

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960



F9a

DATE: January 22, 2016

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager
Melissa Kraemer, Supervising Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action of the County of Humboldt accepting the Commission's certification of LCP Amendment No. LCP-1-HUM-15-0011-2 is legally adequate.

For the Commission meeting of February 12, 2015 in Morro Bay

BACKGROUND

The Commission acted on County of Humboldt LCP Amendment (LCPA) Application No. LCP-1-HUM-15-0011-2 on September 10, 2015. As submitted, the LCP amendment involves reconfiguring the boundary lines between the existing Residential Estates (RE) and Coastal Commercial Timberland (TC) land use and zoning designations that apply to a single 13-acre lot owned by the Big Lagoon Park Company (APN 517-121-010) to accommodate the relocation of existing cabins threatened with geologic hazards from an adjacent bluff top lot (APN 517-131-009). The subject site is located at the south end of Big Lagoon in northern Humboldt County, approximately eight miles north of the City of Trinidad.

By a series of unanimous votes, the Commission: (1) rejected the amendment to the LUP as submitted; (2) approved the LUP amendment with two suggested modifications; (3) rejected the amendment to the IP as submitted; and (4) approved the IP amendment with one suggested modification. The suggested modifications would modify the density provisions of the certified LCP to allow for the relocation of the existing cabins provided that: (1) the relocation of existing structures will result in no increase in development potential because the lots commonly owned by the Big Lagoon Park Company are either (a) legally merged, or (b) treated as one parcel under a binding agreement required to be executed and recorded pursuant to a valid coastal development permit authorizing the relocation of the existing residential development, (2) the property comprising APN 517-121-010 is capable of being developed with relocated existing residential development consistent with all applicable policies and standards of the certified LCP, and (3) the relocation of the existing residential development shall be sited and designed such that it assures stability and structural integrity and at no time engenders the need for the construction of a shoreline protection device that would substantially alter natural landforms

along bluffs and cliffs. The suggested modifications to the LCPA were necessary to ensure that: (1) the contemplated relocation of cabins can be developed consistent with all provisions of the certified LCP as amended, including the density provisions; (2) the LCP is not implemented in a manner that could lead to unintended increases in development potential that exceed the level of development that can be accommodated in the area inconsistent with Section 30250 of the Coastal Act; and (3) development is not approved that would engender the need for future shoreline protective devices inconsistent with Section 30253 of the Coastal Act.

EFFECTIVE CERTIFICATION

On January 19, 2016, the Humboldt County Board of Supervisors held a public hearing and adopted Resolution No. 16-11 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 LCP (Exhibit 2). Additionally, at the same hearing, the Board adopted Ordinance No. 2543 amending the Coastal Zoning Regulations consistent with the accepted suggested modifications (Exhibit 3).

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 LCP Amendment No. LCP-1-HUM-15-0011-2 shall become effective upon the filing of a Notice of Certification for the LCPA with the Secretary of Natural Resources, as provided in Public Resources Code Section 2180.5(2)(V).

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 LCP Amendment No. LCP-1-HUM-15-0011-2 to adopt the necessary changes to the County's Local Coastal Program are legally adequate, as noted in the attached letter, Exhibit 1 (to be sent after Commission concurrence).

EXHIBITS

1. Draft Notification of Effective Certification Letter
2. Resolution No. 16-11
3. Ordinance No. 2543

CALIFORNIA COASTAL COMMISSION

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February 12, 2016

Robert Wall, Interim Director
Humboldt County Planning & Building Dept.
3015 H Street, Suite 110
Eureka, CA 95501

RE: Effective Certification of Humboldt County Local Coastal Program (LCP)
Amendment No. LCP-1-HUM-15-0011-2 (Big Lagoon Park Company)

Dear Mr. Wall:

The Executive Director of the Coastal Commission has reviewed Board of Supervisors Resolution No. 16-11 and Ordinance No. 2543 for effective certification of the Humboldt County LCP Amendment No. LCP-1-HUM-15-0011-2 (Big Lagoon Park Company). The County's resolution indicates that the County acknowledges receipt of and accepts the Commission's resolution for certification and that the County agrees to issue permits in conformance with the modified certified local coastal program.

