHEREAS, on October 27, 2009, the Humboldt County Board of Supervisors certified the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines, and found that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgment and analysis.

WHEREAS, on October 27, 2009, the Humboldt County Board of Supervisors conditionally approved the proposed amendment and zone reclassification subject to California Coastal Commission review and approval, and approved a resolution of submittal to the California Coastal Commission.

WHEREAS, on March 10, 2011, the California Coastal Commission denied certification of Humboldt County LCP Amendment No. HUM-MAJ-01-08 as submitted, and certified the amendment if revised in accordance with suggested modifications.

WHEREAS, the Local Coastal Plan Amendment and propose Zone Reclassification has been revised to incorporate the modifications requested by the California Coastal Commission.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Board of Supervisors that the following findings regarding the Samoa Pacific Group amendment be hereby made:

1. The Plan amendment as modified by the California Coastal Commission is in the public interest because the Samoa Town Master Plan as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. The stabilization of this former mill townsite and preservation of existing housing opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in business park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.
2. The Plan amendment as modified by the California Coastal Commission is necessary because base information and physical conditions have changed; i.e.
 - Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
 - The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
 - The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

NOW, THEREFORE, be it further resolved that the following findings regarding the Samoa Pacific Group Zone Reclassification be hereby made:

1. The Zone Reclassification, including text and map changes, as modified by the California Coastal Commission, is consistent with the comprehensive view of the Plan in that it is consistent with policies land use designations that implement the General Plan as amended.
2. The Zone Reclassification, including text and map changes, as modified by the California Coastal Commission, is in the public interest because it more accurately designates lands based on existing uses and would allow for new uses in some areas necessary for the economic revitalization of the existing community.
3. Based on the evidence presented in the Final Environmental Impact Report certified on October 27, 2009, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR. However, demolition of the Fireman's Hall, a contributing structure, was determined to be an impact which could not be reduced to a level of insignificance and a Statement of Overriding Considerations was adopted by the Board. An addendum to the Final EIR has been adopted for the project in accordance with CEQA.

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors hereby finds that the proposed Local Coastal Plan Amendment and the proposed zoning ordinance amendments that incorporate the Special Modifications recommended by the Coastal Commission in their action of March 10, 2011 have been prepared in accordance with the California Public Resources Code, Division 20, California Coastal Act of 1976, as amended, and is consistent with the provisions of said Act.

2013

BE IT FURTHER RESOLVED that this Board of Supervisors hereby intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby provides notice to the California Coastal Commission and its staff that the proposed Local Coastal Plan Amendment and zoning ordinance amendments are adopted as amendments that will take effect 30 days after Coastal Commission approval.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby directs Planning staff to submit the approved coastal plan and zoning ordinance amendments to the California Coastal Commission for their review and certification.

Virginia Bass, Vice Chair
Chair, Humboldt County Board of Supervisors

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

AYES: Supervisors: Bass, Smith, Lovelace, Sundberg, Clendenen

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA

County of Humboldt

)
) SS.
)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes

Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:

Kathy Hayes
Kathy Hayes

Date:

12-6-11

Resolution Making the Required Findings and Recommending Adoption of the Local Coastal Plan Amendments as Modified by the Coastal Commission for the Samoa Town Master Plan Application

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on December 6, 2011

RESOLUTION NO 11-95

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMENDING CONDITIONAL APPROVAL OF THE SAMOA PACIFIC GROUP APPLICATION: CASE NUMBERS GPA-02-01/ZR-02-02; ASSESSOR PARCEL NUMBERS 401-021-29 ET AL.

WHEREAS, State law provides for local governments to amend their General Plans up to four (4) times per year; and

WHEREAS, Samoa Pacific Group submitted an application and evidence in support of approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension associated with the Samoa Town Master Plan; and

WHEREAS, the proposed General Plan Amendment and Zone Reclassification may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with a comprehensive view of the General Plan; 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 project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division caused the preparation of a Master Environmental Impact Report, which indicates that the project meets all requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15074; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment/Zone Reclassification/Urban Limit Line Extension Permit application for Case Nos.: GPA-02-01/ZR-02-02; and

WHEREAS, the County Planning Department has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project; and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, the Planning Commission held public hearings on March 16, 2006, April 6, 2006, April 13, 2006, and January 9, 2008 on this matter to receive other evidence and testimony;

4913

WHEREAS, at their January 9, 2008 meeting, the Planning Commission resolved, determined, and ordered that the following findings be and are hereby made:

1. The Planning Commission found that based on the evidence presented in the Draft Master Environmental Impact Report and Proposed Final Master Environmental Impact Report included in the staff report, there is evidence that the proposed project will have a significant effect on the environment, and recommended that a Statement of Overriding Considerations be adopted; and
2. The Planning Commission made the findings in Attachment 2 of the Planning Commission staff report for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.

WHEREAS, on October 27, 2009 the Board of Supervisors of the County of Humboldt certified the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines and tentatively approved the local coastal plan amendment subject to California Coastal Commission review. And the Board of Supervisors made the findings that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgment and analysis.

WHEREAS, On March 10, 2011, the California Coastal Commission, 2011 denied certification of Humboldt County LCP Amendment No. HUM-MAJ-01-08 as submitted, and certified the amendment if revised in accordance with suggested modifications.

WHEREAS, On June 17, 2011, the California Coastal Commission held a public hearing and vote on the revised findings at its June 17, 2011 meeting and determined that the Revised Findings support its action on the LCP Amendment.

WHEREAS, the California Coastal Commission required a number of modifications and conditions in order for the project to be an acceptable Local Coastal Plan Amendment and the requirements are included in this staff report and incorporated into the ordinances and resolutions proposed for adoption.

NOW, THEREFORE, BE IT RESOLVED, determined, and ordered by the Board of Supervisors of the County of Humboldt that:

1. The Board of Supervisors accepts the California Coastal Commission modifications and conditions contained in the staff report for LCP Amendment No. HUM-MAJ-01-08.
2. The Board of Supervisors makes the findings for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.
3. The Board of Supervisors finds that the proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act.
4. The Board of Supervisors finds that the LCP Amendment will be carried out in accordance with the Coastal Act pursuant to Section 30510(a) of the Act.
5. The Board of Supervisors finds that the proposed service systems (as conditioned by the California Coastal Commission) within the Urban Limit will be adequate to serve the proposed addition under Urban Development standards.
6. The Board of Supervisors finds that development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.
7. The Board of Supervisors finds that expansion of the Urban Limit and the development permitted under such expansion will be consistent with the Resource Protection Policies and Standards in section 3.30.
8. The Board of Supervisors finds that project development will conform with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.
9. The Board finds that the suggested modifications by the Coastal Commission for LCP Amendment No. HUM-MAJ-01-08 address issues previously considered by the Planning Commission during its hearing and recommendations on the proposed amendments and no referral and report pursuant to Government Code Section 65957 is required.

5 of 13

10. The Board of Supervisors approves the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application as recommended by the Planning Commission at their January 9, 2008 meeting for Case Nos.: GPA-02-01/ZR-02-02 and as modified by the California Coastal Commission for LCP Amendment No. HUM-MAJ-01-08.

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

1. The Board of Supervisors makes the findings contained in and adopts the Addendum to the Environmental Impact Report for the Samoa Town Master Plan (SCH No. 2003052054) in Attachment E pursuant to the State CEQA Guidelines.
2. The Board of Supervisors approves the General Plan amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)), as modified by the California Coastal Commission for LCP Amendment No. HUM-MAJ-01-08, including the amendment of the land use map, by reconfiguring the boundary lines as shown on the proposed revised Samoa Town Master Plan land use map, text amendments to the HBAP to: a) add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the HBAP; b) add text amendments to incorporate the policies, definitions and revisions requested by the California Coastal Commission, including the addition of a Samoa Town Plan Land Use Overlay Designation and Development Policies to the Land Use Designations in Chapter 4 and modifying Section 3.17.B.3 of the HBAP to require that a tsunami risk assessment be conducted for future subdivisions and development projects within the HBAP planning area that could result in one (1) or more additional dwelling units within a potential tsunami run-up area, c) approve interpretation of environmentally sensitive habitat areas (ESHAs) identified by the California Coastal Commission for the parcels making up the Samoa town as shown on the Samoa Master Plan, and d) approves the revised Urban Limit Line boundary for the Town of Samoa.
3. The Board of Supervisors approves the zone map and text amendments: a) the rezoning of an approximate 170 acre area making up 6 parcels of the Samoa town site by designating the boundary lines of the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones; and b) amend Sections 313-15 and 313-34 of Chapter 3 of the Zoning Regulations to add a Samoa Town Special Area Combining Zone and Samoa Town Plan Standards and amend Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.
4. The Clerk of the Board is hereby directed to give notice of the decision to the applicant and any other interested party.