The Executive Director has found that the County's resolution fulfills the requirements of Section 13544(a) of the California Code of Regulations. In accordance with Section 13544(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 February 11, 2016 in Morro Bay.

Commission approval and the amendment process are now complete. If you have any questions, please contact me at (707) 826-8950.

Sincerely,

Melissa B. Kraemer
Supervising Analyst

Cc: Don Tuttle, Big Lagoon Park Company

EXHIBIT NO. 1
APPLICATION NO.
LCP-1-HUM-15-0011-2
(Big Lagoon Park Co.)
Notification of Effective
Certification Letter
(draft)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of January 19, 2016

RESOLUTION NO. 16-11

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ACCEPTING, AGREEING TO, AND APPROVING THE COASTAL COMMISSION'S SUGGESTED MODIFICATIONS AS ADOPTED BY THE CALIFORNIA COASTAL COMMISSION ON SEPTEMBER 10, 2015, TO THE BIG LAGOON PARK COMPANY AMENDMENT OF THE HUMBOLDT COUNTY GENERAL PLAN AND LOCAL COASTAL PLAN (NORTH COAST AREA PLAN) IN THE BIG LAGOON AREA, CASE NUMBERS GPA-03-01 AND ZR-03-04, ASSESSOR PARCEL NUMBERS 517-121-010 AND 517-131-009, AND AUTHORIZING TRANSMITTAL OF THE MODIFIED AMENDMENTS TO THE COASTAL COMMISSION FOR FINAL CERTIFICATION

WHEREAS, pursuant to Section 1452.2 of the Framework Plan, Section 312-50 of Humboldt County Code, and Coastal Act amendments to the Humboldt County General Plan and Zoning Regulations may be approved if physical conditions have changed, the proposed amendments are in the public interest; the proposed amendments are consistent with the General Plan; are consistent with the Coastal Act; the amendments do 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

WHEREAS, on March 17, 2015, by Resolution No. 15-35, the Board of Supervisors made all of the necessary findings as contained in Attachment 4 Exhibit B and hereby incorporated by reference, and approved a General Plan Amendment to the Humboldt County General Plan (North Coast Area Plan) to amend the North Coast Area Plan to reconfigure the boundary lines between Residential Estates and Coastal Commercial Timberland with a net shift of approximately 2.4 acres into Commercial Timberland, and to relocate the Urban Limit Line to run coincident with the new Residential Estates designated area to facilitate the relocation of fourteen cabins threatened by an unstable coastal bluff; and

WHEREAS, on March 17, 2015, the Board of Supervisors made all of the necessary findings as contained in Attachment 4 Exhibit B and hereby incorporated by reference, adopted Ordinance No. 2528 thereby amending Humboldt County Code Section 311-7 amending the zoning of subject parcel, Coastal Zoning Map E-7 and E-8, by reconfiguring the boundary line between Residential Single Family with No Further Subdivision and Design Review combining zones (RS-X-D) and Commercial Timber with a Design Review combining zone (TC-D) to follow existing vegetation on site; the cleared area in the middle of the property to be zoned Residential Single Family with No Further Subdivision, Design Review, and Planned Development Permit combining zones i.e. RS-X-D-P. The remaining portion of the property to be zoned Commercial Timber with a Design Review combining zone (TC-D); and

WHEREAS, Resolution No. 15-35 and Ordinance 2528 were made effective upon certification of the amendments by the California Coastal Commission; and

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WHEREAS, on September 10, 2015, the California Coastal Commission adopted resolutions denying the amendment to the Land Use Plan (North Coast Area Plan) as submitted, and conditionally certifying the County's proposed amendments to the Land Use Plan subject to two Suggested Modifications: 1) a text amendment to the North Coast Area Plan Section 5.20 Residential Estates (RE) Gross Density standard; 2) an amendment to the North Coast Area Plan land use map to include the notation as specified in Exhibit A and applicable the subject property; and

WHEREAS, on September 10, 2015, the California Coastal Commission adopted a resolution denying the Implementation Program amendment as submitted, and conditionally certifying the County's proposed amendments to Implementation Program (Coastal Zoning Regulations) subject to one Suggested Modification: amending the Residential Single Family (RS) Maximum Density provision of the zoning regulations, Section 313-6.1, inclusive, Humboldt County Code, to include the notation as specified in Exhibit A and applicable to the subject property; and