Virginia Bass, Vice Chair
Chair, Humboldt County Board of Supervisors

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

AYES: Supervisors: Bass, Smith, Lovelace, Clendenen, Sundberg

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA

)
) SS.
)

County of Humboldt

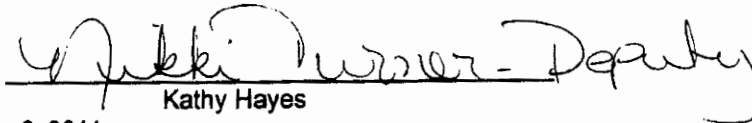
I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes

Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:


Kathy Hayes

Date: December 6, 2011

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on July 17, 2012

Resolution No. 12-62

Resolution of the Board of Supervisors of the County of Humboldt making the required findings for certifying compliance with the California Environmental Quality Act and directing Planning staff to submit to the California Coastal Commission the proposed Samoa Pacific Group amendment to the Local Coastal Program for review and certification

WHEREAS, on September 10, 2002, the Board of Supervisors approved a General Plan Petition to amend the Humboldt Bay Area Plan for the purpose of implementing the Samoa Town Master Plan; and

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

WHEREAS, the County Planning Division caused the preparation of Draft and Final Master Environmental Impact Reports for the plan amendment package pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension (Case Nos.: GPA-02-01/ZR-02-02); and

WHEREAS, the Planning Commission reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, on January 9, 2008, the Planning Commission adopted Resolution No. 08-01 recommending the Board of Supervisors approve the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application for the Samoa Pacific Group to facilitate implementation of the Samoa Master Plan; and

WHEREAS, on October 27, 2009, the Humboldt County Board of Supervisors certified the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines, and found that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgment and analysis.

WHEREAS, on October 27, 2009, the Humboldt County Board of Supervisors conditionally approved the proposed amendment and zone reclassification subject to California Coastal Commission review and approval, and approved a resolution of submittal to the California Coastal Commission.

WHEREAS, on March 10, 2011, the California Coastal Commission denied certification of Humboldt County LCP Amendment No. HUM-MAJ-01-08 as submitted, and certified the amendment if revised in accordance with suggested modifications.

WHEREAS, the Local Coastal Plan Amendment and propose Zone Reclassification has been revised to incorporate the modifications requested by the California Coastal Commission.

RECEIVED

JUL 19 2012

CALIFORNIA
COASTAL COMMISSION

8 of 13

WHEREAS, the Humboldt County Board of Supervisors convene a public hearing on December 6, 2011 and made the following findings regarding the Samoa Pacific Group amendment:

1. The Plan amendment as modified by the California Coastal Commission is in the public interest because the Samoa Town Master Plan as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. The stabilization of this former mill townsite and preservation of existing housing opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in business park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.
2. The Plan amendment as modified by the California Coastal Commission is necessary because base information and physical conditions have changed; i.e.
 - Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
 - The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
 - The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

WHEREAS, the Humboldt County Board of Supervisors convened a public hearing on December 6, 2011 and made the following findings regarding the Samoa Pacific Group zone reclassification:

1. The Zone Reclassification, including text and map changes, as modified by the California Coastal Commission, is consistent with the comprehensive view of the Plan in that it is consistent with policies land use designations that implement the General Plan as amended.
2. The Zone Reclassification, including text and map changes, as modified by the California Coastal Commission, is in the public interest because it more accurately designates lands based on existing uses and would allow for new uses in some areas necessary for the economic revitalization of the existing community.
3. Based on the evidence presented in the Final Environmental Impact Report certified on October 27, 2009, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR. However, demolition of the Fireman's Hall, a contributing structure, was determined to be an impact which could not be reduced to a level of insignificance and a Statement of Overriding Considerations was adopted by the Board. An addendum to the Final EIR has been adopted for the project in accordance with CEQA.