WHEREAS, the Coastal Commission's certification was further subjected to the County's acknowledgement of receipt; acceptance and agreement to the three Suggested Modifications as adopted by the Coastal Commission on September 10, 2015; agreement to issued Coastal Development Permits subject to the approved Local Coastal Program; and that the Local Coastal Program Amendments will be carried out in accordance with the Coastal Act; and

WHEREAS, by Resolution No. 15-35, the Board of Supervisors directed that modifications to the Local Coastal Program and Implementation Plan amendments required by the Coastal Commission for certification be brought back to the Board of Supervisors for consideration; and

WHEREAS, on November 10, 2015, by Resolution No. 15-117, the Board of Supervisors acknowledged receipt of the California Coastal Commission's resolutions adopted September 10, 2015; and requested that the Planning Commission review, report and make recommendations on the proposed Suggested Modifications to the Big Lagoon Park Company's General Plan Amendment and Zone Reclassification shown in the underlined text in Exhibit A of this Resolution in forty (40) calendar days or less after reference pursuant to Government Code Sections 65356 and 65857; and

WHEREAS, the County Planning and Building Department prepared, posted for public review, and filed with the Planning Commission a report, identified as Attachment 1 of said staff report and hereby incorporated by reference, with evidence, findings, and conclusions showing that evidence does exist to make the findings pursuant to Section 1452.2 of the Framework Plan, Section 312-50 of Humboldt County Code, and the Coastal Act to accept, agree to, and approve the three Suggested Modifications as adopted by the Coastal Commission on September 10, 2015 for Case Numbers GPA-15-001, ZR-15-001; and

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

WHEREAS, on December 3, 2015, the Planning Commission held a duly noticed public hearing on this matter to receive other evidence and testimony; and after considering all the information including public testimony the Planning Commission adopted Resolution No. 15-40 recommending that the Board of Supervisors adopt the amendments to include the Coastal Commission's Suggested Modifications and found:

1. The Suggested Modifications in Exhibit A exempt pursuant to Section 15265 of the CEQA Guidelines, and that there is no substantial evidence that the Suggested Modifications as set forth in Exhibit A will have a significant effect on the environment; and
2. That all the required findings described below in the attached Findings for Approval, Exhibit B, may be made based on the described evidence found in Attachments 1 and 5, and that the Suggested Modifications in Exhibit A conform to the policies contained in Chapter 3 of the Coastal Act; and
3. That the Local Coastal Program Amendments will be carried out in accordance with the Coastal Act, and that the Board of Supervisors agrees to issue Coastal Development Permits subject to the approved Local Coastal Program.

WHEREAS, the Suggested Modifications may be approved if all of the required findings described below in the attached Findings for Approval, Exhibit B, incorporated herein, for approving the proposed General Plan Amendment and Zone Reclassification can be made; and

WHEREAS, Attachment 2, hereby incorporated by reference, and those staff reports for the Board of Supervisors' meetings of March 17, 2015, Agenda Item L-1, and November 10, 2015, Agenda Item L-1, hereby incorporated by reference, includes evidence in support of making all of the required findings described below in the attached Findings for Approval, Exhibit B, which is incorporated herein, for approving the three Suggested Modifications as adopted by the California Coastal Commission on September 10, 2015 for the Big Lagoon Park Company's proposed General Plan Amendment and Zone Reclassification; and

WHEREAS, the Board of Supervisors reviewed and considered all the information considered by the Planning Commission for the project, including all public testimony received on the project during the public hearing on December 3, 2015; and

WHEREAS, the Board of Supervisors reviewed and considered all the information considered by the Humboldt County Board of Supervisors for the project, including the public testimony received on the project during the public hearings on March 17, 2015 and November 10, 2015; and

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WHEREAS, the Board of Supervisors conducted a public hearing on January 19, 2016 to consider the three Suggested Modifications as adopted by the California Coastal Commission on September 10, 2015; and