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors hereby finds that the proposed Local Coastal Plan Amendment and the proposed zoning ordinance amendments that incorporate the Special Modifications recommended by the Coastal Commission in their action of June 17, 2011 have been prepared in accordance with the California Public Resources Code, Division 20, California Coastal Act of 1976, as amended, and is consistent with the provisions of said Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

9413

BE IT FURTHER RESOLVED that this Board of Supervisors hereby provides notice to the California Coastal Commission and its staff that the proposed Local Coastal Plan Amendment and zoning ordinance amendments are adopted as amendments that will take effect immediately upon Coastal Commission approval.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby directs Planning staff to submit the revised maps for the approved coastal plan and zoning ordinance amendments to the California Coastal Commission for their review and certification.

Vernon Bass
Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Smith, seconded by Supervisor Lovelace
and the following vote:

AYES: Supervisors: Sundberg, Lovelace, Bass, Smith, Clendenen

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA

County of Humboldt

)
) SS.
)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes

Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:

Kathy Hayes
Kathy Hayes

Date:

July 17, 2012

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on July 17, 2012

RESOLUTION No 12 -63

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT

Resolution Making the Required Findings and Recommending Adoption of the Local Coastal Plan Amendments as Modified by the Coastal Commission for the Samoa Town Master Plan Application: CASE NUMBERS GPA-02-01/ZR-02-02; ASSESSOR PARCEL NUMBERS 401-021-29 ET AL.

WHEREAS, State law provides for local governments to amend their General Plans up to four (4) times per year; and

WHEREAS, **Samoa Pacific Group** submitted an application and evidence in support of approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension associated with the Samoa Town Master Plan; and

WHEREAS, the proposed General Plan Amendment and Zone Reclassification may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with a comprehensive view of the General Plan; 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 project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division caused the preparation of a Master Environmental Impact Report, which indicates that the project meets all requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15074; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment/Zone Reclassification/Urban Limit Line Extension Permit application for Case Nos.: GPA-02-01/ZR-02-02; and

WHEREAS, the County Planning Division has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project; and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, the Planning Commission held public hearings on March 16, 2006, April 6, 2006, April 13, 2006, and January 9, 2008 on this matter to receive other evidence and testimony;

WHEREAS, at their January 9, 2008 meeting, the Planning Commission resolved, determined, and ordered that the following findings be and are hereby made:

1. The Planning Commission found that based on the evidence presented in the Draft Master Environmental Impact Report and Proposed Final Master Environmental Impact Report included in the staff report, there is evidence that the proposed project will have a significant effect on the environment, and recommended that a Statement of Overriding Considerations be adopted; and
2. The Planning Commission made the findings in Attachment 2 of the Planning Commission staff report for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.

RECEIVED

JUL 18 2012

CALIFORNIA
COASTAL COMMISSION

11 of 13

WHEREAS, on October 27, 2009, the Board of Supervisors of the County of Humboldt certified the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines and tentatively approved the local coastal plan amendment subject to California Coastal Commission review. And the Board of Supervisors made the findings that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgement and analysis.

WHEREAS, On March 10, 2011, the California Coastal Commission, 2011 denied certification of Humboldt County LCP Amendment No. HUM-MAJ-01-08 as submitted, and certified the amendment if revised in accordance with suggested modifications.

WHEREAS, On June 17, 2011, the California Coastal Commission held a public hearing and vote on the revised findings at its June 17, 2011 meeting and determined that the Revised Findings support its action on the LCP Amendment.

WHEREAS, the California Coastal Commission required a number of modifications and conditions in order for the project to be an acceptable Local Coastal Plan Amendment and the requirements are included in this staff report and incorporated into the ordinances and resolutions proposed for adoption.

WHEREAS, on December 6, 2011 the following actions were taken:

1. The Board of Supervisors accepted the California Coastal Commission modifications and conditions contained in the staff report for LCP Amendment No. HUM-MAJ-01-08.
2. The Board of Supervisors made the findings for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.
3. The Board of Supervisors found that the proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act.
4. The Board of Supervisors found that the LCP Amendment will be carried out in accordance with the Coastal Act pursuant to Section 30510(a) of the Act.
5. The Board of Supervisors found that the proposed service systems (as conditioned by the California Coastal Commission) within the Urban Limit will be adequate to serve the proposed addition under Urban Development standards.
6. The Board of Supervisors found that development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.
7. The Board of Supervisors found that expansion of the Urban Limit and the development permitted under such expansion will be consistent with the Resource Protection Policies and Standards in section 3.30.
8. The Board of Supervisors found that project development will conform with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.
9. The Board found that the suggested modifications by the Coastal Commission for LCP Amendment No. HUM-MAJ-01-08 address issues previously considered by the Planning Commission during its hearing and recommendations on the proposed amendments and no referral and report pursuant to Government Code Section 65957 is required.
10. The Board of Supervisors approved the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application as recommended by the Planning Commission at their January 9, 2008 meeting for Case Nos.: GPA-02-01/ZR-02-02 and as modified by the California Coastal Commission for LCP Amendment No. HUM-MAJ-01-08.

WHEREAS, California Coastal Commission staff has requested specific map changes to the land use and zoning maps to ensure that they include the precise modifications requested by the Coastal Commission in their action on revised findings of June 17, 2011.

WHEREAS, On July 17, 2012 the Board of Supervisors held a public hearing to consider changes to zoning maps and re-adopt the findings made on December 6, 2011.

12 of 13

NOW, THEREFORE, BE IT RESOLVED, determined, and ordered by the Board of Supervisors of the County of Humboldt that:

1. The Board of Supervisors approves the revised land use and zone maps for the Samoa town site (Revised Exhibits M1, M2, and B for Land Use and Revised Exhibits M3, A1 and A2 for Zoning).
2. The Clerk of the Board is hereby directed to give notice of the decision to the applicant and any other interested party.

Ungene Bass
Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Smith, seconded by Supervisor Lovelace and the following vote:

AYES: Supervisors: Sundberg, Lovelace, Bass, Smith, Clendenen

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA

County of Humboldt

)
) SS.
)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:

Kathy Hayes
Kathy Hayes

Date: 9/17, 2012

13 of 13

**Zoning Text Change Ordinance for Implementation of the
Samoa Town Master Plan and Design Review**

ORDINANCE NO. 2466

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING
SECTIONS 313-19, 313-15 and 313-34, CHAPTER 3, DIVISION 1, TO TITLE III OF THE HUMBOLDT
COUNTY CODE HAVING TO DO WITH SPECIAL AREA COMBINING ZONES, SAMOA TOWN PLAN
STANDARDS AND DESIGN REVIEW IN THE COASTAL ZONE FOR LANDS DESIGNATED "D" ON
THE COUNTY ZONING MAPS.**

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. Sections 313-15, 313-19, and 313-34, Chapter 3, Division 1, to Title III of the Humboldt County Code having to do with Special Area Combining Zones, Samoa Town Plan Standards and Design Review in the Coastal Zone for lands designated "D" on the county zoning maps, are hereby amended as shown in Exhibit A attached (new language being added or amended is underlined).

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of completion of review and approval by the California Coastal Commission.