WHEREAS, this Resolution is intended to accept the Coastal Commission's Suggested Modifications to the County's Local Coastal Program Amendment LCP-1-HUM-15-0011-2, to adopt the Suggested Modifications, and to authorize the transmittal of the modifications to the Coastal Commission for final certification; and

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 recommendation of the Planning Commission, that:

1. The Board of Supervisors finds the Suggested Modifications in Exhibit A are 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 Exhibit A 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 B, based on the evidence in Attachment 2, and finds the Suggested Modifications conform to the policies contained in Chapter 3 of the Coastal Act;
3. The Board of Supervisors accepts, agrees to, and approves Suggested Modification 1 and Suggested Modification 2 as adopted by the California Coastal Commission on September 10, 2015, and by adoption of this Resolution, the Board of Supervisors approve Suggested Modification 1: the text amendment to the Humboldt County General Plan-North Coast Area Plan (Land Use Plan) amending the land use designation description of Section 5.20 Urban Plan Designation, Residential Estates (RE), Gross Density to state "...or as designated on Map 2A."; and the Board of Supervisors approve Suggested Modification 2: the amendment to Map 2A of the Humboldt County General Plan-North Coast Area Plan/Land Use Plan by adding the notation as specified in Attachment 1 to the subject parcel, i.e., APN 517-121-010;
4. The Board of Supervisors accepts, agrees to, and approves Suggested Modification 3 as adopted by the California Coastal Commission on September 10, 2015, and adopts Ordinance No. 2543 (Attachment 5). That by the adoption of Ordinance No. 2543, the Board of Supervisors approve Suggested Modification 3 amending Section 313-6.1, inclusive, of Title III, Division 1, Chapter 3 Section A, Part 1 (Coastal Zoning Regulations) of the Humboldt County Code (Implementation Plan) relating to the Residential Single Family (RS) zoning regulations by amending the Maximum Density by adding the notation as specified in Attachment 1 to the subject parcel;
5. The Board of Supervisors authorizes and directs Planning staff to transmit the adopted changes to the Land Use Plan and Implementation Plan to the California Coastal Commission for final certification;

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6. Finds that the amendments will be effective immediately upon certification by the California Coastal Commission;
7. 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;
8. 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; and
9. Directs the Clerk of the Board to publish a Post Adoption Summary of the Ordinance (Attachment 5) within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinance and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance.

Dated: January 19, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Sundberg, seconded by Supervisor Bohn, and the following vote:

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

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

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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EXHIBIT A

**COASTAL COMMISSION SUGGESTED MODIFICATIONS
ADOPTED SEPTEMBER 10, 2015**

Land Use Plan/North Coast Area Plan

SUGGESTED MODIFICATION 1: The "Gross Density" of the RE [Residential Estates] land use designation description within LUP Section 5.20 (Urban Plan Designation) shall be amended to read as follows:

...

Gross Density: 0-2 units per acre or as designated on Map 2A.

SUGGESTED MODIFICATION 2: Map 2A of the LUP shall be amended to depict (1) the reconfigured RE and TC land use designations as submitted, (2) the reconfigured urban limit line as submitted, and (3) the following notation applicable to the RE-designated area on the subject lot only:

"Notwithstanding the otherwise applicable density provisions of the Land Use Plan, the 4.8-acre area designated RE on APN 517-121-010 may accommodate the relocation of existing residential development on the adjacent 28-acre lot (APN 517-131-009) away from geologically hazardous areas, if all of the following conditions are met: (1) the relocation of existing structures from APN 517-131-009 to APN 517-121-010 will result in no increase in development potential of the combined property comprising APNs 517-131-009, 517-121-010, and 517-131-011, (2) the commonly owned property comprising these three APNs are either (a) legally merged, or (b) treated as one parcel under a binding agreement required to be executed and recorded pursuant to a valid coastal development permit authorizing the relocation of the existing residential development, (3) the property comprising APN 517-121-010 is capable of being developed with relocated existing residential development consistent with all applicable policies and standards of the certified LCP, and (4) the relocation of the existing residential development shall be sited and designed such that it assures stability and structural integrity and at no time engenders the need for the construction of a shoreline protection device that would substantially alter natural landforms along bluffs and cliffs."

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Implementation Plan/Coastal Zoning Regulations

SUGGESTED MODIFICATION 3: The "Maximum Density" standards of the RS: Residential Single Family zone district standards listed in Section 313-6.1 of the Coastal Zoning Regulations shall be amended as follows:

...

Maximum Density	Either one dwelling unit (1du) per lawfully created lot or two dwelling units (2du) per lawfully created lot if a Special Permit is secured for a second residential unit, or as designated in Note 1 below for APN 517-121-010 in the Big Lagoon area. In a manufactured home park, one dwelling unit per manufactured home lot is permitted up to the maximum density allowed by the General Plan.
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...

"Note 1: Notwithstanding the otherwise applicable density provisions of the Coastal Zoning Regulations, the 4.8-acre area zoned RS on APN 517-121-010 may accommodate the relocation of existing residential development on the adjacent 28-acre lot (APN 517-131-009) away from geologically hazardous areas, if all of the following conditions are met: (1) the relocation of existing structures from APN 517-131-009 to APN 517-121-010 will result in no increase in development potential of the combined property comprising APNs 517-131-009, 517-121-010, and 517-131-011, (2) the commonly owned property comprising these three APNs are either (a) legally merged, or (b) treated as one parcel under a binding agreement required to be executed and recorded pursuant to a valid coastal development permit authorizing the relocation of the existing residential development, (3) the property comprising APN 517-121-010 is capable of being developed with relocated existing residential development consistent with all applicable policies and standards of the certified LCP, and (4) the relocation of the existing residential development shall be sited and designed such that it assures stability and structural integrity and at no time engenders the need for the construction of a shoreline protection device that would substantially alter natural landforms along bluffs and cliffs."

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EXHIBIT B

FINDINGS OF APPROVAL

EXHIBIT NO. 2
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Required Findings for General Plan Amendments

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. These changes include changing property from one plan designation or zone to another. Per Section 1452.2, *Findings Required*, of the Framework Plan, an amendment may be approved:

1. Upon making any of the following findings:
 - a) Base information or physical conditions have changed; or
 - b) Community values and assumptions have changed; or
 - c) There is an error in the plan; or
 - d) To maintain established uses otherwise consistent with a comprehensive view of the plan.

Required Findings for General Plan Amendments/Zone Reclassifications

State Planning and Zoning Law (Government Code Section 65000 et seq.), Section 1452.2 of the Framework Plan, and Section 312-50 of the Humboldt County Code (HCC) states the following findings must be made to approve changes in the Zoning Maps and Regulations:

2. The proposed amendment is in the public interest;
3. The proposed amendment is consistent with the General Plan;
4. 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.

Required Findings for Consistency with the Coastal Act

Title 14, Section 13551 of the Coastal Commission's Administrative Regulations, Public Resources Code, Section 30200, and Section 312-50.3.3 HCC requires proposed amendments to conform to the policies contained in Chapter 3 of the Coastal Act, which sets forth policies regarding the following issues:

5. Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).
6. Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aqua- cultural uses, and priority of development purposes).
7. Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).
8. Land Resources (including protection of environmentally sensitive habitats, agricultural lands, timberlands, and archaeological or paleontological resources)
9. 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).

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of January 19, 2016

**ORDINANCE AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY
REZONING PROPERTY IN THE FIELDBROOK AREA [ZR-15-001 (VAN ECK FOREST
FOUNDATION)]**

ORDINANCE NO. 2543

**ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
AMENDING CHAPTER 3, INCLUSIVE, TO TITLE III, DIVISION 1, CHAPTER 3, SECTION A,
PART 1 (COASTAL ZONING REGULATIONS) OF THE HUMBOLDT COUNTY CODE
RELATING TO THE RESIDENTIAL SINGLE FAMILY (RS) ZONING REGULATIONS**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 313-6.1, inclusive, of Title III, Division 1, Chapter 3 Section A, Part 1 (Coastal Zoning Regulations) of the Humboldt County Code relating to the Residential Single Family (RS) zoning regulations is hereby amended as shown on the attached pages.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon the filing of the Notice of Certification with the Secretary of Natural Resources by the Coastal Commission Executive Director. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this 19th day of January, 2016 on the following vote, to wit:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NOES:	Supervisors	--
ABSENT:	Supervisors	--



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

(SEAL)

ATTEST:

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

by: 
Ana Hartwell, Deputy

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Title III, Division 1, Chapter 3 Section A, Part 1 (Coastal Zoning Regulations) of the Humboldt County Code

...