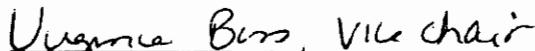
SECTION 3. A Summary of the proposed ordinance shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted ordinance shall be published and a certified copy of the adopted ordinance shall be posted, along with the names of those Supervisors voting for and against the ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)]

PASSED, APPROVED AND ADOPTED this 6th day of December 20011, on the following vote, to wit:

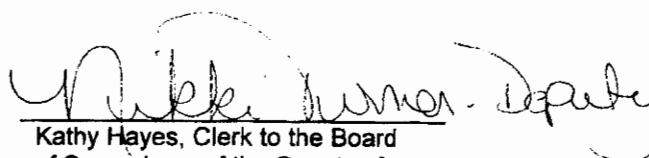
AYES: Supervisors: Smith, Bass, Sundberg, Lovelace, Clendenen

NOES: Supervisors:

ABSENT: Supervisors:


Chair of the Board of Supervisors
of the County of Humboldt, State
of California

(SEAL)
ATTEST:


Kathy Hayes, Clerk to the Board
of Supervisors of the County of
Humboldt, State of California

ATTACHMENT 4
COUNTY ORDINANCE NOS. 2466 AND
2482 (1 of 3)

RECEIVED

JUL 19 2012

CALIFORNIA
COASTAL COMMISSION

ATTACHMENT C1

ORDINANCE NO. 2482

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
TO REZONE PROPERTY IN THE SAMOA AREA

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended for the approximate 171-acre area comprising 6 Assessor Parcels that make up the Samoa Town Master Plan, shown in Exhibit A (rezone map), by designating the boundary lines of the following zones and combining zones (Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones) consistent with the General Plan Amendment (GPA-02-01) that reconfigures the boundary line between the following land use designations. The properties are shown on Humboldt County Zoning Maps D-15, 16 and in Revised Exhibit A1 (rezone map) and Revised Exhibit B (land use map).

Zoning

Parcel	Existing		Proposed	
	Zoning	Acres	Zoning	Acres
<i>West of RR ROW</i> 401-031-46 (por.) 401-031-46 (por.) 401-031-59 (por.) 401-031-60	Industrial General (MG)	128.32	Residential	
			Residential Single Family - RS/D,P	47.97
			Residential Multi-Family - RM/D/P	3.78
			Business Park - MB/D	12.31
			Commercial General - CG/D	4.51
			Recreation/Conservation	
			Commercial Recreation - CR/D	2.57
<i>East of RR ROW</i> 401-031-38 401-031-46 (por.) 401-031-55 401-031-59 (por.)	Industrial Coastal Dependent/Archaeological Resource Area (MC/A)	39.85	Natural Resources - NR/W	39.73
			Public Recreation - PR/D	6.9
			Public Facilities - PF/D	10.56
			Coastal Dependent Industrial MC/A (to remain)	35.03
			Commercial Recreation - CR/A,D	4.82
	TOTAL	168.17		168.17

* 5.21 Acres of NR is shared with PF

Land Use

Parcel	Existing		Proposed	
	Land Use	Acres	Land Use	Acres
<i>West of RR ROW</i> 401-031-46 (por.) 401-031-59 (por.) 401-031-60	General Industrial (MG)	128.32	Residential	
			RS	47.97
			RM	3.78
			Business Park - MB	12.31
			Commercial General - CG	4.51

2 of 3

			Recreation/Conservation Commercial Recreation - CR	2.57
			Natural Resources - NR	39.73
			Public Recreation - PR	6.9
			Public Facilities - PF	10.56
<i>East of RR ROW</i>	Industrial Coastal Dependent	39.85	Coastal Dependent Industrial MC (to remain)	35.03
401-031-38			Commercial Recreation - CR	4.82
401-031-46 (por.)				
401-031-55				
401-031-59 (por.)				
	TOTAL	168.17		168.17

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective immediately after approval by the California Coastal Commission.

SECTION 3. A Summary of the proposed ordinance shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted ordinance shall be published and a certified copy of the adopted ordinance shall be posted, along with the names of those Supervisors voting for and against the ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)]

PASSED, APPROVED AND ADOPTED this 17 day of July 2012, on the following vote, to wit:

AYES: Supervisors: Sundberg, Lovelace, Bass, Smith, Clendenen

NOES: Supervisors:

ABSENT: Supervisors:

Virginia Bass
Chair of the Board of Supervisors
of the County of Humboldt, State
of California

(SEAL)
ATTEST:

Kathy Hayes
Kathy Hayes, Clerk to the Board
of Supervisors of the County of
Humboldt, State of California