313-6 RESIDENTIAL ZONE DISTRICTS

313-6.1	RS: Residential Single Family
	Principal Permitted Use
	Residential Single Family Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations
Civic Use Types	Guest House Essential Services Community Assembly Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations Neighborhood Commercial Private Institution Private Recreation Timber Production
Commercial Timber Use Type	
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RS zone.

*See, Industrial Performance Standards, Section 313-103.1.

**See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section 313-165. (Former Section CZ#A313-16(A-C); amended by Ord. 1853, 12/20/88; amended by Ord. 2167, Sec. 13, 4/7/98; amended by Ord. 2376A, 7/25/06)

EXHIBIT NO. 3
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313-6.1		RS: Residential Single Family	
Development Standards			
Minimum Lot Size and Minimum Lot Width			
Zone Designation	Minimum Lot Size	Minimum Lot Width	
RS-5	5,000 sq. ft.	50 feet	
RS-7.5	7,500 sq. ft.	60 feet	
RS-10	10,000 sq. ft.	60 feet	
RS-20	20,000 sq. ft.	75 feet	
RS-40	40,000 sq. ft.	150 feet	
Maximum Lot Depth	Three (3) times the lot width.		
Maximum Density	Either one dwelling unit (1du) per lawfully created lot or two dwelling units (2du) per lawfully created lot if a Special Permit is secured for a second residential unit, <u>or as designated in Note 1 below for APN 517-121-010 in the Big Lagoon area.</u> In a manufactured home park, one dwelling unit per manufactured home lot is permitted up to the maximum density allowed by the General Plan.		
Minimum Yard Setbacks***			
Front	Twenty feet (20').		
Rear	Ten feet (10').		
Interior Side	Five feet (5').		
Exterior Side	Same as front or one-half (½) the front if all parts of the main building are more than twenty-five feet (25') from the rear lot line, and the exterior side yard does not abut a “collector” or “higher order street” (see, this Chapter, Section C: Index of Definitions of Language and Legal Terms). In questionable cases, the Public Works Director shall classify the subject street. A record of all streets so classified shall be maintained as a public record which is available to the public at Community Development Services and/or the Department of Public Works.		
Double Frontage Lots	Front and rear yards shall be twenty feet (20'); except that the rear yard setback may be reduced to ten feet (10') where such yard abuts an alley.		
Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.		
Maximum Ground Coverage	Thirty-five percent (35%).		
Maximum Structure Height	Thirty-five feet (35').		
Permitted Main Building Types	Residential Single Detached; Manufactured Homes in Manufactured Home Parks. Limited Mixed Residential-Nonresidential. Nonresidential Detached or Multiple/Group.		

EXHIBIT M
APPLICATION

***Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 313-30: "Alquist-Priolo Fault Hazard" and the "Fire Safe Regulations" at Title III, Division 11.

(Former Section CZ#A313-16(A-C); amended by Ord. 1853, 12/20/88)

Note 1: Notwithstanding the otherwise applicable density provisions of the Coastal Zoning Regulations, the 4.8-acre area zoned RS on APN 517-121-010 may accommodate the relocation of existing residential development on the adjacent 28-acre lot (APN 517-131-009) away from geologically hazardous areas, if all of the following conditions are met: (1) the relocation of existing structures from APN 517-131-009 to APN 517-121-010 will result in no increase in development potential of the combined property comprising APNs 517-131-009, 517-121-010, and 517-131-011, (2) the commonly owned property comprising these three APNs are either (a) legally merged, or (b) treated as one parcel under a binding agreement required to be executed and recorded pursuant to a valid coastal development permit authorizing the relocation of the existing residential development, (3) the property comprising APN 517-121-010 is capable of being developed with relocated existing residential development consistent with all applicable policies and standards of the certified LCP, and (4) the relocation of the existing residential development shall be sited and designed such that it assures stability and structural integrity and at no time engenders the need for the construction of a shoreline protection device that would substantially alter natural landforms along bluffs and cliffs.